

## **MINUTES**

### **STATE BUILDING COMMISSION MEETING**

#### **EXECUTIVE SUB-COMMITTEE**

**FEBRUARY 21, 2006**

The State Building Commission Executive Subcommittee met this day at 10:30 a.m. in Executive Conference Room, Ground Floor, State Capitol, Nashville, Tennessee.

#### **STATE BUILDING COMMISSION SUB-COMMITTEE MEMBERS PRESENT**

Dave Goetz, Commissioner, Department of Finance and Administration  
John Morgan, Comptroller of the Treasury  
Dale Sims, State Treasurer  
Riley Darnell, Secretary of State

#### **OTHERS PRESENT**

Mike Fitts, State Architect  
Charles Garrett, Department of Finance and Administration  
Georgia Martin, Department of Finance and Administration  
Charles Harrison, Comptroller's Office  
Janie Porter, Attorney General's Office  
Jerry Preston, Tennessee Board of Regents  
Mark Wood, Secretary of State's Office  
Bob King, Department of Finance and Administration  
Mike Baumstack, Department of Environment and Conservation  
Alvin Payne, University of Tennessee  
George Brummett, Department of Finance and Administration  
Mike Morrow, Department of Finance and Administration  
Pat Haas, Bond Finance  
Cathy Higgins, Legislative Budget Analysis

John Cothern, Middle Tennessee State University  
Diane Uhler, Tennessee Board of Regents  
Gwendolyn Davis, Department of General Services  
Tom Chester, Department of General Services  
Michelle Mann, Department of General Services  
Bonnie Gamble, Department of Environment and Conservation  
Bob Fulcher, Department of Environment and Conservation  
Ruse Tucker, Department of Environment and Conservation  
Don Nicholson, Department of Safety  
Carolyn Smith, Department of Transportation  
Joe Cain, MDHA  
Phil Ryan, MDHA  
Dennis Raffield, THEC  
Peggy Wilson, Department of Health  
Mike Hayes, Department of Finance and Administration  
Karen Hale, Comptroller's Office

Commissioner Goetz called the meeting to order at 10:37 a.m. and requested action on the following matters as presented by State Architect Mike Fitts.

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TENNESSEE BOARD OF REGENTS

MIDDLE TENNESSEE STATE UNIVERSITY, MURFREESBORO, TENNESSEE

- 1) Approved a request for a revision in and acknowledgment of the source of funding for **Stadium Field Turf** at Middle Tennessee State University in Murfreesboro, Tennessee.

**Estimated Project Cost:           \$1,000,000.00**  
SBC Project No.           166/009-10-2005

TENNESSEE STATE UNIVERSITY, NASHVILLE, TENNESSEE

- 1) Approved a project and acknowledgment of the source of funding for **Elliott Hall Exhibit Gallery Renovations** at Tennessee State University in Nashville, and the selection of Moody Nolan, Inc. to design and supervise the project.

**Estimated Project Cost:           \$ 610,000.00**  
SBC Project No.           166/001-02-2006

NORTHEAST STATE TECHNICAL COMMUNITY COLLEGE, BLOUNTVILLE, TENNESSEE

- 1) Mr. Fitts presented a request for approval of a revision in estimated project cost and funding from \$14,700,000.00 to \$15,900,000.00 (a \$1,200,000.00 increase), acknowledgement of source of funding, for the **New Humanities Building** at Northeast State Technical Community College in Blountville, Tennessee, and authorization to award a construction contract to J. A. Street & Associates in the amount of \$14,747,000.00, based upon the base bid received January 25, 2006.

Discussions ensued regarding the bid overrun. Jerry Preston stated that they had looked at rebidding or doing a limited rebid, but since the contractor was \$500,000 low and they were entering the heavy construction season, they chose to eliminate \$1.5 million from the project, and increase funding to award the contract. After general discussion, the Subcommittee approved the request as presented.

