

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

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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 - Retain the current form of county government and relevant analysis for same
- 27 - The commission-executive
- 28 - The commission-manager
- 29 - The three-member Board of County Commissioners with changes to other

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

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40 It is expected that the Study Commission will include in their opinion, an analysis of the current form of

41 County government.

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43 **Objectives:** The Study Commission shall consider the benefits and drawbacks in developing a

44 recommendation to the Board of County Commissioners of whether to retain the current form of county

45 government, or whether to recommend one or more of the optional forms of county government, and

46 those findings and recommendation be presented to the Board of County Commissioners for the BOCC

47 to adopt by resolution for a potential ballot measure.

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49 The goal is to provide for greater efficiency and representation for the residents of Kootenai County.

50 How this is to be achieved is to be recommended by the Study Commission, which may involve the

51 current structure unchanged, an increase to the current three-member County Commissioners, or a

52 County Manager, Administrator, or Executive with part-time County Commissioners, as the Study

53 Commission deems appropriate by their majority vote.

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55 **Authority:** The Kootenai County Board of County Commissioners has the authority, by resolution, to put

56 the question of governmental reform on the next County-wide ballot pursuant to Idaho Code 51-5004,

57 The Study Commission's findings and recommendations will go directly to the Board of County

58 Commissioners (BOCC) for its approval. The BOCC will decide whether to implement the Study

59 Commission's recommendation(s). A simple majority of Registered Kootenai County voters is necessary

60 for passage of an alternate form of county government pursuant to Idaho Code 31-5005(2)

61 **Membership:** The Study Commission shall consist of nine voting members and shall

62 Elect its own Chairman and Vice Chairman to run meetings and report to County

63 Commissioners. The Study Commissioners shall be appointed by each of the following Kootenai County
64 organizations as follows:

- 65 - One (1) member each from the Chamber of Commerce of: Coeur d Alena, Post Falls, Hayden,
66 Rathdrum: total four (4)
- 67 - One (1) member each from the Kootenai County Republican and Democratic Central
68 Committees; total (2)
- 69 - One (1) member from the North Idaho Property Owners' Alliance (NWPOA);
- 70 - One (1) member from the North Idaho Builders and Contractors Association (NIBCA);
- 71 - One (1) former County employee to be selected by the BOCC.

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73 **Directors:** Each Study Commission member hereto referred to as "Study Commissioner" shall be entitled
74 to one vote on any matter that may come before the Study Commission. While Idaho Code 31-5104 (5)
75 permits the Study Commission to make their own governing rules, it is recommended that at least five
76 (5) members of the Commission be present for any vote.

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78 **Meetings:**

79 During its first six months, the Study Commission will meet every two weeks, at a location to be
80 determined by the BOCC. The meetings will be open to the public. Special meetings of the Study
81 Commission may be called at any time by the Study Commission's Chairman. The Chair of the
82 Study Commission shall call a meeting upon verbal request of not fewer than five of the
83 Study Commissioners. The Study Commission shall keep minutes of the proceedings.
84 Records of the Study Commissions discussions and recommendations shall be
85 available for public review.

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

91 meeting.

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93 **Reimbursement:** Members of the Optional Forms of Government shall serve without remuneration;
94 however, County Commissioners may authorize payment to reimburse a Study Commissioner for
95 nominal expenses incurred by the Commissioner while conducting the affairs of the Study Commission.
96 The Study Commission must conduct itself in accordance with Idaho Code 31-5104.

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98 **Dissolution:** The Study Commission may be dissolved by the Kootenai BOCC. At that time all monies,
99 equipment and Study Commission responsibilities shall revert to the BOCC.

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