

Teton County Mosquito Abatement District Board of Trustees

Meeting Minutes

June 2, 2009

Call to order. Dan Burr called to order the above referenced meeting at 12:10 pm at the Emergency Services Building in Driggs, Idaho.

Attendees. Greg Adams, Dan Burr, Summer Winger, and Angela Booker.

Review and Approval of Minutes. Winger made a motion to accept the minutes from the May 28, 2009 meeting and Booker seconded the motion. All voted in favor to accept the minutes.

Vendor Proposals. Reference emails dated June 1st from Teton County Clerk Mary Lou Hansen regarding legality of accepting a vendor proposal this year. The meeting began by discussing the email received from Teton County Prosecuting Attorney Kathy Spitzer today and timed 11:24 am. Spitzer stated that it was acceptable to accept a vendor proposal now. The statement clause in Spitzer's email must be added to the contract.

With the understanding it was legal to proceed with the vendor contract now, Burr asked which company should be awarded the contract. Clarke's proposal came with an exception listed on their cover page which indicated an obligation to continue the contract. This is unacceptable because the Trustees may not incur an obligation to continue a contract for any reason at this time. Winger made a motion to accept VDCI's proposal, Burr seconded the motion and all voted in favor. The budget must be approved by Teton County Commissioners and the language specified in Spitzer's email must be added to the contract.

Greg Adams will present the proposed budget to Teton County Commissioners on June 9, 2009. He is also to contact both bidders to inform them of the budget hearing date. If and after budget is approved, Adams will contact both firms who submitted proposals with the Trustees' decision.

Adams presented information that \$2,000 in grant money (Subgrant #HC641800) for mosquito surveillance had been awarded by the Department of Health and Welfare and he requested permission to sign required paperwork. Permission for Adams to sign the paperwork was unanimously given by the Trustees present.

Budget. Trustees discussed the plan: obtain budget approval from Teton County Commissioners; levy the tax in Fall of 2009; then obtain a tax anticipation loan to pay January's vendor invoice. Half of the levy proceeds disbursed sometime in February of 2010 will be used to pay in full the tax anticipation loan. Trustees will then seek another tax anticipation loan for subsequent vendor invoices until the second half of the levy proceeds are received. Trustees are aware that \$9,100 ^{+/-} is owed to Teton County to cover Greg Adams' time and assistance and the election costs.

Adjournment of Meeting. Booker motioned to adjourn the meeting and Winger seconded the motion. All voted in favor and the meeting adjourned at 12:40 pm.

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Kathy Spitzer Email

They can enter into a contract for free work for this fiscal year, 39-2804 does not affect free work. The problem is that the contract is for 2 years and so they are contracting for pay for the next fiscal year and the year after. This can be solved by adding a clause to the contract saying that in accordance with IC 39-2804(8) the contract is voidable until plans and budget for each fiscal year are approved by the board of county commissioners.

Kathy Spitzer
Teton County Prosecuting Attorney
89 N. Main St.
Driggs Idaho 83422
Ph: 208-354-2990
kspitzer@co.teton.id.us

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From: Mary Lou Hansen
Sent: Mon 6/1/2009 1:26 PM
To: Kathy Spitzer
Cc: 'Greg Adams'
Subject: RE: M.A.D. budget process

(8) To file annually with the board of county commissioners for their approval an estimate of funds required for the next year, a plan of the work to be done, and methods to be employed. No procedure, work or contract for any year of operation shall be done or entered upon until plans and budget have been jointly approved by the board of county commissioners.

Given the wording of (8) above, ie. "No procedure, work or contract for any year of operation shall be done or entered upon..." can the MAD even contract for free work for this FY?

Mary Lou Hansen
Teton County Clerk
(208) 354-8771
Fax: 354-8410
mlhansen@co.teton.id.us

From: Kathy Spitzer
Sent: Monday, June 01, 2009 01:15 PM
To: Mary Lou Hansen

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Cc: 'Greg Adams'

Subject: RE: M.A.D. budget process

Hi Mary Lou -

They can't enter into contracts for work to be performed for next year until their 09-10 budget is approved. As I understand it the work will be done this year and not next fiscal year. Also, since the work is being performed for free then it should not affect their 08-09 budget.

Kathy Spitzer

Teton County Prosecuting Attorney

89 N. Main St.

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From: Mary Lou Hansen

Sent: Mon 6/1/2009 12:35 PM

To: Kathy Spitzer

Cc: 'Greg Adams'

Subject: M.A.D. budget process

Kathy: As you know, the Mosquito Abatement District would like to start abatement activities ASAP. However, the MAD cannot sign a contract or begin operations until their budget is approved by County Commissioners per IC 39-2804(8).

Meanwhile, County budget law (IC 31-16) requires the county to hold a public hearing to approve the county budgets.

I would like your opinion concerning whether this means that the MAD cannot begin abatement activities until after a formal budget hearing is held and their budget approved.

Thanks,

Mary Lou Hansen
Teton County Clerk
(208) 354-8771
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mlhansen@co.teton.id.us