

**Minutes of Meeting  
Commissioners' Debriefing  
March 28, 2016  
2:30 p.m.**

The Kootenai County Board of Commissioners: Chairman Dan Green, Commissioner Marc Eberlein, and Commissioner David Stewart met to discuss the following agenda items. Also present were Civil Deputy Prosecuting Attorney Pat Braden, Community Development Director David Callahan and Deputy Clerk Cecilia Sweet.

- A. Call to Order:** Chairman Dan Green called the meeting to order at 2:30 p.m.
- B. Changes to the Agenda:** There were no changes to the agenda.
- C. Business:**

**Twin Lakes Schoolhouse Reconveyance**

Civil Deputy Prosecuting Attorney Pat Braden gave the background to the historic Schoolhouse located in upper Twin Lakes. He said that he had met with two attorneys regarding this property. He explained that originally the Lakeland School District owned the property until 1990, and then conveyed it to the County, and after that the County conveyed the Schoolhouse to the Twin Lakes Community Club (TLCC) Corporation. He added that due to failure to comply with reporting requirements the nonprofit TLCC Corporation forfeited the property in 1993. Mr. Braden reported that since the original grant purpose was no longer being utilized, and a *right of reversion* clause pursuant to Idaho Code 31-808 had been written, the County would re-take control of the property. He said that the property had been abandoned since 1993, but in 2004 the TLCC Corporation allowed the Upper Twin Lakes Water Company to drill a well on the property providing water to approximately 90 homes.

Chairman Dan Green questioned why the TLCC Corporation had the ability to approve the Upper Twin Lakes Water Company to drill a well on the property.

Mr. Braden replied that the TLCC Corporation authorized the drilling of the well but that the action was outside their right to do so.

Mr. Braden said that there was a newly formed 501-C nonprofit organization called the Twin Lakes Community Schoolhouse Foundation, Inc. whose primary purpose was preserving the historic Schoolhouse.

Mr. Braden stated that this proposal was for the County to re-take ownership of the property, and subsequently, to convey the property to the Twin Lakes Community Schoolhouse Foundation, Inc. He reported that the foundation was pursuing grants from the Idaho Heritage Trust but was unable to proceed without clear title to the property. Mr. Braden explained that the Schoolhouse needed asbestos abatement and structural repairs, plus a survey of the property. He added that the proposal would include a *right of easement* to the Upper Twin Lakes Water Company's well.

Commissioner Marc Eberlein asked if the County needed to do a conveyance with the Upper Twin Lakes Water Company since the previous nonprofit corporation did not have the authority to allow a well on the property.

Mr. Braden replied that this proposal would both grant the water company's access to the well, and provide a clear title for the Twin Lakes Community Schoolhouse Foundation, Inc. to apply for grants. He stated that if this proposal met with the Board's approval, he would submit it for legal review.

The Board directed Mr. Braden to present the final proposal at a Business meeting for approval.

**Executive Session pursuant to Idaho Code §74-206(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 Stewart moved that the Board enter Executive Session pursuant to *Idaho Code §74-206(1)(f)*. Commissioner Eberlein seconded the motion. There being no discussion, Deputy Clerk Sweet called the roll:

Commissioner Stewart:           Aye  
Commissioner Eberlein:         Aye  
Chairman Green:                 Aye

The motion carried.

The Board entered into Executive Session at 2:38 p.m.

Mr. Braden and Community Development Director David Callahan joined the Board in Executive Session at 2:38 p.m.

Mr. Callahan exited the Executive Session at 3:00 p.m.

The Board exited Executive Session at 3:06 p.m.

Chairman Green stated that no decision was made.

- 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 Green adjourned the meeting at 3:08 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

DANIEL H. GREEN, CHAIRMAN

BY: \_\_\_\_\_  
Cecilia Sweet, Deputy Clerk

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