

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

March 5, 2013

The Long Range Capital Planning and Utilization Committee met on Tuesday, March 5, 2013 at 3:30 p.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative David Campbell
Representative Gene Chandler
Representative John Cloutier
Representative Alfred Lerandean
Representative John Graham (Alternate)
Representative Katherine Rogers (Alternate)
Senator David Boutin
Senator Sylvia Larsen
Senator James Rausch
Senator Nancy Stiles

Michael Connor, Department of Administrative Services

Representative Campbell called the meeting to order at 3:48 p.m.

ORGANIZATION OF COMMITTEE:

On a motion by Senator Boutin, seconded by Representative Lerandean, that Representative Campbell be nominated as Chairman of the Long Range Capital Planning and Utilization Committee.

The nominations were closed and a unanimous vote was cast for Representative Campbell for Chairman.

On a motion by Representative Campbell, seconded by Representative Chandler, that Senator Boutin be nominated as Vice-Chairman of the Long Range Capital Planning and Utilization Committee.

The nominations were closed and a unanimous vote was cast for Senator Boutin for Vice-Chairman.

On a motion by Senator Rausch, seconded by Senator Stiles, that Representative Cloutier be nominated as Clerk of the Long Range Capital Planning and Utilization Committee.

The nominations were closed and a unanimous vote was cast for Representative Cloutier for Clerk.

COMMITTEE ORIENTATION:

LRCP 13-001 – Michael Kane, Deputy Legislative Budget Assistant, Office of Legislative Budget Assistant, presented the Committee with a brief overview of the Revised Statutes Annotated for the Long Range Capital Planning and Utilization Committee and updated the Committee on the Office of Legislative Budget Assistant website where all Long Range Capital Planning and Utilization Committee meeting dates, agendas, minutes, meeting items, quick meeting results, and transcripts will be posted as available.

ACCEPTANCE OF MINUTES:

On a motion by Representative Chandler, seconded by Senator Rausch, that the minutes of the November 27, 2012 meeting be accepted as written. MOTION ADOPTED. (3-Abstained)

OLD BUSINESS:

NEW BUSINESS:

RSA 4:39-b APPROVAL OF STATE AGENCY LEASES EXCEEDING 5 YEARS:

LRCP 13-002 Department of Health and Human Services – Nicholas Toumpas, Commissioner, Department of Health and Human Services presented the request and responded to questions of the Committee, joined by David Clapp, Administrator, Bureau of Facilities and Assets Management, Department of Administrative Services. Carl Thibodeau, C&C Thibodeau Properties, landlord of the current office site in North Conway, was also present to address the Committee and respond to questions.

On a motion by Representative Chandler, seconded by Representative Cloutier, that the Committee table the request of the Department of Health and Human Services for approval of a ten-year lease agreement with Levere-Horne Ossipee, LLC, 11 Court Street, Exeter, NH for approximately 10,732 square feet of office space located at 9 Route 28 in Ossipee, NH, and occupancy of the premises and commencement of rental payment to begin September 1, 2013, following completion of all construction as specified, with an end date of August 31, 2023, for a total lease cost of \$2,573,748.24, for the schedule of annual rent as specified in the request dated January 17, 2013. The Long Range Capital Planning and Utilization Committee tabled the original request (LRCP 12-061) November 27, 2012, whereupon it died on the table. MOTION ADOPTED. (7-Yes, 1-No)

Commissioner Toumpas requested what information the Committee would like regarding the request, to which the response was; a comparison against the current square footage and current financial data to be provided to the Office of Legislative Budget Assistance. Representative Chandler reported he will submit additional questions through the Committee Chair.

RSA 4:39-c DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE:

LRCP 13-004 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Lerandean, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell and release its interest in a 1,539 square foot portion of the Limited Access Right-of-Way located on the westerly side of the FE Everett Turnpike (Interstate 293) in the City of Manchester directly to Allard Family L.C. for \$4,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated January 18, 2013. MOTION ADOPTED.

LRCP 13-009 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Cloutier, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 2 +/- acre parcel of State owned land located along the northerly side of NH Route 10 in the Town of Piermont by sealed bid process to the general public by amending LRCP 11-028, originally approved August 23, 2011, to decrease the minimum bid requirement from \$25,100 to \$7,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 11, 2013. MOTION ADOPTED.

LRCP 13-011 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Cloutier, seconded by Representative Lerandean, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to extend the listing agreement with Coldwell Banker for a term of six (6) months, for the sale of a 4.4 +/- acre parcel of State owned land located on the corner of Radburn Street, Smyth Road and Mammoth Road, with the parcel also being located on the easterly side of Interstate 93 in the City of Manchester for the current listing price of \$150,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 13, 2013. This item (LRCP 11-032) was originally approved by the Long Range Capital Planning and Utilization Committee on November 3, 2011, with subsequent approved action taken on (LRCP 12-045) September 18, 2012. The vote was postponed as Senator Boutin had temporarily stepped away from the meeting.

LRCP 13-012 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Lerandeau, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell two (2) parcels of land (0.94 +/- acre and 0.1 acre) located on the easterly side of US Route 3/NH Route 11 in the Town of Tilton directly to the Town of Tilton for \$14,700, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 15, 2013. MOTION ADOPTED.

