

Minutes of Meeting
FY19 Budget Public Hearing Continuation
September 4, 2018
2:30 p.m.

The Kootenai County Board of Commissioners: Chairman Marc Eberlein, Commissioner Chris Fillios, and Commissioner Bob Bingham met to discuss the following agenda items. Also present were Clerk Jim Brannon, Chief Deputy Clerk Jennifer Locke, Finance Director Dena Darrow, Coroner Dr. Warren Keene, Treasurer Steve Matheson, Grants Management Office (GMO)/Transit Program Manager Kimberli Riley, Civil Deputy Prosecutor R. David Ferguson, BOCC Senior Financial Analyst Nanci Plouffe, BOCC Communications Manager Nancy Jones and Deputy Clerk Ronnie Davisson. Also present was Aquifer Protection District (APD) Chair Leslie Duncan.

- A. Call to Order:** Chairman Marc Eberlein called the meeting to order at 2:31 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Chairman's Opening Remarks:** There were no opening remarks.
- D. Reduction of FY19 County Budget (Discussion):**

Chairman Eberlein stated the reduction in the FY19 Budget came from the Aquifer Protection District and asked BOCC Communications Manager Nancy Jones if she had presented the correct copy to the Aquifer Protection District Chair, Leslie Duncan. Ms. Jones said she had presented the correct copy and explained the error was within the overall County Budget, as the amount for the APD Confluence Project had been repeated. Further, the approved Aquifer Protection District budget amount was correct, but the County Budget needed to be reduced by \$22,500.

Chairman Eberlein asked Ms. Jones how the error had happened, to which Ms. Jones explained that it was processes during the Budget season that may have caused it to be assumed the \$22,500 had been removed, when it had not.

- E. Reading of Resolution 2018-081 (Discussion):**

Commissioner Bob Bingham proceeded to read Resolution 2018-081, Disclaimer of Forgone Taxes, into the record as follows:

"WHEREAS, Idaho Code §63-802(1)(f) vests the Board of County Commissioners with the power and authority to disclaim the right to recover all or any portion of that year's forgone increase by adoption of a resolution;

WHEREAS, a public hearing to address the Fiscal Year 2019 budget was properly noticed and held pursuant to Idaho Code §760-802A; and,

WHEREAS, the Kootenai County Board of County Commissioners approved, at the referenced public hearing, a one and one half percent (1.5%) tax increase (of the three

percent (3.0%) increase allowable pursuant to Idaho Code §63-802), which shall result in a forgone balance increase upon certification of the 2018 tax year; and,

WHEREAS, *the Board of Commissioners has authority to disclaim its projected forgone balance increase, at an estimated total of up to \$687,982; and,*

WHEREAS, *as of the date reflected below, the forgone balance amount for Kootenai County totaled \$9,105,938;*

NOW THEREFORE, *it is hereby resolved by the majority vote taken by the Kootenai County Board of Commissioners on September 4, 2018, that any potential forgone amount resulting in an increase to the current forgone balance (\$9,105,938) related to tax year 2018 (Fiscal Year 2019), shall be hereby DISCLAIMED.”*

- F. Public Testimony:** There was no public testimony.
- G. Deliberations (Discussion):** The Board did not enter into deliberations.
- H. Adoption of FY19 Budget (Action):**

- i. Motion Regarding Kootenai County Budget**

Chairman Eberlein said that since the correct APD number was provided, a new motion for acceptance of the Kootenai County FY19 Budget was needed.

Civil Deputy Prosecutor R. David Ferguson inquired if Chairman Eberlein would call for Public Testimony and/or enter into Deliberations, if they were going in order on the agenda. Chairman Eberlein promptly called for Public Testimony and there was none. Finance Director Dena Darrow informed the Board before making a motion on the FY19 Budget that the new Budget amount had been reduced to \$94,103,096. Clerk Jim Brannon requested the ability to read a letter he had written into the record, as it had not yet been brought up. The letter read as follows:

“To be read into the official record of the FY19 Budget Hearing Continuation.

The Clerk/Auditor believes this continuation meeting is not necessary because the subject matter is an amendment to the approved budget. Our legal counsel advised this hearing assures all statutory obligations under IC 31-1605 are fulfilled unequivocally.

The Budget change before you is a duplication of an expenditure recorded in the County’s budget system.

At the July 11, 2018 budget deliberation meeting, the Aquifer Protection District (further referred to as “APD”) asked that a project be funded for an additional \$22,500. The Board approved the use of the APD fund balance for this

expenditure, and it was recorded in the County's budget system. There were no other changes to the APD after this date.

No budget documents from APD were provided to the Auditor's office after this change.

On August 29, 2018, at approximately 2:00 PM, the Finance Director requested materials for the KCEMSS and APD presentations from the BOCC. These materials were promised but were not provided in time for the presentations at the hearing. The KCEMSS presentation was provided by Chief Way on media he brought for the hearing.

The APD Director told the Auditor that only paper would be used for her presentation. The Auditor received a copy of the APD budget presentation on paper by the BOCC after all budgets had been approved. The discrepancy was pointed out at this time.

The Auditor researched the issue the next morning and identified the requested expenditure from July 11, 2018 was already included in the APD budget.

The net impact of this change will reduce the Kootenai County budget to \$94,103,096. The levy is not affected."

Commissioner Chris Fillios moved to approve the revised FY19 Kootenai County Budget to the total of \$94,103,096. Commissioner Bingham seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

Commissioner Bingham: Aye
Commissioner Fillios: Aye
Chairman Eberlein: Aye
The motion carried.

ii. Adoption of Resolution 2018-081

Commissioner Bingham moved to adopt Resolution 2018-081. Commissioner Fillios seconded the motion. There being no further discussion, Deputy Clerk Davisson called the roll:

Commissioner Bingham: Aye
Commissioner Fillios: Aye
Chairman Eberlein: Aye
The motion carried.

- I. **Public Comment:** 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 were no public comments.

Chairman Eberlein adjourned the meeting at 2:42 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN

BY: _____
Ronnie Davisson, Deputy Clerk
