



# STATE PROPERTIES COMMISSION

47 Trinity Avenue, S.W., Suite G02, Atlanta, Georgia 30334

Chairman  
Nathan Deal  
Governor

Executive Director  
Steven L. Stancil

## MINUTES

### STATE PROPERTIES COMMISSION

TUESDAY, OCTOBER 11, 2011

STATE CAPITOL - ROOM 107

#### MEMBERS IN ATTENDANCE:

Governor Nathan Deal, Chair  
Greg Griffin, Vice Chair  
Tommy Hills, Member  
Jeffrey Payne, Member

#### OTHERS IN ATTENDANCE:

Steven Stancil, State Properties Commission  
Frank Smith, State Properties Commission  
Heather York, State Properties Commission  
J. Wade, State Properties Commission  
Sean Griffin, State Properties Commission  
Alisa Pereira, Georgia Building Authority  
Steve Fanczi, Georgia Building Authority  
Carla Blanks, Georgia Building Authority  
April King, Georgia Building Authority  
Charles Petty, Georgia Building Authority  
Marvin Woodward, Georgia State Financing & Investment Commission  
Shonda Rowe, Department of Law  
Pamela Cromwell, Department of Law  
Shannon McGhee, Department of Law  
Jamila Mindingall, Department of Law  
Chris Riley, Office of the Governor  
Ryan Teague, Office of the Governor

**ATTENDANCE CONTINUED:**

Bart Gobeil, Office of the Governor  
Debbie Dlugolenski, Office of the Governor  
Billy Skaggs, Department of Agriculture  
Gary Black, Department of Agriculture  
Steve Carey, Georgia Public Telecommunications Commission  
Bonnie Bean, Georgia Public Telecommunications Commission  
Ben Sapp, Sports Hall of Fame  
Emily Myers, Sports Hall of Fame  
Mike Ford, New Town Macon  
Gary Stokan, Atlanta Hall Management  
John Christie, Atlanta Hall Management  
Dan Formby, Arnall Golden Gregory, LLP  
Frank Poe, Georgia World Congress Center Authority  
Kevin Duvall, Georgia World Congress Center Authority  
Buford Sanders, Georgia Forestry Commission  
Steve Friedman, Department of Natural Resources  
Mark Williams, Department of Natural Resources  
Steve McCoy, Office of the State Treasurer  
Vincent Russo, Office of the Secretary of State  
Tom Crawford, The Georgia Report

**CALL TO ORDER AND MINUTES OF PREVIOUS MEETING (08/11/11).**

Governor Deal called the meeting of the State Properties Commission to order and stated the first order of business would be approval of the minutes of the August 11, 2011 meeting. Greg Griffin made a motion to approve the minutes as presented and Jeffrey Payne seconded the motion. The motion carried unanimously.

**REQUEST BY THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE APPROXIMATELY 1 ACRE, THE JOE POPPER TRACT, TO CONSTRUCT AN OCMULGEE RIVER BOAT RAMP IN JASPER COUNTY FOR \$15,000 PER ACRE. (SPC # 945.07)**

Steve Friedman presented the request by the Department of Natural Resources to acquire approximately 1 acre to construct an Ocmulgee River Boat Ramp in Jasper County for \$15,000 per acre. The Ocmulgee River Corridor has been identified as one of the Department's priority focus areas for conservation and recreation. Constructing the boat ramp will provide better canoe and kayak access to the river.

The appraised values of the property ranged from \$21,000 to \$25,000 per acre. The funding for the purchase of the property comes from DNR Fisheries Management Division Budget and the construction of the ramp will be partially funded by a federal grant in the amount of \$37,500 and the State funding the remaining \$12,500.

Jeffrey Payne moved to approve the request by the Department of Natural Resources. Tommy Hills seconded the motion. The motion carried unanimously.

