

**POCATELLO DEVELOPMENT AUTHORITY MEETING MINUTES**  
May 15, 2013

**Members present:** Brian Blad, Roger Bray, Larry Fisher, Darlene Gerry, Cynthia Hill, John Regetz (ex officio), and Ryan Ward

**Members absent:** Karl Anderson, Russ Meyers (excused), and Michael Orr (excused)

**Staff present:** Lonnie Crowell, Executive Director; Merrill Quayle, City Planning Engineer; A. Dean Tranmer, City Legal Dept.; Jerry Higgins, City Finance Dept.; and Jen Pizer, City Planning and Development Services Dept. (acting secretary)

**Chair R. Ward** called the meeting to order at 11:05 a.m.

**1. Preliminary matters:**

A. Introductions, Conflicts, and Agenda. No guests were in attendance. An addition was made to the agenda to discuss the BBAD Investments, LLC debt. **D. Gerry** advised the Board of a conflict of interest in the Positron matter through her employment at Idaho State University.

B. Minutes. The minutes of the regularly scheduled meeting of April 17, 2013 were reviewed and it was noted that a correction was necessary at line four of page two, where the phrase "September 2013 through August 2013," should correctly read "September 2013 through August 2014,." With that amendment, it was **MSC (R. Bray, C. Hill)** to approve the minutes as presented.

C. Financial Report. J. Higgins presented the financial report for the month of April, 2013. Total cash available as of April 30, 2013 was \$6,991,323.40. During the month of April the PDA received cash in the amount of \$10, 514.75, which included \$144.14 in interest, tax increment payments of \$10,370.61, of which \$7,409.57 was attributed to the North Yellowstone District, and \$2,961.04 was attributed to the North Portneuf District. The sole expense for April was the sum of \$124.15 from the General Fund for the Board lunch. Thereafter, it was **MSC (B. Blad, D. Gerry)** to approve the financial report for April, 2013.

**2. General Discussion Items:**

A. Positron Update. J. Regetz presented a fact sheet resulting from his inquiry regarding the Positron lease from Idaho State University (ISU) for the building at the Idaho Accelerator Center which indicated that ISU receives one dollar per year for the lease, there is no research being conducted by Positron at the facility, and that the space could be offered for other commercial, revenue producing uses. **D. Gerry** noted that it is her understanding that the term of the lease is for fifty years, of which approximately ten years has passed. **Chair Ward** provided the Board with a letter from Positron dated May 14, 2013, in which Erik Oaas advised of Positron's willingness to relinquish its rights and ownership to the building at ISU in exchange for \$200,000.00 cash, a mutual release, and one hundred twenty days to relocate to another site. Discussion followed wherein the Board revisited the payment plan proposed by Oaas at the April, 2013 meeting. It was determined that **R. Ward** would discuss the matter with Oaas to initiate the payment plan with Positron. The general consensus of the Board was to accept the payment plan, request that accrued interest be paid in full, with future interest on the amount due to be included in the payment plan.

B. South Valley Connector. City engineer Deirdre Castillo presented an update on the South Valley Connector project. A ground breaking will take place on Friday, May 24, 2013, to which

the PDA Board members were invited. Ground work is taking place. D. Tranmer noted that there is a legal issue left in which the valuation of land owned by one property owner has yet to be determined. Legal representatives of the City for the project are attempting to schedule mediation in the matter, which will not delay the work being done on the connector project this year.

C. BBAD Investments, LLC. **R. Bray** advised the Board that he was indirectly approached by BBAD Investments, LLC (BBAD) with an offer to pay off the \$200,000.00 promissory note it owes with a payment of \$175,000.00 cash, and no interest charged pursuant to recent agreements. **B. Blad** requested that BBAD return to the Board with his request. **D. Gerry** requested that the terms of any offer be specific in nature.

### **3. Executive Session:**

**Chair Ward** called for a motion for the Board go into an executive session to discuss a matter regarding negotiations involving matters of trade or commerce in which the PDA is in competition with other governing bodies. **It was moved and seconded (B. Blad, D. Gerry)** to adjourn to executive session pursuant to Idaho Code §67-2345(1)(e). The **motion passed** by roll call vote (**Ayes: B. Blad, R. Bray, L. Fisher, D. Gerry, C. Hill, and R. Ward; Nays: None**). The Board adjourned to executive session at approximately 11:35 a.m. The Board reconvened to regular session at approximately 11:50 a.m.

### **4. Adjournment:**

There being no additional business, **it was MSC (D. Gerry, B. Blad)** to adjourn the meeting at approximately 11:51 a.m.