



**PUBLIC LANDS ADVISORY COMMITTEE**  
 Clatsop Conference Room at Dept of Forestry  
 2600 State Street, Salem, OR 97310

## MEETING MINUTES – January 6, 2006 1:30 p.m. – 2:35 p.m.

### MEMBERS PRESENT:

Tom Byler, Chair  
 Jackie Winters, Senator  
 Evelyn Stepp, Realtor, RE/MAX 1<sup>st</sup> Choice  
 Nancy Niedernhofer, Parks & Recreation

### MEMBERS NOT IN ATTENDANCE:

George Gilman, State Representative  
 David Knowles, David Evans and Assoc

### OTHERS PRESENT:

Bill Foster, DAS Facilities Division	Robin Kirkpatrick
Fred Lord, DAS Facilities Division	Bob Karau
Elaine Schacher, DAS Facilities Division	Paul Cleary, PERS

### 1. OPENING REMARKS / ADMINISTRATION:

*Tom Byler*, Chair, called the meeting to order at 1:35 pm.

*Fred Lord* acknowledged that four members of the Committee were present representing a quorum so the meeting can proceed. *Bill Foster*, Administrator, DAS Facilities advised the Committee that John Wales, Real Property Services Manager for DAS Facilities has accepted a job at the City of Salem as Assistant Urban Renewal Director. John's former position at DAS is currently vacant and recruitment is underway. Paul Cleary's term has ended and Tom Byler has been appointed as Paul's replacement to this Committee. Tom Byler is the Executive Director of the Oregon Watershed Enhancement Board and will take over the roll as Chair of the Committee. Bob Karau, Area Plan Coordinator, DAS Facilities was introduced. Bob will be doing some upgrades to Area Plans and there is the potential for some overlap in relationship to the Capital Projects Advisory Board. Robin Kirkpatrick, Statewide Facilities Coordinator, DAS Facilities was introduced as the staff person working with the Capital Projects Advisory Board. Fred Lord and Elaine Schacher are the staff members. *Bill* presented Paul Cleary with a plaque to recognize his eight years of service on the Public Lands Advisory Committee.

*Paul Cleary* thanked Bill and added that he had a lot of experience dealing with land disposals as well as land acquisitions and now he works more in the investment arena with PERS. Land is just another asset. Certain agencies are very strategic when they are acquiring land but probably could be accused of being less strategic when they are looking at their holdings or considering disposing of lands. He knows from working with the Legislature that there are some agencies who do need to acquire some land and they want to make sure that some agencies who are holding on to a lot of land are looking at an opportunity to dispose as well. One of the things they talk about is that they are investors not disposers. He appreciates the work that this Committee is doing. He always appreciated the private sector perspective as well as the Legislative perspective. This is a real commitment of time and he thinks it is critical for the Executive Branch to have this kind of involvement and feedback. He learned a lot from Evelyn Stepp and Bob Stutte and some of the other members before them. He added that he's leaving the Committee in good hands with Tom Byler as they worked together over at Water Resources before Tom went over to the Governor's office. Tom is someone who certainly understands the role that the Legislative process plays as well as the Executive Branch in trying to deliver what the public wants.

*Tom Byler* thanked Paul for the time he spent on this Committee and particularly as Chair and having worked with Paul, he's sure he has done a good job here and provided a lot of good input to this group and he knows he has large cowboy boots to fill.

*Tom* took a moment to share that he worked for Paul at the Water Resources Department and explained a little about his background. He is a native Oregonian, born and raised in Pendleton. He has lived more than half his life in the Willamette Valley but still has family in Eastern Oregon. His experience within state government is by pure chance and a well-balanced ticket politically. He started in state government in 1995 working with the Legislative Staff, Representative Chuck Norris, out in Hermiston. Chuck Norris shared his interest in water policy and brought him on as a staff person. He transitioned from there to

the Water Resources Department where he worked for about six years on policy and legislative matters. During the final two years of the Kitzhaber administration, he served as a Water Policy Advisor then transitioned into the Kulongoski administration dealing with Natural Resources issues as well. A year ago he started at OWEB as a legislative tracker so he's well grounded in natural resource issues. He doesn't bring the same package of experience that Paul Cleary has but he's eager to learn and looking forward to working on the Committee. The one balancing piece on his political resume that he pointed out is that he worked for Gordon Smith but Gordon doesn't know that because he was driving a pea combine for him while in college. He's happy to be on this committee and is looking forward to getting to know everyone better and working on some issues.

