

**MINUTES**  
**STATE BUILDING COMMISSION**  
**Executive Subcommittee**  
**December 9, 2011**

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The State Building Commission Executive Subcommittee met this day at 12:30 p.m. in House Hearing Room 30, Legislative Plaza, Nashville, Tennessee. Chairman Emkes called the meeting to order at 12:30 p.m. and requested action on the following matters as presented by State Architect Bob Oglesby.

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT

Chairman Mark Emkes, Commissioner, Department of Finance and Administration  
Vice-Chairman Tre Hargett, Secretary of State  
Justin Wilson, Comptroller of the Treasury

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS ABSENT

David Lillard, State Treasurer

OTHERS PRESENT

Bob Oglesby, State Architect  
Georgia Martin, Office of the State Architect  
Genie Whitesell, Attorney General's Office  
Jonathan Rummel, Secretary of State's Office  
Melinda Parton, Comptroller's Office  
Joy Harris, Treasurer's Office  
Bruce Davis, Legislative Budget Office  
Jason Mumpower, Comptroller's Office  
Mike Morrow, Department of Finance and Administration  
Matt Ingham, Department of General Services  
Felenceo Hill, Department of Finance and Administration  
John Carr, Department of Finance and Administration  
Cindy Liddell, Comptroller's Office  
Jose McNeill, Department of General Services  
Mark Cherpack, Department of Finance and Administration  
Steve Berry, Department of General Services

Lynelle Jensen, Department of General Services  
Richard Rosenbaum, Department of General Services  
Gwen Sanders, Department of General Services  
Bill Gibbons, Department of Safety  
Larry Godwin, Department of Safety  
Penny DiPiazza, Department of General Services  
Bill Finney, Department of General Services  
Cathy Higgins, Legislative Budget Office  
Blake Fontenay, Constitutional Officers  
Luke Koontz, Department of General Services  
Chloe Shafer, Department of General Services  
Mike Boshers, Department of Safety  
Dereck Stewart, Department of Safety  
Betty Blair, Department of Safety  
Tracy Trott, Department of Safety  
Dave Thurman, Department of Finance and Administration  
Trammel Hoehn, Department of Finance and Administration

## DEPARTMENT OF SAFETY

### Statewide

**Requested Action:** Acknowledgment of subcontractor plan and approval of contract

**Project Title:** Public Safety Interoperable Communication Systems

**Project Description:** Statewide project to provide public safety with an interoperable communication system

**SBC Number:** 502/001-01-2011

**Total Project Budget:** \$92,090,000.00

**Current Project Funding:**  
(if not fully funded) \$41,290,000.00

**Source of Funding:**

\$29,500,000.00	10/11	Current Funds Capital Improv	(A)
\$ 9,700,000.00	2011	Operating Funds	(A)
\$ 1,000,000.00		Residual Bond Funds	(R)
\$ 950,000.00	2010	GO Bonds Capital Improv	(A)
\$ 140,000.00	10/11	Current Funds Capital Improv	(A)


**Comment:** The Department of Safety is leading a statewide initiative to upgrade and create an interoperable communication system for public safety purposes to comply with FCC narrow-banding requirements. This project will require services to design, construct and install technical software and equipment to ensure the operability of this system. Funding is currently in place for Phase 1 with approval to proceed through establishment of contracts required for all services for the project. This contract is for the design, construction and installation of Phase 1, which is needed to proceed with a waiver request to the FCC to extend the narrow-banding deadline.

**Previous SBC Action:**

01/13/2011	SBC	Referred to Subcommittee with authority to act
01/24/2011	ESC	Deferred action
03/21/2011	ESC	Approved project through Phase 1 estimated project cost.
03/28/2011	ESC	Approved selection of consultant (Buford Goff & Assoc)

**Minutes:** 12/09/2011 ESC Colonel Trott thanked the Subcommittee for holding the special meeting and accommodating their needs, and presented the request. Comptroller Wilson confirmed that the contract changes requested by his office had been made and reviewed by the Attorney General's Office. A motion to approve was made and properly seconded. Commissioner Gibbons made a presentation to Peter Heimbach as an expression of appreciation for his help. Secretary Hargett clarified that the motion should include approval of the subcontractor plan as well. The amended motion was properly seconded and passed without objection.

