

**Clinton County Government Study Commission Meeting**  
**January 31, 2007**  
**Minutes**

**Call To Order:**

Chairman Dan Harger called the Commission to order at 6:37 p.m. at the Clinton County Education and Resource Center. The Pledge of Allegiance to the Flag was participated in by all present.

**Roll Call:**

Ms. Gardner took roll call as follows:

Present was: Ms. Deb Day, Mr. Mike Hanna arrived at 6:44 p.m., Mr. Dan Harger, Ms. June Houser left at 9:15 p.m., Dr. Kathleen McQuaid arrived at 7:11 p.m. and left at 8:44 p.m., Ms. Coreena Meyer left at 8:50 p.m., Mr. Richard Novosel, Mr. Terry O'Connor, Mr. Ernie Renninger and Mr. Les Robinson left at 8:20 p.m..

Absent was: Dr. Bob Wise.

Pennsylvania Economy League representative present was Mr. Charles Watters and Mr. Gerald Cross.

**Approve Agenda:**

***Mr. Robinson made a motion to approve the January 31, 2007 agenda as presented. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve the January 31, 2007 agenda was approved unanimously.***

**New and Continuing Business:**

First Draft - Summary of Major Provisions of the Recommended Home Rule Charter:

The PEL noted that this Summary will be part of the final report. Article VII still needs final approval before included in this Summary.

***Ms. Day made a motion to accept this Summary of Major Provisions keeping the over struck passage in Article IV- Administrative Branch/Appointed County Executive regarding the Executive's training and/or experience, folding in the revisions presented to Article VIII - Personnel Code and Article XIV - Transitional Provisions, and final approval of Article VII - Administrative Code.***

Clinton County Government Study Commission 01/31/07

Page 1 of 6

***Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the***

***motion to approve the Summary of Major Provisions was approved unanimously.***

**Charter Appendix:**

The PEL noted that the Appendix will appear after the Transitional Section and will have the district map included in the Section.

**Second Revised Drafts:**

The PEL stated that every typo, style, grammar, sentence structure, policy conflict, etc. needs to be identified. A Third Draft will be completed when the entire Second Draft is reviewed. Any changes to the Third Draft will be clearly identified to minimize the amount of reviewing of sections that do not have any changes associated with them.

**Changes to the Overall Charter:**

- Changing verbage from State Law to applicable law.
- Changing verbage regarding removal from office to “removal only by as stated in the Constitution.”
- In Definition Section add:
  - ✓ Executive refers to the Appointed County Executive.
  - ✓ The Clerk refers to the Clerk of the Legislative Body.
  - ✓ Legislative Body refers to County’s Legislative Body.
- Change to Vacancies: Judge shall give the oath of office to the person appointed or elected to fill a vacancy before the next regular meeting of the office being filled.
- Compensation figures will be added to all Articles.
- Changing verbage from County ordinance to County ordinance or resolution.
- Changing verbage to “All employees of the office shall be subject to County’s Accountability, Conduct and Ethics Code, Personnel Code and the Administrative Code.”
- Changing County Manager to Executive.

**Changes Specific to an Article:**

**Article II - Legislative Branch/County Legislative Body:**

- Section 2.01 - County Legislative Body - Change four (4) to one (1) member shall be elected by the voters from each of the four (4) established legislative districts within the County.
- Section 2.03 - Election and Term a. - add general to municipal election.
- Section 2.03 - Election and Term b. - Move to Transitional Section.
- Section 2.05 - Vacancies c. - Change or to of the district.
- Section 2.08 - Legislative Districts g. - Change date of changes in district boundaries to become effective January 1<sup>st</sup> of the year following adoption of census.
- Section 2.12 - Powers and Duties c. - Streamline section.

- Section 2.12 - Powers and Duties d. - Add and/or alter to establish fees charged by the County.
- Section 2.12 - Powers and Duties - Add a statement on power to declare emergency ordinances.
- Section 2.14 - Ordinance Requirement a. - Remove statement "Prior to the adoption of an ordinance, it may be amended, provided that the amendment is submitted in writing."
- Section 2.15 - Actions Requiring an Ordinance b 6. - Change elected to elective officials.
- Section 2.16 - Emergency Ordinances - Period missed and underscore needs taken out.
- Section 2.17 - Effective Date and Publication of Ordinances a. - Take effect 15 days after enactment: Need to change in Referendum Section petition to stop within 14 days.
- Section 2.17 - Effective Date and Publication of Ordinances b. - Streamline section.
- Section 2.19 - Limitations c. and d. - Remove "neither the County's Legislative Body."

