

RESOLUTION NO. 2009-57
Surplus Topsoil/Airport

WHEREAS, *Idaho Code* §31-807 vests the Board of County Commissioners with the power and authority to manage real and personal property for the benefit of the County; and

WHEREAS, *Idaho Code* §31-829 provides that whenever any elected official has any personal property belonging to the county under his/her jurisdiction or control which, in his/her judgment, is of no further use to the county, he/she may, with the consent of the Board of County Commissioners, have the property classified as surplus and dispose of the property through sale or other means;

WHEREAS, the Kootenai County Airport is undergoing several construction projects on site and has accumulated hundreds of yards of overburden and cobbles (rock) i.e. construction byproduct which is presently on the Airport property;

WHEREAS, the overburden and cobbles (rock) i.e. construction byproduct which is on the Airport property is of no use to the airport or to any other County department, and as such, may interfere with the use of, and future development of, the airport property.

WHEREAS, the County does not have the equipment to remove the overburden and cobbles (rock) i.e. construction byproduct from the site, nor would it be cost effective for the County to hire a suitable company to screen the overburden on site and remove it for use in other geographic areas, due to environmental concerns associated with the screening process, as well as liability issues; and,

WHEREAS, it is the desire of the Kootenai County Airport to classify the stockpiled overburden and cobbles (rock) i.e. construction byproduct as surplus property and dispose of it through sale or other means.

NOW THEREFORE, it is hereby resolved that the stockpiled overburden and cobbles (rock) i.e. construction byproduct described above be, and hereby is, declared to be surplus property, and, in accordance therewith, the Board of County Commissioners may take action to dispose of the property by any legal means available, according to *Idaho Code* § 31-808.

BE IT FURTHER RESOLVED, that the foregoing Resolution will serve to repeal Resolution No. 1999-62 dated October 12, 1999.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner _____, seconded by Commissioner _____, the following vote was recorded:

Commissioner Tondee:
Commissioner Piazza:
Chairman Currie:

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the _____ day of June, 2009.

DATED this _____ day of June, 2009.

**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**

**ATTEST:
DANIEL J. ENGLISH, CLERK**

Elmer R. Currie, Chairman

By:_____

Richard A. Piazza, Commissioner

W. Todd Tondee, Commissioner