Approved:

  
Mark A. Emkes, Commissioner  
Department of Finance and Administration

**MINUTES**  
**STATE BUILDING COMMISSION**  
**Executive Subcommittee**  
**December 19, 2011**

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The State Building Commission Executive Subcommittee met this day at 10:30 a.m. in House Hearing Room 30, Legislative Plaza, Nashville, Tennessee. Vice-Chairman Hargett called the meeting to order at 10:33 a.m. and requested action on the following matters as presented by State Architect Bob Oglesby.

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT

Vice-Chairman Tre Hargett, Secretary of State  
Justin Wilson, Comptroller of the Treasury  
David Lillard, State Treasurer

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS ABSENT

Chairman Mark Emkes, Commissioner, Department of Finance and Administration

OTHERS PRESENT

Bob Oglesby, State Architect  
Georgia Martin, State Architect's Office  
Jurgen Bailey, Department of General Services  
Steve Berry, Department of General Services  
Jonathan Rummel, Secretary of State's Office  
Joy Harris, Treasurer's Office  
Melinda Parton, Comptroller's Office  
Janie Porter, Attorney General's Office  
Genie Whitesell, Attorney General's Office  
Dick Tracy, Tennessee Board of Regents  
Peter Heimbach, Department of General Services  
Steve Cates, Department of General Services  
Scott Boelscher, THEC  
Sean Tierney, THEC  
Russ Deaton, THEC  
Chloe Shafer, Department of General Services  
Lynelle Jensen, Department of General Services  
Don Johnson, Department of General Services  
Luke Koontz, Department of General Services  
Abigail Lipshire, Department of General Services  
Mark Cherpack, Department of Finance and Administration

Kim Adkins, Codell Construction  
Felenceo Hill, Department of Finance and Administration  
Matt Ingham, Department of General Services  
Howard Symons, Department of General Services  
Gwen Sanders, Department of General Services  
Larry Stephens, Michael Brady Inc.  
Courtney Smith, Baker Donelson  
Skip Hindman, Baker Donelson  
Tom Frye, CBRE  
Vince Dunavant, CBRE  
Pete Larkin, CBRE  
Roger Smith, Jones Lang LaSalle  
Jeff Harris, Jones Lang LaSalle  
Jonathan McCord, Jones Lang LaSalle  
John Fetz, Jones Lang LaSalle  
Carolyn Riddle, Cassidy Turley  
John Dolynchuck, Tetra Tech  
Tiki Dixon, Tetra Tech

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## CONSENT AGENDA

Approved the following real property transactions which had been reviewed and recommended for approval by Sub-Committee staff:

- A. Agency: **Tennessee Board of Regents – Knox County**  
Transaction: Acquisition in fee  
Provision: Waiver of advertisement & one appraisal
  
- B. Agency: **Tennessee Board of Regents – Knox County**  
Transaction: Demolition of building
  
- C. Agency: **Tennessee Board of Regents –Blount County**  
Transaction: Acquisition in fee  
Provision: Waiver of advertisement & one appraisal
  
- D. Agency: **Tennessee Board of Regents – Blount County**  
Transaction: Demolition of building
  
- E. Agency: **Tennessee Board of Regents – Bradley County**  
Transaction: Disposal by lease  
Provision: Waiver of advertisement & appraisals
  
- F. Agency: **Department of Human Services – Rutherford County**  
Transaction: Disposal by easement  
Provision: Waiver of advertisement & appraisals
  
- G. Agency: **Tennessee Wildlife Resources Agency – Fayette & Shelby Counties**  
Transaction: Acquisition in fee  
Provision: Waiver of advertisement & one appraisal
  