**Revised Estimated Project Cost:   \$ 15,900,000.00**  
SBC Project No.           166/038-01-2004

**DISCUSSION OF BIDS**

- 1) **Tennessee Technology Center @ Jackson, Jackson**  
(Restroom Accessibility Corrections)  
SBC Project No. 166/058-01-2005  
Bid date: 15-Feb-06  
SC Action: Action deferred

DEPARTMENT OF HEALTH

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description: Putnam County – 10.1+/- acres located on England Drive, Cookeville, TN – Transaction No. 05-08-016 (JB)

Purpose: Acquisition in Fee for the proposed Upper Cumberland Regional Health Care Facility site.

Funding: SBC Project No. 408/009-01-04

Cost: \$2,020,000.00 (Appraised Value)

Owners: South Maples Business Center, LLC

Comment: SBC approved acquisition on 9/23/2005. Owner of that site Larry Burgess refused State's offer. South Maples Business Center, LLC has accepted State's offer subject to SBC approval.

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for recommendation.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

LAND ITEM:

Transaction No. 06-01-029

Requesting approval to restructure the Cumberland Trail financial package approved by the State Building Commission in 2001 and 2002. The State Land Acquisition Committee has approved this restructuring in order to provide flexibility and to increase response time in dealing with trail corridor acquisition and development. The reallocation of resources would incorporate only the existing fund levels already approved by SBC and the supplemental funding for specific trail enhancement projects approved during that time period. The original funding requests were based on acquisition schedules prepared by Rob Webber and the Cumberland Trail Conference. Rob Webber is no longer with the CTC and the State has assumed responsibility for the alignment of the Cumberland Trail and associated acquisitions. Now that the State has taken the lead in the acquisition and development of the Cumberland Trail, the original concepts of the trail has changed to more aggressively pursue key acquisition needed to complete the trail. In the planning process, it has become evident that trail routes previously identified are no longer feasible due to the landowner's refusal to sell their properties.

- SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Robert Fulcher, State Parks Manager, summarized the purpose of this transaction and changing of the funds to these projects. Staff referred to Sub-Committee for discussion.
- SC Action: 02-21-06. Charles Garrett introduced Robert Fulcher, State Parks Manager, who gave an overview of the revised master plan for Cumberland Trail. Mr. Garrett stated that this was a well thought-out plan, and added that each transaction would still come back for SBC approval. After further discussion, and upon proper motion by Secretary of State Darnell, the Subcommittee accepted the plan.

DEPARTMENT OF FINANCE & ADMINISTRATION

LAND ITEM

Review of a request for APPROVAL to AMEND the CAPITOL HILL REDEVELOPMENT PLAN and the RESTRICTIVE COVENANTS of record:

- Description: **Davidson County – Capitol Hill Redevelopment Project - Limited Consent, Waiver and Amendment Agreement – Transaction No. 06-01-030**
- Purpose: Amending this Redevelopment Plan to release all property located in the project area from the restrictions prohibiting residential use.
- Date of Original Agreement: January 20, 1958
- Grantor unto State: The Nashville Housing Authority
- SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Joseph Cain stated the purpose of the importance of this transaction. Staff referred to Sub-Committee for recommendation.
- SC Action: 02-21-06. Charles Garrett stated that MDHA had requested that the State approve amending the Redevelopment Plan to release all property located in the project area from the restrictions prohibiting residential use, a plan that was originally implemented as a part of the Nashville Urban Development Plan of the 1950's. He introduced Phil Ryan, Executive Director of MDHA, who stated that they have to get 70% of the owners in the area to agree to the amendment, and the State is the biggest owner. Secretary of State Darnell asked if the value of land would go up when the restriction was lifted. Treasurer Sims commented to Mr. Ryan that he would like to make sure that past agreements are respected since they have a cooperative effort in terms of development. He said he hoped that there would be no high-rise next to the Bicentennial Mall that was inconsistent with the Bicentennial Mall Master Plan developed in cooperation with the State, MDHA and the Metro Planning Commission. Mr. Sims stated that, presuming they acted favorably that day, he hoped the State would be treated favorably in like kind. Secretary Darnell stated that he was concerned because they thought they had an arrangement with the City, and he thought the only reason the developer was not going forward with a high-rise adjacent to the Bicentennial Mall was because something fell through and not because of intervention by MDHA. He added that if they were going to do MDHA a favor, this should be a two-way street. He said he thought there was an agreement, and this developer's proposal just went right on without objection. He said this is important to the State who has placed a large investment in the Mall.

