

Clinton County Government Study Commission Meeting
December 21, 2005
Minutes

Call To Order:

Chairman Dan Harger called the Commission to order at 7:00 p.m. in the third floor meeting room of the Clinton County Courthouse. The Pledge of Allegiance to the Flag was participated in by all present.

Introduction:

Ms. Day, Commission Secretary introduced Ms. Sheri Gardner as the Recording Secretary for the Government Study. Ms. Day stated that she had good qualifications. Ms. Gardner stated that she was happy to be involved with the Study.

Roll Call:

Ms. Gardner took roll call as follows:

Present were Ms. Debra Day, Mr. Mike Hanna, Jr., Mr. Daniel Harger, Dr. Kathleen McQuaid, Ms. Coreena Meyer, Mr. Ernie Renninger, Mr. Les Robinson and Dr. Bob Wise. Absent was Ms. June Houser, Mr. Richard Novosel and Mr. Terry O'Connor.

Meeting Minutes of December 7, 2005:

Dr. McQuaid made a motion to approve the meeting minutes of December 7, 2005 with the following correction as noted by Mr. Renninger. Ms. Meyer seconded the motion.

Mr. Renninger stated that under the Topic of "Appointment of an Alternate," he had made the motion to "let the subject die" and then was marked as voting Nay when he voted Yea. The vote total is changed to 8 Yeas and 2 Nays.

Ms. Gardner took a roll call vote whereby the motion to approve the meeting minutes of December 7, 2005 with the correction was approved unanimously.

Unfinished Business from December 7, 2005 Meeting:

Sunshine Law:

Dr. McQuaid reviewed the written outline of the current Sunshine Law as it relates to the operations of the Commission. Dr. McQuaid highlighted the following points:

- Public has the right to attend, comment, and record the Commission meetings.
- Commission is required to publicize in the newspaper and post notices at meeting place with the date, time and place of regular meetings with the first meeting of the calendar or fiscal year published three days in advance.
- Special or rescheduled meeting notices must be published 24 hours in advance.
- Any official action requires a quorum of the Commission to be present at a public meeting. Performing a task by a subcommittee of the Commission does not require a public meeting.
 - Ms. Day asked if when the Administrative Subcommittee meets, which is comprised of 5 members and Mr. Harger attends as Chairman of the Commission, this constitute the need for a public meeting. Dr. McQuaid stated that this meeting with that configuration would indeed need to be a public meeting.
- Any Executive Sessions require a single topic agenda of one of the following five topics and a 24 hour prior notice given to the Public and the Commission.
 - Personnel
 - Collective bargaining
 - Real property
 - Litigation consult
 - Confidential/investigative matters
- Voting of each Commission Member on official matters must be publicly cast.
- Roll call votes must be recorded as well as written minutes maintained of all public meetings.

The Sunshine Law does not address the issue of providing copies of the minutes to the audience at the Commission Meetings. Mr. Harger stated that was a very good report and thanked Dr. McQuaid for her efforts. The Pennsylvania Sunshine Act Outline as it applies to the Clinton County Government Study Commission is attached as part of the minutes.

Presentations:

Mr. Hanna reported that he had spoken to both the Pennsylvania Economy League and the Department of Community and Economic Development. The Pennsylvania Economy League is available to give their presentation at the meeting on January 4, 2006 as long as this meets with the Commission's approval. The Department of Community and Economic Development stated to Mr. Hanna that the Pennsylvania Economy League had many more resources than the Development has available, which they wanted the Commission to know before a decision was made about the presentations.

Commission members discussed the options of having both organizations at the same meeting or two different meetings and the length of time provided for the presentations.

The Commission decided having both organizations present their program at the January 4, 2006 meeting with each presentation having a half-hour time limit for each organization would be the most efficient option. This option gives the Commission ample time to complete other tasks at the meeting.

Mr. Hanna will speak with each organization to verify the following presentation schedule:

- Pennsylvania Economy League - January 4, 2006 at 7:00 p.m.
- Department of Community and Economic Development - January 4, 2006 at 7:30 p.m.

Mr. O'Connor arrived at the Commission Meeting at 7:10 p.m. and was acknowledged as being present at this point in time.

SPECIAL COMMITTEE REPORTS:

By-Laws Committee:

Dr. McQuaid presented the draft Clinton County Government Study Commission By-laws. Dr. McQuaid stated that the draft was not available to send to the Commission Members in advance with the agenda. **Chairman Mr. Harger stated that due to Commission Members not having an opportunity to review the By-laws in advance, a vote was deferred until the January 4, 2006 meeting.**

Dr. Wise asked the Commission to review "Section 8. Removal of Members" as it applies to his letter dated December 15, 2005 to the Commission. Dr. Wise states in this letter that he will be spending the next four months in Florida. Dr. Wise feels he would be a positive asset and would like to continue as a Commission Member as long as this meets with Section 8 of the Commission's By-laws once adopted. Dr. Wise will be able to stay in touch with the Commission through email and the telephone until his return. A copy of this letter is attached to these minutes.