- H. Agency: **Tennessee Wildlife Resources Agency – Greene County**  
Transaction: Disposal in fee  
Provision: Waiver of advertisement & appraisals
  
- I. Agency: **Department of Environment & Conservation – McNairy County**  
Transaction: Acquisition by conservation easement  
Provision: Waiver of advertisement & appraisals
  
- J. Agency: **Department of Environment & Conservation – Fentress County**  
Transaction: Acquisition in fee  
Provision: Waiver of advertisement & appraisals
  
- K. Agency: **Department of Environment & Conservation – Greene & Unicoi Counties**  
Transaction: Conservation Fund  
Provision: Waiver of advertisement & appraisals

DEPARTMENT OF VETERAN AFFAIRS

Veterans Cemeteries, Germantown, Shelby County, Tennessee

**Requested Action:** Approval of a revision in source(s) of funding

**Project Title:** Administration Building Addition

**Project Description:** Renovation and addition to the break area for cemetery employees

**SBC Number:** 682/000-04-2011

**Total Project Budget:** \$210,000.00

<b>Source of Funding:</b>	<u>Original</u>	<u>Change</u>	<u>Revised</u>			
	\$210,000.00	(\$210,000.00)	\$ 0.00	11/12	FRF-CurrFundsCap Improv	(A)
	<u>0.00</u>	<u>210,000.00</u>	<u>210,000.00</u>	11/12	Current Funds Capital Improv	(A)
<b>Original Project Budget:</b>	<b>\$210,000.00</b>					
<b>Change in Funding:</b>		<b>\$ 0.00</b>				
<b>Revised Project Budget:</b>			<b>\$210,000.00</b>			

**Comment:** The source of funding was listed incorrectly when approved by the SBC on 12/9/2011.

**Previous SBC Action:** 12/09/2011 SBC Approved project.

**ESC Action:** 12/19/2011 ESC Subcommittee approved a revision in source of funding as presented.

## TENNESSEE BOARD OF REGENTS

### Land Transaction

- Requested Action:** Approval of disposal by lease with waiver of advertisement and appraisals
- Description:** Hamilton County – Approx. 17,000 sq. ft. – 4501 Amnicola Highway, Chattanooga, TN – Trans. No. 11-12-003 (Maholland)
- Purpose:** Disposal by lease for operation of a STEM High School on the Chattanooga State Community College (CHSCC) campus in the former Olan Mills building.
- Lease Cost to State:** \$29,750 (17,000 sf x \$1.75) Utilities and all consumable supplies Hamilton County will supply janitorial services.
- Term of the lease:** January 1, 2012 thru June 30, 2017
- Lessee:** Hamilton County Board of Education
- Comment:** Partner with Hamilton County to operate a STEM High School at CHSCC campus in the former Olan Mills building. A STEM High School will produce a work force that possesses the necessary technical skills needed to attract new and maintain existing business in the greater Chattanooga area. Many of the students will attend credit courses offered by the college in addition to core requirements of the high school. These students will pay college fees and obtain dual credit resulting in earlier completion of associate degrees for employment purposes or transfer.
- Hamilton County will build out space to meet their purpose. All plans will be reviewed by the TBOR and campus personnel. Renovation plans will be reviewed and approved by the State Fire Marshall.
- SSC Report:** 12/12/2011. Dick Tracy summarized the transaction. TBOR will use the State standard lease agreement. Hamilton County Board of Education will put their own mechanical system on the space they will be leasing and be responsible for the cost and up keep. The total building is approximately 147,000 sf. Staff referred to Subcommittee with recommendation.
- ESC Action:** 12/19/2011. Jurgen Bailey presented the transaction. Comptroller Wilson asked if the lease had been finalized, and was told “no”. He then made a motion to approve the request subject to approval of the lease by the Tennessee Board of Regents and Staff. The motion was properly seconded and passed without objection.



