
Fwd: Public Comment - SHUT DOWN THE KURA VIOLATION

From James Hungelmann <jim.hungelmann@gmail.com>

Date Thu 3/12/2026 8:00 AM

To Participate <participate@ketchumidaho.org>

For the record of the next meeting of KURA -

Thank you.

----- Forwarded message -----

De: **James Hungelmann** <jim.hungelmann@gmail.com>

Date: jue, 12 mar 2026 a las 7:48

Subject: Public Comment - SHUT DOWN THE KURA VIOLATION

To: <pprekeges@ketchumidaho.org>, Tripp Hutchinson <thutchinson@ketchumidaho.org>, <mmcgraw@ketchumidaho.org>, Spencer Cordovano <scordovano@ketchumidaho.org>, <rhall@ketchumidaho.org>, Participate <participate@ketchumidaho.org>

Cc: Matthew A. Johnson <mjohnson@whitepeterson.com>, Perry Boyle <hpboyle2@gmail.com>

Public Comment for the record of Council meeting - SHUT DOWN THE KURA VIOLATION

Dear Mayor and Council members.

Ketchum Sun today asks the obvious question: *what do we do about the fine mess Ketchum has gotten itself into with KURA?* The answer, in fact, has been apparent for some time.

The situation arose because the Ketchum Urban Renewal Agency was created on a legal foundation that never actually existed.

For several years now I have repeatedly pointed out on the record—and copied to all concerned—the blatant illegality of the Ketchum Urban Renewal Agency. There is no ambiguity about it.

Yet the Ketchum political crowd, of all stripes, has continued to behave as if the agency were a perfectly legitimate pot of money for their favorite projects. They speak confidently about how best to spend it, as though the underlying legal foundation did not matter.

But it does matter.

What was done was not simply a technical error. It was a direct circumvention of the constitutional safeguards that protect taxpayers from being committed to long-term public debt without their consent. Those safeguards exist precisely to prevent governments from obligating future revenues for capital projects unless the people themselves approve.

It is therefore unsurprising that the consequences are now surfacing in a significant way. When government actors sidestep constitutional process in order to push through projects they favor, the result is predictable: the hole gets deeper, the legal exposure grows, and eventually the structure collapses under the weight of its own illegitimacy.

One more time, because the principle is simple.

Under state constitutional law, taxpayers retain the exclusive right to approve long-term public indebtedness that extends beyond the current fiscal year. In Idaho, that protection is embodied in the Idaho Constitution Article VIII Section 3, which generally requires voter approval before a municipality can incur debt beyond its current-year revenues.

Urban renewal financing creates a narrow statutory exception to that rule. Under the Idaho Urban Renewal Law, municipalities are allowed to capture future tax increments to finance redevelopment—but only when specific statutory conditions are genuinely present, most importantly the existence of a legally supported blighted or deteriorating area.

If that condition never actually existed, and the finding of blight was merely asserted without factual basis, then the statutory exception collapses. In that circumstance, the diversion of future tax revenues becomes an end-run around the constitutional protection of taxpayers, because it commits public funds beyond the annual budget without the voter approval the constitution ordinarily requires.

In short, the statutory exception depends on the truth of the underlying conditions.

Because in the case of Ketchum no legally supportable blight conditions ever existed, KURA and its financing mechanism lack the factual predicate required by statute. The agency's creation and actions must therefore be considered *ultra vires*—beyond the lawful authority granted by statute.

When a blight-based redevelopment or urban renewal agency was created on the basis of a defective or knowingly false finding of blight, the appropriate remedy is not to pretend the problem does not exist but to unwind it legally.

In practice, that typically means dissolving the agency and placing its affairs into a wind-down process. The governing body or a successor entity manages the closure of existing obligations such as contracts, leases, and development agreements while preventing new redevelopment activity. Tax-increment districts are terminated, and future tax revenues return to the normal taxing jurisdictions. Public assets held by the agency are transferred back to lawful public ownership or disposed of through transparent public procedures. Projects already underway may be completed if legally binding contracts exist, while others may be renegotiated, cancelled, or converted to ordinary private development subject to normal zoning. Audits and investigations often follow to determine whether public funds were improperly diverted or whether officials violated statutory duties.

In short: dissolution, financial reconciliation, asset transfer, and orderly resolution of projects. A legal mess, to be sure—but the sooner it is confronted, the sooner it can be corrected.

