

**POCATELLO DEVELOPMENT AUTHORITY**  
**Board of Commissioners Special Meeting**  
**December 2, 2004**  
**11:00 a.m.**

**City Hall**  
**911 North 7<sup>th</sup> Avenue**

**11:00 a.m. Council Chambers**

Call to Order – Chairman Neuhardt

Acknowledge Guests of Board, if any

Disclosure of Conflicts of Interest, if any

Agenda - Add or Delete Action or Discussion Items

**Action and Discussion Items:**

Old Town Pocatello District:

Downtown Reinvestment Timeline  
Whitman/Yellowstone Project Update

Central Corridor District:

Cheyenne Crossing Project Update

North Yellowstone Urban Renewal Area:

District Bonding

Miscellaneous Items/Questions from Commissioners

**Executive Session, if required**

HOWARD D. BURNETT

December 2, 2004

Dean Tranmer, Esq.  
Attorney for Pocatello Development Authority  
c/o City of Pocatello  
911 North Seventh Avenue  
P.O. Box 4169  
Pocatello, Idaho 83205

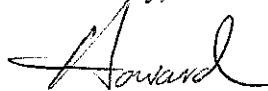
RE: North Yellowstone Project

Dear Dean:

I enclose for your consideration our firm's November 1, 2004 statement for services rendered on behalf of the Pocatello Development Authority in the above-captioned matter during the period from October 1 through October 31, 2004.

Please let me know if you have any questions concerning the statement. Our firm appreciates the opportunity to work with the PDA on this matter.

Sincerely,



Howard D. Burnett

HDB/jtay  
Enclosure

**HAWLEY TROXELL ENNIS & HAWLEY LLP**  
**ATTORNEYS AT LAW**  
**P.O. BOX 100**  
**POCATELLO, ID 83204**  
**PH: (208) 233-0845 EID: 82-0259668**

November 1, 2004

DEAN TRANMER, ESQ.  
ATTORNEY FOR POCATELLO DEVELOPMENT AUTHORITY  
C/O CITY OF POCATELLO  
911 NORTH SEVENTH AVENUE  
P.O. BOX 4169  
POCATELLO, IDAHO 83205  
STATEMENT OF ACCOUNT

RE: NORTH YELLOWSTONE PROJECT

60187-1  
STMT: 166577

PREVIOUS BALANCE:	\$ 0.00
PAYMENTS RECEIVED:	0.00-
TOTAL SERVICES RENDERED:	3,444.00
TOTAL EXPENSES ADVANCED:	33.15
BALANCE DUE:	----- \$3,477.15

Payment should be made to  
**Hawley Troxell Ennis & Hawley LLP.**  
All invoices are due and payable upon receipt.  
Thank you for keeping your account current.

DEAN TRANMER, ESQ.  
ATTORNEY FOR POCAATELLO DEVELOPMENT AUTHORITY  
C/O CITY OF POCAATELLO  
911 NORTH SEVENTH AVENUE  
P.O. BOX 4169  
POCAATELLO, ID 83205

INVOICE DATE: Nov 1, 2004  
INVOICE NO.: 166577  
FILE NO.: 60187-0001  
EID: 82-0259668

For Professional Services Rendered Through Oct 31, 2004  
RE: NORTH YELLOWSTONE PROJECT

