

Clinton County Government Study Commission Meeting
September 27, 2006
Minutes

Call To Order:

Chairman Dan Harger called the Commission to order at 7:02 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, Ms. June Houser arrived at 8:16 p.m., Dr. Kathleen McQuaid, Mr. Richard Novosel, Mr. Terry O'Connor, and Mr. Les Robinson

Absent was: Ms. Coreena Meyer, Mr. Ernie Renninger, and Dr. Robert Wise.

Pennsylvania Economy League representatives present were Mr. Charles Watters and Mr. Gerald Cross.

Approve Agenda:

Mr. O'Connor made a motion to approve the Agenda as presented. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve the September 27, 2006 Agenda as presented was approved unanimously.

Meeting Minutes of September 20, 2006:

Mr. Robinson made a motion to approve the meeting minutes of September 20, 2006 as presented. Mr. Hanna seconded the motion. Ms. Gardner took roll call vote whereby the motion to approve the September 20, 2006 minutes as presented was approved unanimously.

Reports:

Invoice Review:

Treasurer O'Connor presented an invoice for the Recording Secretary's hours totaling \$164.25.

Ms. Day made a motion to approve payment of the invoices totaling \$164.25. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve payment of the invoice totaling \$164.25 was approved unanimously.

Communication:

Treasurer O'Connor reported that Ms. Conrad, Clinton County Chief Clerk has cancelled the budget hearing the Commission had scheduled for September 29, 2006. Ms. Conrad stated that she would be contacting him to reschedule the budget hearing.

Commission members asked if any letter had been received from the County Commissioners requesting a meeting to discuss the future of Clinton County. No request has been received to-date. Members of the press thought the intent was for the Commission to request a meeting with the Commissioners.

Mr. O'Connor made a motion to request the Clinton County Commissioners to attend the next Commission Meeting for an open discussion on the future of County Government. Dr. McQuaid seconded the motion. Ms. Gardner took a roll call vote whereby the motion to request the Clinton County Commissioners to attend the next Commission Meeting for an open discussion on the future of County Government was approved unanimously.

Secretary Day will make this request in writing as soon as possible. The Commission noted that they will not disband; they have every intent to finish the work they started.

Member and Public Communication:

Chairman Harger reported that has spoken to Coreena Meyer who stated that she is not able to attend any meetings in September but will be attending future meetings.

Chairman Harger read the letter from Dr. Wise stating that he would not be able to attend the next three meetings. Dr. Wise put his thoughts in the letter on how the three options available to the Commission for the structure of the government.

Mr. Richard Morris sent a letter to the Commission on his thoughts regarding different subjects that the Commission will be discussing in the weeks ahead.

Dr. McQuaid made a motion that all written communication to the Commission be made available on the website. Mr. O'Connor seconded the motion Ms. Gardner took a roll call vote whereby the motion to have all written communication to the Commission be made available on the website was approved unanimously.

Old Business:

Nothing to report at this time.

New and Continuing Business:

Form of Government Continued Discussion:

Commission Members discussed whether the straw vote taken at the meeting on September 20 should stand or whether another vote should be taken on the elected or hired executive. The PEL reiterated the fact that this is the initial decision to be made and will affect the tone of the charter. The PEL explained why the decision mechanism for the writing of the charter is called “straw vote.” The decisions being made in the next months is fluid, can be changed and only requires a majority vote of the Commission members present at that particular meeting. The only decision that requires a formal vote and a majority of the entire Commission Memberships will be the final decision on accepting the end product of the Home Rule Charter. It was determined that each straw vote requires a motion, second to the motion, roll call and record of outcome.

The Commission decided to take another vote on the elected or hired executive decision.

Mr. Robinson made a motion to accept the Elected Executive/Council form of government. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion to accept the Elected Executive/Council form of government was approved on a vote of 6 Yeas: Ms. Day, Mr. Harger, Mr. Hanna, Mr. Novosel, Mr. O’Connor and Mr. Robinson, and One Nay being Dr. McQuaid.

The PEL instructed the Commission to turn to Page 3 of their Policy Questions for Consideration Relative to the Basic Structure of Government Under a Home Rule Charter. Page 3 of the document has questions regarding the structure of the Elected County Executive. There are 22 questions in this section with 2 more suggested by Dr. McQuaid on the budget authority process and removal from office.

Question 1: Ms. Day made the motion that the powers and duties include those normally vested in the general duties and responsibilities of a County Executive. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Harger, Mr. Hanna, Mr. Novosel, Mr. O’Connor and Mr. Robinson and Dr. McQuaid is not participating in the voting process.

Question 2: Mr. Harger made a motion that the County Executive should be at least 25 years of age. Ms. Day seconded the motion.

Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven

Yeas: Ms. Day, Mr. Harger, Mr. Hanna, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson and Dr. McQuaid is not participating in the voting process.

Question 3: Mr. Harger made a motion that the County Executive should reside in Clinton County one year prior to election. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, One Nay being Mr. Hanna and Dr. McQuaid is not participating in the voting process.

Question 4: Mr. Harger made a motion that the County Executive should have a two year term of office. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion failed as follows: Four Yeas: Ms. Day, Mr. Hanna, Mr. Harger and Mr. Robinson, Three Nays being Ms. Houser, Mr. Novosel and Mr. O'Connor, and Dr. McQuaid is not participating in the voting process.

Question 4: Mr. O'Connor made a motion that the County Executive should have a four year term of office. Ms. Houser seconded the motion. Ms. Gardner took a roll call vote whereby the motion failed as follows: Three Yeas: Ms. Houser, Mr. Novosel and Mr. O'Connor, Four Nays: Ms. Day, Mr. Hanna, Mr. Harger and Mr. Robinson and Dr. McQuaid is not participating in the voting process

The PEL suggested the Commission think this decision through and revisit at the next meeting.

Question 5 was tabled until the next meeting.

Question 6: Mr. Robinson made a motion that the County Executive shall be restricted from holding any other public or political office. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Question 7: Ms. Day made a motion that the County Executive be required to serve "full-time." Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Question 8: Ms. Day made a motion that the County Executive be restricted from engaging in any other business or occupation during regular county business hours. Mr. Robinson seconded the motion.

Ms. Gardner took a roll call vote whereby the motion passed as follows: Six

Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, and Mr. Robinson, One Nay: Mr. O'Connor and Dr. McQuaid is not participating in the voting process.

Question 9 was tabled until the next meeting.

Question 10: Mr. Robinson made a motion that the County Executive's compensation will be changed by: "The Legislators by majority vote can raise the salary of the County Executive for the next term. " Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, and Mr. Robinson, One Nay: Mr. O'Connor and Dr. McQuaid is not participating in the voting process.

Question 11: Mr. Robinson made a motion that the County Executive will receive fringe benefits including retirement benefits. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, and Mr. Robinson, One Nay: Mr. O'Connor and Dr. McQuaid is not participating in the voting process.

Question 12: Mr. Robinson made a motion that there will be an Acting Executive to serve during the absence or inability of the County Executive. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor, and Mr. Robinson, One Not Available: Ms. Day and Dr. McQuaid is not participating in the voting process.

Question 13: Mr. Hanna made a motion that the appointment of the Acting Executive requires the approval of the Council. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor, and Mr. Robinson, One Not Available: Ms. Day and Dr. McQuaid is not participating in the voting process.

Question 14 was tabled until the next meeting.

Question 15: Mr. Robinson made a motion that if the term of the County Executive is filled by appointment, the Council will make that appointment. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor, and Mr. Robinson and Dr. McQuaid is not participating in the voting process.

Question 16: Ms. Houser made a motion that anyone appointed to a vacant position will be of the same political party as the person last elected to the office.

Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Hanna, Ms. Houser, Mr. Novosel, Mr. O'Connor, and Mr. Robinson, One Nay: Mr. Harger and Dr. McQuaid is not participating in the voting process.

Question 17: Mr. Hanna made a motion that the County Executive shall have the approval of Council for the appointment of Department Heads and members of County Boards, Authorities and Commissions. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Seven Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor, and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Question 18: Mr. Hanna made a motion that the County Executive shall have the power to veto legislation passed by the Council. Ms. Houser seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, and Mr. Robinson, One Nay: Mr. O'Connor, and Dr. McQuaid is not participating in the voting process.

Question 19: Ms. Houser made a motion that the County Executive veto power shall include budget item veto. 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, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Question 20: Mr. O'Connor made a motion that the Council can override the County Executive's veto by a 2/3 majority vote. 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. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Question 21: Mr. Harger made a motion that there will be a "County Manager" under the elected County Executive. 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. Harger, Ms. Houser, Mr. Novosel, Mr. O'Connor and Mr. Robinson, and Dr. McQuaid is not participating in the voting process.

Questions 22, 23 and 24 will be addressed at the next meeting.

The PEL stated that each week as decisions are made regarding the structure of the charter, they will write the charter based on the decisions and bring back to the Commission for review.

The PEL will be providing the same questions format for structuring the Legislative Council of the Home Rule Charter.

Public Comment:

Nothing to report at this time.

Adjournment:

Mr. O'Connor made a motion to adjourn the meeting at 9:35 p.m. Mr. Harger seconded the motion.

Deb Day, Secretary
Clinton County Government Study Commission

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