

State Board of Land Commissioners Open Meeting Checklist

Meeting Date: September 1, 2023

Regular Meetings

	Meeting Notice posted in prominent place in IDL's Boise Director's office five (5) or more calendar days before meeting.
	Meeting Notice posted in prominent place in IDL's Coeur d'Alene staff office five (5) or more calendar days before meeting.
	Meeting Notice posted in prominent place at meeting location five (5) or more calendar days before meeting.
	Meeting Notice published on Townhall Idaho website https://townhall.idaho.gov five (5) or more calendar days before meeting.
	Meeting Notice posted electronically on IDL's public website https://www.idl.idaho.gov five (5) or more calendar days before meeting.
	Agenda posted in prominent place in IDL's Boise Director's office forty-eight (48) hours before meeting.
	Agenda posted in prominent place in IDL's Coeur d'Alene staff office forty-eight (48) hours before meeting.
	Agenda posted in prominent place at meeting location forty-eight (48) hours before meeting.
	Agenda published on Townhall Idaho website https://townhall.idaho.gov forty-eight (48) hours before meeting.
	Agenda posted electronically on IDL's public website https://www.idl.idaho.gov forty-eight (48) hours before meeting.
1/3/2023	Land Board annual meeting schedule posted – Boise Director's office, Coeur d'Alene staff office, and IDL's public website https://www.idl.idaho.gov .

Special Meetings

8/30/2023 8/31/2023 8/31/2023	Meeting Notice and Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting. Proposed Amended Final Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
8/30/2023 8/31/2023 8/31/2023	Meeting Notice and Agenda posted in a prominent place in IDL's Coeur d'Alene staff office twenty-four (24) hours before meeting. Proposed Amended Final Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
8/30/2023 8/31/2023 8/31/2023	Meeting Notice and Agenda posted at meeting location twenty-four (24) hours before meeting. Proposed Amended Final Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
8/30/2023 8/31/2023 8/31/2023	Meeting Notice and Agenda published on Townhall Idaho website https://townhall.idaho.gov twenty-four (24) hours before meeting. Proposed Amended Final Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
8/30/2023 8/31/2023 8/31/2023	Meeting Notice and Agenda posted electronically on IDL's public website https://www.idl.idaho.gov twenty-four (24) hours before meeting. Proposed Amended Final Agenda posted in a prominent place in IDL's Boise Director's office twenty-four (24) hours before meeting.
	Emergency situation exists – no advance Meeting Notice or Agenda needed. "Emergency" defined in Idaho Code § 74-204(2).

Executive Sessions (*If only an Executive Session will be held*)

	Meeting Notice and Agenda posted in IDL's Boise Director's office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted in IDL's Coeur d'Alene staff office twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted at meeting location twenty-four (24) hours before meeting.
	Meeting Notice and Agenda published on Townhall Idaho website https://townhall.idaho.gov twenty-four (24) hours before meeting.
	Meeting Notice and Agenda posted electronically on IDL's public website https://www.idl.idaho.gov twenty-four (24) hours before meeting.
	Notice contains reason for the executive session and the applicable provision of Idaho Code § 74-206 that authorizes the executive session.

Renee Jacobsen
Recording Secretary

August 31, 2023

Date





Idaho State Board of Land Commissioners

Brad Little, Governor and President of the Board

Phil McGrane, Secretary of State

Raúl R. Labrador, Attorney General

Brandon D Woolf, State Controller

Debbie Critchfield, Superintendent of Public Instruction

Dustin T. Miller, Secretary to the Board

NOTICE OF PUBLIC MEETING SEPTEMBER 2023

STATE BOARD OF LAND COMMISSIONERS TO HOLD A SPECIAL MEETING ON FRIDAY, SEPTEMBER 1, 2023

The Idaho State Board of Land Commissioners will hold a Special Meeting on Friday, September 1, 2023 at **Idaho Department of Lands, Garnet Conference Rooms, 300 N 6th St., Suite 103, Boise**. The meeting is scheduled to begin at 9:00 AM (Mountain).

Topic: Cure Open Meeting Technical Omission

Please note location.

The State Board of Land Commissioners will conduct this meeting in person and by virtual means. This meeting is open to the public. No public comment will be taken.