**REQUEST BY THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE APPROXIMATELY 90.3 ACRES OF MARSH AND UPLANDS IN THE BURNSIDE--VIEW SUBDIVISION, OF REAL PROPERTY CHATHAM COUNTY FROM C.L. LEWIS FOR A CONSIDERATION OF \$10. (SPC # 801.88)**

Steve Friedman presented the request by the Department of Natural Resources to acquire 90.3 acres in Chatham County from C.L. Lewis for a consideration of \$10. The 90.3 acres is primarily salt marsh. The State of Georgia owns most of the salt marsh lands unless a King's Grant is produced. The Lewis family does not have a King's Grant. The Lewis family has been trying to fill in the land for years but was prohibited by the 1972 Coastal Marshlands Protection Act. The acceptance of the donated land will settle the claim to the property.

Tommy Hills moved to approve the request by the Department of Natural Resources. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY THE GEORGIA FORESTRY COMMISSION TO ACQUIRE A 25-YEAR GROUND LEASE FROM THE DADE COUNTY BOARD OF COMMISSIONERS ON APPROXIMATELY 3 ACRES PRIOR TO AN ANTICIPATED EXCHANGE AT GEORGIA FORESTRY'S DADE UNIT IN TRENTON FOR A CONSIDERATION OF \$10. (SPC # 869.18)**

Buford Sanders presented the request by the Georgia Forestry Commission to acquire a 25-year ground lease from the Dade County Board of Commissioner over 3 acres of land. The Dade Forestry Unit in Trenton was destroyed by a tornado on April 18, 2011. The 0.68 acre tract the office was located on was conveyed to the State by Dade County in 1959. The tract is too small to rebuild the new Forestry Unit. The County has agreed to swap the 0.68 tract for a 3 acre tract to accommodate the new facility. To expedite construction prior to the exchange legislation, the County agreed to lease the property. The lease will be cancelled when the new property has been acquired by the State.

Jeffrey Payne moved to approve the request by the Georgia Forestry Commission. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY THE GEORGIA DEPARTMENT OF AGRICULTURE TO ACQUIRE FROM NORTH GATE PROPERTY MANAGEMENT, LLC APPROXIMATELY 7.55 ACRES OF REAL PROPERTY FOR A CONSIDERATION OF \$72,000 PER ACRE (\$543,600 TOTAL) FOR CONSTRUCTION OF THE GAINESVILLE POULTRY LAB. (SPC # 868.26)**

Billy Skaggs presented the request by the Department of Agriculture to acquire approximately 7.55 acres for a consideration of \$72,000 per acre for the construction of a poultry lab in Hall County. The Department was awarded \$13.6 million in General

Obligations bonds for the new poultry lab in the city of Oakwood. The current lab was built in 1962 and is no longer able to effectively provide poultry disease testing and infection control. Furthermore, the surrounding area has now become primarily residential. The new lab will be considerably larger and relocated to a non-residential area, closer to the poultry industry.

Jeffrey Payne moved to approve the request by the Department of Agriculture. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY THE GEORGIA PUBLIC TELECOMMUNICATIONS COMMISSION THAT CUSTODY OF 16 TOWER PROPERTY SITES AND EQUIPMENT BE TRANSFERRED FROM THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA BY QUITCLAIM DEED FOR A CONSIDERATION OF \$1.**

Bonnie Bean presented the request by the Georgia Public Telecommunications Commission (GPTC) to transfer custody of 16 tower site from the Board of Regents of the University System of Georgia to GPTC. The General Assembly appropriated General Obligation bonds to upgrade to digital broadcast signals for the GPTC's Georgia Public Television as mandated by the Federal Communications Commission. The bonds were appropriated to the Board of Regents. In order to upgrade the equipment on the towers, custody of the property sites was transferred to the Board of Regents.

The project is now completed and the five-year GO bonds have been retired. As set forth in the intergovernmental agreement between the Board of Regents and GPTC, the title to the 16 tower property sites and equipments shall transfer ownership back to GPTC.