Legal Services  
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Atty	Description	Hours	Rate	Amount
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10/04/04 HDB	LENGTHY CONFERENCE CALL WITH DEAN TRANMER, ROBERT CHAMBERS AND TIM TINGEY OF THE CITY OF POCAATELLO, AND TIM TYREE OF HTEH, RE: HISTORY AND STATUS OF NORTH POCAATELLO POLE LINE ROAD EXTENSION PROJECT, PENDING ISSUES WITH RESPECT TO POTENTIAL CONDEMNATION ACTIONS, AND RELATED ISSUES WITH RESPECT TO UPCOMING APPRAISALS AND NEGOTIATIONS; EXTENSIVE NOTES TO FILE RE: SAME; FOLLOW-UP TELEPHONE CONFERENCE WITH TIM TYREE RE: SAME; ATTENTION TO FILE.	1.50 Hrs	\$190/hr	\$285.00
10/04/04 TWT	CONFERENCE CALL WITH H. BURNETT, D. TRANMER, R. CHAMBERS AND T. TINGEY RE CONDEMNATION ACTION AND STATUS OF PROJECT; FOLLOW-UP TELEPHONE CONFERNECES WITH H. BURNETT RE SAME.	1.50 Hrs	\$160/hr	\$240.00
10/08/04 HDB	TELEPHONE CONFERENCE WITH TIM TINGEY (CITY OF POCAATELLO) RE: STATUS OF DOCUMENTATION TO DATE WITH RESPECT TO PREMIER PROPERTIES' COMMUNICATIONS WITH PROPERTY OWNERS, CITY'S PROPOSED STANDARD FORMS OF PURCHASE AGREEMENTS, AND APPRAISAL INFORMATION; TELEPHONE CONFERENCES (2) WITH TIM TYREE	0.40 Hrs	\$190/hr	\$76.00

POCATELLO DEVELOPMENT AUTHORITY  
60187-0001

(HTEH) RE: SAME (MESSAGES);  
INITIAL REVIEW OF MULTIPLE  
DOCUMENTS DELIVERED BY TIM TINGEY  
PERTAINING TO SAME; ARRANGED FOR  
COPYING OF SAME, AND TRANSMITTAL  
OF SAME BY FAX AND MAIL TO TIM  
TYREE; MEMO TO TIM TYREE RE:  
SAME; ATTENTION TO FILE.

10/13/04  
HDB

REVIEW OF MEMOS (3) AND DETAILED  
REVIEW OF ATTACHMENTS (2) FROM  
JEFF KELLEY RE: PROPERTY  
APPRAISALS; NOTES TO FILE RE:  
SAME; TELEPHONE CONFERENCE WITH  
JEFF KELLEY RE: ELECTRONIC  
FORMATTING PROBLEMS WITH RESPECT  
TO ATTACHMENTS; TELEPHONE  
CONFERENCE WITH TIM TINGEY RE:  
STATUS OF APPRAISALS AND RELATED  
ISSUES; NOTES TO FILE RE: SAME.

0.60 Hrs \$190/hr \$114.00

10/13/04  
TWT

REVIEW PURCHASE AND SALE  
AGREEMENTS AND CORRESPONDENCE TO  
PROPERTY OWNERS; RESEARCH HIGHWAY  
RELOCATION ASSISTANCE STATUTES;  
REVIEW AND RESPOND TO E-MAIL FROM  
APPRAISER.

1.20 Hrs \$160/hr \$192.00

10/15/04  
HDB

TELEPHONE CONFERENCE WITH ROBERT  
CHAMBERS (MESSAGE) RE: STATUS OF  
APPRAISALS; TELEPHONE CONFERENCES  
(3) WITH TIM TYREE (HTEH) RE:  
SAME (MESSAGES); FOLLOW-UP  
TELEPHONE CONFERENCE WITH ROBERT  
CHAMBERS RE: SAME; REVIEW OF MEMO  
AND DETAILED REVIEW OF ATTACHMENT  
FROM ROBERT CHAMBERS RE: SAME;  
RESPONDING MEMO TO ROBERT  
CHAMBERS RE: TWO APPRAISALS  
RECEIVED TO DATE FROM JEFF  
KELLEY; REVIEW OF FOLLOW-UP MEMO  
FROM ROBERT CHAMBERS RE: SAME;  
ATTENTION TO FILE.

0.30 Hrs \$190/hr \$57.00

10/18/04  
HDB

TELEPHONE CONFERENCE WITH TIM  
TINGEY RE: STATUS OF APPRAISALS  
(NO CHARGE); INITIAL REVIEW OF  
BOUND COPIES OF ALL THREE  
COMPREHENSIVE APPRAISALS AND  
RELATED MATERIALS, AS DELIVERED  
BY TIM TINGEY; NOTES TO FILE RE:

0.10 Hrs \$190/hr \$19.00

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SAME; TELEPHONE CONFERENCE WITH  
TIM TYREE (HTEH) RE: SAME (NO  
CHARGE) .