**1a) APPROVAL OF MINUTES FOR February 25, 2005, April 22, 2005 and October 28, 2005 MEETINGS:**

*Tom Byler*, Chair asked for a motion to accept the minutes of the previous meetings.

*Evelyn Stepp* made a motion to accept the Minutes of the February 25, 2005, April 22, 2005 and October 28, 2005 meetings as written. *Senator Winters* seconded and the motion was unanimously approved.

**1b) Acceptance of the Oregon Fish and Wildlife Report:**

*Evelyn Stepp* made a motion to accept the Oregon Fish and Wildlife Report. *Nancy Niedernhoffer* seconded and the motion was unanimously approved. There was no discussion and no objections.

**2) AGENCY LAND OWNERSHIP AND DISPOSAL PRACTICES – WHAT WE'VE LEARNED TO DATE:**

*Fred Lord* presented a PowerPoint overview of what was learned from the Agency reports that came before this Committee. The reports revealed how land owning agencies identify surplus land; their process and procedures for determining what is surplus; problems discovered; and recommendations as to where to go from here. DAS is requesting the Committees consent and recommendations for how to move forward. A summary of the statute is that the state is to own no more lands than it needs for current and future uses. It has been suggested by the Legislature that some agencies may actually own more land than they need which led to this review by the Public Lands Advisory Committee (PLAC) of agency land owning policies and procedures. There is a statewide plan to encourage the sale or lease of state-owned land to minimize state investment in real estate. There is actually a statement in statute beyond the original quote on the first slide. About a year ago, PLAC requested that a number of the largest land-owning agencies come before the Committee and make presentations. These were ODOT, State Lands, ODFW, Forestry, Corrections and Oregon Youth Authority. In part, they were asked what was their agency mission, how much land do they own, what is their statutory authority to own land, and what is their procedure for selling land and what recommendations do they have for process improvement. What we learned is like talking about the difference between Macy's and GE. The agencies are each separate entities with very unique statutory requirements for owning land and management. There is no uniform rule or process for determining their need and there is an extreme diversity of programs that drives what they do. There was no way to put a common shell over it all. DAS established a statewide lands database which contains a very high level overview of state agency land ownership. It is an access database, is static and hasn't been opened up for use by agencies. By statute, DAS is required to maintain this Statewide Land Inventory. The agencies were asked to classify their lands in three different grades: In-use, In Reserve and Surplus. What was found in the interviews last year was that the agency definitions differed amongst themselves from what we have in that inventory. Also, they had different criteria for determining what land should be kept or disposed of and several examples were ODFW and Forestry and ODOT. These three agencies told us what they look at in determining what they need to keep and what they need to dispose of. Some of the processes were extraordinarily developed and well thought out and it was a very clear process. In some of the other agencies it wasn't that clear as to how they arrived at a determination. Obviously the larger land-owning agencies, specifically ODOT and DSL have very developed and vigorous land management procedures for determining what they need to keep and what to dispose of. Getting back to what the Legislature asked for several years ago about statewide land; there was a suspicion that agencies owned more land than they needed and that this land could be sold and the proceeds put back into the General Fund. The answer after listening to most of these agencies is: Yes, there is a lot of land out there but as to the money coming back into the General Fund, the answer in most cases is no. Often the money is tied in some way by either a constitutional restriction, a statutory restriction, or a source restriction. Examples are:

- DSL proceeds go back into the Common School Fund
- Forestry experiences deed restrictions where they get land from a private donation. If the land is sold, a proportional share goes back to the donors or their successors.
- Reversionary clauses in deeds basically state that if the property is no longer used for a state purpose, it reverts back to the original grantor.

