



## Idaho Soil & Water Conservation Commission

322 E Front St, Suite 560 • Boise Idaho 83702  
Telephone: 208-332-1790 • Fax: 208-332-1799

### IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC MEETING & TELECONFERENCE

**Date and Time:**

Thursday, July 16, 2020  
1:01 PM – 2:28 PM MT

**Location:**

322 E. Front St., Suite 560  
Boise, Idaho 83702

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#### MINUTES

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**COMMISSION MEMBERS PRESENT:**

Norman Wright (Chair) (teleconference/Zoom)	Cathy Roemer (Vice-Chair)
Erik Olson (Secretary) (teleconference/Zoom)	Jerry Trebesch (teleconference)
Wendy Pratt (teleconference/Zoom)	

**COMMISSION STAFF PRESENT:**

Teri Murrison (teleconference/Zoom)	Crystal Rosen
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**PARTNERS AND GUESTS PRESENT:**

Jane Sandstrom, Lemhi SWCD (teleconference)  
Nate Fisher, Governor's Office (teleconference/Zoom)  
Darrell Early, Office of the Attorney General (teleconference/Zoom)  
Shantel Chapple Knowlton, Office of the Attorney General (teleconference/Zoom)

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**ITEM #1: WELCOME AND ROLL CALL**

Chairman Wright called the meeting to order at 1:01 p.m.  
Roll call: Chairman Norman Wright, Commissioners Cathy Roemer, Jerry Trebesch, Erik Olson, and Wendy Pratt were present.

**ITEM #2: AGENDA REVIEW**

Action: None taken.

**ITEM #3: EXECUTIVE SESSION**

Action: Commissioner Roemer made a motion to *enter Executive Session pursuant to Idaho Code § 74-206(1)(f) for the purpose of discussing pending litigation or*

*controversies not yet being litigated but imminently likely to be litigated with legal counsel.* Commissioner Olson seconded the motion. Motion carried by unanimous roll call vote.

Executive Session commenced at 1:05 PM.

Executive Session ended at 2:20 PM.

Meeting reconvened in Open Session at 2:23 PM.

**ITEM #3a: PENDING LITIGATION**

Action: Commissioner Roemer made a motion that

1. The Commission received an offer of settlement on 7/16/20 from Franklin in a letter from its attorneys.
2. *The Commission accept the offer of settlement as outlined with the exception of the monetary amount offered.*
3. *Move that the commission counteroffer the amount of \$71,000 with \$20,000 due within 30 days of execution of a final settlement agreement and the remainder due over time as outlined in the letter. The initial payment will be made to all districts prorata. The subsequent payments will be paid to the districts per an alphabetical schedule provided to Franklin as an attachment to the settlement.*
4. *Further move that the commission authorize the Attorney General and the Administrator to negotiate further with Franklins attorneys to reach agreement on the monetary amount within the limits recommended by the Attorney General.*
5. *Further move that the attorney general's office is given authority to negotiate additional terms necessary to effectuate the settlement.*

Commissioner Trebesch seconded the motion. Motion carried by unanimous vote.

**ITEM #7: OPEN SESSION and ADJOURN**

Action: Chairman Wright made a motion to *adjourn the meeting.* Commissioner Roemer seconded the motion. Motion carried by unanimous vote.

The meeting was adjourned at 2:28 PM. The next Commission Meeting will be on August 13, 2020 in Boise, ID.

Respectfully submitted,

Erik Olson, Secretary

