

Clinton County Government Study Commission
March 28, 2007
Public Hearing

Call to Order:

Chairman Mike Hanna called the Commission to order at 7:30 p.m. at the Greene Township Building in Sugar Valley, Pennsylvania. The Pledge of Allegiance to the Flag was participated in by all present.

Present was: Ms. Deb Day, Mr. Mike Hanna, Mr. Dan Harger, Ms. Coreena Meyer, Mr. Richard Novosel, Mr. Ernie Renninger and Mr. Les Robinson.

Absent was: Ms. June Houser, Dr. Kathleen McQuaid, Mr. Terry O'Connor, and Dr. Bob Wise.

Opening Remarks:

Chairman Hanna made introductory remarks regarding the history of the Study Commission and highlights of the draft Home Rule Charter which included:

- Seven member Legislative Body.
- Hired Executive.
- District Map.
- Elected Officials.
- Checks and balances.
- Initiative and Referendum Provisions.
- Long range fiscal and capital plan.
- Clearly defined budget process.
- Anti-nepotism provision.
- Recall provision available if in the future the PA constitution would be allow recall.
- Final report available in June.
- Charter will be on the November ballot.

Chairman Hanna asked the public comment to stay point and pertinent to the Charter. He stated that this forum is not to be utilized as a debate; it is to be an informational tool only.

Public Comment:

Ralph Brungard

Mr. Brungard felt there was no need for a structure change that the Commissioners are doing a fine job. They should not be run into the dirt. He felt \$5,000 would not be enough pay for the legislators.

Commission pointed out that structure changes made with the Charter are set in stone.

In the current structure of the County Code any changes made by a particular group of Commissioners does not have to continue with the next group of Commissioners.

Elaine Miller

Ms. Miller asked several questions as follows:

- Why eliminate the Jury Commissioners and Prison Board?
 - Commission stated that the Jury Commissioner duties could be performed more efficiently by the use of computers.
 - Commission noted that the Prison will still be run professionally by the Warden, Controller and Executive. Prison operations will be streamlined.
- Define nepotism?
 - Nepotism is defined as parents, spouse, brothers, sisters and children.
- Does majority of the vote put the Charter into effect?
 - Majority of the votes to pass the Charter.
- Define the different between Auditors and a Controller?
 - Commissioner stated that the Controller will have a defined job description. The Controller watches monies spent prior to the monies being spent and assure that any expenditures are in line with the budget. Auditors look at the records after the monies are spent. Commission noted that an independent certified audit is required by State Law.
- What resources will the voters have to use if they feel the appointed Executive is not doing what the citizens want?
 - Commission stated the appointed Executive can be fired at any time. The Executive is considered an at-will employee with no contract. Voters would need to speak with the Legislators if they felt the Executive was not performing his/her duties. The Legislative Body would have to agree for removal of the Executive.
- Who will make the appointments to the Authorities, Boards and Commissions?
 - Commission noted that existing appointments will not change. The Legislative Body will approve appointments to Authorities, Boards and Commissions.
- Tie vote is a no vote?
 - Yes

Ms. Miller stated she felt that 7 members of the Legislative Body were too many that 3 or 5 would be more beneficial. She also stated that the districts were not a good idea that all the Legislators should be elected at-large to acquire better candidates.

Ivan McElwain

Mr. McElwain stated that a Controller could be utilized by the current government structure. The Commission noted that any change made by one group of Commissioners does not have to continue with future groups of Commissioners. Ms. McElwain noted that a referendum would be needed for the current structure to allow for a Controller.

Commission noted that under the current structure, the State would need to allow for

the elimination of the Jury Commissioners and tax collectors.

He asked why seven legislators. Commission stated that in fulfilling need for district representation, the County needed 4 districts for equal representation plus at-large representation. The idea behind district representation is that these Legislators will have better communication with the entire County and its' needs.

Commission also noted that the budget process was changed to allow for more public input. The Charter also allows for referendum and initiative, recall if the PA Constitution allows in the future and County Treasurer will collect the County taxes thus saving the county money. It was noted that the County Code will not allow this change in collection of County taxes.

Earl Embick

Mr. Embick felt the district representation was a good idea. He noted the 7 Legislators and the Executive will be paid less than the 3 current Commissioners. He also liked the idea of speaking with one person, the Executive, about concerns.

Jerry Miller

Mr. Miller asked what the salary of the Executive would be; Commission noted up to \$100,000.00. He also asked about the Home Rule Counties the Commission visited, if they work well. Commission did note that the Home Rule County they visited is not a 6th class County.

Dave Mark

Mr. Mark questioned how the Executive would be dismissed? The Commission stated it would take 4 out of the 7 Legislators to dismiss the Executive for lack of follow-through on policy.

Commission noted that the Charter puts power into the hands of the voters and provides for openness of government. For example the budget process will require a meeting for the proposal of the budget, a second meeting for the public to be heard and a third meeting for approval of the budget. If after the reading of the proposed budget a change is made, the Legislative Body must hold another public hearing before approving the budget. Any tax increase needed will be discussed well in advance of the approval meeting.

Mr. McElwain asked why home rule was defeated in Northumberland County. Commission stated that you cannot assume that home rule failed due to reasons and those same reasons would apply here in Clinton County. It was noted that Northumberland County never gelled there as a group; everyone was at odds. A consultant would have been very beneficial to them.

Luzerne County ran out of money due to the Commissioners in place not providing the

means for them to complete the task. Commission noted that several Counties, Lancaster and Cameron, are currently starting the process of reviewing their County's structure.

Ms. McElwain stated that the 10 Legislators for the first two years is a problem. Commission stated they felt the Charter should start with all new Legislators at once to transition out the old and not transition in the new. Ms. Miller asked the procedures for replacing a Legislator. Commission stated that if one of the incumbent Commissioners resigns than this position just goes away. If a Legislative Body vacancy occurs, the remaining Legislators must appoint someone in 30 days. If the Legislators do not meet the 30 day requirement, the Courts will appoint a Legislator. A Legislative vacancy must be filled by someone from the same District if a district representative and from the same political party. Legislators are able to hold municipal offices as well as being a Legislator. Also noted was that Legislative Body meetings will be held at night and can be held throughout the entire County.

Commission noted the Charter provides for the Tax Assessment Appeals Board to be represented with professional individuals knowledgeable about tax assessment.

Richard Morris

Mr. Morris reviewed the Charter's salary structure. He felt the Legislators need to be better compensated.

Mr. Morris also stated that when the Commission votes on the approval of the entire Charter that they need to provide for Commission members to have a proxy vote if unable to attend that particular meeting.

Deb Day, Secretary
Clinton County Government Study Commission

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