

**COMMISSIONERS' OPEN MEETING
MINUTES OF MEETING HELD NOVEMBER 9, 2011**

In attendance: Commissioners Bob Geddes, Tom Katsilometes, David Langhorst, and Rich Jackson; Valerie Dilley, Steve Fiscus, Dan John, Roxanne Lopez, Steve Miller, Robin O'Neill, Marc Norton, Mark Poppler, Liz Rodosovich, Ted Spangler, Bill von Tagen, Randy Tilley, Doreen Warren; George Brown, Chelsea Kidney, Carl Olsson, Erick Shaner, Phil Skinner; Chris Burkhead, Janet James, Dawn Justice, Steve Olsen, Melanie Palmer, and Shelley Sheridan.

Public Session.

Commissioner Katsilometes, Chair, convened the meeting.

Presentation of Certificates of Service.

Roxanne Lopez acknowledged the employees that were receiving Certificates of Service and stated how much all of their work efforts were appreciated.

Roxanne, with the Commissioners, presented certificates to: Chris Burkhead, Office Specialist 2 in the Image and Data Management Unit (Revenue Operations) for 5 years of service; Melanie Palmer, Tax Auditor 1 in the Tax Discovery Bureau (Audit and Collections) for 15 years of service.

The Certificate of Service for absent recipient Sandra Davis, IT Programmer Analyst (Property Tax) for 5 years of service, was received by Janet James. The Certificate of Service for absent recipient Val Clements, Tax Auditor 3 in the Twin Falls Field Office (Audit and Collections) for 25 years of service, with a thank-you letter from the Governor, will be given to Greg Busman to present at a later date.

Commissioner Geddes noted how the four employees totaled 50 years of state service. The Commissioners thanked the recipients for their contribution to the Idaho State Tax Commission, and noted how their years of service were commendable and appreciated.

Administrative Reports.

Roxanne Lopez, Human Resources. Roxanne presented the Human Resources (HR) report and noted that formal procedures on work related accidents were distributed to the managers and posted on the Tax Insider.

HR has developed Writing Smart Performance Objectives training for managers, supervisors, and lead workers to communicate clearer performance expectations to employees. The training focuses on how to develop specific, measurable, and achievable performance objectives for the employees and supports agency and program goals. Revenue Operations participated in the pilot testing and the training will be offered to other agency supervisors next month.

HR has begun publishing a weekly personnel activity report on the HR business page of the Tax Insider. The report includes appointments, employees leaving the agency, and published job announcements.

In the month of October, one new employee joined the agency, eight employees received a promotional appointment, six temporary employees returned for mini tax drive, one employee resigned, and HR published 18 job announcements, six of which were department promotional.

Roxanne added that the employees' response to the flu clinic was outstanding. The Ladd Family Pharmacy directly billed the insurance for 81 employees who received their flu shot on October 26, 2011.

There were no more administrative reports.

Business Requiring Vote of the Commission.

Minutes.

Commissioner Geddes moved that the minutes of the Open Meeting held on October 12, 2011, be approved and Commissioner Langhorst seconded. All voted in the affirmative, and the minutes were approved.

Resolution 11-10 – ISTC 2012 Rules.

Commissioner Langhorst moved and Commissioner Geddes seconded that the 2011 Rules for the Idaho State Tax Commission be adopted and accepted. The proposed rules were presented by each rule committee chair and discussed at an earlier open meeting held on November 2, 2011.

Commissioner Katsilometes opened the discussion to the floor. Dawn Justice, American Bankers Association, requested that the financial industries concern over the omission of an effective date in the language of Income Tax Rule 582 be put on record. Dawn had previously submitted a formal written request from the financial industry on Income Tax Rule 582, requesting the addition of an effective date. Discussion followed.

Ted Spangler, Legal/Policy Consultant, and Phil Skinner, Deputy Attorney General, noted there are different points of view and the rule is a clarification of law following the Idaho State Tax Commission's point of view. The Commission will recognize the American Bankers Association's concern, agreeing to only apply the new rule going forward if a scenario should arise when the new rule would produce different results from the old rule; this will be noted in page 2 of the resolution.

Commissioner Katsilometes asked for any more questions and there were none. The Commissioners all voted in the affirmative, and Resolution 11-10 was adopted.

Public Comments.

There were no more public comments.

Other.

Bill von Tagen presented This Day in History.

This Day in History, November 9:

1914 – Australian vessel sank the German Emden by Sydney.

1918 – Kaiser Wilhelm II abdicated.

1918 – Spiro Agnew was born.

1938 – Kristall Nacht in Germany.

1938 – Sadie Hawkins Day, created by Al Capp for “Lil Abner” comic strip.

1965 – New York blackout at 5:15 p.m.

1989 – East Berlin wall started coming down and opened borders.

#1 Song, November 9

1963 – “Sugar Shack” by Jimmy Gilmer and the Fireballs.

Recess.

Commissioner Katsilometes recessed the Public Session for 10 minutes to reconvene with the Commission's legal counsel.

Reconvene Meeting.

Commissioner Katsilometes reconvened the open meeting.

Commissioner Langhorst moved to amend the agenda to change the time for the Executive Session from 10:30 a.m. to 9:20 a.m. Commissioner Geddes seconded. All voted in favor and the motion to amend the agenda passed.

Executive Session. Commissioner Jackson moved and Commissioner Geddes seconded that the Commission meet in executive session with its legal counsel pursuant to Idaho Code § 67-2345(1)(f) to discuss the current status of litigation to which the Commission is a party. Commissioners Geddes, Katsilometes, Langhorst, and Jackson voted in favor by roll call. No matters requiring a vote of the Commission resulted from the executive session.

There being no further business, Commissioner Katsilometes declared the Executive Session was ended and the meeting adjourned.

Valerie Dilley
Secretary

Tom Katsilometes
Chair