**Department of Finance and Administration – continued:**

Mike Fitts stated that the Bicentennial Mall Urban Plan, which covered lands in the Mall area extending to the river, was developed in conjunction with the Metro Planning Commission, MDHA, and University of Tennessee College of Architecture, and promoted relatively low-rise development following new urbanism design principles. He added that the State doesn't have jurisdiction over land it doesn't own.

Mr. Ryan said they have worked very hard to improve the value the State has made. Treasurer Sims complimented the work that has been done, but said he hoped appropriate development takes place. His request to Mr. Ryan was that he encourages others to stay in communication with the State. Secretary Darnell commented that they need to have complimentary development, and the State needs to start a plan to purchase the rest of the land. Mr. Garrett responded that if the Subcommittee approved this request, he would get right to it. The request was then approved without objection.

DEPARTMENT OF FINANCE AND ADMINISTRATION

**SPECIAL ITEM**

Charles Garrett brought up from the floor a discussion regarding State employee parking within Nashville. He distributed an information paper dated February 21, 2006 that addressed the current conditions and possible solutions to the critical situation. Discussions ensued as Mr. Garrett described in detail the following possible solutions:

- Using 1,000 spaces at the Titans Coliseum
- Utilizing MTA Smart Card
- Partnership with MTA Garage
- Hiring a consultant to establish current and long range approach

After general discussion, the Subcommittee approved amending the contract with Gresham Smith & Partners (SBC Project No. 529/045-03-2000) to include a study to address parking issues, at a cost not to exceed \$100,000.



DEPARTMENT OF SAFETY

LEASE AGREEMENT

Review of a request for APPROVAL of the following LEASE AGREEMENT with WAIVER of ADVERTISEMENT for the rental of real property as required by TCA 12-2-115:

Location: **Davidson County – 44 Vantage Way, Nashville, TN – Trans. No. 06-02-901 (BK)**

Purpose: To provide office and related space for Title & Registration

Term: September 1, 2005 thru August 31, 2010 (5 yrs)

Proposed Amount: 44,594 Square Feet  
Average Annual Contract Rent Incl. Utility &  
Janitorial Cost: \$702,355.50 @\$15.75/sf  
Average Total Annual Effective Cost: \$702,355.50 @\$15.75/sf

Current Amount: 44,594 Square Feet  
Title & Registration portion only  
Annual Contract Rent Incl. Utility & Janitorial  
Cost: \$635,464.50 @\$14.25/sf  
Total Annual Effective Cost: \$635,464.50 @\$14.25/sf

Type: New Lease - Extension

FRF Rate: \$18.00 per square foot

Purchase Option: No – Multi-tenant

Lessor: ATAPCO Vantage, Inc.

Comment: The proposed lease provides (1) a tenant improvement allowance of \$3.00 per square foot for painting and carpeting and (2) no cancellation for the entire term except for cause and/or lack of funding.

SSC Report: 02-13-06. Bob King summarized the transaction. Staff referred to Sub-Committee for discussion.

**Department of Safety – continued:**

SC Action:                   02-21-06. Charles Garrett distributed an information paper dated February 13, 2006 that contained the history and special and unique requirements of the lease. Subcommittee commented that there was a management problem within the Department of Safety with regard to its title and registration operation. Secretary of State Darnell stated that Safety is in the business of law enforcement, and he thought this function should reside within the Department of Revenue. Treasurer Sims said that he needed a better understanding that build-to-suit was in the State's best interest. After further discussion, and with the appearance of being reluctant, the request was approved.