10/19/04 TWT	DETAILED REVIEW OF APPRAISALS AND LEGAL DESCRIPTIONS FOR PROPERTIES; TELEPHONE CONFERENCE WITH T. TINGEY AND R. CHAMBERS RE OFFERS ON PROPERTIES, APPRAISALS AND LEGAL DESCRIPTIONS.	1.70 Hrs	\$160/hr	\$272.00
10/20/04 TWT	DISCUSS WITH J. OLSON BACKGROUND FACTS AND TRANSACTIONAL STRUCTURE ISSUES FOR EXPEDITED DRAFTING OF CONTRACTS.	0.20 Hrs	\$160/hr	\$32.00
10/20/04 JOLS	WORK ON INITIAL DRAFT OF FORM OF CONTRACT FOR SALE PURSUANT TO EMINENT DOMAIN.	1.00 Hrs	\$120/hr	\$120.00
10/21/04 HDB	TELEPHONE CONFERENCE WITH TIM TYREE (HTEH) RE: STATUS OF APPRAISALS, BACKGROUND FACTS, AND PREPARATION OF DRAFT PROPOSALS TO AFFECTED PROPERTY OWNERS WITH RESPECT TO THE PROPERTIES AFFECTED BY PROPOSED RIGHT-OF-WAY; NOTES TO FILE RE: SAME; REVIEW OF MEMO AND PRELIMINARY DETAILED REVIEW OF ATTACHMENT FROM TIM TYREE RE: INITIAL DRAFT FORM OF PURCHASE CONTRACT; RESPONDING MEMO TO TIM TYREE RE: INITIAL REVISIONS TO BE MADE IN SAME.	0.30 Hrs	\$190/hr	\$57.00
10/21/04 TWT	REVIEW AND REVISE INITIAL DRAFT OF CONTRACT OF SALE; REVIEW APPRAISAL FOR BARE LAND; TELEPHONE CONFERENCE WITH J. DEVOE, COUNSEL FOR HAWKINS COMPANIES, RE EMINENT DOMAIN ACTION; LEFT MESSAGE FOR J. TINGEY RE BARE LAND TAKING.	2.00 Hrs	\$160/hr	\$320.00
10/21/04 JOLS	CONTINUED AND COMPLETED EXPEDITED INITIAL DRAFT OF FORM OF CONTRACT FOR SALE PURSUANT TO EMINENT DOMAIN.	2.00 Hrs	\$120/hr	\$240.00

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TO E-MAIL FROM R. CHAMBERS RE  
DOCUMENTS.

10/22/04 MFRE	ASSIST IN EXPEDITED PREPARATION AND ASSEMBLY OF MULTIPLE OWNER-SPECIFIC VERSIONS OF CONTRACTS FOR SALE (INCLUDING EXHIBITS) PURSUANT TO EMINENT DOMAIN.	2.00 Hrs	\$80/hr	\$160.00
10/26/04 HDB	REVIEW OF MEMO FROM TIM TYREE (HTEH) RE: STATUS OF DELIVERY ON 10/25/04 OF PROPERTY PURCHASE OFFERS TO AFFECTED PROPERTY OWNERS; TELEPHONE CONFERENCE WITH TIM TYREE RE: SAME, AND RE: POTENTIAL TIMING OF UPCOMING LITIGATION-RELATED EVENTS; NOTES TO FILE RE: SAME; REVIEW OF MEMO AND MULTIPLE ATTACHMENTS FROM TIM TINGEY RE: OWNER-SPECIFIC OFFER LETTERS DELIVERED OR SENT BY TIM TINGEY AND ROBERT CHAMBERS TO AFFECTED PROPERTY OWNERS; FOLLOW-UP TELEPHONE CONFERENCE WITH TIM TYREE RE: SAME; TELEPHONE CONFERENCE WITH DEAN TRANMER RE: HTEH/PDA ENGAGEMENT LETTER WITH RESPECT TO THE NORTH YELLOWSTONE PROJECT (NO CHARGE); FINAL REVISION AND TRANSMITTAL TO DEAN TRANMER OF HETH/PDA ENGAGEMENT LETTER (NO CHARGE); ATTENTION TO FILE.	0.30 Hrs	\$190/hr	\$57.00
10/26/04 TWT	TELEPHONE CONFERENCE WITH T. TINGEY RE MEETINGS WITH PROPERTY OWNERS.	0.10 Hrs	\$160/hr	\$16.00
10/27/04 TWT	REVIEW IDAHO STATUTES ON DELIVERY OF OFFER AND ADVICE OF RIGHTS FORM; TELEPHONE CONFERENCE WITH T. TINGEY RE OFFER TO L. MERRY.	0.30 Hrs	\$160/hr	\$48.00