Dr. McQuaid explained that Mr. Hanna and she had reviewed many organizational by-laws, in which this section had the term "unexcused absences." We felt the term "unexcused absences" was juvenile. The intent of Section 8 is to address any members who just do not attend Commission Meetings and offer no explanation or courtesy phone call in advance.

Mr. Robinson did note that the Commission may not be able to removal a member who was elected. Mr. O'Connor feels the voters did not know of Dr. Wise's intentions and therefore Dr. Wise should resign his position.

New Meeting Sites:

Ms. Day reported on utilizing City Hall for future meetings. She stated the room at City Hall would fill the Commission's needs; however the room is unavailable the first Wednesday of each month but would be available any other day.

Mr. Robinson reported on utilizing the Clinton County Resource and Education Center in Mill Hall. He stated the Commission would be using the Learning Center Building which has a large room that we would have to ourselves with a coded key pad for entrance. Mr. Robinson passed around a picture of the room in the Learning Center Building. Ms. Meyer stated she has used the Learning Center before and it is a very nice to use for meetings as well as handicapped accessible. Mr. Robinson has tentatively reserved the room for the first and third Wednesday of each month for 2006.

The Commission discussed the various options including staying at the Clinton County Courthouse. Mr. Renninger asked if the Commission had to pay a rental fee for the use of the Courthouse. Chairman Harger stated that the Commissioners have not made a decision on whether there would be fees or not. It was noted that there is no rental/user fee attached to the Clinton County Resource and Education Center.

The Commission also discussed where a file cabinet and copier will be located for the Commission's use and what costs will be associated with these items. The Commission has not requested these items due to not having established a meeting place as of yet.

Ms. Day made the motion to move the Clinton County Government Study Commission Meetings to the Clinton County Resource and Education Center for the first and third Wednesdays of each month from January, 2006 through May, 2006. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote and motion passed unanimously.

The Clinton County Resource and Education Center will be notified of the Commission's decision to utilize their Learning Center Building. A notice will be published in the local newspaper.

New Business

2006 Budget:

Mr. O'Connor presented the Commission with the proposed 2006 Budget. He asked the Members their opinion on presenting a draft only 2007 budget so the Commissioners would be informed that the Commission could possibly continue for an additional year. Mr. Renninger had been requested to speak with Attorney Steinberg on this issue. After some thought, Mr. Renninger decided that it would not be a wise choice to ask Attorney Steinberg due to his role as the County Solicitor. Ms. Meyer

stated the Government Study of Northumberland County reported to her they filed a one year budget with the understanding that an additional year may be necessary to finish their work. Mr. O'Connor stated that due to the Commissioners requiring the 2006 budget by December 28, 2005, the Commission needs to make a decision on submitting only 2006 or also a 2007 budget.

Public Comment: Mr. Joel Long stated he felt that it was quite clear to everyone including the Commissioners that the Study Commission could possibly go for more than one year.

Questions concerning the Proposed 2006 Budget areas as follows:

- Travel Expenses: Include reimbursement for individuals attending the Commission Meeting from other areas to make a presentation.
- Limiting the use of consultants and paying for legal advice to being absolutely necessary. Dr. McQuaid reminded the Commission that we are charged with the task of studying the county government structure not to be penny-wise and dollar-foolish on expenses.
- Miscellaneous Expense: Covers any expense that could arise.
- Budgeting of the whole amount allotted by the Commissioners. Ms. Meyer noted that we hope expenses do not utilize the whole \$50,000.00 but if you do not request what is allotted you cannot ask for more money if needed. If we do not use the whole amount, whatever monies are left will stay with the County.

Public Comment: Mr. Morris suggested that the Commission may not want to budget the whole \$50,000.00 due to Northumberland County's Study only cost \$7,200.00. Ms. Meyer reiterated that fact that if you do not budget an appropriate amount and the Commission would need more monies, the money would not be available. She stated the Commission will need to report to the public in August on their findings and if the Commission needs to continue so the budget needs to reflect a whole year. Ms. Meyer also stated that many of the expenses in Northumberland County were out-of-pocket expenses and not reported in the cost of the study.

Mr. Renninger made the motion to accept the 2006 Budget and submit same budget to the Clinton County Commissioners at the Commissioners' Meeting on December 22, 2005. Ms. Day seconded the motion. Ms. Gardner took roll call vote and motion passed unanimously.

Mr. Renninger will attend the Commissioners' Meeting on December 22, 2005 to submit the 2006 Budget for the Clinton County Government Study Commission.

Communication:

Dr. McQuaid reiterated to the Commission that all members need to get copies of any correspondence which appears to not have been happening. Ms. Day stated she does

have copies here at the meeting for everyone. The problem is the informational items the Commissioners' Office is putting in the mailbox which do not apply to the Commission.

Information Requests:

Chairman Harger discussed the confusion regarding information requested from the Commissioners' Office. The Study Commission has not requested any information as of yet but it has been reported that Kathy Conrad, Chief Clerk stated that any requests for information by the Commission needs to be in writing. Chairman Harger stated that there appears to be a lack of cooperation on the part of the County Government.

