

Idaho Falls Auditorium District

Board of Directors — Business Meeting
Idaho Falls Library, Room 2
28 November 2011
12:00 p.m.

Minutes

In Attendance: *IFAD Board Members: Robb Chiles, Bob Everhart, Kris Meek and Cindy Ozaki. Jeff Sayer was excused. Also: Legal Counsel: Mark Fuller; Consultant: Rebecca Casper; Guest: Greg Wray; and Archie Ames, member of the public.*

I. Call to Order. The meeting was conducted by Chairwoman Ozaki and called to order at 12:03 p.m.

II. Adoption of the Agenda.

Mr. Everhart moved to adopt the agenda.

Mr. Chiles seconded the motion.

All members present voted in the affirmative.

III. Approval of the Minutes from Previous Meeting.

Mr. Chiles moved to approve the minutes.

Mr. Everhart seconded the motion.

All members present and voting voted in the affirmative.

IV. Presentation by Greg Wray on Leaseback Options.

Discussion: Members listened to a presentation from Mr. Wray on how BEA has handled the leasing of buildings constructed for use at INL sites. His was a federal model, but many of the provisions and considerations are similar. This was an information session for the IFAD Board.

V. Review of Proposal Updates from Architectural Firms.

Discussion: Board members reviewed the information submitted architectural firms originally considered by the selection committee. Five of the top ten firms opted to update their files. Board Members discussed the various firms' updated qualifications. Mr. Everhart and Mr. Chiles reviewed the original 2+-year selection process and the criteria used by

the selection committee that resulted in the choice of CRSA. Mr. Meek expressed that he was not in favor of simply “rubber-stamping” the choices made by the original selection committee. A vigorous discussion ensued about the role played by the selection committee, the need for independent inquiry, and the implications of staying with that choice. All Board Members eventually expressed confidence in the resultant choice of CRSA enough to pursue further conversation with the firm.

Action: Mr. Everhart moved that the Chair contact Mr. DeKold of CRSA, notify him of the IFAD Board’s status with respect to the selection process, and invite him to come in and educate the Board members us on next steps and provide a contact proposal for architectural services for the Board to review.

Action: Mr. Meek seconded the motion.

Result: All Members present voted in the affirmative.

VI. Status Update on Tax Payments.

Report: To date, 19 of 23 hotels have made tax payments so far. The Red Lion, Guest House Inn, Comfort Inn and the Ross Hotel still have not paid. \$88,670.61 has been received so far. Bills and obligations in the amount of \$33,290.82 have been paid out leaving a current balance of \$55,379.75. The chair has fielded calls indicating that some hotels still have a level of confusion. The Board determined that a learning curve exists and sought to offer leniency to those establishments making a good faith effort to comply.

Action: Mr. Meek made a motion to waive the penalties and interest charges for the first month’s hotel tax (due Nov 15th) provided that full payment is made prior to the next month’s December 15th deadline.

Action: Mr. Everhart seconded the motion.

Result: All members present vote in the affirmative. Mr. Fuller, Legal Counsel, was tasked with sending out the non-compliance letters.

VII. Payments and Obligations.

A. Legal Counsel.

Report: Mr. Fuller reviewed the case law associated with election counsel and bonds and determined that the Board has an obligation to pay for the legal services of Mr. Greg Crockett which were obtained to assist in the creation of the Board. This is because the efforts put forth by Mr. Crockett were purely administrative—and not in any way associated with advocacy or campaigning.

Action: Mr. Chiles made a motion to authorize payment to M. Greg Crockett for his legal services obtained to establish the Auditorium District.

Action: Mr. Everhart seconded the motion.

Result: All Members present vote in the affirmative except Mr. Meek who abstained.

B. Bonneville County Elections.

Report: Ms Ozaki reported on the due dates for ballot measures – due in March for a May ballot and in September for a November ballot. Also, Mr. Fuller determined that Board Member elections will be held automatically pending submission of the required forms. Mr. Fuller also reported that taken the steps preparatory to filing a motion that would release the election bond to the entity that provided it—the Greater IF Chamber of Commerce.

Action: Mr. Meek moved to authorize Legal Counsel to file the necessary paperwork with the Bonneville County District Court to terminate or to dismiss the case and allow the court to release the bond.

Action: Mr. Everhart seconded the motion.

Result: All Members present voted in the affirmative.

VIII. Discussion of Monetary Control Policy.

Report: Members briefly reviewed materials for a possible monetary policy for the IFAD Board. It was determined that members would review the materials and submit their comments and suggestions via email prior to the next business meeting so a draft policy could be prepared and presented. Ms Casper was tasked with drafting a policy for consideration. Mr. Meek inquired as to the propriety of Members discussing this issue via email. Mr. Fuller indicated that such discussions between any two members would not be inappropriate so long as no decisions were made. There was no further action.

IX. General Discussion.

1. The next IFAD Board meetings are tentatively scheduled for December 8th and 20th. Confirmation is forthcoming.
2. Mr. Ames, who was present representing his employer, Mr. Gary Horton, noted 2 past errors on the meeting postings. He requested email notification of meeting information and agendas. Chairwoman Ozaki pointed out that no preferential treatment will be given to members of the public and all must refer to the bulletin board. And no regular schedule of meetings yet exists.

X. Adjournment.

Mr. Meek moved to adjourn.

Mr. Chiles seconded the motion.

All Board Members present voted in the affirmative

The Meeting adjourned at 1:25 p.m.