*Senator Winters* asked if we got a feel from the agencies of what percentage of land falls in each category.

*Fred* responded that this is a fairly laborious process and we did ask this of ODOT. It is a huge process to go back and go through the original records of the transaction. Not only the deed records but the purchase records to see which ones are tied and which ones are not. It would involve a great deal of time and money which the agencies don't have to do that. It comes up when they actually sell that parcel as to whether the proceeds go back to the General Fund.

*Senator Winters* further commented that from a policy standpoint, what Legislators are looking at going forward, is to talk about whether it is Common School Fund and looking at what lands are there. The Legislators do not treat Common School Fund separately from the General Fund, therefore, it doesn't become a percentage issue. What percentage of land currently owned could be expected to actually be sold in ten years?

*Fred* responded that this is a very good question because at the end of this presentation, a recommendation will be made to bring the agencies back and ask some of these questions.

If the agency bought the land with Federal money, the money goes to the Federal government. What we heard in a generic and holistic term from the agencies is that very little of the sale money goes back to the General Fund without a Legislature directive.

Some difficulties in selling land were also exposed. The agencies talked about the process they go through to identify land that is either a) surplus, b) going through the internal process to get it ready to market; and c) the actual marketing process. There was an excellent example from ODFW. They had 25 parcels that they identified as surplus. Of those, 15 had no deed restrictions and were offered to agencies and political entities through the clearinghouse process that DAS runs. Of those 15, 10 went to the public and 5 actually got sold. 5 out of 24 is not that great a sale record. This is just one example and they may have selected that example to show how difficult it was to sell parcels but they haven't sold 25 parcels in the five year history that I looked at. It's probably in the last five years of land sales that they have done. Many of the agencies discussed difficulties in selling the land. For example, in many cases the cost of preparing the parcel for sale exceeded the sale price. It is sort of good money after bad situation. Another question we asked is whether our inventory was correct and matches to what they have. Most confirmed that the database coincided with their internal agency records, except for ODOT. ODOT indicated that because of a large backlog of old Right of Way files, primarily for I-84 and I-5 that the records we have are not agreeing. We won't be able to get their current records because they have not been able to get the time or funding to get those files onto the computer.

Going forward there are several things we need to do internally within DAS. 1) Revisit the definition categories of reserve and surplus because the categories DAS established two years ago apparently don't agree with what some of the agencies actually do. The example is best shown in the reserve category. DAS established a three year period of time in which an agency would hold land in reserve. Corrections is a good example. By Legislative direction, Corrections was told to go out and buy land for the Madras, White City and Junction City prisons, which have not been built and some of them will not be built for maybe six to ten more years. These lands are still "held in reserve" because they are not actually "active in Use" and certainly not "Surplus" but they don't fit that 3 years "in reserve" category. One of the things that DAS will do is attempt to put that together and get a better definition or maybe add more definitions.

*Senator Winters'* suggested that maybe it would be prudent to add a provision that if any agency is Legislatively directed to purchase the land, they can keep three years but add the piece where the Legislature has specified that they do certain things. That language then becomes part of the procedure. This would be very straight forward and simplistic and the Legislators would not expect the agency to go somewhere to acquire land and then say that they have to adhere to this previous policy. Putting the language where the exception is for legislative direction would clarify this.

*Fred* responded that this is a good point and it will be worked into the planning.

Another disconnect discovered was that the list of surplus land we have in our database from the information they supplied doesn't agree with the lands that the agencies are selling. DAS knows about the lands being sold through the Clearing House function. By statute, all agencies are required to notify DAS if they have land for sale. DAS then notifies other agencies and political subdivisions of the available state land before it gets advertised to the general public. What was discovered is that the lands that the agencies are telling us about are not the lands that were already declared surplus in the database. So that means there are new ones popping up. There is about a 15% correlation. The rest weren't showing up. This is something we

will be working with the agencies to clear up in the next 12 to 18 months and that will also allow us to update that database so that when we get future inquiries it will be more accurate. Another thing we learned about the database from the agencies and their presentations is that it is not user friendly. Nobody can get at it except Fred and Elaine right now. It is located on the DAS server which nobody in the agencies can get to. If you want to know about the lands database, you have to come through DAS to get to it. That's not how Fred thinks it was intended to be. DAS will be doing several things in order:

- 1) Complete the database update to meet the statutory requirement to include what lands are inside and outside the Urban Growth Boundary and
- 2) Add a value section to each parcel. Some suggestions were made in the proposed rules. There are some mechanical aspects to the database which will be worked on with the agency updates being most obvious. DAS already has statutory authority that state agencies pay their proportionate share of the expenses to DAS for the administration of this database. A section was put into the proposed rules which deals with the mechanics of how that is done.

*Senator Winters* asked if the cost will be a proportionate based on the agency usage. *Fred* responded that it is proportional based on the number of identified parcels. In another meeting there was a comment that this is an incentive to consolidate their parcels and reduce the number of parcels in the database.

What DAS is proposing is that the agencies come back to PLAC in 2006 according to the Schedule in the packet. The same agencies would make a return visit to discuss what they have done with the surplus properties they identified in 2004 and discuss their reserve properties and whether they have been moved into the "in use" or "surplus" categories and if not, why not. Then ask agencies to come back on a periodic basis thereafter with a report that shows what is in their reserve stock and what they have done with it. At the end of 2006, DAS will be preparing a summary report for the legislature of our findings. Then moving forward, DAS will be upgrading that database inventory in 2006-2007 by first correcting the statutory requirements, the "in-use" requirements, and the two missing fields. In the draft rules we have suggested that instead of putting in dollar values, putting in a range of values. Forest land has a range of value x to y because otherwise, attempting to identify values as statutorily required, is almost cost prohibited because the options are the appraiser system, the county assessor, or go out and have each property individually appraised. That would be putting good money after bad.

*Tom Byler* asked if DAS is comfortable that reasonable ranges could be determined relatively easily. *Fred* responded yes, because they can be determined by checking with county assessors, checking with the extension service on farm land because they are most closely attuned to farm values and forest values for example. It's where we get into urban office buildings where there might be a problem. Even there, published reports from commercial brokers and other services can give an idea of what ranges there are.

*Evelyn Stepp* commented that one problem with the local taxing authority on determining value of the property is that they base their price on the **lowest price** a reasonable seller will sell the property for. So you end up with a **low** price, not a **reasonable** price.

*Bill Foster* commented that some of this needs to get a general order of magnitude so that what you have is an idea of whether a parcel is worth \$100,000 or \$100 million. The purpose is to get a sense of that and to see where the greatest return would be because you are still ultimately going to need to do the appraisal but it would only be when you would actually try to market the parcel that an appraisal would be done, so it would be contemporary. It would allow some processing of the database and to get that order of magnitude sense without a whole lot of expense or trouble. *Tom Byler* asked if the range is simply an attempt to create the ball park. *Bill* responded, yes.

*Fred* continued that the big picture with the database is to move it to a point where the agencies can access it on line and where the Legislature and the public can conduct on-line searches. Other states have these features so there is no reason Oregon cannot achieve the same sort of thing. A little further into the future, the statewide lands inventory database may be integrated with the facilities building database so that you have land and buildings accessible from the same input point. The ultimate goal would be to have a GIS model for both the Building and Land databases. There is some suggestion of doing that through the next biennium.

*Tom Byler* asked for a general sense of the timelines for these developments. *Fred* responded that right now the time lines are rather nebulous because we are in the midst of putting together a list of consultants and putting out a Request for Proposals to have a consultant come in and assist us in developing this. Fred is not a boilermaker but he knows he wants a boiler and he is

not a computer person. He needs help designing a system that will be cost effective, on time, easily upgradeable and useable. For that a consultant needs to sit beside us and help us put this together. The timeline in Fred's mind was to get the database statutorily compliant in 2006 then look at what the next steps are. That is not unreasonable at all. Hopefully, we may also be able to get the database accessible to the agencies in 2006 so they can easily update it. There is something called "push me pull me" where our database can go out and pull in the other agencies' vital information to keep ours updated either on a periodic basis or a biennial basis but somehow keep the information up to date so when the public calls in and asks who owns a particular parcel we can go in and find out which agency owns that specific property.