DEPARTMENT OF TRANSPORTATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by FEE of interest in real property with WAIVER of ADVERTISEMENT with the RIGHT-of-ENTRY as required by TCA 4-15-102 and 12-2-112.

Description: **Smith County – 150' access control fence opening at Bypass State Route 25 & relocated Upper Ferry Road, Carthage, TN – Trans. No. 06-02-005 (LW)**

Purpose: Disposal by Fee to allow construction of a new local street which will facilitate access to a new Smith County Jail & Criminal Justice Facility, Wal-Mart Super Center and City Cemetery.

Estimated Sale Price: Fair Market Value

Grantee: City of Carthage

SC Action: 02-21-06. Subcommittee approved the transaction as presented. Final action.

STATE BUILDING COMMISSION

MINUTES OF MEETING

- 1) Approved the Minutes of the Executive Subcommittee meeting held on January 23, 2006.

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Following approval of the Consent Agenda, the meeting adjourned at 11:45 a.m.

CONSENT AGENDA

Approved the following Real Property transactions which have been reviewed and recommended for approval by Sub-Committee staff:

- A. Agency: University of Tennessee – Weakley County  
Transaction: Acquisition in Fee
- B. Agency: Tennessee Board of Regents – Rutherford County  
Transaction: Disposal in Fee
- C. Agency: Tennessee Board of Regents – Bradley County  
Transaction: Disposal in Fee
- D. Agency: Tennessee Board of Regents – Knox County  
Transaction: Acquisition in Fee
- E. Agency: Department of Human Services – White County  
Transaction: Lease Agreement
- F. Agency: Department of Human Services – Cheatham County  
Transaction: Lease Agreement
- G. Agency: Department of Veteran Affairs – Knox County  
Transaction: Disposal by Easement
- H. Agency: Department of Transportation – Sullivan County  
Transaction: Acquisition by Disposal
- I. Agency: Department of Transportation – Sevier County  
Transaction: Disposal in Fee
- J. Agency: Department of Environment & Conservation – Knox County  
Transaction: Disposal by Easement
- K. Agency: Department of Environment & Conservation – Madison County  
Transaction: Accept as a Gift a Conservation Easement
- L. Agency: Tennessee Wildlife Resources Agency – Anderson County  
Transaction: Disposal by Easement
- M. Agency: Tennessee Wildlife Resources Agency – Robertson County  
Transaction: Disposal by Easement & Disposal by Land Exchange in Fee

- N. Agency: **Tennessee Wildlife Resources Agency – Campbell County**  
Transaction: Disposal by Easement
  
- O. Agency: **Department of Finance & Administration – Davidson County**  
Transaction: Discussion Item

UNIVERSITY OF TENNESSEE

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description: Weakley County – 0.56+/- acres – 204 Hannings Lane, Martin, TN – Transaction No. 06-01-017 (GM)

Purpose: Located within the UT Martin Master Plan

Source of Funding: Land Acquisition Funds

Estimated Cost: Fair Market Value

Owner(s): Susan Vickerstaff

Comments: Ms. Vickerstaff is a retiring teacher from UT

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with WAIVER of ADVERTISEMENT and APPRAISALS with the RIGHT OF ENTRY as required by TCA 4-15-102 and 12-2-112:

Description: **Rutherford County – 0.2+/- unimproved acres & .08+/- acres for slope & temporary construction easements with Right of Entry – Greenland Drive, Murfreesboro, TN – Transaction No. 06-01-012 (LW)**

Purpose: Disposal in fee to support road widening, addition of sidewalks & center turn lane will benefit MTSU & citizens from a pedestrian safety & congestion mitigation standpoint.

Original Cost to State: \$3,500,000.00 totals for both conveyances

Date of Original Conveyance: January 2001 & November 2001

Grantor Unto State: John B. Woodfin & Belle Aire Baptist church

Estimated Sale Price: Gift

Grantee: City of Murfreesboro

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.



TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with as required by TCA 4-15-102 and 12-2-112:

Description: Bradley County - 22.69+/- unimproved acres - Cleveland State Community College, 3535 Adkisson Drive, Cleveland, TN - Transaction No. 06-01-018 (LW)

Purpose: Disposal in Fee to excess land and deed will contain buffer area with landscape restrictions.

Original Cost to State: \$1.00

Date of Original Conveyance: December 1965

Grantor Unto State: County of Bradley

Estimated Sale Price: Fair Market Value

Grantee: Highest bidder

Comment: THEC approved revised Master Plan of July 2005, which includes this disposal. A local developer initiated this process in 2003 by requesting to purchase the property.

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

TENNESSEE BOARD OF REGENTS

LAND ITEM

Review of a request for APPROVAL to OBTAIN TITLE WORK, APPRAISAL, SURVEY and EXERCISE OPTION to ACQUIRE or ACCEPT as GIFT, required interest in the following real property, not to exceed the appraised value for the property being acquired:

Description: **Knox County – 9.6+/- acres with improvements – Southeast edge of Pellissippi State Technical Community College, 10817 Hardin Valley Road, Knoxville, TN – Transaction No. 06-01-026 (LW)**

Purpose: Acquisition in Fee for property that is located within the Master Plan. Property will be used for parking and serve as a natural buffer to future development along Hardin valley Road.

Source of Funding: Plant Funds

Estimated Cost: Fair Market Value

Owner(s): Bonny B. Pendleton & Covalyn B. Giles

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF HUMAN SERVICES

LEASE AGREEMENT

Review of a request for APPROVAL of the following LEASE AGREEMENT for the rental of real property as required by TCA 12-2-115:

Location: White County – 501 Mose Drive, Sparta, TN – Transaction No. 04-12-903 (RS)

Purpose: To provide office and related space for the county

Term: January 1, 2007 thru December 31, 2011 (5 yrs)

Proposed Amount: 6,000 Square Feet  
Annual Contract Rent: \$40,320.00 @ \$6.72/sf  
Est. Annual Utility Cost: \$ 8,400.00 @ \$1.40/sf  
Est. Annual Janitorial Cost: \$ 6,600.00 @ \$1.10/sf  
Total Annual Effective Cost: \$55,320.00 @ \$9.22/sf

Current Amount: 5,000 Square Feet  
Annual Contract Rent: \$34,320.00 @ \$6.86/sf  
Est. Annual Utility Cost: \$ 7,000.00 @ \$1.40/sf  
Est. Annual Janitorial Cost: \$ 5,500.00 @ \$1.10/sf  
Total Annual Effective Cost: \$46,820.00 @ \$9.36/sf

Type: New Lease – Advertisement – Lowest of two (2) proposals from two (2) proposers.

FRF Rate: \$10.25 per square foot

Purchase Option: No – Multi-tenant

Lessor: John A. Sergio, current lessor

Comment: The proposed lease provides lessor to construct a 1,000 square foot of rentable space including interior tenant improvements at no additional cost to the State.

SSC Report: 02-13-06. Bob King summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF HUMAN SERVICES

LEASE EXTENSION

Review of a request for APPROVAL of the following LEASE EXTENSION for the rental of real property as required by TCA 12-2-115:

Location: Cheatham County – 322 Frey Street, Unit 150, Ashland City, TN – Transaction No. 96-04-919 (RS)

Purpose: To provide office space for county operations

Term: February 1, 2006 thru January 31, 2007 (1 yr)

Proposed Amount: 4,600 Square Feet  
Annual Contract Rent: \$ 48,300.00 @ \$ 10.50/sf  
Est. Annual Utility Cost: \$ 6,440.00 @ \$ 1.40/sf  
Est. Annual Janitorial Cost: \$ 5,060.00 @ \$ 1.10/sf  
Total Annual Effective Cost: \$ 59,800.00 @ \$13.00/sf

Current Amount: 4,600 Square Feet  
Annual Contract Rent: \$ 48,300.00 @ \$ 10.50/sf  
Est. Annual Utility Cost: \$ 6,440.00 @ \$ 1.40/sf  
Est. Annual Janitorial Cost: \$ 5,060.00 @ \$ 1.10/sf  
Total Annual Effective Cost: \$ 59,800.00 @ \$13.00/sf

Type: One year lease – Negotiated

FRF Rate: \$10.25 per square foot

Lessor: BP Ashland, LLC

Comment: The proposed lease will provide (1) space for continued operations pending construction of a new facility and (2) lease provides a 30-day cancellation after August 1, 2006.

