

ABBREVIATED MINUTES
POCATELLO DEVELOPMENT AUTHORITY
Meeting December 18, 2002

Members present: Terry Brower, Steve Brown, Roger Chase, J.O. Cotant, Darsi Johnson , Harry Neuhardt, and Dan Schroeder

Staff present: D. Tranmer, City Attorney; R. Burstedt, Bannock Development

City staff present: Robert Chambers, Tim Tingey, Greg Lanning

1. Preliminary matters. Meeting called to order at 11:09 by Chairman Neuhardt. A quorum was declared. D. Schroeder declared the continuing conflict with any AMIS project. Agenda changes: addition of an action item regarding AMIS project payments, and one announcement of the farewell party for J.O. Cotant on January 3, 2003, from 3:00 to 5:00 p.m. at the courthouse.

2. Minutes and financial matters. It was MSC (Chase, Schroeder) to approve the minutes from the November meeting. It was MSC (Schroeder, Cotant) to approve the minutes from the October 22nd meeting. Ray Burstedt then reviewed the financial statements and the proposed budget for 2003. Of note is the reimbursement payment to Fred Meyer's. The actual amount (\$187,139.00) was greater than the projected amount shown in the financial report, but the payment is still within the approved repayment percentage limits. The larger amount reflects the greater-than-anticipated collections to date. Other payments include the monthly lunch and bank charges. The Board received a payment from the City for the additional costs incurred on the Stormwater project related to hydrant flushing in addition to the monthly interest income. Expenditures included payments to N. Koseris, lunch costs, and banding charges. It was MSC (Schroeder, Cotant) to approve the transfer of \$61,520.10 to the Revenue Allocation Fund. The projected cash budget for 2003 was then discussed. Because requests to PDA for payments have been for relatively small amounts, R. Chase questioned whether there was a large amount outstanding for the engineers/contractors on the Cheyenne crossing project. G. Lanning informed the Board that the portion funded by PDA is only the 20% portion due under the terms of the project and that payments are on schedule. He and R. Chase noted that the project may be altered and another route at lower cost may be chosen. Further consideration and discussion of the project will be placed on the agenda for the January meeting. It was MSC (Chase, Cotant) to approve the 2003 cash budget.

3. AMIS project/Prime Holdings request. Brent Nichols was present to discuss a problem with contractor payments which the altered PDA meeting schedule has intensified. Under their contracts, the general contractor is to be paid by the 10th of the month for invoiced work completed the prior month. PDA consideration of release of funds at the second-Tuesday-of-the-month previous schedule, while not always in time for the deadline was close enough that the contractor made no serious complaint. The additional 8 days resulting from the new schedule will be considered a serious breach of contract, however. Chairman Neuhardt noted that altering PDA's schedule to accommodate two or three months more of the timing problem seemed less than practical. Discussion ensued as to what measures could be taken to assist, short of calling special meetings for which obtaining a quorum might be impossible. Counsel D. Tranmer noted that PDA has already executed a contract which provides for payment up to a specified maximum, so a conference call with members appears to be the best method, with formal ratification at the next regular meeting to preserve the record of the amount paid out.

It was MSC (Chase, Brown; Schroeder abstaining) to authorize both the above process and payment of the current requisition (E-18) in the amount of \$643, 777.08.

4. **South Cliffs.** Bill Isley reported that the BLM project has been awarded to him. Therefore, the additional monetary award conditionally approved by PDA will be in effect. He requested that the Board reconsider its restriction on maximum amounts per line item to provide more leeway and would like the provision for a lien on the property to apply to the portion which will be occupied by BLM. Discussion ensued, with the consensus not to alter the lien provisions, but to revise the line-item restriction. **It was MSC (Chase, Schroeder)** to approve altering conditions of the second grant/loan to repeal the limits on individual line items, leaving the cap previously established.

5. **Roosevelt District.** The latest pay request by RMES was reviewed. **It was MSC (Cotant, Brower)** to approve payment in the amount of \$5,020.00. Tim Tingey reported that RMES is requesting Board approval of one contract for the remainder of the work rather than separating each portion into a new mini-contract. R. Burstedt noted that the amount referred to in the original overall contract "not to exceed \$103,970.00" will remain the same. Members discussed approving the single-contract approach, but wanted it conditioned upon receiving project-by-project reports with cost break-downs. Chairman Neuhardt asked T. Tingey to convey that request to RMES. If they foresee no problem with complying, a single contract will be approved upon presentation. J.O. Cotant asked for confirmation of the fact that the bids would be prepared so that any tree-root problems, tree removal, etc. would be included in the project. Tingey will convey that request, also.

6. **Cheyenne Crossing.** Presentation of a request for payment was reviewed. **It was MSC (Chase, Cotant)** to approve payment in the amount of \$12,322.71. D. Schroeder requested an overall report regarding the project be provided to the board. Members concurred that a summary report would be useful. R. Burstedt will work with C. Turner and G. Lanning to provide one.

7. There being no further business, the meeting was adjourned at 12:19 p.m.

