

COMMISSIONERS APPROVAL

IMAN 

CHILCOTT 

FOSS 

KANENWISHER 

STOLTZ 

PLETTENBERG (Clerk & Recorder)

Members Present.....Commissioner J.R. Iman, Commissioner Suzy Foss, Commissioner Matt Kanenwisher and Commissioner Ron Stoltz

Date.....May 18, 2011

► Minutes: Beth Perkins

► Commissioner Chilcott attended the NACo WIR Annual Conference in Wenatchee, WA for the day.

► The Board met with I.T. Director Joe Frohlich to discuss and make a decision on copiers at 9:30 a.m. Present were CFO Klarryse Murphy, Comptroller Jana Exner and Clerk & Recorder Regina Plettenberg.

Joe presented the Board with a report for copier purchases and some suggestions for toner purchasing. Klarryse suggested pulling the individual budgets for copiers and toner and creating a unified account. Joe recommended a committee of five people to create an RFP for a copier vendor and a toner vendor.

Commissioner Kanenwisher made a motion to create a committee for a copier management including Joe Frohlich in order to issue an RFP for a copier and a toner vendor. Commissioner Foss seconded the motion and all voted "aye". (4-0)

► The Board met for a public hearing to create a TBID (Tourism Business Improvement District) by resolution at 10:00 a.m. Present were Civil Counsel Dan Browder, Clerk & Recorder Regina Plettenberg, Marie Christopher, Chamber of Commerce Rick O'Brien, Deb Rogala, Treasurer Marie Keeton and several citizens.

Commissioner Iman opened the public hearing and requested any conflicts of interest be disclosed. Hearing none, he requested confirmation of publication of the legal notice. Civil Counsel Dan Browder confirmed publication. Two letters of protests were received

within the district and one letter outside the district. After discussion, it was requested by Civil Counsel that the Board review the letters of protest within the district and weigh them for sufficiency according to MCA 7-12-1114.

Commissioner Iman opened public comment.

Rick O'Brien demonstrated why this district is important to this valley. He presented eight letters of support from other businesses in the county.

Concern was expressed with the State bed tax and if the Legislature changes the rules and amend the law how it will also affect this TBID. Civil Counsel Dan Browder addressed this concern that any changes would have to be approved by the Board as well as an annual budget and work plan. Further concern was expressed with forcing a tax upon those who object when it is supposed to be voluntary. Discussion followed regarding the process of the petition and how it has to follow the statutes since it will go through the tax rolls.

E.C. Bolen stated \$1.00 represents a 2% sales tax on a \$50 per night room. He is opposed to any additional taxes.

Rick O'Brien cited MCA 7-12-1111 subparagraph 1 – expansion of district. Dan Browder read MCA 7-12-1115 for protest period and the jurisdiction of the Board of Commissioners.

Debbie Reesman from Department of Revenue (DOR) stated for the department's part of it would be to ensure that information is provided in a timely manner.

Charlotte Gray asked if the State had problems collecting the bed tax. Debbie Reesman replied it would be income-tax related and not a part of the DOR.

Rick O'Brien stated this is 84 lodge/hotel owners who agree and 2 who don't. The Chamber of Commerce is in full support of this TBID.

Commissioner Iman closed public comment.

Commissioner Kanenwisher stated the first finding of fact is the receipt of a verified petition that equals over 60% of taxable value. Second finding of fact is the receipt of two protests from Michael Nelson, Rye Creek Enterprises and Tex Irwin of West Fork Lodge. He does not find the protest from Michael Nelson having met the criteria of MCA 7-12-1114 for having a taxable valuation not less than 50% of the total taxable valuation of property within the district, not less than 50% of the owners of property within the district, owners of property within the district representing not less than 50% of the total projected assessments for property within the district and factual information within the protest, therefore insufficient to cause denial. The Board concurred. Commissioner Kanenwisher addressed the protest from Tex Irwin and stated based on the previous

criteria, it is insufficient to cause denial. The Board also concurred. Dan Browder then read a draft Ordinance for the creation of a TBID to the Board.

Commissioner Foss made a motion to pass Ordinance No. 22 to create a TBID to include testimony and the findings of fact for the two protests out of 86 lodge/hotel owners. Commissioner Iman, Commissioner Kanenwisher and Commissioner Foss voted “aye”. Commissioner Stoltz abstained from vote due to lack of information. (3-0 with one abstain)

Commissioner Foss requested statute of the requirements of appointing Trustees from Civil Counsel.

► Commissioner Iman went to Farmers State Bank Parking Lot in Victor for a site visit with MDOT, Victor Park Board and CAC regarding the shrubs in the median for Highway 93 construction at 11:00 a.m.

► The Board met for the following administrative matters at 11:00 a.m.:

- Signature for Airport Liability Insurance Application: Commissioner Kanenwisher made a motion to approve the Airport Liability Insurance application by Chair signature. Commissioner Foss seconded the motion and all voted “aye”. (3-0)
- Resolution No. 2679 to accept CDBG funds for Ironhaus Manufacturing: Commissioner Kanenwisher made a motion to adopt Resolution No. 2679 to accept CDBG funds for Ironhaus Manufacturing. Commissioner Foss seconded the motion and all voted “aye”. (3-0)
- Signature for Coordination agreement: the agreement was not ready and it was requested to place on the next administrative items agenda.
- The Board gave employee Beth Perkins permission to utilize the break room table over the weekend and to return it on Monday.
- Commissioner Kanenwisher made a motion to appoint Commissioner Stoltz as the Road Department liaison and point of contact for citizens. Commissioner Foss seconded the motion and all voted “aye”. (3-0) Commissioner Iman was absent due to another scheduled item.

► The Board met for a budget hearing for the Road Department at 1:00 p.m.

► Commissioner Iman met with Rod Overfield in Corvallis at 4:30 p.m. in regard to easements for the Corvallis CTEP project.