

ORDINANCE NO. 197

AN ORDINANCE OF THE CITY OF FERNAN LAKE VILLAGE, IDAHO, ADDING A FERNAN LAKE ADVISORY COMMITTEE, WITH PURPOSE, DUTIES, ORGANIZATION, TERMS, REMOVAL, VACANCY, ATTENDANCE, MINUTES, PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Fernan Lake Village City Council desires to ensure that City staff has broad and helpful input from a number of sources who have Fernan Lake water quality interests high in their priorities; and

WHEREAS, the Council wishes to perpetuate such input in a manner that appropriately balances the City's and community's interests with those who may have specific personal or business interests in the water quality of Fernan Lake; and

WHEREAS, formation of an Advisory Committee will serve an invaluable interest in sustaining the water quality of Fernan Lake beyond the service of any particular City staff member, elected official, or Advisory Committee member so that the water quality of Fernan Lake will continue to thrive in the future; and

NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Fernan Lake Village, Idaho:

SECTION 1. *That a new Ordinance 197, Fernan Lake Advisory Committee, be added to the City of Fernan Lake Village Municipal Code as follows:*

1.1: ESTABLISHMENT: The Fernan Lake water quality Advisory Committee is hereby established. The Mayor, with the consent of the Council, shall appoint seven (7) voting members to the Committee to make recommendations to the City Council. Those appointed should be individuals with a demonstrated interest, competence, or knowledge of Fernan Lake water quality related interests. Members shall be selected without regard to political affiliation, race, color, national origin, gender, family status, sex, handicap, sexual orientation, or religion. Committee members shall serve without compensation. The Mayor may appoint with the consent of the Council additional persons with interest, expertise, and experience to be a non-voting ex-officio members of the Committee.

1.2: PURPOSE: The purpose of the committee is to advise and assist the council and bring forth recommendations that have been identified or will be identified via existing water studies and/or future water studies designed to improve the water quality of Fernan Lake. The focus of the committee is to be an advocate for promoting activities and projects aimed at improving lake water quality by working and being engaged with DEQ and other state agencies.

1.3: DUTIES: The Committee shall have the following powers, duties, and responsibilities:

- A. Advise and recommend which projects/grants the City should support that directly impact water quality such as algae blooms, and phosphorus reductions in Fernan Lake.
- Committee members should read and be familiar with:
 - a. Idaho Statutes 53 and 36 relevant to Idaho Department of Environmental Quality.
 - b. Read and be familiar with the current dam operation procedures.

- c. And other relevant information provided by the council.
- Attend the Basin Advisory Group (BAG) and Watershed Advisory Group (WAG) meetings and voice questions and concerns of the committee and council.
- Facilitate communicating public attendance at future appropriate meetings of BAG, WAG, and other meetings that influence the priority of projects directed at Fernan Lake Water Quality.
- Evaluate and participate in the review of proposed water quality solutions/projects, and lake management plans.
- Monitor the effectiveness of projects and plans, and report findings to City of Fernan.
- Provide feedback to the council on the effectiveness and direction of the committee and provide recommendations on how to make the committee more impactful.
- Provide a yearly plan and calendar of events/goals for each year for approval in coordination with the council. Plan is to be submitted for approval at the October council meeting.
- Make recommendations to the City Council for ways to sustain and enhance water quality of Fernan Lake.
- Provide monthly, annual or any other reports requested by the Mayor and City Council.
- Advocate for resources with DEQ to identify and scope projects aimed at resolving algae blooms and phosphorus reduction relevant to the beneficial use clause of the Idaho Statute.

1.4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority vote, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected.

1.5: TERMS: Each Committee member shall be appointed to serve a term of two (2) years, except that the terms of the initial board members may be less than two (2) years as necessary to provide staggered terms of office. Committee members may be reappointed.

1.6: REMOVAL: A voting Committee member may be removed from the Committee by the Mayor at the Chair's request, following either two (2) consecutive meeting absences unexcused by the Chair, or four (4) meeting absences in any calendar year, or at any time by the majority vote of the Council.

1.7: VACANCY: The Mayor, with the consent of the City Council, shall appoint a qualified member to fill any unexpired term of a Committee member in the event of a vacancy.

1.8: ATTENDANCE: A quorum of four (4) Committee members shall be necessary to conduct any business or reach any decisions. Non-voting members in attendance shall not be considered in determining a quorum.

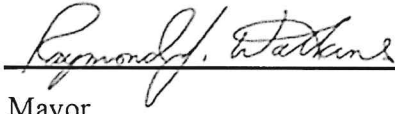
1.9: MINUTES: The committee shall provide meeting minutes for council review.

SECTION 2. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionally or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection,

word, or part had not been included herein.

SECTION 3. After its passage and adoption, a summary of this Ordinance, under the provision of the Idaho Code shall be published once in the official newspaper of the City of Fernan Lake Village, and upon such publication shall be in full force and effect.

APPROVED, ADOPTED and SIGNED this 6 day of May , 2024.



Mayor

ATTESTED:



City Clerk

SUMMARY OF CITY OF FERNAN LAKE VILLAGE ORDINANCE NO. 197

The following is a summary of the provisions of Ordinance No. 197 of the City of Fernan Lake Village, Kootenai County, Idaho, adopted on May 6, 2024, following passage by unanimous vote of the City Council. The full text of the ordinance is available to any citizen by personal request made to the City Clerk at Fernan Lake Village, P.O. Box 1775, Coeur d'Alene, Idaho 83816, or by telephone at 208-818-9053.

The title of the ordinance is:

AN ORDINANCE OF THE CITY OF FERNAN LAKE VILLAGE, IDAHO, ADDING A FERNAN LAKE ADVISORY COMMITTEE, WITH PURPOSE, DUTIES, ORGANIZATION, TERMS, REMOVAL, VACANCY, ATTENDANCE, MINUTES, PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE


SECTIONS 1.1 through 1.9 provided for Establishment of the Fernan Lake Advisory Committee, state its purpose, duties of the Committee members, provide for meetings, terms of Committee members, removal, vacancy, attendance and require minutes of meetings.

SECTIONS 2 and 3 provide for severability, publication by summary and an effective date.

ATTEST:

CITY OF FERNAN LAKE VILLAGE

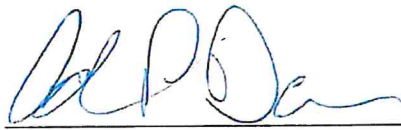
By: 
Cindy Espe, City Clerk

By: 
Raymond J. Watkins, Mayor

CERTIFICATION OF LEGAL COUNSEL

I, the undersigned legal counsel for the City of Fernan Lake Village, Idaho, hereby certify that I have read the foregoing summary of Ordinance No. 197 of the City of Fernan Lake Village and that the same is a true and complete summary and provides adequate notice to the public of the contents of said Ordinance.

DATED this 10th day of May, 2024.

BY: 
Andrew P. Doman,
Attorney for the City of Fernan Lake
Village, Idaho