

**EMERGENCY SPECIAL BURLEY CITY COUNCIL MEETING
CITY HALL
1401 Overland Avenue
Burley, Idaho
July 17, 2020**

An Emergency Special Meeting has been called to discuss and consider new information received today concerning the Property Tax Relief Program offered by the State and to consider how it would effect a letter of intent to participate by the City. The deadline for submitting a letter of intent to participate in the program is today.

SPECIAL MEETING @ 3:00 P.M.

AGENDA

- 1. ACTION ITEM** Letter of intent regarding Idaho's coronavirus Property Tax Relief program, and the impact of a lawsuit filed by Bonner County.

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SPECIAL EMERGENCY BURLEY CITY COUNCIL MEETING
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COMMENCE MEETING

Council met in a special emergency session at 3:10 p.m. with Mayor Ormond presiding. Council members present were Jon Anderson, Casey Andersen, John Craner, Janet Hansen, Bryce Morgan and Kimberli Seely.

City Staff present were as follows: City Administrator Mark Mitton, City Clerk Ellen Maier, Attorney Dave Shirley.

City Dave Shirley said that an emergency meeting was called due to the fact that we had less than 24 hours to post this meeting because today he received a copy of a lawsuit that Bonner County filed against the State of Idaho. Mr. Shirley read a portion of the Statute that allows for an emergency meeting. He stated Bonner County has asked for an expedited hearing to get answers on all their questions on the legalities before they turn in their budget. Mr. Shirley stated that if there is money available to the city and is contingent upon a letter of intent and we don't send in our letter of intent, then the city could suffer financial loss. The immediacy of this meeting is we have to send in our letter of intent today and the new information came to Mr. Shirley today.

Mayor Ormond stated for the record it is now 3:15 P.M. on July 17th.

LETTER OF INTENT REGARDING IDAHO'S CORONAVIRUS PROPERTY TAX RELIEF PROGRAM, AND THE IMPACT OF A LAWSUIT FILED BY BONNER COUNTY

City Attorney Dave Shirley said he believed the program as outlined by the state is contrary to law. Mr. Shirley said that in the last meeting there was concern if it was legal or not and to be able to know if it was legal before the city turns in the L-2 form. Today we were notified that Bonner County sued the Governor, the Controller and the Treasurer setting forth their illegal provisions of the program. They also hired a firm out of Los Angeles that specializes in this. The purpose of the lawsuit is to understand if the terms of the program is illegal and hopefully by sending in their letter of intent, then if the program is revised, and if it becomes legal, then they would still be able to be in on the program when it is made legal. They want to reserve their rights to get the money in a legal way. He stated that if it was determined legal then the Council would have the right to meet again with all the information, hopefully with a court opinion, and decide if the City of Burley wants to do this or not.

A discussion followed with questions being asked by the Council.

A motion was made by Council member Morgan and seconded by Council member Casey Andersen acknowledging the motion that was previously made to opt out of this program having received additional information and based upon that information we have reconsidered and make the motion to send in the conditional letter of intent similar to Bonner Counties, stating in the

letter that it is non-binding and subject to the determination that the program is legal, and that we would also have the right to withdraw the letter of intent up until the time we are required to submit our L-2 forms to the state.

Roll Call Vote:

The results of the votes were as follows:

Casey Andersen	Aye	Janet Hansen	Aye
Jon Anderson	Aye	Bryce Morgan	Aye
John Craner	Aye	Kimberli Seely	Aye

Motion carried.

A motion was made by council member Casey Andersen and seconded by Council member Morgan to adjourn the meeting at 3:37 P.M.

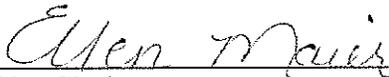
All "Aye."
Motion carried.

City of Burley



Mayor Ormond

ATTEST:


City Clerk