Upon the return of Senator Boutin the Committee acted on LRCP 13-011.

LRCP 13-011 Department of Transportation – On a motion by Representative Cloutier, seconded by Representative Lerandeau, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to extend the listing agreement with Coldwell Banker for a term of six (6) months, for the sale of a 4.4 +/- acre parcel of State owned land located on the corner of Radburn Street, Smyth Road and Mammoth Road, with the parcel also being located on the easterly side of Interstate 93 in the City of Manchester for the current listing price of \$150,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 13, 2013. This item (LRCP 11-032) was originally approved by the Long Range Capital Planning and Utilization Committee on November 3, 2011, with subsequent approved action taken on (LRCP 12-045) September 18, 2012. MOTION ADOPTED.

LRCP 13-013 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief of Property Management, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Senator Boutin, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to extend the listing agreement with NAI Norwood Group for a term of six (6) months for the sale of a 11.7 acre (4.735 hectare) parcel of State owned land with buildings located at 41 Range Road (easterly side of NH Route 111), just south of Searles Road in the Town of Windham for the current listing price of \$1,250,000, allowing negotiations within the Committee's current policy guidelines, and assess an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 20, 2013. This item (LRCP 12-019) was originally approved by the Long Range Capital Planning and Utilization Committee on April 3, 2012. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 13-005 Department of Administrative Services – Michael Connor, Director, Plant and Property Management, Department of Administrative Services, presented the request and responded to questions of the Committee.

Representative Campbell reported that he had received a phone call from the Mayor of Nashua to inform the Committee that the City of Nashua was interested in the property and was waiting to receive the property appraisal, and requested that the Department of Administrative Services send the appraisal to the City.

On a motion by Representative Campbell, seconded by Senator Stiles, that the Committee table the request of the Department of Administrative Services to enter into a listing agreement with NAI Norwood Group, allowing negotiations within the Committee's current policy guidelines, for a term of up to one year to sell the former Nashua District Court property located at 25 Walnut Street (including one building of approximately 19,459 square feet and approximately 1.11 acres of land) in the City of Nashua for \$1,153,778, plus an \$1,100 Administrative Fee, as specified in the request dated January 17, 2013. **Corrected to read, MOTION TO TABLE ADOPTED.**

LRCP 13-006 Department of Administrative Services – Michael Connor, Director, Plant and Property Management, Department of Administrative Services, presented the request and responded to questions of the Committee. Also present to respond to questions of the Committee was Chris Norwood, from NAI Norwood Group.

On a motion Senator Larsen, seconded by Representative Cloutier, that the Committee approve the request of the Department of Administrative Services to enter into a listing agreement with NAI Norwood Group for a term of up to one year to sell the property located at 247-249 Pleasant Street (including two buildings totaling approximately 5,356 square feet and approximately 0.989 acres of land) in the City of Concord for a price to be determined at a later date with further approval of the Committee, plus an \$1,100 Administrative Fee, as specified in the request dated January 17, 2013. It is the understanding of the Committee that the Department will return before the Committee within 60 days to seek approval to sell the property at the highest and best price. MOTION ADOPTED.

LRCP 13-007 New Hampshire Fish and Game Department – Richard Cook, Land Agent, N.H. Fish and Game Department presented the request and responded to questions of the Committee. James Rines, representing his aunt and uncle, abutters, was present to address the Committee and respond to questions.

On a motion by Senator Boutin, seconded by Representative Cloutier, that the Committee approve the request of the New Hampshire Fish and Game Department for the sale of a 0.58 acre parcel of land located on Conner Pond Road in the Town of Ossipee for \$11,500, plus an \$1,100 Administrative Fee, to abutters, Bruce and Marion Rines of Ossipee, as specified in the request dated January 17, 2013. The Long Range Capital Planning and Utilization Committee tabled the original request (LRCP 12-062) November 27, 2012, whereupon it died on the table. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE, AND RSA 228:67 DISPOSITION OF ACQUIRED OR ABANDONED RAIL PROPERTIES:

LRCP 13-008 Department of Transportation – Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Senator Boutin, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to enter into a Sale agreement with the Town of Windham for a 1.01 acre parcel of land located on the State-owned Manchester & Lawrence railroad corridor in Windham, for \$7,000, and assess a \$1,100 Administrative Fee, as specified in the request dated February 4, 2013. MOTION ADOPTED

MISCELLANEOUS:

On a motion by Representative Chandler, seconded by Representative Lerandean, that as policy, the Long Range Capital Planning and Utilization Committee authorize at the discretion of the agency, the ability to negotiate within 10 percent of the listing price on all properties, unless an exception is made by the Committee. MOTION ADOPTED.

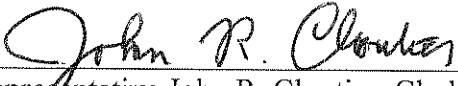
On a motion by Representative Chandler, seconded by Representative Lerandean, that the Committee approve the current Commission Schedule for the 2013-2014 biennium. MOTION ADOPTED.

INFORMATIONAL:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT

The next meeting of the Long Range Capital Planning and Utilization Committee will be at the Call of The Chair. (Where upon the meeting adjourned at 4:49 p.m.)


Representative John R. Cloutier, Clerk