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17 YEAR URA ILLEGALLY "HIDING" ALL #'s

II-NO MANDATORY ANNUAL REPORTING BY KAREN BYRNES/URA.....FOR 17 YEARS.

- a) MCA 7-15-4237 is CRYSTAL clear...and says "SHALL" and "MUST".
- b) In 2019, Karen Byrnes (BSB Economic Development Director---and "Czarina" of the URA—since 2005) admitted to Legislative Auditor Alyssa Sorenson that she had NEVER done the MANDATORY report. (14 years THEN & SEVENTEEN YEARS NOW).
- c) Karen also claimed she "didn't know" about the 4237 report...even though it has been law for DECADES, and even though her predecessors DID in fact obey the law, 1991-2005.
- d) Karen also claims that instead of an "OFFICIAL REPORT" they (she/URA) "...do a PRESENTATION to commission [i.e. BSB Council of Commissioners] annually IN PERSON."
- e) Clearly, she is claiming that the BSB Council of Commissioners somehow (at some point) supposed "authorized" an oral presentation in lieu of in depth annual report...advertised in the paper and available in URA's offices AND the Clerk office.
- f) Neither Karen nor Council have ANY such power to override the STATUTE here.
- g) Since the 2019 dealings with Legislative Auditor, Karen has STILL REFUSED TO COMPLY in Sept. of 2019, 2020, and 2021.
- h) Karen/URA does in fact maintain on computers ALL income and expense records needed to comply with that part of the MANDATORY annual sec.4237 report by her and the URA. [See III below.]
- i) Without the MANDATORY annual report, God knows how many MILLIONS PER YEARS ARE GOING GOD KNOWS WHERE....thanks to KAREN BYRNES (BSB Econ. Development Officer SINCE 2005).

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Montana Code Annotated 2019

TITLE 7. LOCAL GOVERNMENT
CHAPTER 15. HOUSING AND CONSTRUCTION
Part 42. Urban Renewal

Annual Report

7-15-4237. Annual report. (1) An agency authorized to transact business and exercise powers under part 43 and this part shall file with the local governing body, on or before September 30 of each year, a report of its activities for the preceding fiscal year. A copy of the annual report must be made available upon request to the county and school districts that include municipal territory.

(2) The report must include a complete financial statement, setting forth its assets, liabilities, income, and operating expenses and the amount of the tax increment as of the end of the fiscal year. The report must describe the expenditures of tax increment in the preceding fiscal year and how the expenditures comply with the approved urban renewal plan or comprehensive development plan for the district.

(3) At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that the report has been filed with the municipality and that the report is available for inspection during business hours in the office of the city clerk and in the office of the agency.

History: En. Sec. 16, Ch. 195, L. 1959; R.C.M. 1947, 11-3916(part); amd. Sec. 1, Ch. 441, L. 1991; amd. Sec. 3, Ch. 374, L. 2011; amd. Sec. 3, Ch. 376, L. 2011; amd. Sec. 4, Ch. 278, L. 2017.

*Titel specific
Reporter requirements*

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TIF Hotline Call

ACS

Memo of Interview

period, and did not receive payments for the work as a result. She indicated she thought that Kephart may be seeing the "awards" and assuming that meant payouts. She said that Butte-Silver Bow has allowed Kephart multiple opportunities to come in to their office and thumb through and copy any records he wanted.

I asked her about any state grants that were used in the project. She said that there was one contract for an assessment that was funded through the Department of Commerce. She said part of that grant required that they send the assessment that it paid for to the Department of Commerce, and that they probably have a copy on hand there if we were interested in investigating further.

Commented (SA1): We also did not see any evidence of other state grants in Kephart's documents.

Auditor's Note: in a phone call early in the hotline investigation I asked Karen for the URA's annual report that was supposed to be sent to Butte-Silver Bow. She told me that they do not have an official paper report, but instead do a presentation to the commission annually in person. She did not realize they had to file an official report. I pointed out the statutory requirement to her that requires all URAs to file and notice an annual report.

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No Annual Report admitted

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