

FRANKLIN COUNTY COMMISSIONERS

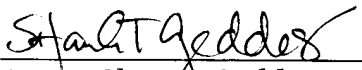
February 24, 2014 9:00 a.m.

Present: Chairman Dirk Bowles, Commissioner Boyd Burbank, Commissioner Scott Workman, Attorney Vic Pearson and Clerk Shauna Geddes

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA**—Scott made the motion to approve the agenda as posted with the addition of repair of Assessor's truck. Boyd made the second and it passed unanimously.
3. **FRANKLIN COUNTY MEDICAL CENTER FUNDING/JAY MCKENZIE & RICHARD WESTERBERG** – The hospital was approached by the USDA to be the first in the State to receive a revenue based loan to remodel part of the hospital. Jay and Richard are asking the County to issue the bond. And to adopt a resolution setting up the agreement. Scott made the motion to authorize Dirk to sign the agreement/Resolution 2014-2-24 between the County and Franklin County Medical Center for issuing a bond to be used in remodeling part of the hospital. Boyd seconded the motion which was carried unanimously.
4. **TAX DEEDS/TREASURER JEANETTE MCKAY**-- Treasurer Jeanette McKay informed the Commissioners that she was taking 5 tax deeds. They were for parcels #02844.01, #02661.09, #03046.00, #03053.00, #05005.01 for a total of \$16,191.69 owed in back taxes. The owners of the property will have a year to redeem.
5. **KODY PURSER CLASS 1 SUBDIVISION**-- This is a one lot subdivision on 600 West about 1400 South of 1.44 acres. It already has a well drilled and it will have a septic system. It will have a 500 ft driveway. The P&Z passed it unanimously with a development score of 0. Boyd motioned to accept the Kody Purser Class 1 Subdivision and it passed unanimously after a second from Scott.
6. **BLAKE AND AMY BELNAP CLASS 1 SUBDIVISION**—This is a 12.3 acre one-lot subdivision on Cub River Road. There is already a house on the lot with a well and septic system. The P&Z approved this subdivision unanimously. The motion was passed unanimously after a motion from Scott and a second from Boyd.
7. **KELLY BOWLES CLASS 1 SUBDIVISION**—This subdivision on 1400 West and 5200 South will square up boundary lines and create 3 lots. Each lot will have 2 water shares of Cub River Irrigation. The motion was made by Scott to accept this subdivision and was seconded by Boyd; Dirk abstained because of conflict of interest.

8. **CASA-Court Appointed Special Advocates-** Tracie Erickson, Corey and LeAnn from the 6th Judicial CASA program expressed “Thanks” for supporting the program. The CASA program has trained community volunteers who are appointed by a judge to speak up for children in court. There are 4 trained volunteers in Franklin County.
9. **CLAUDE THIELE/LOCKSMITH**—Claude is a local locksmith. He would like to propose to law enforcement that they no longer open locked cars. This would eliminate the Counties liability in damaging cars and free up the officers. The commissioners feel that this is a decision for the Sheriff and the Chief of Police.
10. **COUNTY BUSINESS**
Beer License - A beer license for BEST STOP in Franklin was approved for Beer to be Consumed on Premises, Retail Wine and Wine by the Drink. The motion was made by Scott and seconded by Boyd. All voted in favor.
Assessor Truck-The Commissioners authorized Assessor Jase Cundick to fix the door on the county pick-up he drives and the money will be taken out of the sundry account.
Budgets – Clerk Shauna Geddes shared copies of the budgets. Everything looks in order including the County Health Insurance budget.
Board Appointments –Dan Keller, Lance Henderson and Thedora Petterborg were all re-appointed to the hospital board. Thedora will only be appointed for one year.
11. **Executive Session ¶67-2345 (1)(d)**
 At 11:19 a.m. Boyd made the motion to go into executive session to discuss indigent cases. Scott seconded the motion. Motion passed unanimously. At 11:50 a.m. the executive session ended.
12. **Indigent Cases–**
 Boyd the made motion to deny indigent case #2014-10013 and #2014-10014. Scott second. Motion passed unanimous.
 Boyd made the motion to approve indigent case #2014-10012. And was approved after a second from Scott.

Meeting was adjourned at 11:55 a.m. Next meeting will be Monday, March 10, 2014.


