

BAYVIEW WATER AND SEWER DISTRICT
PO Box 637 Bayview, Idaho 83803

RESOLUTION NO. 2024-001

A RESOLUTION PROVIDING FOR THE RULES OF PROCEDURES FOR THE CONDUCT OF PUBLIC HEARINGS BEFORE THE BAYVIEW WATER AND SEWER DISTRICT (BWSD) BOARD OF DIRECTORS. THE FOLLOWING RULES HEREBY ESTABLISHED SHALL BE OBSERVED IN THE CONDUCT OF ANY PUBLIC HEARING FROM THIS DAY FORWARD. THE POLICIES OUTLINED IN THE DOCUMENT ARE SUBJECT TO CHANGE AT ANY TIME AND AT THE SOLE DISCRETION OF THE BOARD OF DIRECTORS.

WHEREAS, Bayview Water and Sewer District, Kootenai County, Idaho (the "District") is a duly and properly formed water and sewer district under and by virtue of the constitution and laws of the State of Idaho and governed by an elected Board of Directors (the "Board"); and

WHEREAS, pursuant to the Idaho Statutes Title 42, Chapter 32, 42-3212, the Board has authority the manage, control, and supervise the business and affairs of the Bayview Water and Sewer District consistent with all duly adopted policies; and

WHEREAS, the primary and significant purpose of this action is to ensure the orderly process and conduct of any public hearing before the Board of Directors, in pursuit of fair and consistent procedures from the day of adoption.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Bayview Water and Sewer District as follows:

1. At the beginning of each public hearing, the presiding officer of the hearing body shall describe the order of events which will occur at the hearing. At this time, the presiding officer may outline the process and timeframe for written comment submissions, imposed speaker time limits, and the order in which speakers will be heard.
2. No person shall be permitted to testify or speak before the hearing body at a public hearing unless such person has signed his/her name and written their residential address thereafter upon sign-up sheets to be provided by the District. This rule shall not apply to staff or technical witnesses directed by the District, or Board, to give evidence or information to the hearing body.
3. No person shall be permitted to speak before the hearing body at a public hearing until such person has been recognized by the presiding officer.
4. Any person who has signed up to speak, and no longer wishes to speak, shall not be permitted to transfer their time onto another member of the public. Speakers who signed up are only permitted one timeframe in which they can make their comment.

5. The speaker shall state their full name before they speak and must limit their comments to the subject of the hearing.
6. The speaker shall not be interrupted by members of the hearing body or the public until their time limit has been expended, or until they have finished their statement, if sooner.
7. When the public hearing is quasi-judicial in nature, or one after which the hearing body is required by law to make findings of fact, each speaker must swear or affirm that his testimony will be true and correct.
8. Any person not conforming to any of the above rules may be prohibited from speaking during the public hearing and should any person refuse to comply with prohibition, he may be removed from the room by order of the presiding officer, or member(s) of the Board, with the assistance of law enforcement if necessary.
9. The Board or the presiding officer shall have the authority to interpret and apply the foregoing rules, subject to an appeal to the hearing body whose decision shall be determined by a majority vote of the members present.
10. This policy shall take effect and be in full force upon its passage and approval conducted at an open meeting held by the BWSO Board of Directors.
11. In the event the Board provides the option of an online audience, it will be at the discretion of the Board whether official public comments may be accepted at each meeting. This will be dependent on current staffing and with the priority of maintaining an orderly flow of the meeting. If the Board will not be accepting official comments from the online attendees, this shall be published with the formal notices ahead of time so other arrangements can be made by the attending audience members.

This Resolution shall become and is effective as of the date of its adoption.

DATED this 21st day of March, 2024.

BAYVIEW WATER AND SEWER DISTRICT,
Kootenai County, Idaho



Shon Luoma, Chairman of the Board

ATTEST:



District Secretary

