

MISSOURI STATE PENITENTIARY  
REDEVELOPMENT COMMISSION

MEETING MINUTES  
Open Session  
July 28, 2004

Chairman Bill Carr called the Missouri State Penitentiary Redevelopment Commission meeting to order at 1:05 p.m.

The following Commission members were present: Bill Carr, Robert Meyer, Mark Schreiber, John Sheehan, Jim Wunderlich

The following Commission members were absent: Jim Callis, Kas Mahfood, Sarah Riddick, Duane Weaver

The following Design and Construction staff members were present:

Randall G. Allen, Charlie Brzuchalski and Charlotte Collet

Legal Consultant: Pamela Henrickson

Order of Business:

1. Approval of minutes

The minutes of the April 28, 2004 meeting were approved by a motion of John Sheehan and seconded by Mark Schreiber.

II. Proposed Legislation. Randy Allen addressed the Commission on two legislative issues - financial and liability.

A copy of the proposed legislation was distributed to the members. Due to the absenteeism and therefore not having a quorum, a vote to accept the proposal was not taken at this time. However, the members present agreed that the language was acceptable, as written, and should be presented to the Legislature.

a. Legislation: Subsection 2: add the words *and to hold proceeds from such transactions outside the state treasury*. This was omitted from original legislation. This will basically allow the Commission to hold monies outside the Treasury.

Subsection 6: remove the words *any rentals, proceeds from the sale of real estate* and add *and other funding and deposit those funds in the Missouri State Penitentiary Redevelopment Fund*. This would allow segregation of money received from the state, city or other political subdivisions in the Redevelopment Fund and anything received from the sale of real estate or other business transactions would be held outside the Treasury.

b. Liability: Two options were suggested; however only one is needed. *The Commission is specifically authorized to purchase insurance from the Missouri Public Entity Risk Management Fund (MOPERM) and is hereby determined to be a public entity as defined in Section 537.700. Also, the Missouri State Penitentiary Redevelopment Commission is a state commission for the purposes of Section 105.711 and all members of the commission shall be entitled to coverage under the state legal expense fund.*

Discussion:

Commissioner Sheehan asked if remediation costs are included before the Commission takes possession, and if this is important to verify who bears that cost. He noted that while there are some budget items set aside for identification of the hazards, such as site abatement, and this has been examined for future

development, will the state participate through the availability of credits and grants but not in respect to the state of Missouri choosing to bear an underlying cost of remediation?

Mr. Allen: The Commission would take possession of the property as a "developer" on a site that has environmental problems. As development occurs, the Commission would negotiate on how to take the property. 1) Take it as is and assume the environmental liability with minimal or no cost of the land; or 2) The Commission would do the clean-up and sell it at a marketable value.

Commissioner Sheehan: In respect to property casualty and environmental issues, how are these issues covered.

Attorney Pamela Henrickson: The state has elected to no longer purchase casualty insurance. The State only issues those under a bond or lease purchase casualty insurance. Environmental insurance is commercially available, although expensive.

*Note:* The five members present were satisfied with the drafted Legislation and agreed that it be presented to the Legislature. Mr. Allen suggested that this should be voted on at the next Commission meeting so that a sponsor could be obtained to get the Legislation passed next Session.

### III. Summary of Work in Progress

A. Mark Schreiber reported that the Penitentiary will be vacated within the next 3 to 4 weeks.

1. Should there be a Public Open House and what role, if any, will the Commission play? He anticipates numerous requests to tour the existing institution.
2. The DOC can hold tours until the Commission takes possession.
3. Should a private group be hired to conduct tours?

It was decided that the D&C staff would draft a Request for Proposal (to be bid through the Division of Purchasing), for the tour guide service and present it to the Commission at the September 22 meeting.

#### B. Caretaking Operation

DOC originally asked, through the budget, to provide caretaking operations through FY'05, which began July 1, 2004. Corrections prefers not to take on that task. The Division of Facilities (DFM) has agreed to take over after DOC leaves the site. At this time, Mr. Allen introduced Carl Greeson, Director of the DFM, addressed the Commission to explain his division's caretaking role. He stated that DFM is preparing an agreement between DOC and DFM to outline what DFM's responsibilities are going to be. They will do caretaking functions but DOC and D&C will assist with immediate minor decommissioning. He stated that safety of the public, the employees and the preservation of the facility, to include fire safety and 24 hr. security will be

provided, along with Capitol Police back-up. He also noted that DFM assumes this responsibility as a temporary arrangement, and he urged the Commission to notify him of any specific duties that the Commission expects of his division. DOC has agreed to give DFM access to the caretaking funds, which was originally appropriated to DOC.