Tommy Hills moved to approve the request by the Georgia Public Telecommunications Commission. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY THE BOARD OF PUBLIC SAFETY TO REVERT THE OWNERSHIP OF PROPERTY LOCATED AT 1300 JOE FRANK HARRIS PARKWAY (GEORGIA STATE PATROL POST 3) IN CARTERSVILLE, BY QUIT CLAIM DEED, WHICH WAS PREVIOUSLY CONVEYED TO THE STATE FROM BARTOW COUNTY. (SPC # 430.12)**

Frank Smith presented the request on behalf of the Board of Public Safety to revert ownership of property located at 1300 Joe Frank Harris Parkway in Cartersville. Bartow County donated the 3.4 acres to the State and constructed a State Patrol Post in 1973. The County has now constructed a new Post for the State which will be occupied by Public Safety under a long term lease for the consideration of the annual insurance cost.

Greg Griffin moved to approve the request by the Board of Public Safety. Tommy Hills seconded the motion. The motion carried unanimously.

**REQUEST BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT TO GRANT A ONE YEAR LEASE WITH TWO ONE-YEAR RENEWALS TO THE DEVELOPMENT AUTHORITY OF BIBB COUNTY FOR THE USE OF APPROXIMATELY 1.6 ACRES AT THE GEORGIA SPORTS HALL OF FAME IN BIBB COUNTY FOR AN ANNUAL RENT OF \$130,030.65. (SPC # 446.25)**

Ban Sapp, with the Georgia Sports Hall of Fame, presented the request on behalf of the Department of Economic Development to grant a one year lease with two one-year renewals to the Development Authority of Bibb County. Resolution Act No. 431 (Senate Bill 523) of the 2010 Session of the General Assembly required that the Georgia Sports Hall of Fame Authority issue a request for proposals (RFP) for either a new location or alternative ownership and management of the current location.

Halls of Fame, Inc. won the bid. Due to General Obligation bond debt remaining on the building, the State and the Sports Hall of Fame Authority agreed that Halls of Fame, Inc. should assign its interest in the RFP award to the Development Authority of Bibb County. The Development Authority will sub-lease the site to Halls of Fame for the continued use as a Sports Hall of Fame.

Tommy Hills moved to approve the request by the Department of Economic Development. Jeffrey Payne seconded the motion. The motion carried unanimously.

**REQUEST BY THE GEORGIA DEPARTMENT OF CORRECTIONS TO ABROGATE THE REMAINING YEARS OF A FEDERAL REVERSIONARY DEED RESTRICTION COVERING APPROXIMATELY 4.9 ACRES FROM THE UNITED STATES DEPARTMENT OF EDUCATION IN DOUGHERTY COUNTY FOR A CONSIDERATION OF \$4,688. (SPC # 804.07.1)**

Frank Smith presented the request on behalf of the Department of Corrections (DOC) to abrogate the remaining years of a federal reversionary deed restriction. In 1982, the State, acting on behalf of the Department of Corrections, acquired approximately 4.9 acres from the US Department of Education. The quitclaim deed from the Federal Government had a use restriction, limiting the use to educational purposes. In the event the Department of Corrections ceased using the property for educational purposes within the 30-year period, ownership would revert back to the US Department of Education. In accordance, DOC has been operating the site as the Albany Diversion Center and operates a regional maintenance office and warehouse on the property. The costs to relocate the maintenance office warehouse would exceed the \$4,688 abrogation cost.

