

**Minutes of Meeting
Commissioners' Debriefing
March 7, 2016
2:30 p.m.**

The Kootenai County Board of Commissioners: Chairman Pro Tem Marc Eberlein and Commissioner David Stewart met to discuss the following agenda items. Also present were Civil Deputy Prosecuting Attorney Jamila Holmes and Deputy Clerk Alicia Lynch. Chairman Dan Green was excused.

- A. Call to Order:** Chairman Pro Tem Marc Eberlein called the meeting to order at 2:32 p.m.
- B. Changes to the Agenda:** There were no changes to the agenda.
- C. Business:**

Lane Cemetery Request

Civil Deputy Prosecuting Attorney Jamila Holmes stated that the County had received a request to allow the former Lane Cemetery Caretaker to be interred in the cemetery he'd serviced. She cautioned that County cemeteries were poorly mapped, so there was no guarantee that someone wasn't already in the intended burial site. She added that the possibility was remote, but that the County did not have good information and it would be a County liability.

Commissioner David Stewart asked if a similar request had ever been previously received by the County.

Ms. Holmes replied that the County had received cemetery survey requests but no request for burials.

Parks & Waterways Director Nick Snyder entered the meeting at 2:36 p.m.

Ms. Holmes detailed an example of the Rose Lake Historic Preservation Society receiving grant money to oversee the management and preservation of the cemetery. She explained that while the Historic Preservation Society was caring for the cemetery it was legally their property, but if their grant funding ran out, the property would then return to the County. She added that while the property was in the hands of the Historic Preservation Society the County was not liable.

Chairman Pro Tem Eberlein said he felt it was a reasonable request, but since cremation was not an urgent need, he thought the County could pursue other options to avoid burying the caretaker in another person's grave. He was in favor of finding another Historic Preservation Society or similar group to oversee the Lane Cemetery.

Parks & Waterways Director Nick Snyder explained that local communities had been taking care of cemeteries for many years and viewed these as their "local cemeteries." He added that the County learned that the cemeteries were County property during the

prior Board's term, and as the only land resource department, Parks & Waterways were assigned the responsibility of cemetery maintenance. He clarified that Parks & Waterways did not have anything to do with laying people to rest, and his department had no records of who was buried where in the cemeteries.

Commissioner Stewart was concerned that if the Board allowed one burial then other long standing community members would also want burials, increasing the County's liability.

Ms. Holmes pointed out that taking on a cemetery was a big responsibility and finding an agency that would be willing to assume the task would be a challenge.

Mr. Snyder commented that while maintaining the grounds he had observed only one person's name on a double-headstone. He expressed concerns that people could be buried without County knowledge or permission. He requested adding signs and/or fences to the cemeteries declaring them County property and providing County contact information.

Commissioner Stewart recommended telling the Lane Cemetery caretaker's dependant that more information was needed before the Board could decide whether the County would take on the liability.

The Board requested Mr. Snyder research local agencies that would be willing to manage any of the County cemeteries.

Ms. Holmes suggested bringing the matter before the Board of Community Guardians.

Both Commissioners decided against allowing the Lane Cemetery caretaker's burial at this time.

Mr. Snyder exited the meeting at 2:56 p.m.

Executive Session pursuant to Idaho Code §74-2016(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated (pending litigation)

Commissioner David Stewart moved to enter into Executive Session pursuant to Idaho Code §74-2016(1)(f). Chairman Pro Tem Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

Commissioner Stewart: Aye
Chairman Pro Tem Eberlein: Aye
Chairman Green: Excused

The motion carried.

The Board entered into Executive Session at 2:57 p.m.

Ms. Holmes joined the Board in Executive Session at 2:57 p.m.

The Board exited Executive Session at 3:03 p.m.

Commissioner David Stewart moved to instruct Legal to act upon what was discussed in Executive Session. Chairman Pro Tem Eberlein seconded the motion. There being no further discussion, Deputy Clerk Lynch called the roll:

Commissioner Stewart: Aye
Chairman Pro Tem Eberlein: Aye
Chairman Green: Excused

The motion carried.

- D. Public Comment:** This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There were no public comments.

Chairman Pro Tem Eberlein adjourned the meeting at 3:03 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN PRO TEM

BY: _____
Alicia Lynch, Deputy Clerk