*Senator Winters* inquired about a statement Fred made earlier about other states having this capacity. Have the consultants who worked on the systems in other states been identified? If so, a time table could be determined. *Tom Byler* commented that he knows it takes time to put all these things together and he appreciates that but it would be a great item to have as part of the report for the legislature so they could see how this is all going to play out, what's been accomplished and what lies ahead. *Fred* responded that this is a good point and will make sure that it happens. *Senator Winters* further commented that there is another piece to consider as we are preparing for the next legislative session. She would encourage DAS to talk about these things in terms of dollars because that's what drove the discussion in the first place. How much land exists and how much land could be sold off? DAS should have a feel for what has been liquidated. Whether it went into General Fund or not, that was the driver of the conversation so it is important that this be included in the report. *Fred* responded that this will definitely be included. It is known what has been sold but it is not known where it has gone. *Bill Foster* added that the difficulty with the Mill Creek venture for example, is that there is an estimate of the value but it will be sold over some period of time. *Senator Winters* concurred that it is a huge process to move that piece and there is an arrangement with the City on that. Beyond the Mill Creek piece there are other pieces of property that could be identified. The issue with the Legislature is to determine if the agencies are sitting on land that could be liquidated and this inventory process is to get us there. *Bill Foster* responded that it is a matter of whether or not it could help the budget cycle and the likelihood is not. *Senator Winters* responded that she doesn't think it can, because the process of liquidating for example, the Fairview property is lengthy and she thinks Legislators understand that piece. What they have not been comfortable with is ODOT in particular; where there is land or there is perceived land that is just sitting there and will not be "in use" for a long term whether within the next 3 or 10 years and is there a possibility to liquidate. *Tom Byler* echoed *Senator Winters'* comments and commented that a good job was done on identifying the difficulties faced in selling land and he appreciates that and thinks that Legislators will appreciate that as well. He would encourage DAS and PLAC to strive to quantify some of those issues as much as possible. Anecdotal information helps but it's not going to help in terms of quantifying. He recognizes that we cannot ask an agency to re-direct a bunch of staff to go through all these records but if it were possible to get them to provide some ball park percentages in terms of disposable land that would be helpful. The other piece that Legislators may be interested in looking at is the sweet spot of potential land that has potential to be sold and can go back to the General Fund. He understands the challenges as well.

*Fred* continued that another goal is consolidation of the Building Inventory Database with the Lands Database making it a consolidated roll up report of both buildings and lands. ORS 270 is the statute by which land is bought and sold. The Administrative Rule that supports that is 125-045. That rule is in the update review process at this time. It has been drafted and published and it is going to go up for Public Hearing on the 17<sup>th</sup> of January. The problem with the existing rule is that it was incomplete, complex and very difficult for anybody to read and figure out what they were supposed to do as an agency disposing of land. This rule was reorganized and reformatted and it now includes a 2 page section just on the operations and responsibilities of the PLAC. A section was added regarding the Statewide Lands Inventory Program and on the funding for that program and the rule itself was reformatted. A copy of the proposed rule is included in the Committee Member packet. The schedule is also included and hopefully it will be effective in February. *Tom Byler* asked if the rule update is mainly a technical housekeeping exercise for clarity, adding some guidance that wasn't there previously or is the substance also being changed. *Fred* responded that substance is not being changed in the purchase and sales section. Some additional language was added giving DAS some internal flexibility for example; an agency is required by statute to come to the agency and provide DAS notice of a property for sale, and DAS tells other agencies and political entities. If the agency identifies that the only physically and legally possible buyer is one private entity and there is no legal access to the property, then the agency can request a statement of futile act. It would be a waste of time and state expense to notice other agencies and political entities and step straight to the sale to the one possible buyer. It requires legal review to do that but it saves everyone time and money to do it so that possibility was put into the rule at the DAS Director's discretion. Some things were also added in the how to sell area to give some flexibility in the methodology once the posting in the newspaper is done and the legal notice. After the time has expired then other marketing methods can be used like hiring a broker or putting up a For Sale sign and sending out flyers. *Senator Winters* asked about the timeliness of how much time is devoted and what are the possibilities of turning it over to a private

