

Clinton County Government Study Commission Meeting
December 6, 2006
Minutes

Call To Order:

Chairman Dan Harger called the Commission to order at 7:00 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, Dr. Kathleen McQuaid left at 9:25 p.m., Ms. Coreena Meyer, Mr. Richard Novosel, Mr. Terry O'Connor, Mr. Ernie Renninger, Mr. Les Robinson and Dr. Robert Wise.

Absent was: Ms. June Houser.

Pennsylvania Economy League representative present was Mr. Charles Watters, Mr. Harry Miller, and Mr. Joe Boyle.

Approve Agenda:

Mr. O'Connor made a motion to approved the December 6, 2006 agenda as presented. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion to approve the December 6, 2006 agenda as presented was approved unanimously.

New and Continuing Business:

Basic Questions for Consideration Relative to Budget and Finance:

Question 1: Mr. O'Connor made a motion that the fiscal year remains January 1 to December 31. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 2: Ms. Day made a motion that the annual operating budget be

presented to the legislative body by the County Executive by October 1. Dr. McQuaid seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed unanimously.

Question 3: Ms. Day made a motion that the budget be a complete and balanced financial plan for the County consisting of an operating and capital budget including revenues and expenditures of all relevant funds and all tax levies and other resources necessary to produce revenues. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 4: Mr. Hanna made a motion that the County Executive will submit a simple, clear general summary of the detailed contents of the budget. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 5: Ms. Day made a motion that the Charter will provide additional details of the budget format. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 6: Mr. Robinson made a motion that the proposed budget will be available for public inspection for 30 days. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Eight Yeas: Ms. Day, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise, One Nay: Mr. Hanna, and One None Participation: Dr. McQuaid.

Question 7: Mr. Robinson made a motion that the Legislative Body will hold a special public hearing on the budget. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 8: Ms. Day made a motion that the absolute final date for approval of the budget will be December 15. Mr. Hanna seconded the

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

Question 9: Ms. Day made a motion that the if the budget is not approved by December 15, the prior year's budget remains in effect. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 10. a: Mr. Robinson made a motion that the Legislative Body be allowed by ordinance to make changes in the budget. Ms. Meyer seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Dr. McQuaid, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Mr. O'Connor.

Question 10. b: Mr. Robinson made a motion that if the Legislative Body wants to make changes in the budget by 5% or more in any department, a public hearing is required to take place. Ms. Meyer seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Dr. McQuaid, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Mr. O'Connor.

Question 11: Mr. Robinson made a motion that the County Executive can make changes in the budget up to 1% in any department. Dr. Wise seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Mr. Harger, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and Four Nays: Ms. Day, Mr. Hanna, Ms. Meyer, Dr. McQuaid.

Question 12: Mr. Robinson made a motion that emergency appropriations need to be clearly defined. Mr. O'Connor seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One Nay: Dr. McQuaid.

Question 13. a: Mr. O'Connor made a motion that the County Executive will draft a comprehensive long range (3-5 year) plan for consideration and adoption by the Legislative Body. Mr. Novosel seconded the motion. Ms.

Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 13. b: Ms. Day made a motion that the Charter will mandate that a detailed description of the comprehensive long range (3-5 year) plan be provided for in the Administrative Code. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Eight Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Ms. Meyer.

Question 14: Mr. O'Connor made a motion that the Charter will mandate that a detailed description of accepted accounting principles be provided for in the Administrative Code. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 15.a: Mr. Robinson made a motion that the Legislative Body will annually retain a CPA to make an independent post audit of the County's financial records and actions. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 15.b: Ms. Meyer made a motion that the County's audit can be performed by the same CPA firm for up to four consecutive years. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Mr. O'Connor made a motion that the annual independent audit is required to be completed by April 1. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr.

McQuaid.

Basic Questions for Consideration Relative to the Position of Controller:

Question 1: Mr. Novosel made a motion that there will be an elected Controller. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Eight Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise and Two Nays: Dr. McQuaid and Mr. O'Connor.

Question 2: Mr. Robinson made a motion that the term of office for the Controller will be 4 years. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 3: Mr. Hanna made a motion that there will be no limitations on the number of terms for the Controller. 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, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, One Nay: Mr. O'Connor and Two None Participations: Dr. McQuaid and Ms. Meyer.

