

CENTRAL OFFICE  
901 N. Stonewall  
Oklahoma City, OK 73117  
Tel: (405) 239-7141  
Fax: (405) 239-2430



EASTERN OFFICE  
1115 West 17<sup>th</sup> St.  
Tulsa, OK 74107  
Tel: (918) 295-3400  
Fax: (918) 585-1549

**OFFICE OF THE CHIEF MEDICAL EXAMINER  
BOARD OF MEDICOLEGAL INVESTIGATIONS**

**BOARD OF MEDICOLEGAL INVESTIGATIONS  
SPECIAL MEETING**

Board Meeting Minutes from  
Monday, October 10, 2016 at 2:00 p.m.  
Location Office of the Chief Medical Examiner  
901 N. Stonewall, Oklahoma City, OK 73117, 405-239-7141 and  
Via Videoconference at 1115 W. 17<sup>th</sup> St., Tulsa, OK 74117, 918-582-0985

*In conformity with the Oklahoma Open Meeting Act, advance notice of this meeting was transmitted to the Oklahoma Secretary of State on November 18, 2015, at 2:57 PM and public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Office of the Chief Medical Examiner, 901 N. Stonewall, Oklahoma City, OK and on the front door of the Office of the Chief Medical Examiner Eastern Division, 1115 W. 17<sup>th</sup>, Tulsa.*

Members Present: Mr. Charlie Curtis, Mr. Rocky McElvany, Mr. Chris Ferguson, Mr. Glen Huff, Dr. Eric Pfeifer, and via videoconference, Dr. Doug Stewart and Dr. Robert Allen.

Members absent: Dr. Steve Vogel and Dr. Roy Zhang

Others Present: Amy Elliott (OCME), Kari Learned (OCME), and Tiffany Wythe (OAG), Lori Shively (OCME), Dr. Marc Harrison (OCME), Chuck Wiggin (Wiggin Properties), Paul Selid (Wiggin Properties), Harry Birdwell (Secretary, State Commissioners of the Land Office(CLO)) Keith Kuhlman (Assistant Secretary, CLO), Melissa Milburn (Office of Management and Enterprise Services (OMES) Office of Real Estate and Leasing), Carie Carman, (OMES, Office of Real Estate and Leasing), Kimberly Williams (OMES Legal), Lisa Blodgett (CLO, General Counsel), Tranna Fischer (CLO, Commercial Property) and via videoconference, Dr. Josh Lanter (OCME) and Mary Wilson (OCME) Dr. Andrea Wiens (OCME) .

Mr. Curtis called the meeting to order at 2:00 p.m. Roll was called and a quorum was established.

Mr. Birdwell gave a brief history of how the Commissions of the Land became involved with this project.

Mr. Curtis opened the floor for questions and comments, and then asked about security in the evidence area. Dr. Pfeifer said the evidence locker is centrally located inside the structure and is accessible only by card key it is also armed with cameras and had reinforced walls.

Mr. Ferguson asked about the language of the lease. Ms. Milburn advised this lease has been customized for the Medical Examiner's Office to meet the needs of Wiggin Properties. The Office of Management and Enterprise Services (OMES) has gone over the language with their legal department and believe they have met all the legal requirements to obtain a loan for the property and to completely remodel the building. Ms. Milburn also advised that this is a 25 year lease with three (3), 5 year options and will begin on October 1, 2017. The lease may be terminated by the Medical Examiner's office, only for cause, lack of funds or force majeure.

All costs, direct and indirect, are passed through to the Medical Examiner's office. There are 3 types of payments; 1) Base rent payment pays for the design, construction, and all other costs incurred to make the space ready for occupancy. 2) Operating costs, these are the direct expenses specific to the ME's office leased space and will be paid directly by the ME's office. Shared operating expenses will be paid monthly based on an operating budget prepared by the 921 Building LLC (Wiggin Property). If the expenses are less than the total approved operating budget, the 921 Building LLC will issue a credit to the ME's office for the excess amount paid. If the expenses are more than the total approved operating budget, the ME's office will be invoiced and will pay the shortfall. Any shortfall that exceeds 20% of the annual budgeted amount may be withdrawn from the Capital Reserve budget fund. 3) Capital reserve fund, 921 Building LLC., will establish and maintain a capital reserve fund to pay for capital expenditures, such as the repair and replacement of the roof, the building shell or major mechanical items. The ME's office will pay a capital reserve assessment of \$1.26 per SF per year and the establishment and maintenance of the fund. The capital reserve assessment amount is subject to adjustment during the term of the contract.

The base rate is approximately \$31.29 per SF, the capital reserve fund is about \$1.26 per SF and at this point the operating expensing are unknown.

Mr. Birdwell advised, he will sign the lease if the OCME Board approves it. Mr. Birdwell continued to say, his office already has \$5M at risk on the ME's behalf because they believe in this a good opportunity for the State.

Mr. Huff asked if Dr. Pfeifer is comfortable with all the terms the lease has presented. Dr. Pfeifer said he is and added this also needs the support of the Legislature.

Mr. McElvany asked how much of the building will the ME's office occupy. Dr. Pfeifer said it will be the first 2 floors and the garage, total of approximately 47,000 SF. Mr. McElvany also asked if the 3<sup>rd</sup> floor was already designed. Mr. Birdwell answered there are a couple of things that could occur with the approximate 15,000 SF of the upper floor that will be available. The 3<sup>rd</sup> floor will be completely dry walled as part of this construction and could be used for another state agency that is of compatible use. Long term, he hopes this will serve as an expansion opportunity in time and once it's necessary. This design will allow for the ME's office to expand over time should the need arise. In the mean time, we have to be fair to the Wiggin Properties to make sure they are able to earn a return on the investment they have.

Mr. Wiggin said they are delighted and pleased to have the opportunity to work with the ME's office and look forward to getting started. The first item of business, once the leases are signed is to initiate the arrangements for financing. Mr. Wiggin expects that to be done within the next 60 days and will begin work on the facility. They will also have a schedule laid out so they can accomplish the goals from a cost standpoint as well as a schedule standpoint.

Mr. Curtis said Dr. Pfeifer would like this to be clear and documented that the Board is in fact in support of signing this lease. At this point, Mr. Curtis advised he would entertain a motion and a vote on the proposed lease.

Mr. Ferguson motioned to approve the proposed lease as presented today. Mr. Huff seconded the motion. Roll was called and all were in favor.

Mr. Curtis thanked Mr. Birdwell for him and his organization stepping up and making this possible. Mr. Curtis went on to say this is such a need for the State of Oklahoma and that Mr. Birdwell answered the call and we really appreciated it. Mr. Birdwell thanked Dr. Pfeifer and Ms. Elliott for very closely working with him and his team whom have worked on this project. He hopes this project will serve as a model to do other positive things for the state.

Mr. Curtis said we have taken a great step forward for the State and the citizens of Oklahoma today. Mr. Curtis said this is a bright spot in an otherwise gloomy economic picture and he thanked everyone that worked tirelessly getting us to this point.

Mr. Curtis asked the Board members in favor of adjourning the meeting to say aye. All were in favor.

The meeting was adjourned at 2:27 p.m.