

POCATELLO DEVELOPMENT AUTHORITY MINUTES
Meeting May 18, 2011

Members present: Brian Blad, Larry Fisher, Darsi Johnson, Michael Orr, Eva Nye, and Ryan Ward.

Staff present: Gynii Gilliam, Executive Director Bannock Development Corporation; Robert Chambers, Interim Executive Director; A. Dean Tranmer and Darcy Taylor of the City Legal Dept.; and Dave Swindell and Jerry Higgins of the City Finance Dept.; Merrill Quayle, Planning and Development Services Engineer.

Chair **R. Ward** called the meeting to order at 11:02 a.m.

1. Preliminary matters:

A. Guests, Conflicts, and Agenda. No guests were present and no conflicts were noted. There were no additions or deletions to the agenda.

B. Minutes. Minutes of the regularly scheduled April 20, 2011 meeting were reviewed and **it was MSC (E. Nye, L. Fisher)** to approve the minutes.

C. Financial Report. J. Higgins presented the April financial report. Total cash available as of April 30, 2011 was \$1,306,381.97. The PDA received cash in the amount of \$47,572.27 during April, which included \$45.02 in interest, and tax increment payments of \$41,564.33 to the Central Corridor District, \$3,566.34 to the North Yellowstone District, and \$2,396.58 to the Naval Ordnance District. Expenses for April totaled \$4,904.20 and included \$74.50 to the Green Elephant for lunch, \$1,000.00 in arbitrage fees for the final report on the Central Corridor revenue bond, \$29.70 to New Day products for a recognition plaque, and \$3,800.00 to Deaton & Company for the FY 2010 Comprehensive Financial Audit Report. D. Swindell advised the Board that to date the PDA has not been asked to make any matching payments on the South Valley Connector project because thus far all of the expenditures on the project have been paid from federal funds which did not require a match. However, the City recently received a credit on a City sponsored project, the Benton Street bridge project, which credit was applied to expenses incurred on the South Valley Connector project. Those expenses are part of the expenses the PDA committed to pay. Therefore, at some point, a transfer will need to be made to the City by the PDA in order to account for the credit the City should have received on the Benton Street bridge project. D. Swindell has requested that the City Engineer determine what portion of the credit applied to the South Valley Connector expenses were to be paid by the PDA, and will ask the Board to revisit the issue at that time. After a brief discussion **it was MSC (D. Johnson, L. Fisher)** to approve the April financial report.

M. Quayle advised the Board of an administrative pay request for the Gateway West sampling and monitoring station in the amount of \$23,035.00, which represents the final payment on the project. He reported that the project came in \$1,800.00 less than the amount allocated by PDA for the project. Payment of the request was approved by the Board at the April, 2011 meeting.

R. Ward advised the Board that a statement from Moffatt Thomas law firm was received in the amount of \$663.00 for services rendered in the Positron matter. This expense was previously approved by the PDA Board and will be submitted for payment.

2. General Matters:

A. Recognition of Robert Chambers. **Chair Ward** acknowledged the resignation of Robert Chambers as Interim Executive Director. Chambers is leaving his position with the City of Pocatello at the end of May. **R. Ward** thanked Chambers on behalf of the Board for his

commitment to promoting economic development, noting that Chambers' eloquence and tact when working in delicate situations has served the PDA well. Chambers was given a plaque recognizing his work, and **R. Ward** read PDA Resolution No. 2011-2 which acknowledged Chambers' contributions to the PDA. After comments of appreciation by Board members, it was **MSC (B. Blad, M. Orr)** to adopt Resolution No. 2011-2.

B. Project Summary. R. Chambers presented a summary of the PDA projects pending as of the date of his resignation. The two largest projects which require monitoring are the Hoku project, which will most likely require an amended plan, and the Gateway West Industrial Center sampling and monitoring station project, which will require some performance by the owner of the facility. Other pending projects and tasks include the Del Monte Meat, LLC Development Agreement, the Whisper Creek demand letter, and the IsoRay collection activity. The Positron, TetriDyne, South Cliffs and Peterson RDA loan projects will require some follow up in future months. Project Yogurt remains uncertain at this point in time. Chambers reminded the Board that budget approval and election of officers should be on the September agenda, and that the Board is required to hold a public hearing and present an annual report no later than March 31, 2012 pursuant to recently passed legislation. The four revenue allocation districts currently open (North Yellowstone, Pocatello Regional Airport, North Portneuf, and Naval Ordnance Plant) are all on target to close according to the plan for each district.

B. Blad inquired as to the status of the sanitary sewer line issue at the North Yellowstone district. R. Chambers reported that he and M. Quayle had a conversation with the area's developer, Hawkins. Hawkins acknowledged that the issue is the developer's responsibility but inquired about financial assistance from the development authority. R. Chambers noted that he advised Hawkins there may be some assistance available, but that Hawkins would have to make application or any assistance. Chambers reiterated to the Board that in this instance it would be more appropriate for PDA funds to be expended for a project on undeveloped ground than it would be to expend funds after a specific business decides to locate on the site. **B. Blad** advised the Board that time is of the essence for this project because several retailers were considering the area as a location. **D. Johnson** noted that it is Hawkins' decision and responsibility to make any request for assistance to the PDA. The timing and amount of the request is up to Hawkins. Discussion followed regarding the chain of events that occurred which resulted in the location of the sanitary sewer line in a small lot in the development. M. Quayle advised the Board that the sanitary sewer line was in its current location before the development was platted, and that adjustments of various lot lines by the developer resulted in the current situation.

C. Temporary Interim Executive Director. R. Chambers recommended the Board appoint Merrill Quayle as the temporary interim executive director pending the Board's determination on appointing a permanent executive director. Chambers explained that it may be one or two months before his position at the City is filled, and additional time might be needed before that person might be ready to take on the duties of the PDA executive director, at the City's and the Board's discretion. D. Tranmer advised the Board that it will need to formalize the appointment of the executive director when it is determined who that person will be. He further noted that the Board may wish to review the criteria for the appointment of an executive director. Most recently the director, as well as the treasurer, secretary, and legal counsel of the Board, have been City of Pocatello employees appointed by the Board, and serving with the City's permission. If the Board so chooses, the executive director could be a hired position whose salary is paid by

discretionary PDA funds, or the Board could recruit a director from another agency to serve as a director. Tranmer urged the Board to consider its options. R. Chambers noted that in the interim, an interim executive director needs to be appointed for the short term. After a brief discussion **it was MSC (M. Orr, D. Johnson)** to appoint Merrill Quayle as the temporary interim executive director, which appointment is to be reviewed in ninety days.

3. Adjournment:

There being no further business, **it was MSC (L. Fisher, D. Johnson)** to adjourn the meeting at 12:07 p.m.