And that is the real point. The rule of law does not disappear simply because a group of local officials and insiders have grown accustomed to treating an unlawful structure as a convenient source of funding for the future of Ketchum as they wish it to be. When the legal foundation was defective from the beginning, the question is not whether the problem exists, but how long it will be allowed to persist before the law reasserts itself.

The time has come to shut down and unwind the KURA violation.

Continuing to operate under an unlawful structure does not insulate those involved from accountability; it only increases the legal consequences that inevitably follow when public authority is exercised beyond its

lawful limits.

Thank you,

Jim Hungelmann

Public Comment for KURA

From HP Boyle <boylehp@yahoo.com>

Date Wed 3/11/2026 10:43 AM

To Participate <participate@ketchumidaho.org>; Peter Prekeges <pprekeges@ketchumidaho.org>

Cc Sarah Lurie <sarah@5bgazette.com>; Andrew Theophilus <atheophilus@mtexpress.com>

At your last meeting, you denied reimbursement to a local dentist based on paperwork disasters from the previous executive director. You then immediately approved reimbursement for a hotel under what appears to be almost the exact same circumstances. I have no interest in either project. My interest is in open, inclusive and accountable government process in Ketchum.

I walked away depressed that the new KURA isn't all that different in its behavior from the old KURA, despite an election and the new commissioners.

None of you have been on the other end of communicating with the City or KURA on a project. As you could tell from the appeals, it is inconsistent and arbitrary and not connected to the goals of the community as expressed in the Comprehensive Plan.

Tripp accusing Dr Franz of "not being honest" is an incredible statement coming from him—he initially pled not guilty to a crime in which he was caught red-handed. But that he did not recuse himself from that vote was strange given his role on BCHA. My point: Dr. Franz was not treated honestly by KURA or the City, or by Tripp specifically.

The only difference I can see is the second guy was more articulate than the first guy. As one commissioner noted, there was no good faith from KURA in its communications with the one. I would observe that was equally true for the other.

As a Ketchum resident, I have to ask who KURA is working for with our tax dollars. You had the opportunity to support a local business that provides a necessary service, including a workforce housing unit, yet you chose to provide millions of dollars to a project that you all know the community would prefer to live without that provides services to people who do not live in Ketchum. You disrespected a respected local healthcare provider, and you bent over for a developer.

Alice remains in Wonderland.

Perry Boyle
Ketchum

Public Comment for the KURA

From Amanda Breen <amandabreensv@gmail.com>

Date Fri 4/3/2026 10:31 AM

To Participate <participate@ketchumidaho.org>

Please forward this public comment to the KURA commissioners. Thank you.

Councilmember Tripp Hutchinson has pled guilty to the crime of theft, a crime he committed while serving on the Ketchum City Council. The court has sentenced him for his crime. He should resign from the Ketchum Urban Renewal Agency. Ketchum residents can no longer trust him to steward millions of dollars of our taxpayer money as a KURA commissioner.

If Commissioner Hutchinson does not immediately resign, I urge the KURA's board to consult with the KURA attorney on the process to remove Commissioner Hutchinson from the KURA board. Idaho Code § 50-2006(2)(b) provides the procedure for removal of an urban renewal agency commissioner for misconduct in office.

It is incumbent upon the board of commissioners to seek Commissioner Hutchinson's removal. You need to show Ketchum taxpayers that the KURA will not tolerate this violation of the public trust by an elected official and KURA commissioner.



Ketchum Business Advisory Coalition

Public Comment On 2026 Construction Projects March 8th, 2026

The Ketchum Business Advisory Coalition (KBAC) would like to remind the City of Ketchum that as multiple construction projects move forward during the summer of 2026, maintaining clear and convenient business access and visibility must remain a top priority. Summer is a critical season for many local businesses, so ensuring that potential customers can easily find and access businesses during construction is essential.

We also encourage the city and contractors to maintain proactive and ongoing communication with affected businesses throughout all phases of construction. Advance notice of schedule changes, construction staging and access impacts will allow businesses to plan accordingly and communicate effectively with their customers.

We thank City staff for their efforts over the last year to increase communication and address business concerns related to construction, and we look forward to improving those practices even more during the 2026 construction season.

By prioritizing access, visibility, parking and consistent communication, the city and the building contractors can help ensure that necessary infrastructure improvements can move forward, while at the same time minimizing unintended negative impacts on the local business community.

Thank You,
KBAC Board of Directors