

Minutes of Meeting
Tax Exempt Application Hearing
April 29, 2020
2:00 p.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Chief Deputy Assessor Joe Johns, Civil Deputy Prosecuting Attorney R. David Ferguson, BOCC Administrative Secretary Teri Johnston and Deputy Clerk Tina Ginorio. Also present were North Idaho Community Services Corporation, Inc. Interim Executive Director Maggie Lyons and President of the Board of Directors John Bruning, Episcopal Diocese of Spokane Camp Cross Representative Skip Hubbard, Family Worship Center of the Pentecostal Church of God Representative Kelly Lineberry and Hayden Bible Fellowship Representative Abby Nuskiewicz. Ms. Nuskiewicz attended via teleconference.

A. Call to Order: Chairman Chris Fillios called the meeting to order at 2:02 p.m.

B. Introductions

C. Changes to the Agenda (Action): There were no changes to the agenda.

D. Swearing in of Participants in Attendance (by the Deputy Clerk)

Deputy Clerk Tina Ginorio swore in the participants, including those attending via teleconference.

E. Business (Action Items):

North Idaho Community Services Corporation, Inc./Multiple Parcels

North Idaho Community Services Corporation, Inc. Interim Executive Director Maggie Lyons introduced their new President of the Board of Directors, John Bruning. She explained that their group owned twenty low-income rental homes, eighteen of which were located in Kootenai County and two in Benewah County. She added that one of those in Kootenai County was a joint venture with the City of Coeur d'Alene, so she had submitted only the other seventeen for consideration.

Ms. Lyons stated that the group was making a fresh start, with all the embezzled funds repaid and a new Board of Directors. She noted that this was the first time they had applied for tax exempt status on the properties.

Chief Deputy Assessor Joe Johns remarked that properties like these which have received public financing might require additional consideration by the Board, since they had already received other tax advantages.

Commissioner Leslie Duncan asked if Ms. Lyons would be able to provide the profit and loss statements from last year, if the hearing was continued to a future session. Ms. Lyons said she could and reported that they had had a significantly negative cash flow. She

stated that the IHFA (Idaho Housing and Finance Association) had expressed concern about their situation.

Commissioner Duncan suggested that their case be continued in order to give Ms. Lyons the opportunity to present the additional documentation. She pointed out this would offer the group a chance to make a positive impression about their return to operation.

Commissioner Bill Brooks disagreed and stated it was not the Board's job to help a group look better. He said that a group either qualified or did not. He pointed out that the County's attorney said they were qualified, so he felt they should receive the exemption now.

Commissioner Duncan moved that the Board grant the exemption for North Idaho Community Services Corporation, Inc with the following AINs: 207991, 135364, 207012, 204312, 111585, 139028, 200577, 222445, 251381, 118892, 195466, 219758, 190069, 255190, 210290, 302238 and 210020. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Ms. Lyons and Mr. Bruning exited the meeting at 2:11 p.m.

Mountain Lakes Bible Church/Bethel Baptist/AIN No. 110787

There were no representatives from this group present at the meeting. Chairman Fillios suggested the Board follow Legal's opinion on the item and grant the exemption.

Commissioner Duncan moved that the Board grant the exemption for Mountain Lakes Bible Church/Bethel Baptist, AIN No. 110787. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Habitat for Humanity/AIN No. N/A

There were no representatives from this group present at the meeting. Chairman Fillios suggested the Board follow Legal's opinion on the item and grant the exemption.

Commissioner Duncan asked how the motion should read, since there were no AINs listed.

Civil Deputy Prosecuting Attorney R. David Ferguson suggested they use the parcel number instead.

Commissioner Duncan moved that the Board approve the tax exempt status for Habitat for Humanity, parcel number CL3890010020. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

St. Herman of Alaska Skete of St. Demetrious Monastery, Inc./AIN Nos. 231708; 122732; 137185

There were no representatives from this group present at the meeting.

Commissioner Duncan noted that two of the three parcels were not currently in use, and so would not meet the requirements for tax exemption.

Commissioner Brooks said the two bare land parcels were AINs 122732 and 137185.

