

**Minutes of Meeting
Commissioners' Debriefing
September 26, 2014
9:00 a.m.**

The Kootenai County Board of Commissioners: Chairman Todd Tondee, Commissioner Jai Nelson, and Commissioner Dan Green met to discuss the following agenda items. Also present was Deputy Clerk Daniel Robertson.

- A. Call to Order:** Chairman Tondee called the meeting to order at 9:05 a.m.
- B. Introductions:** There were no introductions made.
- C. Changes to the Agenda:** There were no changes to the agenda.
- D. Old Business:** There was no old business discussed.
- E. New Business:** The Board reviewed a letter from the Idaho Second Amendment Alliance, which states that Ordinance 629 conflicts with Idaho State law. Under this ordinance anyone who discharges a firearm, including Sheriff's Deputies, would be guilty of a misdemeanor. Commissioner Nelson stated that Sheriff Ben Wolfinger concurred with the Idaho Second Amendment Alliance's assessment. The Board will forward the letter to Legal for review and will respond to the Idaho Second Amendment Alliance.

Commissioner Nelson updated the Board on the upcoming Legislative Luncheon. The Board decided to hold the luncheon on November 19, 2014. Commissioner Green was in favor of inviting the legislators currently in office as well as the candidates on the ballot. Commissioner Nelson preferred to wait until the elections were complete to extend invitations to the winners. Commissioner Green stated that he would informally contact the candidates and current legislators to make them aware of the luncheon so they can be prepared, should they win the election. Commissioner Nelson was not in favor of inviting those individuals that were elected to County offices but not yet holding office at the time of the luncheon. Commissioner Green was in favor of inviting these individuals as an opportunity to educate them on County business and to aid in their transition into office. The Board also reviewed the topics to be on the luncheon agenda.

Commissioner Nelson reported that a tapestry was donated to the County. She stated that it should be displayed in the Justice Building. The Board agreed. Commissioner Nelson will draft a thank you letter which the Board members will sign and send to the donor.

Commissioner Nelson stated that the Office of Emergency Management (OEM) would like the Board to designate primary and alternate persons to direct evacuations in the Administrative Building in the case of emergency situations. These individuals would need to be able to stay calm and take charge in panic situations and could not be someone who spends significant time out of the building. The Board would be asking for nominations. They also discussed who should be responsible for training these individuals and would be sending their suggestions to OEM.

Board of County Commissioners Administrative Assistant Nancy Jones entered the meeting at 9:38 a.m.

Ms. Jones reviewed a list of the County's water rights claims with the Board. There were six (6) claims, all belonging to Kootenai County Water District # One (1). The list was reviewed by the Idaho Department of Water Resources, who found no concerns with it. Ms. Jones explained that in order to maintain a permit the water must be put to beneficial use. She notified the Board of a claim at the Airport which had been improperly classified. The State had sent an amendment to reclassify the water right, which was not returned by the County. Ms. Jones requested that the Chairman sign the amendment as the County's authorized agent in order to protect the County's claim and continued use of the water right.

Commissioner Green moved to authorize Chairman Tondee to sign the Amended Notice of Claim to a Water Right as the County's representative. Commissioner Nelson seconded the motion. There being no further discussion, Deputy Clerk Robertson called the roll:

Commissioner Nelson: Aye

Commissioner Green: Aye

Chairman Tondee: Aye

The motion carried.

The Board discussed whether to file an objection or to file as an interested party to the Federal water rights claims on behalf of the Coeur d' Alene Tribe, as had been recommended by the Tribe's Legislative Director Helo Hancock. Commissioner Nelson shared that she was not favorable to filing an objection unless it could be shown that the claims could cause harm to the County. Chairman Tondee expressed his opinion that the County has a responsibility to protect the right of public citizens to use the water, and that he would support filing as an interested party. The Board decided to wait for Civil Deputy Prosecuting Attorney Pat Braden to arrive before deciding on these issues.

Chairman Tondee called a recess at 10:02 a.m.

Chairman Tondee called the meeting back to order at 10:07 a.m. and Mr. Braden joined the meeting.

Mr. Braden discussed the process for filing objections to water rights claims with the Board. He did not believe an option was available to file as an interested neutral party. The attendees discussed whether the Board should file an objection to the Federal claims on behalf of the Tribe. Mr. Braden did not believe the County would be able to demonstrate beneficial use in these cases. Chairman Tondee stated that the County's purview is land use, which includes protecting future access to water rights. Commissioner Nelson clarified that according to law, municipalities could claim water rights to plan for future growth, but county governments could not. Commissioner Green was not in favor of filing an objection, but he would be in favor of filing as an interested party. Mr. Braden would research whether this option was available.

F. Staff Reports: Commissioner Green reported on the meeting he attended with the United States Forestry Service (USFS). This was intended to be a meeting between the five (5) northern Idaho counties and the USFS to discuss the forest plan. However, only Kootenai and Boundary Counties attended.

G. Public Comment: This section is reserved for citizens wishing to address the Board regarding a County related issue. There was no public comment.

The meeting was adjourned at 10:23 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

TODD TONDEE, CHAIRMAN

BY: _____
Daniel Robertson, Deputy Clerk