DEPARTMENT OF HEALTH

**Lease Agreement**

**Requested Action:** Approval of lease agreement with waiver of advertisement

**Location:** Shelby County – 814 Jefferson Avenue, Memphis, TN – Trans. No. 11-07-902 (Lotspiech)

**Purpose:** To provide office and clinic space.

**Term:** January 1, 2012 thru December 31, 2016 (5 years)

**Proposed Amount:**

<u>8,168 Square Feet</u>		
Annual Contract Rent Incl. Utility & Janitorial Cost:	<u>\$112,716.00</u>	<u>@\$13.80 / sf</u>
Total Annual Cost:	\$112,716.00	@\$13.80 / sf

**Current Amount:**

<u>8,168 Square Feet</u>		
Annual Contract Rent Incl. Utility & Janitorial Cost:	<u>\$112,716.00</u>	<u>@\$13.80 / sf</u>
Total Annual Cost:	\$112,716.00	@\$13.80 / sf

**Type:** New lease – negotiated

**FRF Rate:** \$18.00

**Source of Funding:** 42% State; 31% Federal; 27% other (from various sources)

**Lessor:** Shelby County Government

**Comment:** Proposed five (5) year lease has a 90-day cancellation for Convenience. Proposed lease has Cancellation for Cause at anytime during the lease term. Lease includes janitorial & utilities at no additional cost to the State. Department of Health has been in this location for twenty five (25) plus years. Agency is pleased with the space and happy to stay at present location. No renovations or improvements required by agency.

**SSC Report:** 12/12/2011. Chloe Shafer summarized the transaction. Staff referred to Subcommittee with recommendation.

**ESC Action:** 12/19/2011. Subcommittee approved the request as presented.

## DEPARTMENT OF GENERAL SERVICES

### Land Transaction – Report Item

**Requested Action:** Pursuant to State Building Commission Policy and Procedures Item 8.01 (J) Report Item as approved on September 2011. For all acquisitions and disposals of Interest in real property, closed in the previous quarter, that have been previously approved by the Executive Subcommittee, the following information shall be reported back to the Executive Subcommittee by RPA on a quarterly basis. (July 1-September 20, 2011)

1. Resulting appraisal value(s)
2. Final purchase or sales price
3. Amount(s) and sources(s) of funding used or received.

**SSC Report:** 10/17/2011. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee with recommendation.

**SC Report:** 10/24/2011. Deferred report until next meeting, so that the executive officers can look over the list.

**ESC Action:** 12/19/2011. Subcommittee accepted the quarterly report as presented.

## DEPARTMENT OF GENERAL SERVICES

### Special Item

- 1) Secretary Hargett stated that, after conferring with the Attorney General's Office and considering that the Executive Subcommittee could meet within 48 hours notice, he made a motion to defer, at the call of the Chair, a request to hear a protest by CBRE, Inc. of the award of contract for Facility Assessment, Master Planning & Facility Management Services Request for Proposals. The motion was properly seconded and passed without objection.

SBC Project No. 460/000-01-2011

## STATE BUILDING COMMISSION

### Minutes of Executive Subcommittee Meeting

- 1) Approved the Minutes of the Executive Subcommittee meeting held on November 21, 2011.

### Designer Selections

- 1) Acknowledged the reporting of a designer name change from "R.W. Beck" to "SAIC Energy, Environment & Infrastructure, LLC" on all current State projects.
- 2) Approved the following designer selections for projects approved by the State Building Commission.
  - 1) **Morgan County Correctional Complex**  
(Infrastructure Upgrade)  
Total Project Budget: \$1,400,000.00  
SBC Project No. 142/014-01-2011  
Designer **KLINE SWINNEY ASSOCIATES**
  - 2) **Veterans Cemetery – Germantown**  
(Administration Building Addition)  
Total Project Budget: \$210,000.00  
SBC Project No. 682/000-04-2011  
Designer: **ALLEN & HOSHALL**
  - 3) **Clover Bottom Mansion**  
(Entrance Improvements)  
Total Project Budget: \$150,000.00  
SBC Project No. 529/019-01-2011  
Designer: **LITTLEJOHN ENGINEERING**
  - 4) **University of Tennessee Chattanooga**  
(Fire Alarm & Sprinkler Improvements)  
Total Project Budget: \$1,200,000.00  
SBC Project No. 540/005-04-2011  
Designer: **PLANNING ASSOCIATES**
  - 5) **Middle Tennessee State University**  
(Cope Building Renovation)  
Total Project Budget: \$3,000,000.00  
SBC Project No. 166/009-09-2011  
Designer: **GOULD TURNER GROUP**