 Attest, Shauna Geddes


 Dirk Bowles, Chair

AGREEMENT

COME NOW FRANKLIN COUNTY, by and through the FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS (“County”); and FRANKLIN COUNTY MEDICAL CENTER, by and through RICHARD D. WESTERBERG, its acting Chief Executor Officer and THANE D. WINWARD, Chairman of the Board of Directors (“FCMC”) and do hereby acknowledge and agree as follows:

WHEREAS, FCMC was organized under Chapter 36, Title 31, Idaho Code, as amended, for the purpose of providing a full service hospital; and

WHEREAS, the FCMC Board is appointed by COUNTY, and duly organized under Chapter 36, Title 31, Idaho Code, as amended; and

WHEREAS, COUNTY and FCMC have determined that it is necessary to finance repair, improvement, and addition of certain hospital facilities and related items (the “Project”); and

WHEREAS, FCMC and COUNTY jointly agree that the Project for FCMC to be financed by the United States Department of Agriculture, Rural Development (“USDA”), in the sum of \$1.5 million, is an important project, and will greatly enhance the operation and profitability of FCMC, and will be in the best interests of patients of FCMC, and all residents of Franklin County; and

WHEREAS, USDA has agreed to finance the \$1.5 million project; and

WHEREAS, interim financing for the Project will be provided by Lewiston State Bank; and then upon completion of the Project, USDA permanent financing will be utilized to pay off the indebtedness to Lewiston State Bank, and revenue bonds will be issued to pay USDA; and

WHEREAS, inasmuch as FCMC may not have sufficient statutory authority to issue such bonds, but COUNTY does have authorization to issue bonds; and

WHEREAS, FCMC is authorized and empowered by Chapters 36 and 21, Title 31, Idaho Code, as amended, to issue warrants to pay for its indebtedness; and

WHEREAS, the parties desire COUNTY to issue said bonds, but desire FCMC to pay the bonds solely from FCMC revenues;

Therefore, upon good and valuable consideration, the parties desire to state their agreement, and do hereby agree as follows:

1. Lewiston State Bank will finance the Project from its beginning, through its completion, upon which FCMC will issue Hospital Board Warrants, Series 2014 ("Warrants"), to pay for the costs of the Project, in an amount equal to pay off the Warrants with Lewiston State Bank.
2. For the purpose of refunding and paying off the Warrants, pursuant to Section 57-504 Idaho Code, as amended, the COUNTY shall issue a hospital revenue bond, entitled the Franklin County, Idaho, Hospital Revenue Bond, Series 2014 (the "Bond"), in the principal amount of \$1.5 million, payable, however, solely from the revenues of FCMC, to refund and refinance the Warrants pursuant to Section 57-504, Idaho Code, as amended, and all laws thereunto enabling.
3. FCMC agrees to collect and enforce payment of its hospital revenues and to make all of the pledged payments on the Bond, directly, from the revenue of FCMC, on a timely basis, and hereby pledges to collect and pay the net revenues from FCMC to pay to USDA, the registered owner of the Bond (the "Holder") all as required by the Bond, until the Bond has been repaid to the Holder in full.
4. The parties understand and agree that no payment on the Bond will be made directly by COUNTY, and that it is not necessary for COUNTY to include the Bond or the repayment of the Bond in the COUNTY budget process, inasmuch as the Bond is solely payable from revenue of FCMC and no monies will flow through COUNTY. All payments will be made directly by FCMC. Further, FCMC does hereby warrant and hold COUNTY harmless from all obligation to pay the said Bond.
5. The parties further agree that the revenues of FCMC are hereby pledged to repay the Bond in accordance with the bond resolution to be adopted by the COUNTY; and no payment of funds is required by COUNTY.

DATED this 11th day of March, 2014.

FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS

By R. Dirk Bowles
R. DIRK BOWLES, Chairman

ATTEST:

Shauna T. Geddes
SHAUNA T. GEDDES, Clerk

FRANKLIN COUNTY MEDICAL
CENTER

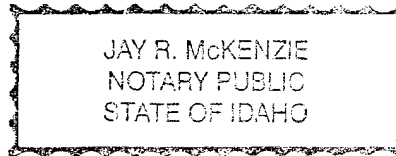
By: Richard D. Westerberg
RICHARD D. WESTERBERG,
Acting CEO

Thane D. Winward
THANE D. WINWARD,
Chairman of the Board of Directors

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 11th day of March, 2014, before me, a Notary Public in and for said State, personally appeared R. DIRK BOWLES and SHAUNA T. GEDDES, known or identified to me to be the Chairman and County Clerk, respectively, whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Jay R. McKenzie
NOTARY PUBLIC
Residing at: Preston, Idaho
My Commission Expires: 11-21-2015



STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 11th day of March, 2014, before me, a Notary Public in and for said State, personally appeared RICHARD D. WESTERBERG and THANE D. WINWARD, known or identified to me to be the acting Chief Executive Officer and Chairman of the Board of Directors, of Franklin County Medical Center, respectively, whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Jay R. McKenzie
NOTARY PUBLIC
Residing at: Preston, Idaho
My Commission Expires: 11-21-2015

