

**IDAHO STATE BOARD OF EQUALIZATION
OPEN MEETING
MINUTES OF MEETING HELD AUGUST 10, 2020**

In attendance: Commissioners Tom Katsilometes, Tom Harris, Elliot S. Werk, and Janet Moyle; Maria Young, George Brown, Phil Skinner, Kolby Reddish, Alan Dornfest, John Bernasconi

Commissioner Katsilometes, the Chairman for the State Board of Equalization, convened the State Board of Equalization for 2020 (Board). Commissioner Katsilometes said the Idaho State Tax Commission is required by Idaho Code Section 63-108 and 63-405 to convene as the State Board of Equalization. The Board is now in session.

Status on Appeals

Commissioner Katsilometes recognized George Brown, Property Tax Division Administrator, to report on the status of the operating property appeals for 2020. The Board has received four appeals of operating properties: Idaho Power Company/Avista Company, CenturyLink, Inc., PacifiCorp, and the group of non-utility generators known as the “IdaHydro Group.” The IdaHydro Group has filed an appeal for 2020 on the same grounds for which they filed in 2018. The last two years’ values are still being litigated in District Court; therefore, both parties have entered into a stipulation agreement to forego the hearing this year with the intent to resolve the issues based upon the District Court’s eventual decision. Additionally, the stipulation agreement anticipates a decision from the Board consistent with the previous decisions.

PacifiCorp Energy will be heard Monday, August 17, 2020 and will proceed normally. On Wednesday, August 19, 2020, Idaho Power and Avista will be heard, and will also proceed normally.

Status Report of Abstracts

Commissioner Katsilometes recognized Alan Dornfest, Property Tax Policy Bureau Chief, to report on the receipt of abstracts of assessments in the counties. Mr. Dornfest said all county abstracts have been received, showing values in all categories. Three counties have to make corrections: Jerome, Madison, and Power. Two of the three counties had entered an exemption into the wrong category, but Jerome County has a more complicated issue. The city of Jerome complained that its value had gone down but that the urban renewal value had gone up significantly and they weren’t sure why. The Policy Bureau is reviewing the case and the State Property Tax programmers are working very closely with Jerome County. While these issues did not come to light until late last week, they should be resolved within the next few days. Once these issues are resolved, the abstracts will be finalized.

Mr. Dornfest reported that the compliance studies (primary, such as residential, commercial, etc., and agricultural land) are within standards and he is recommending the results be accepted. The Policy Bureau is also finalizing the side-by-side comparison report for the Board and expects it to be available at the end of this week.

Mr. Kolby Reddish, Deputy Attorney General, reported that he will represent the operating property bureau on several matters during the State Board of Equalization during this process. In regard to the report just made by Mr. Dornfest, Mr. Reddish noted the Board will hear argument during one of the valuation hearings next week that the Property Tax Division has been violating the Idaho constitution’s requirement of uniformity of taxation by making an adjustment to one operating property

industry and not the others. This adjustment is the result of federal legislation and he will leave those arguments for the day at hand; however, he wanted the Board to be advised that the Property Tax Division's recommendation regarding the abstracts may change depending on the results of this valuation hearing.

Commissioner Werk asked, if needed, could the Board continue to deliberate on a date not already scheduled. Mr. Phil Skinner, Deputy Attorney General advising the Board, said the Idaho Open Meeting Law makes provisions available.

There being no further business, Commissioner Katsilometes recessed the Board until 9:00 a.m. on Monday August 17, 2020.

Maria Young
Secretary

Tom Katsilometes
Chairman of the Idaho State Board of Equalization