Question 4: Mr. Novosel made a motion that the Controller will be a citizen of the United States and a registered voter. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 5: Mr. Renninger made a motion that the Controller will be at least 21 years of age. Mr. Novosel seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 6: Mr. Renninger made a motion that the Controller will be required to live in the County for one year prior to elect, appointment or taking of the office. 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. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, One Nay: Mr. O'Connor and Two None Participations: Dr. McQuaid

and Ms. Meyer.

Questions 7 and 8 are on hold.

Questions XA, XB, XC, XD, XE are tabled.

Question 9: Mr. O'Connor made a motion that a permanent vacancy of the Controller will be filled by the Legislative Body. Ms. Day seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Six Yeas: Ms. Day, Mr. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, and Three Nays: Mr. Hanna, Dr. McQuaid and Ms. Meyer.

Question 10: Mr. O'Connor made a motion that a permanent vacancy of the Controller will be filled until the next municipal primary or general election. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 11: Ms. Day made a motion that the person filling the vacancy of the Controller by appointment shall be of the same political party as the person he/she succeeds. Mr. Hanna seconded the motion. Ms. Gardner took a roll call vote whereby the motion failed as follows: Five Yeas: Ms. Day, Mr. Hanna, Dr. McQuaid, Mr. Novosel, and Mr. Robinson and Five Nays: Mr. Harger, Ms. Meyer, Mr. O'Connor, Mr. Renninger, and Dr. Wise.

Question 11: Dr. McQuaid made a motion that the person filling the vacancy of the Controller by appointment shall be of the same political party as the person he/she succeeds. 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, Dr. McQuaid, Ms. Meyer, Mr. Novosel, Mr. O'Connor, and Mr. Robinson and Three Nays: Mr. Harger, Mr. Renninger, and Dr. Wise.

Question 12: Mr. O'Connor made a motion that if the Legislative Body fails to fill a permanent vacancy of the Controller within 30 days, the Courts will fill the vacancy. Mr. Robinson seconded the motion. Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.

Question 13 was tabled.

Question 14 shall state the same mechanism for changing compensation as the other Elected Officials.

Question 15.a: Ms. Day made a motion that the Controller, if full time, shall receive fringe benefits. 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, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, One Nay: Mr. O'Connor and Two None Participations: Dr. McQuaid and Ms. Meyer.*

Question 15.b: Mr. Robinson made a motion that the Controller, if part time, shall not receive fringe benefits. Ms. Day seconded the motion. *Ms. Gardner took a roll call vote whereby the motion passed as follows: Nine Yeas: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Meyer, Mr. Novosel, Mr. O'Connor, Mr. Renninger, Mr. Robinson and Dr. Wise and One None Participation: Dr. McQuaid.*

Question 16: Mr. Robinson made a motion that the Controller be entitled to necessary expenses. 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. Harger, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, Three Nays: Dr. McQuaid, Ms. Meyer, and Mr. O'Connor.*

Question 17: Ms Day made a motion that the Controller's duties shall be to monitor and approve spending to insure money is spent in conformance with the budget and payments are in conformance with contractual and state law. 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, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise, One Nay: Mr. O'Connor and Two None Participations: Dr. McQuaid and Ms. Meyer.*

Meeting Minutes of November 29, 2006:

Mr. Hanna made a motion to approve the meeting minutes of November 29, 2006 with the following change:

Under Proforma Article on a Personnel Code with the following Changes: Section .12 Political Activity, b. Political Activities Prohibited: Move Numbers 1, 2, 3, 4, 6, 7, 9, 10, 11 and 13 to Section .12 Political Activity, a. Permitted Political Activity; remove Number 3 from the listing of numbers to move to Section 12. a.

Mr. Robinson seconded the motion. Ms. Gardner took roll call vote whereby the motion to approve the November 29, 2006 minutes with the change as stated above was approved unanimously.

The PEL asked the Commission to read for review at the next meeting:

1. First Revised Draft - Article - Initiative and Referendum
2. First Revised Draft - Article - Purchasing Procedures (subpart of Administrative Code)
3. First Revised Draft - Article - Accountability, Conduct and Ethics
4. First Revised Draft - Article - Personnel Code
5. Proforma Article on Authorities, Boards and Commissions

The PEL also gave the Study Commission basic information regarding the bidding process.

Reports:

Invoice Review:

There were no invoices for approval.

Public Comment:

The public commented on having the Controller election staggered from the Legislative Council and that October 1 may be too early for the budget process.

Adjournment:

The meeting adjourned at 09:50 p.m.

Deb Day, Secretary
Clinton County Government Study Commission

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