

**UTAH STATE TAX COMMISSION
MEETING MINUTES**

9:30 a.m., Thursday, March 24, 2011

Commission Hearing Room 1025, 210 North 1950 West, Salt Lake City, Utah

Participating:

R. Bruce Johnson - Commission Chair
Marc B. Johnson - Commissioner
D'Arcy Dixon Pignanelli - Commissioner
Michael J. Cragun - Commissioner
Barry Conover - Interim Executive Director

Commission Staff Present:

Christa Johnson, Commission Executive Assistant
Charlie Roberts, Public Information Officer

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be obtained from the Office of the Commission at 801-297-3901.

I. Call to Order

Commission Chair B. Johnson called the meeting to order at 9:24 a.m. and announced the Commission Marc Johnson is in a hearing and should be present shortly.

II. Public Comment (members of the public wishing to address the Commissioners for up to three minutes on matters not related to a pending or reasonably imminent appeal to the Tax Commission)

Commission Chair B. Johnson noted that no one wished to address the Tax Commissioners.

III. Approve Minutes of February 23, 2011, March 3, 2011, March 8, 2011 and March 10, 2011 Commission Meetings

MOTION: Commissioner Dixon moved approval of the February 23, 2011, March 3, 2011, March 8, 2011 and March 10, 2011 Commission meetings minutes as presented. The motion passed unanimously.

IV. Designate Tax Commission representative on the Worker Classification Coordinated Enforcement Council created by 1st Sub. SB 11

Commission Chair B. Johnson appointed Commissioner Dixon to represent the Tax Commission for the Worker Classification Enforcement Council created by SB 11 1st substitute, sponsored by Sen. Karen Mayne.

Commissioner Dixon thanked the Chair and explained the role and duties of the Council.

V. Authorize Office Manager to recruit and hire Central Clerk

Commissioner Dixon requested the Public Information Officer who supervises the appeals unit clerks to explain the Central Clerk position.

Mr. Charlie Roberts reported that the Central Clerk position will fill a vacant position. The Central Clerk will answer incoming phone calls, distribute all the Commission mail, and be cross-trained on all other appeal unit positions.

MOTION: Commissioner Cragun moved to authorize the Office Manager to recruit and hire the Central Clerk. The motion passed with Commissioners B. Johnson and Cragun voting aye and with Commissioner Dixon voting nay.

Commissioner Dixon asked to explain her vote. She felt the position should be part time.

VI. Commissioners' Reports

Commissioner Cragun reported first on SB188 Tax Commission Amendments, sponsored by Sen. John L. Valentine. He reported that the Governor has signed SB188, and that the bill will go into effect in May and that he will work with Ms. Solarczyk on the rules required by the act.

Commissioner Cragun also reported that he attended a meeting held with representatives of the Governor's Cabinet members about the Business Regulation Review announced by the Governor in his State-of-the State address. The review will need to be completed and given to the Governor's Deputy Chief of Staff no later than June 1. The Governor should receive the final report no later than July 1.

Commissioner R. Bruce Johnson noted that Commissioner Marc Johnson had joined the meeting.

VII. Appoint Executive Director

Commissioner Cragun reported that the Commission received resumes from 41 applicants who expressed interest in the Executive Director post and interviewed six of those. He thanked the agency and DHRM staff who contributed to the process. He noted that he represented the Commissioners in a meeting with Governor Herbert on Monday, March 21, 2011 to satisfy the statutory requirement that the Commissioners consult with the Governor when appointing an Executive Director.

MOTION: Commissioner Cragun moved that having previously consulted with the Governor, the Tax Commissioners appoint Mr. Barry Conover as the Executive Director for the Utah State Tax Commission and forward the appointment to the Senate for its consent. The motion passed unanimously.

Commissioner Marc Johnson expressed his confidence in Mr. Conover and that he is the best person to fill this important and demanding position.

Commissioner Dixon shared that Mr. Conover has the skills and knowledge to hold the agency accountable while moving it forward. She also thanked fellow Commissioner Cragun for his work on the Executive Director recruitment process.

VIII. Interim Executive Director's Report

Mr. Conover thanked the Commissioners for their diligence in the recruiting process. He also acknowledged Rod Marrelli who served ably for so many years in the Executive Director position.

Mr. Conover reported that the agency's legislative implementation meetings will start on March 28 with Property Tax, DMV on April 4, MVED on April 5 and Auditing on April 6.

Mr. Conover noted that HB 328 State Government Work Week, Sponsored by Rep. Michael Noel has not been signed by the Governor yet. USTC will wait to get direction from the Governor and DHRM on how to implement the changes.

Mr. Conover reported that Randy Farnsworth, agency website administrator, will be in charge of managing the new design of the website and keeping content current.

IX. Adjourn to Closed Session

Commissioner Cragun explained that the Commission needs to meet in a closed session to discuss pending litigation with Tim Bodily and Laron Lind, Assistant Attorney General. The meeting will be recorded and minutes will be taken.

MOTION: Commissioner Dixon moved to meet in a closed session to discuss pending litigation. The motion passed with the affirmative votes of Commissioners R. Bruce Johnson, D'Arcy Dixon Pignanelli, Michael J. Cragun and with Commissioner Marc Johnson absent.

X. Return to Open Session

Commission Chair B. Johnson called Commissioners into Open Session at 10:08 am.

Commissioner Dixon suggested that the Chair should send a thank you note to all the Executive Director applicants interviewed by the Commission but not appointed.

MOTION: Commissioner Cragun moved to adjourn. The motion passed unanimously.

Commission Chair B. Johnson adjourned the meeting at 10:15 a.m.

Approved on: Thursday, April 14, 2011

Attested: Christa Johnson
Executive Assistant
Utah State Tax Commission