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10/22/04  
HDB

REVIEW OF MEMO AND DETAILED REVIEW AND REVISION OF ATTACHMENT FROM TIM TYREE (HTEH) RE: FORM OF OFFER LETTER TO BE PRESENTED TO AFFECTED PROPERTY OWNERS; NOTES TO FILE RE: SAME; REVIEW OF MEMO FROM TIM TYREE TO ROBERT CHAMBERS, AND CONTINUED AND COMPLETED DETAILED REVIEW AND REVISION OF INITIAL DRAFT FORM OF CONTRACT FOR SALE PURSUANT TO EMINENT DOMAIN TO BE PRESENTED TO AFFECTED PROPERTY OWNERS; NOTES TO FILE RE: SAME; LENGTHY TELEPHONE CONFERENCE WITH TIM TYREE TO DISCUSS OPEN AND ISSUES AND CHANGES TO BE MADE IN THE FORM OF OFFER LETTER AND THE FORM OF CONTRACT FOR SALE; FURTHER NOTES TO FILE RE: SAME; DETAILED REVIEW OF TITLE COMPANY'S FORMS OF COMMITMENTS WITH RESPECT TO THE THREE AFFECTED PROPERTIES, AS FORWARDED BY TIM TYREE; TELEPHONE CONFERENCES (2) WITH TIM TYREE (MESSAGES) RE: RESPECTIVE ADDRESS REFERENCES AND CORRECTIONS TO THE REFERENCED VALUES TO BE MADE IN SAME; FOLLOW-UP TELEPHONE CONFERENCE WITH TIM TYREE RE: SAME; REVIEW OF FOLLOW-UP MEMO AND ATTACHMENT FROM TIM TYREE TO ROBERT CHAMBERS RE: REVISED FORM OF OFFER LETTER TO AFFECTED PROPERTY OWNERS; REVIEW OF FURTHER FOLLOW-UP MEMO AND MULTIPLE ATTACHMENTS FROM TIM TYREE TO ROBERT CHAMBERS RE: THE THREE OWNER-SPECIFIC DRAFT FORMS OF CONTRACTS FOR SALE WITH RESPECT TO THE AFFECTED PROPERTIES; ATTENTION TO FILE.

1.70 Hrs \$190/hr \$323.00

10/22/04  
TWT

CONTINUED AND COMPLETED FINAL DRAFT AND REVISION OF CONTRACT OF SALE AND COVER LETTER; REVIEW TITLE COMMITMENTS; TELEPHONE CONFERENCE WITH T. TINGEY AND R. CHAMBERS RE PROPERTY ACQUISITION, CHANGES TO CONTRACT AND COVER LETTER AND TIMING FOR PROPERTY ACQUISITION; REVIEW AND RESPOND

5.10 Hrs \$160/hr \$816.00



POCATELLO DEVELOPMENT AUTHORITY  
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Total Legal Services:

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22.30 Hrs

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\$3,444.00

Legal Services Summary

HOWARD D. BURNETT	5.20 hours at	\$190.00 =	\$988.00
TIMOTHY TYREE	12.10 hours at	\$160.00 =	\$1,936.00
JOHN OLSON	3.00 hours at	\$120.00 =	\$360.00
MELISSA SCHAFER	2.00 hours at	\$80.00 =	\$160.00

Client Charges

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COPYING - 221 copies \$33.15

Total Client Charges

\$33.15  
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TOTAL THIS BILL

\$3,477.15

TOTAL AMOUNT DUE

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\$3,477.15