

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

Meeting Minutes

July 28, 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, Kurt Andersen, Bryant Bushling, Phil Ward, and alternates Joan Genter, Cheri Zao, and Bruce Mattare.

I. Call to Order

Chair Botting called the meeting to order at 5:31 p.m.

II. Pledge of Allegiance

Tamara Bateson led the meeting participants in the Pledge of Allegiance.

III. Approval of / Changes to the Agenda

David Levine indicated that item five of the agenda showed the wrong date for the minutes to be approved. He also explained that, due to a system issue, the July 21, 2021 minutes could not be distributed prior to this week's meeting. The approval of the minutes will be deferred until the August 3rd meeting.

The members were notified by Tamara Bateson that the past minutes showed Monday as the meeting day, not Wednesday (though meeting dates were correct). A motion to remove the word Monday from the previous minutes to rectify this administrative error was made by David Levine and seconded by Tamara Bateson. The vote was taken and the motion passed.

IV. Announcements

Chair Botting made an announcement addressing the significant amount of misinformation circulating concerning the work of the Study Commission. He noted that a 1994 amendment of the Idaho Constitution allowed for the study of optional forms of government in Idaho and that new statutes were added in 1996 to implement that amendment in Idaho Code. He went on to review the process that the Board of County Commissioners had taken earlier in the year to form the current commission. He then reviewed the timeline for the study and each of the options available for consideration, stating "It is the job of the Study Commission, within the parameters of the Idaho State Statutes, to collect

evidence, to review the possible combinations allowed, and to recommend one or more forms of government to the Board of County Commissioners” so that the recommendation(s) may be put before the voters of the county. He also noted that it is “the voters of Kootenai County, not the Study Commission and not the Board of County Commissioners, will decide whether to change the form of County Government or to keep the current form”. He indicated that no deliberation was anticipated for a few months and that there was no position among commission members intended to unilaterally take away the public’s right to vote, despite rumors to the contrary. He stressed that this commission simply did not have authority or ability to make such a change without approval by the voters of Kootenai County.

V. Approval of Minutes –July 21 2021

This item was deferred until the August 3, 2021 meeting.

VI. Reports

Kurt Andersen requested the county’s legal opinions on the ability of the study group to perform public education/outreach and a question on districting be read into the record. Mr. Andersen read into the record the following information:

County legal has issued an opinion that public education and outreach are not in line with studying and reporting the forms of government. It is recommended that your group educate the BOCC through your analysis and recommendation, but that public outreach and education should be the job of the Commissioners. In their opinion, FAQs (if utilized), should relate only to the statutory function of your group, with pros and cons of specific forms to be avoided.

An opinion was also issued regarding the districting question. In essence, there is no statute that directly allows for a change for commissioners to be elected by district instead of at-large. That would indicate that changing to district election would likely have to be done through legislative means.

Commission alternate expressed concerns about a recent editorial piece in the newspaper that identified individuals who had submitted public comment. It was noted that information was all part of the public record, but Mr. Mattare asked the group members to consider avoiding this in the future because uninformed members of the public who don’t understand the process might feel intimidated and avoid providing comments in the future.

VII. Old Business

This agenda item was not required for this meeting.

VIII. New Business

a. Interview Kootenai County Clerk Jim Brannon, Chief Deputy Clerk

Jennifer Locke, and Finance Director Dena Darrow

Dena Darrow gave a brief statement regarding her professional background and experience. Jennifer Locke spoke next, providing information about her personal, professional, volunteer, and educational background. Jim Brannon also provided the members with a personal, educational, and professional biography. He noted that, having been with Kootenai County since 2013, he was the second-longest serving current elected official, with only Prosecutor Barry McHugh having been with the county longer. He let the members know that they had all been provided with a copy of the quarterly report that had been officially produced earlier that day, as well as a copy of the elections calendar, as reference materials.

The presenters gave a one-hour PowerPoint presentation on the duties, statutory responsibilities, statistics, budget, structure, processes, and recent improvements within the Clerk's division, including:

- Detailed information about the role of the county clerk, directly referencing Idaho statute;
- The departmental structure, including organizational charts, of each division under the county clerk (Elections, Auditor, County Assistance, Recorder, and District Court);
- Mr. Brannon stated that he found the term 'row officers' to be inaccurate from its original use, and thus creating a 'caste system', because elected officials operate independently under the law;
- Mr. Brannon shared that the full division employed a total of 102 full time individuals (not including the Clerk and Chief Deputy);
- It was noted throughout the presentation that each division under the county clerk carries out legally mandated services. Specifics regarding the budget and workload of each department was reviewed;
- The presenter's shared that, since 2014, the Clerk's division returned a total of \$9.5 million of unspent, budgeted dollars to the general and county assistance funds and that the external auditor had no audit findings within that period.
- The presenters finished with a number of questions for the commission members to consider about the issues driving the study, the cost/benefit of a change in county government, and if beneficial change could occur without a change in governmental form.

The Chair called for a recess at 6:50 p.m. The meeting reconvened at 7:00 p.m.

As follow up, the members asked questions the benefits and drawbacks of an administrator or executive position, the differences between the public and private sector, the county budget process, information about clerk employees (including salary, morale, and turnover), how salary surveys are done, the identification of current challenges and what current improvements could be considered without changing the form of government.

Overall, all three guests indicated that increasing the number of commissioners and/or adding an administrator-level person would be growth of government and would cost additional taxpayer money. Ms. Darrow noted that the current financial software could not handle a reorganization and replacement of the current system would likely have to be expedited. She defined the primary difference between the public and private sector in two key ways: that counties can't choose what they do and that they have limited funds to accomplish mandated responsibilities. It was noted that external auditors, by statute, do an analysis of the auditor each year and that internal audit functions can be used to conduct internal finance and efficiency audits. The budget process and salary survey processes were discussed. Mr. Brannon reminded everyone that employee compensation is entirely determined by the Board of Commissioners. He noted that there were no current openings within the clerk's divisions. He felt that county employees, overall, supported teamwork and treated their positions as service to the community. None of the panel indicated support for the idea that an administrator role would help with continuity or long term planning. Mr. Brannon felt that adoption of new technology could create additional efficiencies.

b. Interviews- Set Additional Interviewees & Schedule – This item was deferred.

IX. Items for Next Meeting Agenda

Nancy Jones was confirming availability of the other Chief Deputies. She asked to be informed of the additional interviews the study group wants her to schedule.

X. Adjournment

A motion to adjourn the meeting was made by Kurt Andersen and seconded by Brian Cleary. A vote was taken and the motion passed. Meeting adjourned at 8:02 pm.

Respectfully submitted,

Nancy Jones, Deputy Clerk