Chairman Harger suggested that the Commission hold off on any formal written requests for information until January, 2006.

Mr. O'Connor stated he had asked the auditors for some information and was told the request had to go through Ms. Conrad. He then went to see Ms. Conrad and was handed the Right-to-Know Law.

The Pennsylvania Right-to-Know Act and County Controllars was presented to the Commission. Copy of the Right-to-Know Act is attached as part of the minutes. Ms Day suggested a meeting with Kathy Conrad, Chief Clerk and a subcommittee of the Commission could clear up any confusion and help pave the way for cooperation on both sides.

Errors and Omission Insurance:

Mr. Robinson stated he asked the Commissioners if the Study Commission was included on the errors and omission insurance policy. Commissioners Yost, Kyle and Bossert stated that the Commission was already covered on the policy. Commissioner Bossert then stated the Study Commission would need to submit a letter from their attorney asking for the information on errors and omissions insurance coverage. Mr. Robinson feels a letter from legal representation is spending money needlessly. Dr. McQuaid pointed out that both the Commissioners and the Study Commission need a paper trail.

Chairman Harger requested Ms. Day send a letter as the Commission Secretary to the Commissioners requesting written notification on whether the Commission is covered on Clinton County's Errors and Omissions Insurance Policy and what cost if any is associated with the coverage.

Procedure for Payment of Invoices:

Mr. O'Connor presented to the Commission a letter from the Commissioners' Office explaining their procedure for purchase orders and payment of invoices. Mr. O'Connor reported that the purchase orders need to be completed prior to spending any money.

Mr. O'Connor also presented a letter dated December 19, 2005 outlining the steps taken for payment of invoices that he requested from the Commissioner's Office signed by Ms. Conrad and Mr. O'Connor. The plan outline is as follows:

- Bills mailed to the Commission Treasurer.
- Treasurer obtains a second signature form the Chairman.
- Treasurer presents invoice to Commission to vote on.
- Treasurer presents approved invoice to Chief Clerk for approval by the County Commissioners. After approval, invoice will be forward to Accounts Payable for payment.

Mr. O'Connor made the motion to accept the procedure for payment of invoices as outlined in the letter dated December 19, 2005. Dr. McQuaid seconded the motion. Ms. Gardner took roll call vote on the motion as follows: 3 Yeas and 6 Nays. The Nays being Ms. Day, Mr. Hanna, Mr. Harger, Mr. Renninger, Mr. Robinson and Dr. Wise. The motion failed.

Ms. Day is concerned that a procedure had already been identified and now the Commissioners' Office changed the procedure. She then noted that via a letter from Mr. O'Connor that he had individually visited and changed the procedure with the Commissioner's office without the Study Commission's consent. Ms. Day stated that when Mr. O'Connor had told her of the change he indicated that it was the Commissioner's office that instituted the procedure and it appeared they were throwing up road blocks. She then apologized to the Commissioner's and Mrs. Conrad for any negative remarks she had made concerning them changing the Study Commission procedures since it was Mr. O'Connor who did so.

Ms. Meyer reviewed the previously identified procedure of a mailbox in the Commissioners' Office. The Commission Secretary will pick up the mail in a timely fashion. The Commission Secretary will present any invoices to the Commission for approval at the next regular meeting. After approval, Commission Treasurer will submit invoices to the County Clerk for payment out of the Commission line item established in the 2006 County Budget.

Mr. Renninger made a motion to approve the previously identified procedure for payment of invoices as stated above by Ms. Meyer. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote on the motion as follows: 8 Yeas and one Nay. The Nay being Mr. O'Connor.

Mr. O'Connor stated he would be submitting his resignation as Commission Treasurer. Chairman Harger asked Mr. O'Connor to take some time and think about this before he makes an official resignation

Approval of Invoices:

Mr. O'Connor reviewed the following invoices:

\$ 68.96 Express advertising
\$+24.46 Express advertising
\$+63.37 Radio Shack Invoice for tape recorder
\$ - 5.94 Radio Shack credit

\$148.85 Total Invoices

Mr. Robinson made a motion to approve the payment of the invoices totaling \$148.85. Ms. Meyer seconded the motion. Ms. Gardner took roll call vote on the motion as follows: 8 Yeas and one Nay. The Nay being Ms. Day.

Public Comment

Mr. Scott Johnson reiterated the following items:

- Ms. Day is compiling the letter to Kathy Conrad, Chief Clerk on the Errors and Omission Insurance and related costs.
- Recording Secretary's name, (Sheri Gardner), hourly rate of \$9.00 and how many hours per week. Mr. Renninger stated that the budget accounted for on the average 6 hours per week.
- Copy of Right-to-Know act: Commission Treasurer can provide a copy.

Comments of Members

Mr. Robinson stated that it is normal for such a Study Commission to have a rocky road at the beginning until procedures get out on the table.

Adjournment

The meeting was adjourned at 9:01 p.m. on a motion by Ms. Meyer, and seconded by Mr. O'Connor.

Deb Day, Secretary
Clinton County Government Study Commission

Srg