entity. When the rule was drafted, was a specific period of time established or is it open ended? *Fred* responded that what the agencies do after they come to DAS is not under the control of the DAS rule. The DAS rule applies to DAS owned property. *Bill Foster* interceded to clarify the question and suggested that maybe what Senator Winters wants to know is how long the notice process to the agencies and political entities is. *Senator Winters* gave an example of state collections account. If the agency has set the period of time in which to collect that debt, if they don't within that time frame, they turn it over to Revenue, Revenue has it for a defined period of time, if Revenue doesn't get theirs done within that specified period of time it goes to the private market. *Bill Foster* responded that the notice is 30 days. *Fred* concurred that it is a 30 day notice, and then it goes to the private market. If DAS is selling it, a notice must be published in the newspaper for a certain period of time and that is the same as it has always been because that is required by statute. *Bill Foster* added that what the rule is trying to articulate is that different methods of disposal could be used depending on the circumstances because if it is a residential lot, it could be marketed directly to the public, if it is something larger and more complicated, something might not be right, the ownership pattern may be confused, etc, then there is more process that has to happen and the agency may need to deal with it in a slightly different way. What the rule lays out is trying to develop some sort of disposition strategy for the particular parcel. *Tom Byler* asked for help to understand the responsibilities of DAS and what the other agencies must do with respect to the Clearing House obligation. He also heard earlier that different agencies have different ways of doing things and different laws that apply to their specific responsibilities so once the Clearing House process has been completed and there are no takers, it could really vary agency by agency with regard to the timing and what they are able to do and not able to do. It is only when they use DAS to sell a property or is the agency directly selling their own property? *Fred* responded that Mill Creek and Dammasch are good examples. DAS assisted Oregon Economic and Community Development in the sale of a property in Silverton, thus DAS rules applied to that sale. That process is dictated by statute and the rules flesh it out and give us a bit of flexibility. *Evelyn Stepp* noticed that on one of the items discussed earlier, some of the property is sloped so a buyer may not want it. This property shouldn't be held back from the process of trying to sell it because there may be a buyer wanting to buy it. *Fred* responded that if an agency brings property to DAS, DAS cannot dictate to them except through this review process, which properties they identify as "surplus". That gets into the surplus process whereby the public notice process occurs. The agency must identify it as surplus first. It's a balance of what will generate the sale proceeds that makes it worth it. *Bill Foster* added that this is a discussion the Committee has had in the past and Paul had some good perspectives on it with some of his experience with DSL because they tried to sell a number of parcels at one point and got very little response. What they chose as an alternative strategy was to identify, list it as open and available and if somebody wanted to make a proposal, then they would go through the extra trouble of getting it appraised to position it for sale. Otherwise, it just sits on the list and is there. *Senator Winters* commented that a medium sized agency is not in the business of real estate transactions and she thinks that the reason for this discussion was not necessarily the expectation of legislators to create mini real estate offices inside the agencies. That certainly was not the intent. The issue was if we have surplus property as a state, how do the agencies make that surplus property available for sale and disposal? She would like to see a public policy. If there is a problem and conflict in statute then it is the duty of the legislature to clear up the conflict. Somehow we must get to that. *Fred* responded that he can only speak to what the DAS statutes say and not the other agencies but DAS is constrained not only by going through the Clearing House but before considering hiring an outside realtor, the 3 weekly notices must be posted in the newspaper showing that the property is available. Anybody who bids on the property must provide that amount of money which is based on an appraisal that was performed beforehand. If DAS is constrained by statute and the agency has that similar constraint in their statute, they won't even bring the property to the surplus discussion because they know, because of previous experience, that nobody will pay the appraised value. *Senator Winters* suggested that as DAS identifies statutory constraints, obstacles and barriers to what could be good public policy; make those a part of the report so that the Legislative Branch can make some decisions as to what can be done to eliminate some of these constraints. *Tom Byler* noticed an issue that Paul Cleary had raised in reviewing the minutes and he thinks that is an attractive idea. It would require some legislative action to make it happen and it is certainly a call the legislature can make. Essentially, his understanding is that a new category of property would be created that hasn't been officially surplus but is not on the "A" list in terms of active use by the agency but they don't have the resources to move it. *Senator Winters* agreed that the goal is to find a way to move it. *Bill Foster* added, or in some instances, maybe it's a nice little parcel that has an environmental issue and they don't want to clean it up. *Fred* responded that it is the good money after bad issue again. How much money should you put into a property in order to prepare it for sale? *Tom Byler* added that if the private sector wants to take on that risk then they would have access to that information and be aware of that property. *Fred* added that maybe a block of properties could be marketed and no cherry picking allowed. *Tom Byler* agreed this would be worth flagging in the report. *Senator Winters* stated that we need to find a way. *Fred* commented that this is a good idea and perhaps a block of properties could be moved which includes good parcels and bad.

