

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

Meeting Minutes

January 12, 2022

5:30 p.m.

451 N. Government Way
Administration Building, 1st Floor Room 1A/B

Commission Members Present: Tamara Bateson, Dave Botting, Kurt Andersen, Kristen Wing, David Levine, Bryant Bushling and alternate Bruce Mattare. Phil Ward, Bob Fish and Brian Cleary attended by Zoom. Alternates Cheri Zao and Joan Genter were not present.

I. Call to Order

Chair Botting called the meeting to order at 5:30 p.m.

II. Pledge of Allegiance

David Levine led the meeting participants in the Pledge of Allegiance.

III. Approval of / Changes to the Agenda

A motion to approve the agenda as submitted was made by David Levine and seconded by Kurt Andersen. The vote was taken; the motion passed.

IV. Announcements

None

V. Approval of Minutes -December 15, 2021

A motion to approve the meeting minutes as submitted for December 15, 2021 was made by Kurt Andersen and seconded by Tamara Bateson. The vote was taken; the motion passed.

VI. Reports

This item was not required for this meeting.

VII. Old Business

This item was not required for this meeting.

VIII. New Business

A. Analysis- Alternate Form of Government

Chair Botting indicated that he has heard a concern that the study commission did not deliberate each optional form of government allowed under Idaho Statutes. The commission, therefore, approached the effort backwards. He added that everyone

did receive copies of the Statutes for their review and Brian Cleary provided an option-by-option review at an earlier meeting. Any commissioner could have asked for a motion to consider other options, but none were offered. Kurt Andersen asked for clarification of the term deliberate. He asked if that referred to a comprehensive consideration of all the different options available or did it mean determining what the study commission would like to recommend. Mr. Andersen said, based on legal opinion, the commission has been deliberating from the beginning. Chair Botting agreed, but wanted to verify that commissioners felt like they had an opportunity to review all options available under Idaho Statutes.

David Levine said the study commission has the right to determine how we operate. He added that unless a majority of the commissioners wish to now review the process we have used to come up with our preliminary recommendation, there is nothing for us to talk about. Chair Botting agreed and wanted to confirm that was the case. Bruce Mattare asked when Chair Botting heard the public comment, if it implied that this comment was out in the public forum. Chair Botting confirmed that he was referring to comments Mr. Mattare made when speaking to public groups. Kurt Andersen was interested in hearing the reason for Mr. Mattare's concern. Mr. Andersen did not think the commission short-changed the deliberations. Some of the mechanics of how we made our decision may have been out of order, but we are past that now. Bruce Mattare said that the Chair has made it clear that Mr. Mattare is a regular citizen and, as such, has the right to speak his mind. Mr. Mattare felt it was unusual to go into a vote and then move to strengths and weaknesses.

Chair Botting said that his only objective tonight was to confirm that no commissioner felt that they did not have an opportunity to discuss the other forms of government. David Levine said this issue was addressed previously when Brian Cleary expressed the same concern. At that meeting, the commissioners did discuss other forms of government and no one had the desire to consider those other forms. Mr. Levine explained one of the reasons we used the approach we did was to remove public concerns that they would not have the opportunity to elect the row officials. Brian Cleary agreed with what was said and believed the agenda format funneled the commission into what the majority recommended. One of the reasons we got beyond that concern was that the recommendations were provisional. We will hear from the public on January 19th, 2022, and after the Public Hearing there will be an opportunity to change the final recommendation.

Tamara Bateson said that she has heard concerns that the commission did not interview many of the department heads. These department heads would be the ones that would actually report to the commission manager. While we did interview a lot people, we did not talk to the people who would be most affected by moving to a commission manager concept. Chair Botting said that all the Chief Deputies were invited and most declined the request. He added that many of the department heads were also invited and they chose not to attend or did not respond to the request.

Phil Ward said that he does not believe it is our job to dictate the internal administration of government. If the staff people had something to offer the commission, they could have provided written comments or provide information in other ways. Mr. Ward indicated our job is to determine what form of government (elected officials or appointed positions) would best serve the needs of our community at the current time. He believes

we have discussed that point and the commission was very open to consider all the options available.

Kurt Andersen requested that we consider this issue settled at the moment and no one disagreed.

- Schedule for Public Hearing

Chair Botting was told that due to technical reasons on the county side, it would not be possible to take public comments from a large group of people using Zoom. Based on the limitation, he suggested that anyone who would like to offer a public comment must do so in person. Everyone has the option of providing written comments prior to the conclusion of the Public Hearing.

The commissioners discussed different formats and other logistical options for the Public Hearing and agreed upon the following plan:

- The meeting room will be available to the public at 5:00 pm. Either County staff or commissioners will be available at that time.
- Sign-up sheets will be placed at both doors.
- Comment cards will be available for people who do not wish to speak.
- Copies of the preliminary recommendation will be provided for the members of the public.
- Chair Botting will open up the Public Hearing and provide a little background to help explain the purpose of the public hearing. Items to be covered include:
 - A high-level review of the preliminary recommendation so the public will know what to comment on.
 - Explanation that commissioners were appointed by the County Commissioners and are volunteers.
 - The commission performed their role with virtually no additional cost to the county.
 - Once the commission presents the final recommendation to the county commissioners, it will be their decision to place it on the ballot. If the recommendation is placed on the ballot, then the citizens will decide to accept or reject it.
- The members of the public wishing to speak will be limited to three minutes. Brian Cleary suggested allowing groups of people to pool their time and to have one speaker represent their views. He has found this concept has worked very successfully at public forums he has attended. The commissioners discussed the pros and cons of this approach. Phil Ward suggested that each speaker be limited to three minutes and not allow a person to speak on behalf of a group of people. Chair Botting polled the commissioners and, with the exception Mr. Cleary, everyone agreed to that plan.
- The alternates will be seated in the audience since they may wish to speak. The nine commissioners will be seated at the dais or at a nearby table. Zoom will also be available if needed.

IX. Items of Next Meeting Agenda

a. Confirming Scheduling Following Meetings

1. January 19 (Public Hearing)
2. January 26
3. February 2 (Meeting Room 1B only)
4. February 9
5. February 16

January 19th is the Public Hearing. The January 26th meeting will focus on deliberation based on the information from the public hearing, establishing a writing committee to draft the final report and a future meetings schedule.

X. Adjournment

A motion to adjourn the meeting was made by Kurt Andersen and seconded by Bryant Bushling. A vote was taken and the motion passed. Meeting adjourned at 6:12 p.m.

Respectfully submitted,

David Levine, Clerk/Secretary