

Minutes of Meeting
Waterways Advisory Board
July 28, 2016
11:00 a.m.

The Kootenai County Board of Commissioners: Chairman Pro Tem Marc Eberlein and Commissioner David Stewart met to discuss the following agenda item. Also present were Airport Director Greg Delavan and Deputy Clerk Alicia Lynch. Also present were Waterways Advisory Board Chair John Condon, and citizens Jim Doty and Anthony Colla. Chairman Dan Green was excused.

- A. Call to Order:** Chairman Pro Tem Marc Eberlein called the meeting to order at 11:03 a.m.
- B. Changes to the Agenda:** There were no changes to the agenda.
- C. Old Business:** There was no old business discussed.
- D. New Business:**

Regulatory Marker Application- Delavan's Marina

Waterways Advisory Board Chair John Condon presented the Waterways Advisory Board's recommendation to approve a regulatory buoy adjacent to Delavan's Marina. He noted because Delavan's Marina was adjacent to a commercial marina it satisfied the Waterways Board's criteria for buoy placement. Airport Director Greg Delavan, owner of Delavan's Marina, commented that a buoy had not been necessary in prior years but now jet skiers were an increasing concern to public safety. He said he requested a single buoy be placed 200 feet from the corner of his marina.

Commissioner David Stewart questioned the language of the agreement Mr. Delavan had signed because it contradicted itself by stating all associated costs would be paid by both Mr. Delavan and the County. He said that he thought the buoy needed to be a County buoy because the location was not in Mr. Delavan's littoral view, but was in fact adjacent to his marina on public water.

Chairman Pro Tem Eberlein said he wanted to confer with Parks & Waterways Director Nick Snyder before making a decision that could impact Parks & Waterways' budget.

Mr. Condon suggested as a shorter solution placing a swim area buoy, which was less expensive to place. Commissioner Stewart said he thought a swim area buoy would open Mr. Delavan to more lawsuits.

Regulatory Marker Application- James E. Doty

Mr. Condon presented the Waterways Advisory Board's recommendation to deny citizen James E. Doty a no wake buoy. He said the Board had wished to avoid setting a precedent that would allow for private citizens to have buoys in front of their property,

but the Board had agreed that Mr. Doty's property was irregular. Mr. Condon said the Board had recommended placing a temporary educational buoy in front of the Doty property because it was adjacent to the Hayden Marina and protruded further than other neighboring properties. He explained that an educational buoy was used to indicate where the 200 foot distance from the shoreline was to educate the public on rules and regulations.

Mr. Condon noted that the Board had been notified by Mr. Snyder that they had improperly proceeded with their request for an educational buoy and were working to rectify the situation.

Citizen James E. Doty said he would pay for the buoy, an approximate \$700 to \$800 cost, whether he placed the buoy himself or if he donated the money to Parks & Waterways to place the buoy.

Chairman Pro Tem Eberlein said he wanted input from Mr. Snyder and the Sheriff's office before making a decision.

Spokane River- Wake Boat Discussion

Mr. Condon informed the Commissioners of citizens' property damage complaints due to big waves on Spokane River. He said that the Waterways Advisory Board was not in favor of supporting the citizens' suggestion to make the entire river a no wake zone. Mr. Condon said that it would be impractical for transportation on the river if the entire river was a no wake zone, and Chairman Pro Tem Eberlein agreed. Chairman Pro Tem Eberlein noted that revised land use ordinances now allowed citizens to mitigate damages by armoring their banks.

Mr. Doty exited the meeting at 11:44 a.m.

- E. 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 11:51 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

MARC EBERLEIN, CHAIRMAN PRO TEM

BY: _____
Alicia Lynch, Deputy Clerk
