

Clinton County Government Study Commission Meeting
November 15, 2006
Minutes

Call To Order:

Vice-Chairman Mike Hanna called the Commission to order at 7:03 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 were: Ms. Deb Day, Mr. Mike Hanna, Mr. Daniel Harger arrived 8:00 p.m., Dr. Kathleen McQuaid left at 9:00 p.m., Mr. Richard Novosel, Mr. Ernie Renninger, Mr. Les Robinson and Dr. Robert Wise.

Absent was: Ms. June Houser, and Ms. Coreena Meyer.

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

Approve Agenda:

Mr. Robinson made a motion to move a. Open Discussion on Form of Government under New and Continuing Business to d. under New and Continuing Business on the November 15, 2006 agenda. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion to a. Open Discussion on Form of Government under New and Continuing Business to d. under New and Continuing Business on the November 15, 2006 agenda was approved unanimously.

New and Continuing Business:

Basic Questions Relative to the Position of District Attorney Continued:

The PEL gave the Commission a short summary of how the other Charter Counties fill the vacancy of a District Attorney.

Question 9: Mr. Robinson made the motion that a permanent vacancy of the District Attorney be filled by the Legislative Body. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 10: Mr. Novosel made the motion that the permanent vacancy of the District Attorney be filled until the next municipal primary or general election. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 11: Mr. Renninger made the motion that the permanent vacancy appointment of the District Attorney is not required to be filled by a person of the same political party as the person he/she succeeds. Dr. Wise seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Five Yeas: Mr. Hanna, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Three Nays: Ms. Day, Dr. McQuaid and Mr. O'Connor.

Question 12: Mr. Robinson made the motion that if the Legislative Body fails to fill the permanent vacancy of the District Attorney within 30 days, the Courts will fill the permanent vacancy. Mr. Renninger seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Questions 13, 14 and 15 were tabled.

Question 16: Mr. O'Connor made the motion that the District Attorney will be entitled to necessary expenses. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 17 was tabled to allow for the collection of necessary information to make an informed decision.

Proforma "Conditional" Article on Recall:

It is understood that recall is unconstitutional at this point in time, but will be included in the Charter in the event that recall becomes allowed under the Constitution in the future.

There was extensive discussion regarding the formulas used for signatures required to get recall, initiative and referendum on a ballot. The different percentages used with the different elections depend upon how hard or how easy you would like items to be placed on a ballot.

Mr. Robinson made the motion that the signature percentage of voting figures used in the petition formulas will be based on the total number of votes cast for any county-wide office in the municipal election. Ms. Day seconded the motion.

Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Mr. O'Connor.

Ms. Day made the motion that 25% of the total number of votes cast for any county-wide office in the election where officer, whose recall is being demanded, was elected into office is the required signature amount needed to get the petition on the ballot. Mr. Harger seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Mr. O'Connor.

Mr. Robinson made the motion that Section 2 Items a. b. c. d. e. f. g. h and I be approved. Mr. Harger seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Mr. O'Connor.

Mr. Robinson made the motion that Section 3 Items a. b. c. d. and e. be approved. Mr. Harger seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Mr. O'Connor.

The Commission decided to defer the Proforma on Initiative and Referendum until the next meeting.

Discussion on the Form of Government:

Commission Members stated that the public has a misunderstanding of decisions made by them due to misrepresentation and being unaware of the information obtained by the Commission to make these decisions. The Commission feels they need to start promoting the Charter such as showing where money will be saved, positions will be cut, professional individuals will be hired and the checks and balances that will be available in the Legislative Body/Elected Executive model chosen by the Commission.

The Commission decided to take another vote on the Form of Government with this being the last time this decision is revisited. Whatever the outcome of the vote, all members will work together to finish the Charter and be proactive regarding the decisions made.

Mr. Renninger made the motion to adopt the Council/Manager form of government instead of the Legislative/Executive form previously approved. Dr. Wise seconded the motion. Ms. Gardner took roll call vote whereby the motion to

adopt the Council/Manager form of government failed on a vote of Four Yeas: Mr. Harger, Mr. Renninger Mr. Robinson and Dr. Wise and Four Nays: Ms. Day, Mr. Hanna, Mr. Novosel and Mr. O'Connor.

The PEL stated that the Commission is not in a position yet to sell the Charter, a bigger part of the picture needs to be completed particularly the Budget and Finance Section. The Commission should have a pretty good picture of the Charter by the end of December.

The PEL asked the Commission to read the Proforma Article on Purchasing Procedures - a Subpart of Administrative Code, Proforma Article on Personnel Code and Proforma Article on Accountability, Conduct and Ethics before the next meeting. The PEL will also have available a salary summary for the various offices and the completed Articles for Managing Director, Executive, Elected Officials, Legislative Body and Recall.

Meeting Minutes of November 1 and 8, 2006:

Mr. Novosel made a motion to approve the meeting minutes of November 1 and 8, 2006 as presented. Mr. Robinson seconded the motion. Ms. Gardner took roll call vote whereby the motion to approve the November 1 and 8, 2006 minutes as presented was approved unanimously.

Reports:

Invoice Review:

Treasurer O'Connor presented an invoice for \$16.42 for advertising.

Mr. Harger made a motion to approve payment of the invoice totaling \$16.42. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve payment of the invoice totaling \$16.42 was approved unanimously.

Budget Hearing:

Treasurer O'Connor reported that the Study Commission's 2007 budget hearing with the County Commissioners scheduled for Thursday, November 16, 2006 at 1:30 p.m. was changed to 1:00 p.m.

Members:

Ms. Day made a motion that a letter be sent to Ms. Coreena Meyer asking what her future intentions are regarding participation in the Study Commission. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve sending a letter to Ms. Meyer regarding her participation in the Study Commission was as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Mr. O'Connor.

Public Comment:

There was no public comment.

Adjournment:

The meeting adjourned at 10:10 p.m.

Deb Day, Secretary
Clinton County Government Study Commission

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