Members of the public may attend via Zoom through the link or phone option below:

<https://idl.zoom.us/j/86552029871?pwd=NGJMZSs0WlpxZW9oaVo3VGVCQVITQT09>

Via Telephone: Dial 1 (253) 215-8782
Enter Meeting ID: 865 5202 9871 # #
Enter Passcode: 719464 #

First Notice Posted: 8/30/2023-IDL Boise; 8/30/2023-IDL CDA

This notice is published pursuant to Idaho Code § 74-204. For additional information regarding Idaho's Open Meeting law, please see Idaho Code §§ 74-201 through 74-208.

Idaho Department of Lands, 300 N 6th Street, Suite 103, Boise ID 83702, 208.334.0242



Idaho State Board of Land Commissioners

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Debbie Critchfield, Superintendent of Public Instruction

Dustin T. Miller, Secretary to the Board

State Board of Land Commissioners Special Meeting

September 1, 2023 – 9:00 AM (MT)

Amended Final Agenda

Idaho Department of Lands, Garnet Conference Rooms, 300 N 6th St., Suite 103, Boise

Please note location.

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Regular—Action Item(s)

1. **Address Open Meeting Violation** – *No Board Materials*

Executive Session

A. **State v. Tim Garayalde**

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. The mere presence of legal counsel at an executive session does not satisfy this requirement.

State Board of Land Commissioners
Final Agenda-Amended
Special Meeting – September 1, 2023
Page 1 of 1



Idaho State Board of Land Commissioners

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State Board of Land Commissioners Special Meeting

September 1, 2023 – 9:00 AM (MT)

[Proposed Amended](#) Final Agenda

Idaho Department of Lands, Garnet Conference Rooms, 300 N 6th St., Suite 103, Boise

Please note location.

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Enter Meeting ID: 865 5202 9871 # #
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Regular—Action Item(s)

1. ~~Cure Address~~ Open Meeting ~~Technical Omission~~ [Violation](#) – *No Board Materials*

Executive Session

A. State v. Tim Garayalde

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. The mere presence of legal counsel at an executive session does not satisfy this requirement.

State Board of Land Commissioners
Final Agenda-[Proposed Amended](#)
Special Meeting – September 1, 2023
Page 1 of 1



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 74
TRANSPARENT AND ETHICAL GOVERNMENT
CHAPTER 2
OPEN MEETINGS LAW

74-206. EXECUTIVE SESSIONS – WHEN AUTHORIZED. (1) An executive session at which members of the public are excluded may be held, but only for the purposes and only in the manner set forth in this section. The motion to go into executive session shall identify the specific subsections of this section that authorize the executive session. There shall be a roll call vote on the motion and the vote shall be recorded in the minutes. An executive session shall be authorized by a two-thirds (2/3) vote of the governing body. An executive session may be held:

(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student;

(c) To acquire an interest in real property not owned by a public agency;

(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code;

(e) To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations;

(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. The mere presence of legal counsel at an executive session does not satisfy this requirement;

(g) By the commission of pardons and parole, as provided by law;

(h) By the custody review board of the Idaho department of juvenile corrections, as provided by law;

(i) To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed. The mere presence of a representative of the public agency's risk manager or insurance provider at an executive session does not satisfy this requirement; or

(j) To consider labor contract matters authorized under section 74-206A (1) (a) and (b), Idaho Code.

(2) The exceptions to the general policy in favor of open meetings stated in this section shall be narrowly construed. It shall be a violation of this chapter to change the subject within the executive session to one not identified within the motion to enter the executive session or to any topic for which an executive session is not provided.

(3) No executive session may be held for the purpose of taking any final action or making any final decision.

(4) If the governing board of a public school district, charter district, or public charter school has vacancies such that fewer than two-thirds (2/3) of board members have been seated, then the board may enter into executive session on a simple roll call majority vote.

History:

[74-206, added 2015, ch. 140, sec. 5, p. 371; am. 2015, ch. 271, sec. 1, p. 1125; am. 2018, ch. 169, sec. 25, p. 377; am. 2019, ch. 114, sec. 1, p. 439.]