

1 **Kootenai County Optional Forms of County Government Study Commission Bylaws_032321**

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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. County Commissioners or other elected
19 officials shall not intercede or make changes.

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

- 25 - Retain the current form of county government and relevant analysis for same
- 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 (BOCC)
- 31 - The seven-member Board of County Commissioners
- 32 - Consolidation of offices with other counties, 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 It is expected that the Study Commission will include in their opinion, an analysis of the current form of
40 County government.

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42 The goal is to provide for greater efficiency and representation for the residents of Kootenai County.
43 How this is to be achieved is to be recommended by the Study Commission, which may involve the
44 current structure unchanged, an increase to the current three-member County Commissioners, or a
45 County Manager, Administrator, or Executive with part-time County Commissioners, as the Study
46 Commission deems appropriate by their majority vote.

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48 **Authority:** The Kootenai County Board of County Commissioners has the authority, by resolution, to put
49 the question of governmental reform on the next County-wide ballot pursuant to Idaho Code 51-5004,
50 The Study Commission's findings and recommendations will go directly to the Board of County
51 Commissioners (BOCC) for its approval. The BOCC will decide whether to implement the Study
52 Commission's recommendation(s). A simple majority of Registered Kootenai County voters is necessary
53 for passage of an alternate form of county government pursuant to Idaho Code 31-5005(2)

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55 **Membership:** The Study Commission shall consist of nine (9) voting members and shall
56 elect its own Chairman and Vice Chairman to run meetings and report to the County
57 Commissioners. The Study Commissioners shall be appointed as follows:
58 Each County Commissioner shall appoint one member to a three-member ad hoc committee who in turn

59 will select the nine (9) member Study Commission. A simple majority vote of two of three ad hoc
60 committee member will suffice to elect an individual to the Study Commission.

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62 **Directors:** Each Study Commission member hereto referred to as “Study Commissioner” shall be entitled
63 to one vote on any matter that may come before the Study Commission. While Idaho Code 31-5104 (5)
64 permits the Study Commission to make their own governing rules, it is recommended that at least five
65 (5) members of the Commission be present for any vote. The final recommendation of the Study
66 Commission must include the vote of all (9) members.

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68 **Meetings:**

69 It is recommended, the Study Commission meet every two weeks, at a location to be
70 determined by the Study Commission. The meetings will be open to the public. Special meetings of the
71 Study Commission may be called at any time by the Study Commission's Chairman. The Chair of the
72 Study Commission shall call a meeting upon verbal request of not fewer than five of the
73 Study Commissioners. The Study Commission shall keep minutes of the proceedings.
74 Records of the Study Commissions discussions and recommendations shall be
75 available for public review.

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

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83 **Reimbursement:** Members of the Optional Forms of Government shall serve without remuneration;
84 however, County Commissioners must pre-approve payment to reimburse a Study Commissioner for
85 nominal expenses incurred by the Commissioner while conducting the affairs of the Study Commission.
86 The Study Commission must conduct itself in accordance with Idaho Code 31-5104.

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

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