

Ashton Urban Renewal Agency

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Rexburg, Idaho 83440

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July 23, 2013

TO: Agency Board Members
FROM: Chairman Jeff Hamilton
RE: Notice of Meeting

Just a reminder of the meeting of the Ashton Urban Renewal Agency.

Date: Tuesday, July 30, 2013
Time: 4:30 P.M.
Place: Ashton City Hall
Council Chambers
604 Main Street
Ashton, Idaho 83420

Enclosed are the meeting minutes from the June 11, 2013 meeting, invoices for payment and the FY 2014 Preliminary Budget for your review prior to the meeting. The documents for items 5A and 5B will be forthcoming prior to the meeting.

Agenda

1. Call meeting to order – Chairman Jeff Hamilton
2. Approval of the June 11, 2013 meeting minutes – Chairman Jeff Hamilton
3. Approval of payment of invoices – Chairman Jeff Hamilton
4. FY 2014 Preliminary Budget – Judy Coy
- 5A. Overview and comment on the
Historic High School and City Park Plan – Chairman Jeff Hamilton
- 5B. Overview and comment on the
Amended and Restated Urban Renewal Plan – Chairman Jeff Hamilton
(5th and Main additions)
6. Street light project update and other new projects - Chairman Jeff Hamilton
7. Set Next Meeting Date - Chairman Jeff Hamilton
8. Adjournment – Chairman Jeff Hamilton

Ashton Urban Renewal Agency

Meeting Minutes
July 30, 2013
Ashton, Idaho

Chairman Jeff Hamilton called the meeting to order at 4:30 PM. Those attending were Jeff Hamilton, Mayor Teddy Stronks, MaryLou Davis, Terry Butikofer and Judy Coy. Ryan Armbruster and Megan Conrad were contacted by telephone and were made a part of the meeting.

Street Lighting Project Update

Brian Christensen from BECO stated that last year they gave a proposal which was exactly the same as the proposal they presented last year. He stated that last year they had an in-house electrician and that individual has actually gone somewhere else to work so they have a certain amount of time to get another electrician so they won't lose their license. Mayor Stronks had given him the name of another electrician that was within pennies of the other bid to do the electrical work. The BECO bid is the same as the bid that was presented last year in the amount of \$19,280.00. Chairman Hamilton noted that the question last year was the amount of grading that needed to be done. Mayor Stronks noted that on the Lutheran Church area there is no way to fix that problem without going underneath the highway so they decided not to pursue anything to that area. The time line for the project would be, in a couple of weeks, to do the concrete. It was noted that the 6 street lights to be installed have not been ordered. Chairman Hamilton asked if BECO could structure the construction timetable when the lights have been delivered then hopefully BECO could come and start and do the whole project to completion without any time in between. Mr. Christensen stated that this is how he would prefer to do the project as well and he noted that it would take more than one week but less than two. The lights are not included in the BECO bid. Chairman Hamilton asked what the connection at power source meant. Mr. Christensen stated that this is where BECO stops and Rocky Mountain Power starts, this is the point of connection. It was suggested that Rocky Mountain Power be contacted to confirm the point of connection process and make sure everyone is on the same page. Positioning of the lights in the sidewalks was briefly discussed.

Meeting Minutes

Chairman Hamilton asked if there were any changes to the meeting minutes from the June 11, 2013 meeting. No changes were noted and a motion was made by Mayor Stronks to approve the minutes as presented. Chairman Hamilton seconded the motion. Motion carried.

Payment of Invoices

Chairman Hamilton then presented an invoice for payment from ECIPDA for administrative services. A motion was made by Chairman Hamilton to approve payment of the invoice as presented. MaryLou Davis seconded the motion. Motion carried. Chairman Hamilton then presented an invoice from Elam & Burke for legal services. MaryLou Davis made a motion to approve the invoice as presented. Mayor Stronks seconded the motion. Motion carried.

FY 2014 Preliminary Budget

Chairman Hamilton presented the 2014 proposed budget. A motion was made by Chairman Hamilton to approve the preliminary FY 2014 budget as proposed. The motion was seconded by MaryLou Davis. Motion carried.