Chairman Fillios confirmed that the AIN 231708 contained a small chapel and would be used for monastics in performance of their religious duties. He said the application stated the land would be used to build other structures for religious purposes and establishing an Orthodox Christian cemetery.

Mr. Ferguson commented that Idaho Code 63-602(b) provided that property belonging to a religious entity must be used exclusively for, in combination with any religious, educational, recreational purpose, that was the purpose of the religious entity. He noted that these properties were not currently being used exclusively for religious purposes; they were being held for future use.

Commissioner Duncan moved that the Board approve the St. Herman of Alaska Skete of St. Demetrious Monastery, Inc. AIN 231708, with the remaining AINs, 122732 and 137185 to be brought back with additional information at a time in the future. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Society of St. Pius X, Inc./AIN Nos. 101240 and 214147

There were no representatives from this group present at the meeting.

Commissioner Duncan noted that one of the parcels was described as a field for recreation and it had been recommended that more information be requested.

Mr. Ferguson pointed out that the language in the application was ambiguous; it said the parcel was "to be used," so they needed to know how the property was currently being used.

Chairman Fillios suggested these be deferred for further information.

Commissioner Duncan moved that the Board continue the request from Society of St. Pius X, Inc., AIN Nos. 101240 and 214147, to a date in the future after relevant information is submitted. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

The Episcopal Diocese of Spokane/AIN No. 308695

Business and Facilities Manager for The Episcopal Diocese of Spokane's Camp Cross Skip Hubbard reported that the camp had been operating since 1923. He said they had just purchased this property on January 29, 2020 as additional parking for Camp Cross. He confirmed that Camp Cross had been tax exempt in the past.

Mr. Ferguson remarked that a parking lot that supports a church would still qualify as tax exempt.

Commissioner Duncan moved that the Board approve the tax exempt application for the Episcopal Diocese of Spokane, AIN No. 308695. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Mr. Hubbard exited the meeting at 2:26 p.m.

Mr. Ferguson reminded the Commissioners that the items which had been continued needed to be completed by May 15, 2020, because the Assessor's Office had to receive notification by that date.

Idaho Educational Services for the Deaf and Blind (IESDB)/AIN No. 204657

There were no representatives from this group present at the meeting.

Commissioner Duncan moved that the Board approve tax exempt application for Idaho Educational Services for the Deaf and Blind, AIN No. 204657. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Hayden Bible Fellowship/AIN Nos. 143712; 167701

Hayden Bible Fellowship Representative Abby Nuskiewicz explained that her church had just purchased the property in the fall of 2019. She said they had a special use permit approved by the City of Hayden to build a new church building. She confirmed that construction had been planned to start this fall, but it had been delayed by the pandemic. She said the property was not being used for anything right now.

Mr. Ferguson commented that properties were required to be used for religious purposes to be considered for tax exemption. He said that, since this property was not being used at this time, it would not be eligible for exemption.

Ms. Nuskiewicz said both AIN numbers were involved and were not contiguous to the current church location.

Chairman Fillios explained that, under the provisions of the law, since the property was not being used at this time, the Board would not be able to grant the application.

Commissioner Duncan moved that the Board deny the tax exempt status for Hayden Bible Fellowship, AIN Nos. 143712 and 167701. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Family Worship Center/Pentecostal Church of God/AIN 100416

District Bishop of the Pentecostal Church of God Kelly LIneberry stated that the church in question had been in existence since the early 1970s. He said their clerical staff had changed recently and certain paperwork was not completed which had resulted in the loss of their exempt status. He reported that they had taken out a bank loan to pay the approximately \$25,000 in taxes that had been owed and asked that their tax exempt status be renewed.

Mr. Ferguson pointed out that statute required that, if the entirety of the property was leased, then it was not entitled to exemption. He said that in the case of partial use, the exemption would be determined proportionately.

Bishop LIneberry stated this was a parcel of under two acres, with a church on it as well as the residence which was being rented. He estimated that 80% of the parcel was used for church purposes.

Mr. Johns said the Assessor's Office would report to the Board what percentage of the property was subject to the lease and the proportion to the overall property value.

Chairman Fillios said that additional information would be needed, so this case would be taken up again before May 15, 2020.

