

Minutes of Meeting
Optional Forms of Government Workshop
March 23, 2021
10:00 a.m.

The Kootenai County Board of Commissioners: Chairman Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks met to discuss the following agenda items. Also present were Civil Deputy Prosecuting Attorney R. David Ferguson, KCSO Deputies Alana Hunt and Jaelen Pace, and Deputy Clerk Tina Ginorio. Also present were Coeur d'Alene Press Reporter Madison Hardy, Kootenai County Residents Erin Barnard, Sandy White, Charity Myser, James Clayton, Laurie Van Voorhees, Tony Wisniewski, Doug Balijs and Joe Alfieri.

- A. Call to Order:** Chairman Chris Fillios called the meeting to order at 10:01 a.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business (Action):**

Review and Finalize Draft Commission Bylaws

Chairman Fillios reminded those present that they had agreed to forward the draft resulting from the last meeting on to Legal for review. He said that Civil Deputy Prosecuting Attorney R. David Ferguson had gone over the document and given his recommendations.

Chairman Fillios said he then made an updated copy and provided it to the other Commissioners. He commented the new draft gave the Study Commission more latitude and withdrew the BOCC almost completely from the Commission's processes, except at the very end. He stated that the Study Commission would arrive at their recommendation, present it to the BOCC and the BOCC would decide whether or not to offer it to a public vote.

Commissioner Leslie Duncan said she had observed instances of contradictions, bias, and duplications in the document. She noted that statute allowed the Study Commission to create its own bylaws, so she felt that presenting bylaws created by the Board represented an assertion of some level of control or bias over the Commission.

Mr. Ferguson confirmed that the Commission findings would represent a recommendation to the Board of County Commissioners. He said the findings cannot, as currently stated in the draft, go directly to the voters; the BOCC must format the ballot language, if they decide to accept the recommendation of the Commission.

Commissioner Duncan explained that she felt the repetition of points could be interpreted as reflecting a bias in favor of change.

Chairman Fillios suggested that lines 43 through 47 be removed from the draft, since they duplicated another section.

Commissioner Duncan pointed out that the phrasing of line 73 would allow a binding decision to be made by only three members out of a total of nine on the Commission. She explained that if five members were present at a meeting they would qualify as a quorum, then three of the five could pass an item and it would be considered valid. She suggested that it be specified that five members out of the full nine be required to agree on the final recommendation of the Commission, a majority of the full group.

Mr. Ferguson pointed out that the items which deal with how the Study Commission operated would be considered suggestions only, because the Commission had the statutory authority to determine its own processes.

Commissioner Duncan suggested that the document include that the final recommendation of the Study Commission be voted on by all nine members. No objections were voiced.

Commissioner Duncan also suggested that lines 94 and 95, which covered reimbursement of expenses, be amended to specify that reimbursable expenses would have to be pre-approved.

Chairman Fillios reviewed additional line by line changes he had made to the draft based on Mr. Ferguson's advice and Idaho statute.

Commissioner Duncan inquired why the document directed that the Commission must meet every two weeks during the first six months of their term and why it specified the location of the meetings.

Commissioner Bill Brooks suggested that the phrasing be changed to say it "was recommended" that the Commission meet every two weeks. He said he had specified a location because he wanted to be sure the meetings would be held somewhere that the public could observe.

Chairman Fillios adjusted the wording of the section to reflect that these topics were all recommendations not requirements.

Review Commission Selection Process

Chairman Fillios reminded those present that they had decided in the previous meeting to have the Commission made up of one member of the Republican Central Committee, one from the Democratic Central Committee, one person for each of the four Chambers of Commerce, one former County employee, one representative from NIBCA (North Idaho Building Contractors Association) and one from NWPOA (Northwest Property Owners Association). He said he had received an email from Jake Garringer, North Idaho Field Director of the Office of the Governor, suggesting that the BOCC instead appoint a three member Ad Hoc Committee which would then appoint the nine member Study Commission.

Commissioner Duncan said she would support his suggestion. She asked that Mr. Garringer be invited to the next Commissioners' Status Update to describe the process of selecting Ad Hoc Committee members.

Commissioner Brooks agreed with Mr. Garringer's suggestion but said he felt having Mr. Garringer attend a meeting would be just an extra step "designed to slow the process." He said it should be simple for each of them to choose a person right away, in this meeting.

Commissioner Duncan said she was not prepared to appoint a person today.

Mr. Ferguson commented that the agenda did not specifically provide for appointing people during this meeting.

Commissioner Brooks agreed to forgo naming people immediately. No objections were voiced. It was generally decided that the names would be brought forward on the upcoming Commissioners' Status Update meeting.

Commissioner Brooks moved that the Board accept the comments and changes as presented today, to include a three member Ad Hoc Committee for the appointment of the nine members of the Study Commission. Chairman Fillios seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks:	Aye
Commissioner Duncan:	Nay
Chairman Fillios:	Aye

The motion carried.

D. Adjournment (Action): Chairman Fillios adjourned the meeting at 10:34 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

CHRIS FILLIOS, CHAIRMAN

BY: _____
Tina Ginorio, Deputy Clerk