*Fred* continued with the DAS recommendations for future PLAC meetings.

**3) PLAC ADMINISTRATIVE RULE UPDATE:**

*Tom Byler* asked if there were any further questions regarding the briefing of the PLAC Administrative Rule update. Hearing no comments or questions, the Committee moved on to the next Agenda Item.

**4) AGENCY REPORTING SCHEDULE 2006**

*Fred Lord* called the Committee's attention to the recommended Agency Reporting Schedule for 2006. The recommendation is to have the agencies come back on a bi-monthly basis, through September, in the same order that they came last year to discuss the surplus properties previously identified and to report on the "in-reserve" properties and what has been done to move them out of that category. *Tom Byler* asked the board if they were comfortable with that strategy for the upcoming year, looking especially at the next steps of the PowerPoint presentation, pages 8-10. *Senator Winters* stated that she is comfortable with the recommendations that she proposed and for the record, those points will apply in the meetings throughout the upcoming year.

*Robin Kirkpatrick* asked the Committee about the comment made to re-examine the re-categorization of property as "reserve" or "surplus". The question is; would it be prudent to get those definitions cleared up before asking the agencies to come back, so that when the agencies are reporting back, they are all doing so consistently. *Tom Byler* stated that this is an issue that DAS staff could communicate to each agency. *Fred Lord* commented that DAS would discuss this with the agencies prior to their next presentation to PLAC because they each have their own interpretation of what is "surplus". If they have identified it as "surplus", then the question is; why is it still "surplus"? *Senator Winters* stated that this is a situation similar to Corrections. *Bill Foster* responded that informally, DAS has been taking care of some of the rule things and there was a discussion in a recent Central Facilities Planning Committee meeting about the possibility of pulling together some of the agencies with more properties to talk through this. There has been some discussion in the past that they would like that and maybe we can work through that collectively until some of it makes sense. DAS should follow up on that. *Tom Byler* stated that he certainly respects that and he certainly respects different authorities that the different agencies have but he thinks there will be an interest in looking for streamlining wherever we can, to make it as uniform as possible, especially when there is interface with the private sector. *Tom* asked for additional comments about the game plan for the upcoming year. There were no objections to the proposed schedule.