Overview and comment on the Historic High School and City Park Plan and Amended and Restated urban Renewal Plan

Legal Council Ryan Armbruster and Megan Conrad joined the meeting by conference call at this point. Mr. Armbruster presented the amended Plan stating that it attempts to add some additional properties in the downtown district of the city. The challenge on the amended Plan area was to try to find out what may or may not have happened in terms of the revenue allocation or assessed value increases that would generate some additional funds for the agency. In both Plans there are some general criteria or obligations or requirements. In the narrative of the Plan it was attempted to describe the major initiatives that may be accomplished by the agency. Both of these are straight forward and very standard in utility. Both Plans provide a very brief overview of the history of the project area, describing its deficiencies and why urban renewal projects are appropriate for both areas. One issue that comes up is whether the Agency is creating additional administrative burden for any property owner or developer that might seek to develop within the project areas. This is not the case. Everything that has to go forward will be to comply with city code and city planning and zoning requirements. The agency is not establishing another step to jump through unless the agency is providing financial assistance or participation. In which case the agency will enter into an agreement with the property owner or developer and spell out in more detail how the agency may provide more financial assistance to the overall project. Both Plans are very narrow in their use of real property acquisition by the agency. There will not be sufficient funds to do any wide spread property acquisition. The agency does not contemplate using any eminent domain or anything of that nature on any wide spread basis.

Chairman Hamilton brought up the issue of an eminent domain property in the downtown area, that being the old hospital. He further stated that the property owner is doing nothing and is delinquent on property taxes. The property is an eye sore for the community and the city voluntary helps with the maintenance. He questioned the possibility of walking away from that eminent domain situation. Mr. Armbruster stated that this is a possibility but it also tracks the limitations under the state law. If the agency were to acquire the property for a public purpose it would be in line with statute, but if it were acquired for a private purpose then the agency would have to establish that it is a seriously deteriorating piece of property and that negotiations to purchase with the property owner have not been successful. Chairman Hamilton stated that based on that explanation the agency would be alright with that. Terry Butikofer stated that if the county had to take that property in lieu of taxes, he questioned if that would qualify for eminent domain. Mr. Armbruster stated that it would be in a different statute. The county could take it and then the agency would deal with the county and that would not be a problem. He noted that the safe harbor that they try to provide in the Plan is that it allows for the right to acquire property to provide remediation of environmental conditions that may exist on private property so the Plan allows for enough of an out that if the agency wanted to they could acquire that property so long as the proper steps were taken. Chairman Hamilton stated that he was fine with that.

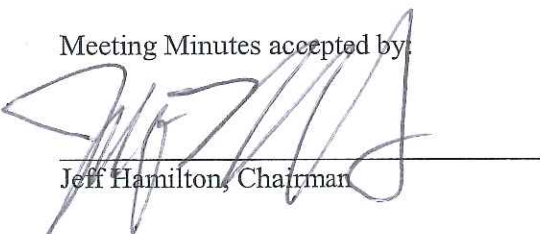
Mr. Armbruster further stated that everything else that is in the Plan on the narrative side of things the agency has reconfirmed and that the 10% rule has been met. The geographic limitation has also been met. The new Plan area will have a limit of twenty years and the old Plan area will have the same limit that it had when it was approved which goes through 2026. The rule on home owners exemptions was discussed as well as exempt property owners.

Chairman Hamilton brought up the issue of the old Texaco station site in the new area. He wanted to make sure that there will be no restrictions or limitations on flexibility to do whatever the agency might chose to do to assist in resolving or helping to get that property transferred to a constructive user. Mr. Armbruster stated that this was addressed in the amended Plan where it was indicated that the agency does reserve the right to acquire property to remediate any environmental conditions including an abandoned gas station. He felt that they had been as specific as they could be without going too far. The

question was asked if the Plan provides them the opportunity to assist a private individual in remediation of environmental conditions. Mr. Armbruster stated that it did have that provision in the Plan.

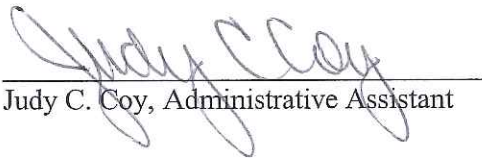
Chairman Hamilton stated that the next meeting date would be on August 21, at 1:00 PM. This would be the date for the budget hearing as well. A motion was made by Chairman Hamilton to adjourn the meeting at 5:23 PM. The motion was seconded by Mayor Stronks. Motion carried.

Meeting Minutes accepted by:



Jeff Hamilton, Chairman

Meeting Minutes prepared by:



Judy C. Coy, Administrative Assistant