## Special Item

Treasurer Lillard stated that they had received requests made to State Architect Bob Oglesby from several departments and agencies regarding the threshold level for projects. He said there has been some talk about the SBC delaying projects, and he found that puzzling. He stated that, while there is a long process involved in having to approve projects, most is done outside the purview of the SBC. Treasurer Lillard then made the following motion:

"I move to amend Section 2.01 of the State Building Commission Policy and Procedures that refers to the definition of a project requiring State Building Commission approval by the Commission. The motion is to increase the threshold requiring State Building Commission approval for major maintenance projects from \$100,000 to \$500,000, in accordance with all applicable laws and State Building Commission policy and procedures.

The motion further amends the procedures to delegate authority to the State Architect and Finance & Administration, in consultation with the applicable State procurement agency, to authorize and approve projects below the threshold including designer and construction procurement pursuant to applicable State Building Commission policies and other applicable laws and procedures.

I further move that this revision is subject to the following:

- a) This revision in the threshold does not apply to major maintenance projects funded in whole or in part by bond proceeds or residual proceeds from bond funding. All bond financed capital maintenance projects must be approved by the State Building Commission through the regular procedure.
- b) Projects below the threshold must be reported to the State Building Commission, Finance & Administration and the State Architect, before the commencement of the project using a form approved by the State Building Commission staff.
- c) This policy will be effective on January 1, 2012.
- d) The State Building Commission reserves the right to alter, amend, cancel or revoke this policy revision at any time."

Secretary Hargett commented that they have seen on many occasions where projects have come to the staff level unprepared, and that the staff has added a great value to the process, as a whole, to the taxpayers of Tennessee. The motion was then seconded and passed without objection.

\* \* \* \* \*

There being no further business, the meeting adjourned at 10:48 a.m.

TENNESSEE BOARD OF REGENTSLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value with waiver of advertisement and one appraisal

**Description:** Knox County – 0.29 +/- acres – 3451 Dance Avenue, Knoxville, TN – Trans. No. 11-11-006 (Maholland)

**Purpose:** Acquisition in fee to acquire the property adjacent to the Division Street campus for current and future student parking. Property is in the Pellissippi State Master Plan.

**Estimated Sale Price:** Fair Market Value

**Source of Funding:** 2011-2012 Plant Fund Non-Auxiliary Sources (A)

**Owner(s):** Anna C.Mullins

**Comment:** Purchased by owner May 1996  
Purchase price: \$26,000  
Tax Assessor's value: \$38,000  
Improvement square footage: 862 sq. ft.  
Structure will be demolished

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

TENNESSEE BOARD OF REGENTS

**Pellissippi State Community College**, Knoxville, Knox County, Tennessee

**Requested Action:** Approval of project budget, scope and source of funding

**Project Title:** Demolition – 3451 Dance Avenue (Maholland)

**Project Description:** Demolish structure to provide surface parking or green space

**SBC Number:** 166/032-09-2011

**Total Project Budget:** \$12,000

**Source of Funding:** \$12,000                      11/12                      Plant (Non-Auxiliary)                      (A)

**Comment:** This 862 sf house was built in 1963 and is not suitable for educational space. The property is less than fifty (50) years old and the TN Historical Commission's review is not required.

