

Kootenai County
Optional Forms of Government
Study Commission

Meeting Minutes
Monday, June 9, 2021
5:30 p.m.

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

Commission Members Present: Kristen Wing, Tamara Bateson, Bob Fish, Dave Botting, Brian Cleary, David Levine, Bryant Bushling, Phil Ward, and alternates Joan Genter, Cheri Zao, and Bruce Mattare. Kurt Andersen attended via Zoom.

Commission Members Excused: Bob Fish and alternate Joan Genter.

I. Call Meeting to Order

Chair Dave Botting called the meeting to order at 5:32 p.m.

II. Approval of the Agenda / Changes to the Agenda

Chair Botting asked if anyone had changes to the agenda. Brian Cleary suggested adding the Pledge of Allegiance to our on-going agenda. Phil Ward made the motion to add the Pledge of Allegiance to each meeting agenda. The motion was seconded by Kristen Wing. The motion was approved by majority vote.

Meeting Participants recited the Pledge of Allegiance.

III. Announcements

Communication Manager Nancy Jones confirmed that the June 16th meeting would be cancelled.

IV. Approval of Minutes

No changes to the minutes were requested. A motion to approve the June 2, 2021, meeting minutes as presented was made by Kristen Wing. Brian Cleary seconded the motion. The vote was taken and the motion passed.

V. Reports

There was no discussion.

VI. Old Business

a. Commissioners' Districts and Elections

Communication Manager Nancy Jones indicated that preliminary legal review of Idaho statutes indicates that redistricting would not change the current at-large voting for county commissioners. Mr. Cleary asked that the legal department consider section 31-5808 (f) regarding the charter form of government. This section provides the opportunity for both at-large or by district voting. However, this option was not mentioned for the other optional forms of government.

VII. New Business

Interview of:

a. 1996 Commission Member and b. Former County Commissioner (1996)

Former (1996) Study Commissioner member Jerry Mason provided a recap of his background, which included over 40 years of experience as a community development planner and municipal attorney (for cities, counties, and the Idaho Counties Risk Management Program). He explained some of the issues the 1996 commission faced, including consideration of the benefits of electing officials compared with the benefits of hiring. He noted the 1996 members having this discussion particularly with regard to ensuring competency in 'row officials' (current elected officials other than the commissioners), who carry out statutory mandates and in considering that elected officials, in most cases, do not have to have related experience to run for office. He shared his personal experience of having seen the ramifications of having elected officials who performed poorly but couldn't be fired, as you might with an employee, or recalled. In describing the tension in commission discussions, he noted the question of hiring versus electing as a particular challenge, and acknowledged that he was not someone who "wanted the passengers on the plane to elect the pilot; I'd like him to have certain qualifications". He also indicated that the size, complexity, and the duties of each office and jurisdiction mattered as part of their deliberations.

Former County Commissioner Dick Panabaker recapped his tenure as Mayor of Hayden (seven years), County Commissioner (10 years), and (current) member of the Hayden City Council. He described each position as "on the job training". He compared the challenge of the current form of government to rowing a boat in a straight line; it is difficult to move forward when everyone is rowing in a different direction. He noted inefficiency in having six elected officials not accountable to the BOCC in a structure where statutory mandates exist (because counties are 'an arm of the state', unlike cities, which have more autonomy). He acknowledged the common concern of having a county manager and the fear that, over time, the power of that role may increase. He also mentioned the importance of understanding the cost of adding county commissioners or administrators. Mr. Panabaker said one significant challenge is getting the public to pay attention to a proposed change since they tend to not care unless they think it directly affects them. He also described his personal experience as a county elected official and his recollection of the creation and determination of the 1996 commission.

After Mr. Panabaker and Mr. Mason provided their opening comments, they responded to questions from the study group members and online participants.

Mr. Mason confirmed that the commission recommendations were not approved unanimously. Asked if things would be better today if the study commission recommendations had been implemented, Mr. Mason indicated that he was taught that professional competency is the best way to get things done and suggested that the current structure doesn't guarantee that. He shared observations about what he had seen in his career as evidence supporting his view. The current organization has nine autonomous elected officials; the study commission recommendation would have included a county manager to provide consistency among the departments. The essential question was 'how do you get the best people--by electing them or hiring them'?

Tamara Bateson noted that the 1996 commission report indicated that one goal was to reduce political tension in government and asked what was meant by being 'less political'. Mr. Panabaker replied that he was not sure political tension can be reduced by a change without a change of attitude toward working together. Mr. Mason added that whoever made that statement could not have imagined how things would be today.

When asked by Ms. Bateson why feedback from all cities or organizations was not included in the study, both Mr. Panabaker and Mr. Mason indicated that they could only include information from groups and organizations that had chosen to participate.

The 1996 study commission recommendation was never put to a vote. An inquiry was made as to why it was not put forward for public vote. Mr. Panabaker recalled that they were told that it was not legal to move forward with it at the time.

The 1996 study commission report provided four (4) abstract strengths and eleven (11) detailed weaknesses of the current form of government. The question was posed 'what are the operational strengths with the current form of government'? Mr. Panabaker thought that perhaps controlled spending was one area. Mr. Mason did not believe the current form has many strengths with nine peers running independently. He compared city and county structures, as well as private and public structures. The specific role of commissioners – and limitations of the position – was also discussed.

Chair Botting noted, as a point of clarification, the ratification of the amendment to the Constitution was approved in 1994 and the statute was passed in 1996. The Board should have had legal authority to present the recommendation to the voters.

VIII. Agenda Items and Date of Next Meeting

- a. Confirm Schedule for June 23rd
Interview members from the 1996 Study Commission or others that may provide insight into their work. (This will be the last meeting to focus on the 1996 Commission work.)
- b. Confirm Current Commissioners Availability
Communication Manager Nancy Jones confirmed the availability of the county commissioners to attend the June 30th meeting.
- c. Following meeting (June 30th)
Different options for interviewing the county commissioners were discussed. By majority vote, it was decided to interview the three county commissioners together. Nancy Jones will confirm if the county commissioners would be comfortable with that approach.

IX. Adjournment

A motion to adjourn the meeting was made by Kurt Andersen and seconded by Mr. Cleary. A vote was taken and the motion passed. The meeting adjourned at 7:30 p.m.

Respectfully submitted,

Nancy Jones, Deputy Clerk