

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

November 27, 2012

The Long Range Capital Planning and Utilization Committee met on Tuesday, November 27, 2012 at 10:00 a.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative John Graham, Chairman
Representative David Campbell
Representative Gene Chandler
Representative Carl Seidel
Representative John Cloutier (Alternate)
Representative Chris Nevins (Alternate)
Senator John Gallus
Senator Sylvia Larsen
Senator James Rausch
Senator Jeb Bradley (Alternate)
John Beardmore, Governor's Office

Michael Connor, Department of Administrative Services

Chairman Graham called the meeting to order at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Seidel, seconded by Representative Nevins, that the minutes of the September 18, 2012 meeting be accepted as written. MOTION ADOPTED.

OLD BUSINESS:

LRCP 12-030 Additional Information and LRCP 12-030 Department of Administrative Services – Representative Graham updated the Committee that he had spoken to the Office of Legislative Budget Assistant and the Department of Administrative Services, and that the item would remain an Informational Item requiring no Committee action.

NEW BUSINESS:

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

LRCP 12-061 Department of Health and Human Services – On a motion by Representative Chandler, seconded by Senator Gallus, that the Committee table the request of the Department of Health and Human Services due to no agency representation at the start of the meeting. MOTION WITHDRAWN.

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 Senator Larsen, seconded by Representative Campbell, that the Committee approve 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, with the agreement date effective as of December 19, 2012 with an end date of August 31, 2023, and occupancy of the premises and commencement of rental payment to begin September 1, 2013, for a total lease cost of \$2,573,748.24, for the schedule of annual rent as specified in the request dated October 22, 2012. MOTION FAILED.

On a motion by Representative Chandler, seconded by Senator Gallus, 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, with the agreement date effective as of December 19, 2012 with an end date of August 31, 2023, and occupancy of the premises and commencement of rental payment to begin September 1, 2013, for a total lease cost of \$2,573,748.24, for the schedule of annual rent as specified in the request dated October 22, 2012, requesting that Mr. Thibodeau submit to the Committee his proposal of options that he gave the Department of Health and Human Services. MOTION WITHDRAWN.

On a motion by Representative Chandler, seconded by Representative Campbell, 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, with the agreement date effective as of December 19, 2012 with an end date of August 31, 2023, and occupancy of the premises and commencement of rental payment to begin September 1, 2013, for a total lease cost of \$2,573,748.24, for the schedule of annual rent as specified in the request dated October 22, 2012. MOTION ADOPTED. (8-Yes, 1-No)

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

LRCP 12-063 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. Senator Bob Odell, Jesse Singh, and Ron Puri, property owners/business partners were also present to address the Committee and respond to questions.

On a motion by Senator Gallus, seconded by Representative Campbell, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 0.26 +/- acre portion of the Controlled Access Right-of-Way located on the southwesterly side of NH Route 103 in the Town of Bradford directly to Bradford Management, LLC for \$44,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated November 14, 2012. MOTION ADOPTED.

LRCP 12-064 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. Also present were Glenn Normandeau, Executive Director, N.H. Fish and Game Department, and Van McLeod, Commissioner, Department of Cultural Resources.

On a motion by Representative Campbell, seconded by Senator Rausch, that the Committee **amend** and approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 5 +/- acre parcel of State owned land improved with a historic two (2) story farmhouse located on the southerly side of NH Route 101 in the Town of Exeter to Edward J. Conner, or assigns, by amending Item LRCP 11-040 (approved January 31, 2012) by decreasing the sales price from \$121,100, which included an \$1,100 Administrative Fee, to \$11,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated November 13, 2012, and **to include a reversion clause, as approved by the Attorney General, that total renovations take place within 10 years of the sale date.** MOTION ADOPTED. (7-Yes, 2-No)

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 12-053 Department of Administrative Services – Michael Connor, Director of Plant and Property Management, Department of Administrative Services, presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Chandler, that the Committee approve the request of the Department of Administrative Services, to retroactively enter into a three (3) month Amendment to the Use of Premises Agreement with the City of Concord, 41 Green Street, Concord, NH, authorizing the rental of State owned property located in the 6th Circuit District Division-Concord Courthouse (formerly Concord District Court), 32 Clinton Street, Concord for 351 square feet of office space in the courthouse, by extending the agreement end date three (3) months from September 1, 2012 to November 30, 2012, for a total of \$1,204.95, at the schedule of monthly rent as specified in the request dated September 5, 2012. This item (LRCP 09-027) was originally approved by the Long Range Capital Planning and Utilization Committee on May 19, 2009. MOTION ADOPTED

LRCP 12-054 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 Representative Chandler, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to enter into a lease agreement with Channel Marine for a 3,600 square foot parcel of land located on the State-owned Concord to Lincoln railroad corridor in Laconia for \$875 per year, for a total of \$4,375 for five (5) years, with a five-year renewal provision, and assess a one-time \$1,100 Administrative Fee, subject to the conditions as specified in the request dated September 20, 2012. MOTION ADOPTED.

