

1 **Kootenai County Optional Forms of County Government Study Commission Bylaws**

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3 **Mission Statement:** The purpose of the Optional Forms of County Government
4 Study Commission shall be to study the existing form of county government to the
5 various forms available through Idaho State Statute, compare the existing form of
6 county government, determine whether or not changes to the existing structure of
7 county government is warranted.

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9 **History:** The right to restructure county government at the local level was made
10 possible in 1994 when the Legislature adopted HJR 17. Later that year, voters
11 statewide supported the measure and Article 18 Section 12 was added to the Idaho
12 Constitution. House Bill 448, passed by the 1996 Legislature, implemented the
13 Constitutional amendment allowing optional forms of county government

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15 **General:** These changes provide opportunities for a Study Commission to
16 recommend optional forms of county government. No optional form of county
17 government shall be enacted until it has been submitted to and approved by a
18 simple majority of electors within the county. The Study Commission's findings and
19 recommendations will go directly to voters who will determine passage. Elected
20 County Commissioners or other officials shall not intercede or make changes.

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22 **Optional Forms:** Chapter 50 Title 31 in the Idaho Code provides for specific optional
23 forms of county government rather than the existing three-member full-time board
24 of elected County Commissioners. The forms authorized for consideration are, as
25 outlined and defined in statute:

- 26 - The commission-executive
27 - The commission-manager

- 28 - The three-member Board of County Commissioners with changes to other
- 29 county offices
- 30 - The five-member Board of County Commissioners
- 31 - The seven-member Board of County Commissioners
- 32 - Consolidation of offices within the county, with all other characteristics of
- 33 the government of each participating county to remain unchanged
- 34 - The Charter Form. This form requires a separately authorized commission
- 35 and approval to proceed by county electorate and authorizes the writing of a
- 36 new Constitution for the county and a complete revision of the entire
- 37 structure of county government.

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39 **Objectives:** The Study Commission shall consider the benefits of creating a proposal

40 for a new form of government that provides better geographical representation to

41 the citizens of Kootenai County by increasing the number of County Commissioners

42 to part-time elected officials representing equally populated sectors of the county.

43 These territories shall be amended periodically based on population shifts to ensure

44 equal representation. Part-time Commissioners would replace three full-time

45 Commissioners currently earning approximately \$100,000 in total compensation and

46 benefits on an annual basis. County officials—treasurer, clerk, assessor and sheriff,

47 prosecutor, coroner—would be hired at market rates by the County Executive. The

48 full-time position of County Manager, Administrator or Executive, would oversee the

49 previously elected officials with hiring and firing authority. This will increase the

50 accountability through a “chain of command” from the part-time elected County

51 Commissioners through the County Manager, Administrator or Executive, to the six

52 appointed officials.

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54 **Authority:** The Optional Forms of County Government Commission shall have the

55 authority to place their recommendation for governmental reform, on the next

56 County-wide, regular election ballot. Under any new form of county government, if

57 adopted, the executive positions will be filled on a competitive, market-based salary
58 based on qualifications comprised of members with professional experience in the
59 areas of finance, law enforcement, land use and other executive roles within county
60 government and selected by the County Commissioners. The Study Commission's
61 findings and recommendations will go directly to voters within Kootenai County and
62 will decide whether or not to implement the Study Commission's recommendations.
63 Current elected County Commissioners shall have no authority to amend
64 recommendations before the measure goes to voters. A simple majority of
65 registered Kootenai County voters is necessary for passage of an alternate of county
66 government.

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68 **Responsibilities:** The County Manager, would hire and fire the appointed county
69 coroner, sheriff, clerk, assessor, prosecuting attorney and treasurer. Hiring
70 professionals to do the financial, law enforcement and other work county
71 government roles would provide experienced professional-technical people who
72 aren't running the department based on politics. Instead, they are hired based on
73 their expertise in each field.

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75 **Membership:** The Study Commission shall consist of nine voting members selected
76 by the County Commissioners. Each of the three County Commissioners shall
77 appoint three (3) members to the Study Commission. The Study Commission will
78 elect its own Chairman and Vice Chairman to run meetings and report to County
79 Commissioners.

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84 **Directors:** Each Study Commission member appointed by the BOCC shall be entitled
85 to one vote on any matter that may come before the Study Commission. The vote of

86 a majority of the appointed members present at a meeting attended by a quorum of
87 the appointed members shall be necessary to decide any item.

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89 **Meetings:** There is no pre-determined length of time for which the Study
90 Commission shall be active. During its first six months, the Study Commission will
91 meet every two weeks, at a location to be determined by the Board of County
92 Commissioners. The meetings will be open to the public, but public comment will
93 not be accepted. Special meetings of the Study Commission may be called at any
94 time by the Study Commission's Board of Directors. The Chair of the Study
95 Commission shall call a meeting upon verbal request of not fewer than five of the
96 Study Commissioners. The Study Commission shall keep minutes of the proceedings.
97 Records of the Study Commissions discussions and recommendations shall be
98 available for public review.

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100 **Quorums:** A quorum shall consist of the majority of the members of the nine-
101 member Study Commission. In order to conduct business at any meeting of the
102 Study Commission, a quorum of the membership must be present. If a quorum is
103 present but both the Chairman and Vice-Chairman are absent, the Study
104 Commission may appoint any member present to act as Chairman pro-temp for that
105 meeting.

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107 **Reimbursement:** Members of the Optional Forms of Government shall serve
108 without remuneration; however, County Commissioners may authorize payment to
109 reimburse a Study Commissioner for nominal expenses incurred by the
110 Commissioner while conducting the affairs of the Study Commission.

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112 **Dissolution:** The Study Commission may be dissolved by the Kootenai County Board
113 of Commissioners. At that time all monies, equipment and Study Commission
114 responsibilities shall revert to the elected County Commissioners.