**5) FUTURE MEETINGS SCHEDULE 2006**

*Fred Lord* advised that the Committee was provided with a tentative PLAC Meeting Schedule in the packet which is a listing of every other month, starting January 6, 2006 through September 1, 2006. DAS is proposing to move the PLAC meetings from the fourth Friday of the month to the first Friday of every other month. Does the Schedule meet with the Committee's ability to hear the agency presentations? Does anyone have any scheduling conflicts? *Evelyn Stepp* commented that typically the first of July through the first of September is a very busy time for her and would cause some difficulty. *Fred* asked if the schedule needs to be tweaked in any way. Are Friday's an optimum time and is bi-monthly an optimum time or does the committee wish to entertain changes to any of that? *Senator Winters* stated that no particular time is easy for her, especially when session starts so if there is a conflict with the E-Board or one of the other Legislative committees she would be unable to attend. Personally, unless there is something that is going to be acted on or voted on, bi-monthly meetings are fine. She doesn't like to meet just to meet. If there is something specifically to act on, some of these things can be done by staff with the agencies, particularly the definitions and those kinds of things. As much as DAS can get done internally, the better. *Fred* commented that listening to the agencies is only one facet of what the Public Lands Advisory Committee does. The primary duty is to sit in an advisory capacity to land sales that are being handled by DAS which includes Dammasch, Fairview, Mill Creek and any others that might come up. Mill Creek is going to be coming back before the Committee and there may be some additional DAS handled land sales that will require PLAC review in addition to the presentations by agencies. Traditionally the agency presentations have come during the same meeting, after the land sales presentations submitted for PLAC review and advice. There will definitely be some action items. *Senator Winters* added that the only big land sale the state currently has is Mill Creek because the others have already been sold. The Fairview sale is done and is very close to being closed out. *Fred* commented that he understands that Senator Winters could only give the Committee an hour today and offered that her participation today is appreciated. *Tom Byler* also agreed that Senator Winters' comments were very good and he looks forward to meeting with her over the course of the coming year. *Senator Winters* replied that she is very interested in this committee. She will make an effort to attend every meeting that she possibly can. The other land sales don't come up as frequently as some of the other stuff and the only large piece that the state is dealing with right now is Mill Creek. *Bill Foster*

commented that this meeting is almost through and suggested that Senator Winters may be interested in the last item and asked if she would stay. She offered three minutes.

*Fred Lord* asked for confirmation that the Meeting Schedule is approved by the Committee. *Tom Byler* responded that he heard no objections and he urged staff to be diligent in advising the Committee of their obligation as the meeting dates approach. Keep these meetings on the radar screen. *Bill Foster* added that DAS is continuing to work on getting the other vacancy filled. *Tom Byler* commented that what we need to strive for is getting quorums as these meetings especially if an action item is coming up. A little extra work to get the Committee members to maintain that commitment will be important and he thinks this is a good work plan.

#### **6) Area Plan Coordinator Introduction**

*Bill Foster* gave a brief overview of how the Area Plan task became a responsibility of DAS. During the 2003 session, the Capitol Planning Commission was suspended and Senate Bill 90 eliminated this commission in the 2005 session. This discussion relates specifically to Salem Area properties. A certain amount of the responsibilities were transferred to DAS and the Capital Projects Advisory Board. One of the things being maintained is updating the Area Plans that existed. Unfortunately, a number of the plans are out of date, ten or more years. What DAS has done is hire a limited duration position, Bob Karau, to help DAS with facilitating and coordinating the process of updating the Area Plans. Where that plays into this Committee is through that updating process, DAS will be looking at whether some of those Area Plan areas, (such as the Corrections plan), have some surplus parcels that maybe needs to be designated as such in the plan. There is some anticipated back and forth discussion between the PLAC and CPAB (Capital Projects Advisory Board) while working on these Area Plans to work out some of the details and put it on the table. *Senator Winters* asked if DAS is also involved in the State Hospital Master Plan. *Bill* responded that DAS certainly will be. There is an advisory group that is meeting with the consultants and Bill has been a part of that group. Depending on how it plays out, will determine how significant the role is. Obviously if a significant part of that land holding is considered "surplus" then DAS and PLAC will have a big job because there are lots of issues. *Bill* added that DAS is on a path that is working, trying to simplify and will be working closely with the City on these plans.

#### **7) GENERAL DISCUSSION**

*Tom Byler* asked the Committee if there was any further business to discuss. None was presented.

*Bill Foster* thanked the Committee members for their participation

Meeting adjourned at 2:35 pm.