#### Article III - Other Elected Officials:

- Section 3.03 - Election and Term b. - Move to Transitional Section. Add benefits to the statements regarding compensation for unexpired term. Change shall be exercised in concert to "The duties and responsibilities of the Elected Auditors shall not interfere or duplicate the duties of the Controller."
- Section 3.04 - Prohibitions b. - Keep the language specific to the District Attorney.
- Section 3.09 - Powers and Duties of the Controller c. - Change to read that the Controller shall convey all pertinent information and documentation to the District Attorney only if there is criminal activity involved.
- Section 3.09 - Powers and Duties of the Controller - Add language that the Controller will sign off on all checks.
- Sections on Powers and Duties - Add language that all Row Officers have the authority to recommend measures for action to the Legislative Body.

#### Article IV - Administrative Branch/Appointed County Executive:

Section 4.05 - Removal - Require the same vote requirements to hire and fire the Executive.

Section 4.07 - Powers and Duties of the Appointed County Executive e. - Streamline section.

Section 4.07 - Powers and Duties of the Appointed County Executive h. and i. - Remove dates.

Section 4.08 - Executive Appointments a. and b. - Repetitive - rework.

#### **Motions:**

**Article II - Legislative Branch/County Legislative Body, Section 2.18 Recording and Codification of Ordinances - Ms. Houser made the motion to change the codification of ordinances from within two (2) years of the effective date of Charter and at least every (4) years thereafter to and at least every eight (8) years thereafter. Ms. Meyer seconded the motion. Ms. Gardner took a roll call vote whereby the motion to accept the above stated change was approved as follows: Eight Yeas and Two Not-Participating: Mr. O'Connor and Dr. McQuaid.**

**Article III - Other Elected Officials, Section 3.02 Qualifications - Ms. Day made a motion to require all Row Officers to have been a resident of Clinton County for one (1) year immediately preceding the date of their election or appointment. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion to accept the above stated change was approved as follows: Nine Yeas and One Not-Participating: Dr. McQuaid.**

**Article III - Other Elected Officials, Section 3.11 Powers and Duties of the District Attorney a.- Ms. Day made a motion to remove the language requiring the District Attorney to try all cases that come before him. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion to accept the above stated change was approved as follows: Seven Yeas and One Nay: Mr. O'Connor and One Not-Participating: Dr. McQuaid.**

In reviewing Article III - Other Elected Officials, Section 3.15 Powers and Duties of the Treasurer, it was noted that the Treasurer receives a salary for Treasurer duties and a separate salary for Tax Claim duties. It was noted that when the base salaries were approved the Treasurer salary included both the Treasurer and Tax Claim salaries into one base salary.

**Ms. Day made a motion that the base salary for the Treasurer be changed to \$47,000. Ms. Houser seconded that motion. Ms. Gardner took a roll call vote whereby the motion to change the base salary of the Treasurer was approved as follows: Seven Yeas and One Nay: Mr. O'Connor and One Not-Participating: Dr. McQuaid.**

**Article IV - Administrative Branch/Appointed County Executive Section 4.07 - Powers and Duties of the Appointed County Executive e.: Mr. Hanna made a motion to remove the requirement of the Executive explaining in writing to the Legislative Body that he/she has suspended or removed the head of a department and the reasons for this action. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion to accept the above stated change was approved as follows: Six Yeas and One Nay: Mr. O'Connor.**

The PEL will make the revisions into a Third Draft. The PEL suggested that at the meeting where they present the Third Draft, the Commission be prepared to work on their key points of the Charter.

**Meeting Minutes of January 24, 2007:**

***Mr. Hanna made a motion to approve the meeting minutes of January 24, 2007 as presented. Mr. Renninger seconded the motion. Ms. Gardner took roll call vote whereby the motion to approve the January 24, 2007 minutes was approved unanimously.***

**Reports:**

Invoice Review:

Treasurer O'Connor presented invoices for approval totaling \$2,496.13 which included:

\$ 17.75 - Toner cartridge  
\$2,478.38 - PEL expenses

***Ms. Day made a motion to approve payment of the invoices totaling \$2,496.13. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve payment of the invoices totaling \$2,496.13 was approved unanimously.***

The Commission Members asked if Ms. Meyer had received any confirmation from the Commissioners Office on our 2007 budget figures. Report deferred to next meeting.

Mr. O'Connor recommended that the Report Section of the Agenda be moved to the beginning of the meeting so that the members will be able to give and/or hear the reports due to members leaving the meetings before the adjournment.

**Communication:**

The Commission members stated that it was appropriate at this time to start speaking at clubs and organizations using the Summary to promote the Home Rule Charter.

**Public Comment:**

It was noted that the appointed Executive is an instrument of the Legislative Body. it was also noted that District 4 is too large. Clinton County's distribution of population

makes district representation difficult. The public also felt that Prison Board is needed.

**Adjournment:**

**The meeting adjourned at 09:40 p.m.**

---

Deb Day, Secretary  
Clinton County Government Study Commission

srg