Commissioner Duncan moved that the Board the Family Worship Center/Pentecostal Church of God, AIN No. 100416 be brought back to be heard at a later date with additional information from the Assessor. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye
The motion carried.

Bishop Lineberry and Ms. Nuskiewicz exited the meeting at 2:37 p.m.

North Country Chapel/AIN No. 107481

There were no representatives from this group present at the meeting.

Commissioner Duncan reported that the building had been demolished and the site was not being used at this time.

Commissioner Duncan moved that the Board deny the tax exempt status for North Country Chapel, AIN No. 107481. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye
The motion carried.

Lutheran Academy of the Master/AIN No. 206970

There were no representatives from this group present at the meeting.

Chairman Fillios reported that the parcel was for sale, so it would not qualify for exemption.

Commissioner Duncan moved that the Board deny the tax exempt status for the Lutheran Academy of the Master, AIN No. 206970. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye
The motion carried.

Mountain View Bible Church/AIN No. 142476

There were no representatives from this group present at the meeting. Chairman Fillios noted that Legal had not voiced any objections to this item.

Commissioner Duncan moved that the Board approve Mountain View Bible Church, AIN No. 142176, for tax exempt status. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

VPW Post 889/AIN No. 126287

There were no representatives from this group present at the meeting.

Commissioner Duncan moved that the Board approve the tax exempt status for VPW Post 889, AIN No. 126287. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

St. Vincent de Paul/AIN No. 136489

There were no representatives from this group present at the meeting.

Commissioner Duncan moved that the Board approve tax exempt status for St. Vincent de Paul, AIN No. 136489. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

North Idaho College/AIN No. 102719

There were no representatives from this group present at the meeting. Chairman Fillios remarked that this was being used as a rental property, not as a school or for educational purposes.

Commissioner Duncan moved that the Board deny the tax exempt status for North Idaho College, AIN No. 102719. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Roman Catholic Diocese/AIN Nos. 109660; 128722

There were no representatives from this group present at the meeting.

Commissioner Duncan moved that the Board approve the tax exempt status for the Roman Catholic Diocese, AIN Nos. 109660 and 128722. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Hayden Canyon Charter/AIN No. 109487

There were no representatives from this group present at the meeting.

Commissioner Duncan moved that the Board approve tax exempt status for Hayden Canyon Charter, AIN No. 109487. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Union Gospel Mission/AIN No. 146902

There were no representatives from this group present at the meeting.

Commissioner Duncan stated that she used to be a volunteer there and had been on the Women's Auxiliary Board, but she did not feel this would affect her judgement in this case. She noted that the case appeared to fully meet statutory requirements.

Commissioner Duncan moved that the Board approve tax exempt status for Union Gospel Mission, AIN No. 146902. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

The Ashley Foundation/AIN No. 109484

There were no representatives from this group present at the meeting.

Commissioner Duncan commented that their request for exemption had been denied in the past. She reported that the parcel was used for the donation of wood for low income and disabled seniors, the fruit was donated to a food pantry and it was used as a site for a jacket drive. She said she felt they had made the necessary corrections to achieve eligibility for the parcel.

Commissioner Duncan moved that the Board approve the Ashley Foundation for tax exempt status for AIN No. 109484. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Developer's Infrastructure Exemption Applications: Lost Creek Estates

Mr. Johns explained that these properties were under development and the developer was allowed an exemption on the infrastructure costs pending transfer of the property through an arms' length transaction. He said these exemptions fell under a different section of Idaho code than those previously covered today.

Commissioner Duncan moved that the Board approve the list of AINs provided for Developer's Infrastructure Exemption applications. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

Agricultural Exemption Reviews

Mr. Johns stated these parcels were properties that applied for and had qualified for the agricultural exemption based on the fact that they were less than five acres in size but produce an agricultural product from which the owner derived income.

Commissioner Duncan moved that the Board approve the agricultural exemption reviews as provided in the list presented to the Board. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chairman Fillios: Aye

The motion carried.

- F. Public Comment (Discussion):** This section is reserved for citizens wishing to address the Board regarding a County-related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There was no public comment.

G. Adjournment (Action): Chairman Fillios adjourned the meeting at 2:51 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