SSC Report: 02-13-06. Bob King summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF VETERAN AFFAIRS

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT interest in real property with WAIVER of ADVERTISEMENT and APPRAISALS as required by TCA 4-15-102 and 12-2-112: REQUEST RIGHT OF ENTRY

Description: **Knox County – Utility Easements located at the new East Tennessee Veteran's Nursing Home in Knoxville, TN – Transaction No. 06-01-031 (JB)**

Purpose: Utility services are needed for new Veteran's Nursing Home.

Grantee: Knoxville Utility Board / Knoxville Light, Water & Sewer

Comment: For SBC Project # 680/000-01-2003

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF TRANSPORTATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with WAIVER of ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112:

Description: **Sullivan County – 0.594 +/- acres unimproved excess land, State Route 34 & Cypress Street, Bristol, TN – Transaction No. 06-01-011 (BF)**

Purpose: Disposal in Fee to assemblage for re-development of a shopping center.

Original Cost to State: \$7,480.00 (acquired by Judgment)

Date of Original Conveyance: 1961

Grantor Unto State: Nancy P. Godsey

Estimated Sale Price: Fair Market Value

Grantee: Godsey Leasing Company

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF TRANSPORTATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL of interest in real property with WAIVER of ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112:

Description: **Sevier County – 0.572+/- acres unimproved property, narrow & irregular shaped tract on the north side of US Hwy. 411 & Riverbend Road, Sevierville, TN – Transaction No. 06-01-010 (BF)**

Purpose: Disposal in Fee for assemblage and surplus to the Department needs.

Original Cost to State: \$9,560.00

Date of Original Conveyance: July 1972

Grantor Unto State: Glenn A Murrell & wife, Ruth Mae Murrell

Estimated Sale Price: Fair Market Value

Grantee: B.S. & J. Enterprises, Tennessee General Partnership composed solely of Bryan Blalock, Sidney Blalock & James Blalock.

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

DEPARTMENT OF ENVIRONMENT & CONSERVATION

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT of interest in real property with WAIVER of ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112.

Description: **Knox County – 7.3+/- Riparian acres, along Marble Springs, Neubert Springs at Gov. John Sevier Historic Site, 1201 & 1220 W. Governor John Sevier Hwy., Knoxville, TN – Transaction No. 06-01-015 (RJ)**

Purpose: Disposal by Easement for restoring streams and reforesting the riparian corridor is needed to repair damage.

Estimated Price: Pending Appraisal

Grantee: Tennessee Wildlife Resources Foundation

Comment: This is a perpetual easement

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.



DEPARTMENT OF ENVIRONMENT & CONSERVATION  
WEST TENNESSEE RIVER BASIN AUTHORITY

LAND ITEM

Requesting review of a request APPROVAL to ACCEPT as GIFT, with WAIVER OF APPRAISALS, CONSERVATION EASEMENT interests in the following real properties:

Description: **Madison County – 1021.86+/- acres – Obion and Forked Deer Rivers – Transaction No. 06-01-027 (JB)**

Funding: West Tennessee River Basin Authority

Owner(s): James Harris (59.9 acres), Douglas Harris (143.3 acres), Eugene Spelling (68.4 & 48.5 acres), Dorothy Spain (34.6 acres) Charles Avery (76.2 acres), Dennis Latham (111.8 acres), Earl Bickerstaff (130.9 acres), Richard Naquin (125 acres), David Harris (117.3 acres), Paul Holmes (48.5 acres), Michael Barclay (104.6 & 96.1 acres)

Comment: These are all donated conservation easements whereby the landowner agrees not to convert the property in the easement to row crop. This is a result of a 1985 lawsuit over the channelization of the Obion and Forked Deer Rivers. The Basin Authority is required to obtain easements on 30% of the property that lies within the 100 year floodplain.