Jeffrey Payne moved to approve the request by the Department of Corrections. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY THE GEORGIA DEPARTMENT OF CORRECTIONS TO GRANT A REVOCABLE LICENSE TO GEORGIA POWER COMPANY OVER APPROXIMATELY 0.0574 OF ONE ACRE FOR CONSTRUCTION AND**

**MAINTENANCE OF AN EARLY WARNING SYSTEM AT GEORGIA STATE PRISON IN TATTNALL COUNTY FOR A CONSIDERATION OF \$650. (SPC # 605.84)**

Frank Smith presented the request on behalf of the Department of Corrections to grant a revocable license agreement to Georgia Power Company over 0.0574 of one acre located at Georgia State Prison. The Nuclear Energy Regulatory Commission requires Georgia Power to install and maintain an early warning system around nuclear power plants. The revocable license will allow Georgia Power to place a siren at the top of a 50 foot self supported pole while legislation is prepared for the 2012 Session of the General Assembly authorizing an easement over the property.

Tommy Hills moved to approve the request by the Department of Corrections. Jeffrey Payne seconded the motion. The motion carried unanimously.

**REQUEST TO ALLOW THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH FULTON COUNTY BOARD OF COMMISSIONERS FOR THE LEASE AND EVENTUAL SALE, TO FULTON COUNTY OF APPROXIMATELY 42.862 ACRES IN DEKALB COUNTY, THE FORMER LOCATION OF METRO STATE PRISON AND FLEET CENTER. (SPC # 404.11)**

Frank Smith presented the request to allow the Executive Director of the State Properties Commission to negotiate and execute a Memorandum of Understanding with Fulton County for the lease and sale of Metro State Prison. Metro State prison is a 42 acre prison that the Georgia Department of Corrections has declared surplus in March of 2011. Fulton County has a severe overcrowding problem in their prison system and desires to acquire the prison.

The major terms of the MOU would be:

- (1) Fulton County would be granted a one year lease with two one-year renewals with the County assuming all operating and maintenance expenses;
- (2) Fulton County would grant to the State a 34 year ground lease on property at Charlie Brown Airport for the continued operation of a hangar for \$1 per year; and
- (3) Fulton County would execute a Purchase and Sale agreement to acquire Metro State before the end of the three year lease term for the fair market value.

Tommy Hills moved to approve the request to allow the Executive Director to negotiate and execute a memorandum of understanding with Fulton County. Greg Griffin seconded the motion. The motion carried unanimously.

**REQUEST BY GEORGIA WORLD CONGRESS CENTER AUTHORITY TO APPROVE A 30-YEAR GROUND LEASE WITH FOUR 5-YEAR RENEWAL OPTIONS, CONTINGENT UPON PROOF OF FULL FUNDING, FOR THE USE OF APPROXIMATELY 1.4 ACRES, WITH NON-EXCLUSIVE APPURTENANT EASEMENTS FOR THE TERM OF THE LEASE, TO ATLANTA HALL**

**MANAGEMENT, INC., FOR THE CONSIDERATION OF ECONOMIC BENEFITS TO THE STATE. (SPC # 460.48)**

Gary Stokan with Atlanta Hall Management, Inc.(AHM) presented an update on the progress of the College Football Hall of Fame. The property selected is known as the green lot which is part of the Georgia World Congress Center campus along Marietta Street and next to the new Omni Hotel. In addition, the plans for the Hall of Fame will include a five level parking deck.

Two financial feasibility studies have been completed . The services of an architect, exhibit designer, developer and contractor have been retained. In addition, AHM has a signed \$27.5 million syndicated loan with Regents Bank, Fifth Third Bank and BB&T. Plans are to break ground in February 2012 with a scheduled opening in September 2013.

Frank Poe with the Georgia World Congress Center Authority stated that granting the 30-year ground lease, contingent upon evidence full funding, will be beneficial to AHM in continuing the process of this project.

Jeffrey Payne moved to approve the request by the Georgia World Congress Center Authority to approve a 30-year ground lease with four 5-year renewal options contingent upon proof of full funding. Greg Griffin seconded the motion. The motion carried unanimously.

Governor Deal requested a motion for adjournment. So moved by Tommy Hills and seconded by Greg Griffin. Meeting adjourned.



Steven L. Stancil  
Executive Director, State Properties Commission