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

TENNESSEE BOARD OF REGENTSLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value with waiver of advertisement and one appraisal

**Description:** Blount County – 1.475 +/- acres – 615 Nelson Lane, Friendsville, TN – Trans. No. 11-11-007 (Woodard)

**Purpose:** Acquisition in fee to acquire the property adjacent to the campus for future student parking and to protect the image, visibility and accessibility of the campus. Property is in the Pellissippi State Master Plan.

**Estimated Sale Price:** Fair Market Value

**Source of Funding:** 2011-2012 Plant Fund Non-Auxiliary Sources (A)

**Owner(s):** Ibrahim Shalaby

**Comment:** Purchased by owner 2001 & 2003  
Purchase price: \$192,500  
Tax Assessor's value: \$213,800  
Improvement square footage: 1,680 sq. ft. (2 structures)  
Structures will be demolished

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.



TENNESSEE BOARD OF REGENTSPellissippi State Community College, Friendsville, Blount County, Tennessee

**Requested Action:** Approval of project budget, scope and source of funding

**Project Title:** Demolition – 615 Nelson Lane (Woodard)

**Project Description:** Demolish structure to provide surface parking or green space

**SBC Number:** 166/032-08-2011

**Total Project Budget:** \$24,000

**Source of Funding:** \$24,000                      11/12                      Plant (Non-Auxiliary)                      (A)

**Comment:** This 1,680 sf house was built in 1985 and is not suitable for educational space. The property is less than fifty (50) years old and the TN Historical Commission's review is not required.

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

TENNESSEE BOARD OF REGENTSLand Transaction

**Requested Action:** Approval of disposal by lease with waiver of advertisement and appraisals

**Description:** Bradley County – Approx. 40,000 sq. ft. – 3505 & 3535 Adkisson Drive, Cleveland, TN – Trans. No. 11-11-011 (Baugh)

**Purpose:** Disposal by lease to cancel existing twenty (20) year lease for the first business incubator center and enter into one lease for both incubator centers with a twenty (20) year lease term.

**Original Cost to State:** \$1.00 annually

**New Cost to State:** \$2.00 annually

**Date of Original Conveyance:** November 12, 1998

**Term of the lease:** January 1, 2012 thru December 31, 2032 (20 years)

**Source of Funding:** 2011-2012 Plant Fund Non-Auxiliary Sources (A)

**Lessee:** Cleveland / Bradley Business Incubator

**Comment:** Termination date for the earliest for the Lessee and/or State is January 1, 2014 with advance notice of 180 days.

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

DEPARTMENT OF HUMAN SERVICESLand Transaction

**Requested Action:** Approval of disposal by easement with waiver of advertisement and appraisals

**Description:** Rutherford County – Tennessee Rehabilitation Center Campus, Smyrna, TN – Trans. No. 11-11-010 (Jackson)

**Purpose:** Disposal by easement to grant an easement of right of way to Middle Tennessee Electric Membership Corporation for the purpose of providing electric service to five buildings with five new meters at the Tennessee Rehabilitation Center.

**Estimated Sale Price:** Grant

**Grantee:** Middle Tennessee Electric Membership Corporation

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

TENNESSEE WILDLIFE RESOURCE AGENCYLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value with waiver of advertisement and one appraisal

**Description:** Fayette & Shelby Counties – 225.00 +/- acres (Fayette) & 27 +/- acres (Shelby) Cannon Tract, TN – Trans. No. 11-11-005 (Jackson)

**Purpose:** Acquisition in fee for TWRA to use Wolf River Conservancy to facilitate the purchase of the Cannon Tract. The Wolf River Conservancy would purchase the property then sell the property to the State. Approval to acquire the property at fair market value plus reimbursing the administrative expense of acquisition of the Wolf River Conservancy.

