

**Clinton County Government Study Commission Meeting
September 20, 2007
Minutes**

Call To Order:

Chairman Mike Hanna called the Commission to order at 7:00 p.m. at the Clinton County Courthouse. 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. Dan Harger., Ms. June Houser, Dr. Kathleen McQuaid, Mr. Richard Novosel, Mr. Terry O'Connor, Mr. Ernie Renninger, and Mr. Les Robinson. .

Absent were: Ms. Coreena Meyer and Dr. Bob Wise.

Guest: Mr. Larry Coploff

Approve Agenda:

Mr. Robinson made a motion to move Executive session to Item 5 and on the September 10, 2007 agenda and approve agenda. Mr. Harger seconded the motion. Ms. Gardner took a roll call vote whereby the motion to move Executive session to Item 5 and on the September 10, 2007 agenda and approve agenda was approved unanimously.

The Study Commission was in Executive Session from this point until 7:40 p.m.

New and Continuing Business:

Chairman Hanna announced that a Request for Check submitted to the County Commissioners for the bulk mailing permit fee was returned with the notation "Please be

advised - speak with our solicitor.”

Mandamus Act:

Chairman Hanna asked Mr. Coploff, Study Commission’s solicitor to review the aspects of the Mandamus Act. Mr. Coploff stated a Writ of Mandamus can be initiated against any government authority or employee who is in violation of a mandate. The Courts can force the mandate be performed. Mr. Coploff would need to present the information to the District Attorney of Clinton County. The DA will review the information and make a decision on whether there is cause to initiate a Writ of Mandamus. The Mandamus Act allows for the suit to flow expediently since the Study commission has a time constraint. Mr. Coploff noted that the County Solicitor stated at the Commissioners’ meeting earlier today that the Commissioners can agree to pay for the mailing; it would be up to the Commissioners’ discretion. Dr. McQuaid suggested there are other ways to distribute the Charter Summary other than mailing the information to all residents of Clinton County.

Ms. Houser made a motion to authorize the Study Commission’s solicitor to initiate the process for a Writ of Mandamus Act Suit. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion to authorize the Study Commission’s solicitor to initiate the process for a Writ of Mandamus Act Suit was approved by a vote of seven Yeas and two Nays: Dr. McQuaid and Mr. O’Connor.

Minority Report Summary:

Study Commission discussed the possibility of adding a summary of the Minority Report to the Summary of the Home Rule Charter Report and mailing this to the residents of Clinton County.

Ms. Day made a motion to authorize the Study Commission’s solicitor to negotiate with the Commissioners’ solicitor regarding the Study Commission adding a Summary of the Minority Report to the Summary of the Home Rule Charter Report, if the Commissioners agree to pay for the printing and mailing costs to all homes in Clinton County. Ms. Houser seconded the motion. Ms.

Gardner took a roll call vote whereby the motion to authorize the Study Commission's solicitor to negotiate with the Commissioners' solicitor regarding the Study Commission adding a Summary of the Minority Report to the Summary of the Home Rule Charter Report, if the Commissioners agree to pay for the printing and mailing costs to all homes in Clinton County was approved by a vote of seven Yeas and two Nays: Dr. McQuaid and Mr. O'Connor.

The Study Commission agreed to look at any Summary of the Minority Report presented at the meeting on September 26, 2007. Several Study Commission members noted that the last sentence of the Minority Report has caused concern for them. It was noted that the Study Commission cannot advocate for or against the Home Rule Charter.

Mr. Coploff will speak with the DA and the Commissioners' solicitor about both issues on Friday.

Public Comment:

Public asked why not have two mailings, one for the Charter Summary and one for the Minority Report or have no mailing at all; just make the information available on the website. It was noted two mailings would not be cost effective and not everyone in the County has access to a computer.

Adjournment:

The meeting adjourned at 08:21 p.m. on a motion by Mr. Robinson and seconded by Ms. Day

Deb Day, Secretary
Clinton County Government Study Commission

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