

# Independent County Constitutional Officials-ICCO

## **What is it?**

An advisory committee to develop and implement a compliance program to allow Bonner County to accept and spend ARPA grants. That Bonner County did not have a sufficiently robust compliance program to qualify for ARPA grants constitutes the premise for the creation of ICCO.

## **Who named it?**

Daryl Wheeler

## **Who created it?**

Daryl Wheeler

## **When created?**

Exploratory committee started in 2021. Daryl Wheeler self-appointed chair  
Final committee with assigned board members in June 2022. Daryl Wheeler chair

## **Email distribution list of invitees:**

Daryl Wheeler

Louis Marshall

Asia Williams- invited June 2022 before the general election of her commissioner's race

Mike Rosedale

Donna Gow-elected out of office

Clorrisa Koster

Robert Beers

Bill Wilson

Scott Bauer

Nancy Twineham

Alissa Clark

Cindy Binkerd - retired

Christian Jostlein

Grant Dorman- resigned from the board after two weeks of involvement

Dennis Engleheart- never appears on email distribution list

Dan McDonald- invited to one meeting. Meeting subsequently cancelled

Jeff Connelly- never invited

Steve Bradshaw- never invited

Luke Omodt- never invited

## Problems with ICCO:

1. **False premise.** Accepting ARPA grants did not require any audit protocols outside of the usual Greenbook policies and procedures. Bonner County had been accepting Federal grants for decades without issues. Moreover, Bonner County accepted ARPA grants in 2022 without a fully formed 303 compliance program developed by the ICCO. In other words, that Bonner County proceeded to receive and spend ARPA grants without the assistance of an ICCO created compliance program proves that ICCO was never needed in the first place.

2. Given the false premise of the advisory committee, **what was the real reason** for its creation and what is the real reason for its continued existence? This begs a related question, how does an elected official with the unique set of skills and experiences of a sheriff qualify to chair a committee overseeing the development of a federal grant compliance program? Maybe the county clerk, or someone with a background in finance, or even a CPA would be better skilled for this task?

3. **No statutory authority.** Rather than diving into the tall weeds of Idaho statutes, let's quote from two people who should know, and I invite you to call and speak with these individuals for yourself.

-Matt McCarter. Grants Branch Chief of the Idaho Office of Emergency Management. He is the bureaucrat in Boise that oversees the disbursement of Federal grants. After review of the ICCO charter, his comment: "this is statutory overreach".

-Seth Griggs. The Executive Director of the Idaho Association of Counties.

"The ICCO sounds like something set up only in Bonner County. There are no statutory requirements for such a board."

4. The Charter calls for the **internal control of IT, HR and Risk Management.** For a compliance program to take ownership of these management operations is unprecedented. What justification can support such a broad reach of control for an advisory committee? Is this level of overreach legal?

5. **Clandestine operations.** No published agenda or meeting times. As the public is unaware of any meeting times or places, it follows that the meetings are held in secret. All the emails, minutes and other documents are kept on IT servers not shared by the county IT and are beyond the reach of a PRR. Is this legal?

6. **County employees** are serving on the board at the taxpayers' expense without BOCC approval. Is this legal? Of course, elected county officials can volunteer their time as they wish. For instance, they can coach a little league baseball team without prior approval.

7. **Violation of open meeting laws.** The Open Meeting Law provides: "All meetings of a governing body of a public agency shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by this act..." "Governing Body" is defined to

mean the members of any public agency "with the authority to make decisions for **or recommendations to** a public agency regarding any matter."

The ICCO ostensibly makes recommendations to the BOCC on matters relating to ARPA grants as stated in the Charter of the Committee. For anyone who believes that Senator Herndon is on record stating that the violation of the Open Meeting Laws is questionable, I suggest you ask him directly.

**DISCLAIMER:**

The information provided to you in this summary derives from my own reading of the available material. Given that the ICCO is cloaked in secrecy with only morsels of information leaked to the public, my understanding could be in error. I recommend that you accept nothing I have stated at face value. You must do your own research.

**Source documents** <https://www.facebook.com/groups/622055133412329/>