**Estimated Sale Price:** Fair Market Value

**Source of Funding:** 2010-2011 Wetlands Acquisition Funds - (R/A)

**Owner(s):** Virginia Cannon Trust/ Wolf River Conservancy

**Comment:** Purchase as gift April 7, 1992  
Shelby Co. - Tax Assessor's value \$15,000 – 27 acres  
Fayette Co. - Tax Assessor's value \$203,000 – 225 acres

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

TENNESSEE WILDLIFE RESOURCE AGENCYLand Transaction

**Requested Action:** Approval of disposal with waiver of advertisement and appraisals

**Description:** Greene County – 3.24 +/- acres – Pate's Hill Road, Mohawk City, TN – Trans. No. 11-11-008 (Jackson)

**Purpose:** Disposal in fee for the subject property which was gifted to TWRA by Mr. Carter to allow TWRA to build a boat ramp on the Nolichucky River. The State was to build a boat ramp within two (2) years from the date of conveyance. Funding, construction cost and program direction has changed the need for a boat ramp at this location. Mr. Carter has requested the State return the property he gifted to the State to build a boating access area.

**Original Cost to State:** Gift in 2005

**Date of Original Conveyance:** December 21, 2005

**Owners:** Hadley and Shirley Carter

**Grantees:** Hadley and Shirley Carter

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

1.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

**Land Transaction**

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value with waiver of advertisement and appraisals

**Description:** McNairy County – 266.45 +/- acres – Whitaker & Carroll Tracts at Fallen Timbers Battlefield – Trans. No. 11-11-012 (Jackson)

**Purpose:** Acquisition by conservation easement for the Fallen Timbers Battlefield Tracts located within the Shiloh National Battlefield Park boundary and is just southwest of the existing Shiloh Battlefield Park. There are three (3) properties inside the Fallen Timbers Battlefield site considered vital for protection. The Civil War Trust has purchased these properties and has obtained the approval of the Tennessee Historical Commission to act as a government sponsor and hold conservation easements on the above properties until at which time the National Park Service Shiloh National Military Park will take possession of the subject properties.

**Estimated Sale Price:** \$500 for administrative cost & fees

**Source of Funding:** 2010-2011 Civil War Trust (O)

**Owner(s):** Civil War Trust

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Bill Avant requested that this be approved as an acquisition of conservation of easement and disposal of the conservation easement prior to transfer of property to the NPS. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

DEPARTMENT OF ENVIRONMENT & CONSERVATIONLand Transaction

**Requested Action:** Approval to obtain title work, appraisal, survey and exercise option to acquire or accept as gift required interest, not to exceed appraised value with waiver of advertisement and appraisals

**Description:** Fentress County – 4.0 +/- acres – Pall Mall Elementary School Gym/Cafeteria building, 2807 North York Avenue, Jamestown, TN – Trans. No. 11-11-014 (Baugh)

**Purpose:** Acquisition in fee to obtain property for the protection of the York Mill Park. It lies adjacent to the picnic area and is vulnerable to inappropriate development.

**Estimated Sale Price:** Gift

**Source of Funding:** 2010-2011 State Land Acquisition Fund (R) (administration fees/cost)

**Owner(s):** Fentress County Board of Education

**Comment:** Purchased by owner December 28, 1951  
Purchase price: Undisclosed  
Tax Assessor's value: \$231,500  
Improvement square footage: 12,709 sq. ft.  
Improvement's has asbestos but will be demolished when TDEC has the funds.  
TDEC have checked with the SHPO and this property is not on the Historical register.

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. The request was approved as presented.

DEPARTMENT OF ENVIRONMENT AND CONSERVATIONLand Transaction

**Requested Action:** Release of Heritage Trust Fund Restrictive Covenants waiver of advertisement and appraisals

**Description:** Greene and Unicoi Counties – 5,950 +/- acres – Rocky Fork, Erwin, TN – Trans. No. 11-12-002 (Bailey)

**Purpose:** Conservation Fund acquired Rocky Fork with a grant from Heritage Conservation Fund. Property will be transferred to US Forest Service. Heritage Trust Fund Covenants must be removed by 12/31/2011 before Forest Service will purchase.

