

# IDAHO STATE TAX COMMISSION

## COMMISSIONERS' OPEN MEETING MINUTES OF MEETING AUGUST 10, 2018

In attendance: Commissioners Ken A. Roberts, Elliot S. Werk, Tom Katsilometes, and Janet Moyle, Steve Fiscus, Randy Tilley, Mark Poppler, Debbie Coulson, Mark Warbis, Shelli Boggie, Rick Anderson, Pam Waters, Cynthia Adrian, Tom Shaner, Don Williams, Phil Skinner, and Kelly Martinez.

Guests: Idaho Attorney General Division Chief Kay Christensen

### **Public Session**

Commissioner Janet Moyle convened the open meeting and welcomed all those in attendance.

### **Presentation of Certificates of Service**

Shelli Boggie, Senior Human Resources Specialist, acknowledged the employees receiving a Certificate of Service. Ms. Boggie stated how much their combined total of 90 years of state service is appreciated. The Certificate of Service recipients in attendance were: Peggy Wright, Technical Records Specialist 1, Central Collection Bureau – 15 years; and Kathryn (Kathy) Pridgen, IT Programmer Analyst, Property Tax Systems Analysis – 30 years.

The Certificate of Service recipients not in attendance were: David (Dave) Blatchley, Financial Specialist, Senior, Management Services – 5 years; Kim Trinh, Tax Auditor 3, Sales Tax Audit – 10 years; and David (Dave) Wiedemann, Tax Audit Manager, Taxpayer Discovery – 30 years. They will receive their certificates at a later time.

The Commissioners expressed their congratulations to all the recipients and how much they appreciate all of their hard work.

### **Business Requiring Vote of the Commission**

#### Minutes: Open Meetings – July 11, 2018

Commissioner Roberts moved to approve the minutes of the open meeting held on July 11, 2018. Commissioner Katsilometes seconded the motion. There were no comments or amendments. All voted in the affirmative and the minutes of the open meeting held on July 11, 2018 were approved.

#### Resolution No. 18-04 – 2019 Property Tax Reduction Program Income Benefit Brackets

Pam Waters presented Resolution No. 18-04 for the 2019 Property Tax Reduction Program Income Benefit Brackets. She said the 2018 poverty level published by Health and Human Services was \$16,460 and they multiply that by 185% to get \$30,451. Ms. Waters said that is about \$400 higher than last year. Commissioner Katsilometes moved to approve Resolution No.

18-04. Commissioner Werk seconded the motion. All voted in the affirmative and Resolution No. 18-04 2019 Property Tax Reduction Program Income Benefit Brackets was approved.

Resolution No. 18-05 – Temporary Income Tax Rule 830T

Cynthia Adrian presented Resolution No. 18-05 Temporary Income Tax Rule 830T. She said this resolution is to change the deadline for when Forms 967 (reconciliation returns for withholding) are filed. She said there was a 2016 House Bill that changed when W2s are filed and it was brought to our attention that this rule didn't get changed at the same time. Ms. Adrian said reconciliation returns should be filed at the same time W2s are filed. The rule currently states that reconciliation returns are to be filed by the last day of February, but it should be the last day of January to coincide with when W2s are filed. Commissioner Roberts asked if a permanent rule would be coming before the Legislature and Ms. Adrian said yes. Commissioner Werk moved to approve Resolution No. 18-05. Commissioner Roberts seconded the motion. All voted in the affirmative and Resolution No. 18-05 Temporary Income Tax Rule 830T was approved.

There was no more business requiring a vote of the Commission.

**Administrative Reports**

Collection, Debbie Coulson

Debbie Coulson had no report.

Public Information and Taxpayer Resources, Mark Warbis

Mark Warbis said he does not have a report but would like to introduce himself as the new Public Information Director at the Tax Commission.

Management Services, Mark Poppler

Mark Poppler reported that the budget is due in three weeks and there are still legislative auditors in the building. He said they were finally able to release the July actuals yesterday, Derek Santos has published the state forecast which is on the Division of Financial Management's website. Mr. Poppler said the most interesting part was that the forecast for the general fund overall is actually a little lower for Fiscal Year 2019 than the Fiscal Year 2018 actual receipts.

Mr. Poppler said they sent draft Memorandum of Understandings to the Pocatello-Chubbuck and Idaho Falls Auditorium Districts, as we may be administering their local option auditorium district taxes in the coming year. He said there is a new purchasing requirement for IT equipment through the new Information Technology Services (ITS) division, requests over \$5,000 must now be approved through ITS. All IT items purchased for the new location must also be approved through ITS. Mr. Poppler reported that the field office leases are almost finalized as Twin Falls, Coeur d'Alene, and Pocatello are all set to expire this fiscal year.

Mr. Poppler said the new badges have arrived in Human Resources, Tax Commission staff may have to start using them as early as next week to access the exterior doors of the building. Commissioner Roberts said we need to work on a communication to staff about the additional badges.

Audit Division, Randy Tilley

Randy Tilley had no report.

Property Tax Division, County Support, Steve Fiscus  
Steve Fiscus had no report.

There were no more administrative reports.

### **Reports on Rules Committees**

Property Tax Rules – Property Tax Rules Committee Vice Chair, Rick Anderson

Rick Anderson, Property Tax Rules Committee Vice Chair, reported that the last Property Tax Rules Committee meeting was held on July 19 where the committee approved the six final rules for the year. He said that makes a total of 14 approved rules this year and 13 of them will be published in the September bulletin. The last rule will probably be published in October. Mr. Anderson said that is Rule 6, which changed the rail car registry subscription booklets that we use in operating property to verify some ownerships. The administration has raised a point that when adopting a rule for reference, the document should be in existence. This particular subscription will not be in existence until next year.

Income Tax Rules – Income Tax Rules Committee Chair, Cynthia Adrian

Cynthia Adrian, Income Tax Rules Committee Chair, had no report.

Product Tax Rules – Product Tax Rules Committee Chair, Don Williams

Don Williams, Product Tax Rules Committee Chair, reported that they have wrapped up rule making for the year. The last Product Tax Rules Committee meeting was held on July 31, where they presented cigarette rule 15 to the public. The committee made some changes to the rule and sent it for publication in the bulletin.

There were no more Rules Committees reports.

### **Other Business**

There were no items of other business.

### **Public Comments**

Commissioner Moyle asked if the guests in attendance had any comments.

There were no public comments.

### **Executive Session**

Commissioner Katsilometes moved to go into Executive Session with its legal counsel pursuant to Idaho Code § 74-206(1)(f) to discuss the current status of litigation to which the Commission is a party. A roll call vote was taken by Kelly Martinez, Administrative Assistant and Commissioners Roberts, Werk, Moyle, and Katsilometes, all voted in favor and the motion passed.

The Commission met in Executive Session with its legal counsel pursuant to Idaho Code § 74-206(1)(f) to discuss the current status of litigation to which the Commission is a party. No matters requiring a vote of the Commission resulted from the Executive Session.

**Public Session**

Commissioner Moyle declared the Executive Session ended and returned to the public session. There being no further business, Commissioner Werk moved to adjourn, and Commissioner Roberts seconded the motion. All voted in the affirmative and the meeting adjourned.

Kelly Martinez

Janet Moyle