LRCP 12-056 Department of Resources and Economic Development – Christopher Gamache, Chief Supervisor, Bureau of Trails, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator Gallus, seconded by Representative Campbell, that the Committee approve the request of the Department of Resources and Economic Development, Division of Parks and Recreation, Bureau of Trails, to execute a 30 year Right-of-Way (ROW) easement over State land know as Jericho Mountain State Park in exchange for a recreation easement over property of Jericho Power LLC, at no cost to the State, subject to the conditions as specified in the request dated October 26, 2012. MOTION ADOPTED.

LRCP 12-057 Department of Resources and Economic Development – Christopher Gamache, Chief Supervisor, Bureau of Trails, and Robert Spoerl, Land Agent, Division of Forests and Lands, Department of Resources and Economic Development presented the request and responded to questions of the Committee.

On a motion by Senator Larsen, seconded by Representative Campbell, that the Committee approve the request of the Department of Resources and Economic Development, Division of Forests and Lands, to sell the camp building at William Thomas State Forest, in the Town of Hill, by competitive bid and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 29, 2012. MOTION ADOPTED.

LRCP 12-059 Department of Employment Security – George Copadis, Commissioner, Department of Employment Security presented the request and responded to questions of the Committee.

On a motion by Representative Campbell, seconded by Senator Gallus, that the Committee approve the request of the Department of Employment Security, to amend LRCP 12-042, approved by the Long Range Capital Planning and Utilization Committee on September 18, 2012, to allow New Hampshire Employment Security to sell without the services of a real estate broker, for the current market value, the following properties located at: 32-24 South Main St, Concord; 10 West St, Concord; 298 Hanover St, Manchester; and 300 Hanover St, Manchester, assess an Administrative Fee of \$1,100 per property, and allow negotiations within the Committee's current policy guidelines, as specified in the request dated November 14, 2012. MOTION ADOPTED.

LRCP 12-060 Department of Administrative Services – Michael Connor, Director of Plant and Property Management, Department of Administrative Services, presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Chandler, that the Committee approve the request of the Department of Administrative Services, to enter into a three (3) year Use of Premises Agreement with Rockingham County for 18,053 square feet of state owned office space located in the lower level of the Rockingham County Superior Courthouse, #10 Route 125, Brentwood, NH, for the term of January 1, 2013 to December 31, 2015 for a total lease amount of \$532,920, at the schedule of annual rent as specified in the

request dated October 29, 2012. MOTION ADOPTED.

LRCP 12-062 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 Larsen, seconded by Representative Chandler, that the Committee table the request of the New Hampshire Fish and Game Department authorization of the sale of a 0.58 acre parcel of State owned land located on Conner Pond in the Town of Ossipee for \$11,500 to James Rines, an abutter, and assess an \$1,100 Administrative Fee, as specified in the request dated November 12, 2012, **with the understanding that the parcel be adequately noticed for sale and the abutters notified.** MOTION ADOPTED.

LRCP 12-065 New Hampshire Liquor Commission – Craig Bulkley, Chief of Administration, New Hampshire Liquor Commission presented the request and responded to questions of the Committee.

On a motion by Senator Rausch, seconded by Representative Campbell, that the Committee approve the request of the New Hampshire Liquor Commission to grant a 20 x 464 foot utility easement to Public Service of New Hampshire (PSNH) and Northern New England Telephone Operations, LLC d/b/a FairPoint Communications – NNE, to construct a 464 foot, three-phase line extension from Route 9, W. Chesterfield to the new retail store's transformer and further authorization to waive the Administrative Fee, as specified in the request dated November 9, 2012. MOTION ADOPTED. (8-Yes, 1-No)

RSA 17-M:2(b), POWERS AND DUTIES:

LRCP 12-055 Department of Administrative Services – Michael Connor, Director of Plant and Property Management, Department of Administrative Services, presented the request and responded to questions of the Committee.

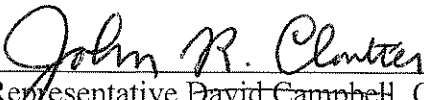
On a motion by Senator Gallus, seconded by Senator Larsen, that the Committee approve the request of the Department of Administrative Services, request approval of a thirty-five (35) year inter-agency lease for the sum of one dollar (\$1.00) to the Department of Employment Security, 32 South Main Street, Concord, NH, for the approximate 77,000 square foot "Tobey Building" and certain areas of the surrounding grounds located on the New Hampshire Hospital Campus at 48 South Fruit Street, Concord, NH, with the thirty-five year (35) occupancy term commencing upon completion of renovations and receipt of "certificate of occupancy" targeted for September 30, 2013, subject to the conditions as specified in the request dated October 16, 2012. 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 12:00 p.m.)


Representative David Campbell, Clerk
John Cloutier