**Total Purchase Price:** \$39,950,000

**Funding Sources:** HCTF Grant – \$6,000,000  
USFS Funding – \$30,850,000  
Private Funds – \$3,100,000

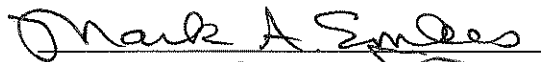
**Owners:** The Conservation Fund

**SSC Report:** 12/12/2011. Frank Baugh summarized the transaction. Kim Kirk, TDEC detailed the critical nature of this transaction and getting the release done by 12/31/2011. Staff referred to Subcommittee for consent agenda.

**ESC Action:** 12/19/2011. After confirmation that the lease had been approved by the Heritage Conservation Trust Fund, Comptroller Wilson made a motion to approve the request, which was seconded, and passed without objection.



Approved:

  
Mark A. Emkes, Commissioner  
Department of Finance and Administration

**MINUTES**  
**STATE BUILDING COMMISSION**  
Executive Subcommittee  
December 29, 2011

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The State Building Commission Executive Subcommittee met this day at 11:45 a.m. in House Hearing Room 30, Legislative Plaza, Nashville, Tennessee. Chairman Emkes called the meeting to order at 11:46 a.m. and requested action on the following matter as presented by State Architect Bob Oglesby.

STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT

Chairman Mark Emkes, Commissioner, Department of Finance and Administration  
Vice-Chairman Tre Hargett, Secretary of State  
Justin Wilson, Comptroller of the Treasury  
David Lillard, State Treasurer

OTHERS PRESENT

Bob Oglesby, State Architect  
Georgia Martin, Office of the State Architect  
Alan Robertson, Office of the State Architect  
Melinda Parton, Comptroller's Office  
Jonathan Rummel, Secretary of State's Office  
Joy Harris, Treasurer's Office  
Bruce Davis, Legislative Budget Office  
Genie Whitesell, Attorney General's Office  
John Carr, F&A Budget Office  
Peter Heimbach, Department of General Services  
Steve Berry, Department of General Services  
Don Johnson, Department of General Services  
Jonathan McCord, Jones Long LaSalle  
Skp Hindman, Baker Donelson  
Blake Fontenay, Constitutional Officers

## DEPARTMENT OF GENERAL SERVICES

### Special Item

- 1) Mr. Oglesby stated that, on December 19, 2011, the Executive Subcommittee (ESC) agenda included a protest by CBRE, Inc. relative to a request for proposal for Facility Assessment, Master Planning and Facility Management Services. The ESC approved deferring the item based on the Attorney General's advice and subject to the call of the Chair. He stated that this special-called meeting was for the purpose of discussing the status of the protest of CBRE, Inc. and the procedure to be followed, and that the protest would not be heard at the meeting.

Comptroller Wilson stated that, based on their review of the Request for Proposal, Section 5.7 of the RFP provides: "Any actual proposer who claims to be aggrieved in connection with this RFP may protest to the State Building Commission's Executive Subcommittee. [...] The protest and any appeals shall be governed by T.C.A. 12-4-109(a)(E)."

He further stated that T.C.A. 12-4-109(a)(E) provides: "Any actual proposer who claims to be aggrieved in connection with a specific solicitation process authorized under this section may protest to the head of the affected department or agency."

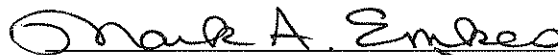
Comptroller Wilson then made a motion to recommend that the Department of General Services, the procuring department, review and resolve the protest of CBRE, Inc. and any appeals thereafter in accordance with T.C.A. 12-4-109(a)(E). His motion was properly seconded, and passed without objection.

SBC Project No. 460/000-01-2011

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There being no further business, the meeting adjourned at 11:48 a.m.

Approved:



Mark A. Emkes, Commissioner  
Department of Finance and Administration