Commissioner Sheehan asked if an income statement of costs could be created and given to the Commission at the end of their caretaking responsibilities. Mr. Greeson agreed to provide a statement.

IV. FY '06 and Beyond

1. Assessment Team

A team will be assessing some of the items that will not be removed from the facility, such as boilers, freezer, kitchen equipment, oil tanks, mechanical equipment and water towers. These items have some value and could be sold.

Also being assessed are the conditions and the 5-yr decommission costs of the buildings. The team will develop and present some recommendations to the Commission as to what the costs will be and what the first step would be for making the buildings water safe, disconnecting the water and the sprinkler system. A decision item will be requested in the Budget to do a one-time decommissioning project that will cover major items.

Suggestion: Sell all the larger equipment that the assessment team feels will not be useful; for instance, a boiler in the power plant. Artifacts will be kept; small items will be taken to Surplus Property and sell larger items, to generate money for future caretaking. There may also be a building that appears to be hazardous and it may need to be removed.

The report will be presented to the Commission at the September 22 meeting.

2. Design and Construction Staff

Commissioner Sheehan asked if the D&C Staff will continue as support to the Commission, even though it has the ability to hire its own staff in the future. Randy Allen responded that the staff (Randy Allen, Charlie Brzuchalski and Charlotte Collet) remains committed to the Commission until such time the Commission decides to hire its own staff.

3. Surplus Property

It was originally planned that Surplus Property would be relocated. A study is currently being conducted to assess what their needs are and how large a facility they need for the future.

V. Redevelopment Masterplan

Charlie Brzuchalski introduced Dan Bockert, Andy Franke and Mark Grillot of the Parsons firm. Parsons has been hired by the city of Jefferson to do a study on the neighborhood surrounding MSP to provide the city with a plan which will enable them to begin their own neighborhood planning.

An in-depth review of the Masterplan, focusing on Design Guidelines and Project Phasing Plan was given.

September 22, 2004 - Parsons will return with an additional set of criteria for the Commission's review and consideration.

November 24, 2004 – A pre-final Design Guideline will be available in CD form.

December 31, 2004 - Design Guidelines completed

VI. Other issues for consideration –

- Extension of Chestnut Street to the Green Building to make connections to Capitol Avenue
- Extension of Lafayette Street to the roundabout
- Demolition of the West Campus – from Lafayette to Dulle Towers
- Mitigation of selected environmental sites and the conditions not covered by the individual project
- Redevelopment of buildings
- Historic area and conditions
- Long term – How to build
  - a. RFP's
  - b. Design/Build

Parking

Is the state responsible for parking for both the Health Lab and the Lewis & Clark Bldg (Green Bldg)?

An eastern shuttle will be created to work the same as the western shuttle - the Industrial Drive lot. Employees will be shuttled to and from the two new buildings. There may also be some temporary parking created.

The state is hoping to form a partnership with the city in building a structured parking facility. Another suggested parking area is the Ball Field area. Approx. 500 spaces could be provided. Shuttle service would be available to and from that area, as well.

River Access

The Masterplan calls for a river access from the public assembly area, through an overpass over the railroad and down to a landing barge on the riverfront. Suggestions are to tie into a trail system, which would follow to Adrian Island, now known as the Debra Cooper Riverfront Park.

Commission Logo

Commissioner Schreiber asked that the Commission proceed with selecting a logo for the MSP Redevelopment Commission. Chairman Carr agreed and requested for this to be added to the September 22, 2004 meeting agenda.

Chairman Carr reminded the members that prior to the Sept. 22 meeting, the Commission will tour the vacated MSP facility. The meeting will convene at the usual time (approx. 1:00 p.m.).

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With no further business, a motion was made by Jim Wunderlich to adjourn the meeting.  
The motion was seconded by John Sheehan.  
Those in favor: Bill Carr, Bob Meyer, Mark Schreiber, John Sheehan, Jim Wunderlich  
Absent: Gene Bushmann, Jim Callis, Kas Mahfood, Sara Riddick, Duane Weaver  
Sheehan  
The meeting adjourned at 4:40 p.m.

These minutes were approved September 22, 2004.