

RESOLUTION NO. 2014-39
Dissolution of Impact Fee Advisory Committee

WHEREAS, Title 67, Chapter 82, Idaho Code authorizes cities and counties to adopt development impact fees to help offset the impacts associated with development; and

WHEREAS, Section 67-8205, Idaho Code requires cities and counties which have adopted or are considering adoption of development impact fees to establish a development impact fee advisory committee to provide advice regarding adoption and implementation of a development impact fee program; and

WHEREAS, on January 22, 2008, the Kootenai County Board of Commissioners (“Board”) adopted Resolution No. 2008-08, which established a Development Impact Fee Advisory Committee for Kootenai County; and

WHEREAS, on September 9, 2010, the Board adopted Ordinance No. 446, which provided a system for the collection and expenditure of impact fees, and adopted Ordinance No. 451, which set forth a table of impact fees, on March 17, 2011; and

WHEREAS, implementation of the County’s development impact fee program became beset by multiple complexities and challenges, such as how to determine who is responsible for capital improvement plans (CIPs) that provide the basis for calculating impact fees, how to determine appropriate service areas for, and collect impact fees on behalf of, multiple jurisdictions which often lie partially within non-participating cities, whether individual development would in fact be paying its proportional share of impacts on infrastructure serving the development, and whether population growth projections and other assumptions on which the calculation of impact fees had been based remained valid; and

WHEREAS, on December 6, 2012, the Board adopted Ordinance No. 464, which suspended collection of impact fees for a period of eighteen (18) months, repealed the impact fee table adopted via Ordinance No. 451, and provided that no further impact fees would be collected until a new fee table was adopted by the Board; and

WHEREAS, on March 7, 2013, the Board adopted Ordinance No. 465, which amended Ordinance No. 464 to provide for disbursement of all previously collected fire protection district, highway district, and EMS impact fees, and for the refunding of impact fees collected on behalf of the Kootenai County Sheriff’s Office, Kootenai County Jail, and Kootenai County Parks and Waterways; and

WHEREAS, although the Board continues to believe that impact fees have a valid purpose as a tool to ensure that development pays its share of the impact it has on public infrastructure, the Board has determined that the statutes which authorize impact fees do not currently provide for an effective method for a county to implement a multi-jurisdictional impact fee program; and

WHEREAS, on May 15, 2014, the Board has adopted an Ordinance No. 470 contemporaneously with this Resolution which repeals the previously adopted provisions of Kootenai County Code concerning impact fees;

NOW THEREFORE, BE IT HEREBY RESOLVED that the Kootenai County Development Impact Fee Advisory Committee shall be, and is hereby dissolved.

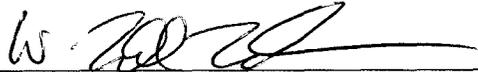
BE IT FURTHER RESOLVED that Resolution No. 2008-08 is hereby repealed, and shall be of no further force or effect.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Nelson, seconded by Chairman Tondee, the following vote was recorded:

Commissioner Green:	Excused
Commissioner Nelson:	Aye
Chairman Tondee:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the 15TH day of May, 2014.

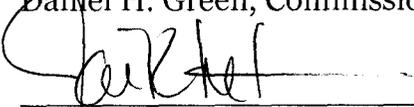
**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



W. Todd Tondee, Chairman

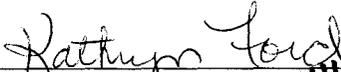
Excused

Daniel H. Green, Commissioner

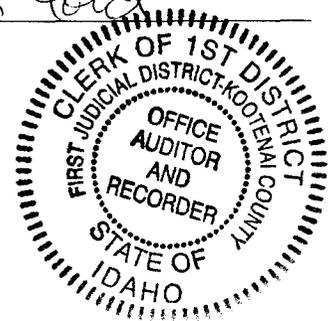


Jai K. Nelson, Commissioner

ATTEST:
JIM BRANNON, CLERK

By: 

Deputy Clerk



C: Prosecuting Attorney, Civil Division; Community Development; Resolution File