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

TENNESSEE WILDLIFE RESOURCES AGENCY

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT of interest in real property with WAIVER of ADVERTISEMENT and APPRAISAL as required by TCA 4-15-102 and 12-2-112.

Description: Anderson County – 2.0+/- acres – Sundquist Wildlife Management Area – Transaction No. 06-01-008 (RJ)

Purpose: Disposal by Easement for gas wells, pipelines and road access. Well number is AD-1009.

Estimated Sale Price: License Funds

Grantee: Knox Energy Company, Joe Congelton

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Subcommittee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

TENNESSEE WILDLIFE RESOURCES AGENCY

LAND ITEM

Review of a request for APPROVAL to REVISE PREVIOUS SBC ACTION from DISPOSAL by EASEMENT to DISPOSAL BY LAND EXCHANGE in FEE, in the following real property as required by TCA 4-15-102 and 12-2-112:

Description: **Robertson County – 1.18+/- acres – Orlinda, TN – Transaction No. 05-11-009 (CH)**

Purpose: Previous action request was for easement exchange. Owner has requested an equal value land exchange in fee. Agency supports revising original request.

Funding: Glenn Tidwell, owner

Comment: SBC approved the initial request on 12-19-2005

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

TENNESSEE WILDLIFE RESOURCES AGENCY

LAND ITEM

Review of a request for APPROVAL of the following DISPOSAL by EASEMENT of interest in real property with WAIVER of ADVERTISEMENT as required by TCA 4-15-102 and 12-2-112.

Description: **Campbell County – 2.0+/- acres – Sundquist WMA, Petros, TN – Transaction No. 06-01-014 (RJ)**

Purpose: Disposal by Easement to provide a power line/telephone line easement.

Estimated Sale Price: Pending Appraisal

Grantee: Clinton Utility Board

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

FINANCE & ADMINISTRATION

LAND ITEM

Review of a request for **CONCEPTUAL APPROVAL TO MITIGATE PAVILION BRANCH**, and three unnamed stream tributaries located at Tennessee Preparatory School in Nashville, Davidson County – Transaction No. 06-01-028 JB

Pavilion Branch on the TPS complex contains first and second order tributaries to Mill Creek. Most of the stream channel in this stretch has been straightened and hard armored with rock. The small portion of the channel not hard-armored has over-widened due to instability, causing significant salutation. The riparian buffer along both banks in the upper stretch has some native vegetation along the riparian zone. The region of Pavilion Branch has little aquatic habitat and buffering capacity for municipal storm water.

Project Goals: 100'x 5000'+/-(11.47 +/- acres)

Using natural stream channel design, improve water quality and habitat by:

- Meandering new, stable stream channels for Pavilion Branch and the three unnamed tributaries on TPS property;
- Providing suitable in-stream aquatic habitat through the creation of pools and riffles;
- Enhancing the riparizian zone to at lease 50 feet using native trees on each side of the stream channel to reduce salutation and enhance buffering capacity; and
- Controlling non-native plants.


Cost: None to the State for this mitigation project.

Mitigator: Tennessee Wildlife Resources Foundation (TWRF), a 501©(3).

Comment: Program was developed in accordance with Federal guidance under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The Tennessee Stream Mitigation Program (TSMP) was established in 2002 as Tennessee's first in-lieu-fee program. Final SBC approval of the project will be sought in May/June when actual plans and surveys have been completed.

SSC Report: 02-13-06. Jurgen Bailey summarized the transaction. Staff referred to Sub-Committee for consent agenda.

SC Action: 02-21-06. Subcommittee approved the request as presented. Final action.

Approved by:   
M.D. Goetz, Jr., Commissioner  
Department of Finance and Administration