

**CLINTON COUNTY GOVERNMENT STUDY COMMISSION
ORGANIZATIONAL MEETING
NOVEMBER 30, 2005**

The Clinton County Government Study Commission met for the initial and organizational meeting this date at six-thirty o'clock (6:30) P.M. in the third floor meeting room of the Clinton County Courthouse. Members of the Committee present were: Ms. Debra R. Day, Mr. Michael K. Hanna, Jr., Mr. Daniel Harger, Ms. June L. Houser, Ms. Kathleen McQuaid, Ms. Coreena M. Meyer, Mr. Richard Novosel, Mr. Terry D. O'Connor, Mr. Ernest E. Renninger, Mr. Lester Robinson and Dr. Robert C. Wise.

Prior to convening the meeting, and without the election of a Chairman Pro-Tem, Mr. Robinson called for nominations for the election of Officers of the Clinton County Government Study Commission. At this time, Ms. Kathleen McQuaid read a prepared statement indicating, among other things, her displeasure with the advertisement published prior to the General Election and that the Chair of this Committee should represent the mission, intent and best interest of the full Committee. She noted that the advertisement placed in the name of the Committee was not a product of the full Committee and was "unfortunate" in its content. She suggested that no Member having any knowledge or part in the publishing of the article be elected as Chair of this Committee. She cautioned the Committee to be mindful of their commitment and goals and not send the wrong message to those they were elected to serve. Her comments indicated a need for the proper decorum of the Board and to maintain the respect of the citizens of the County.

ELECTION OF OFFICERS

Nominations for the election of Officers of the Committee were then opened and results were as follows:

Chairman

Ms. Houser moved that Mr. Hanna be elected as Chairman; the motion was seconded by Ms. Meyer. Prior to the vote, Mr. Hanna respectfully declined the nomination indicating that he is seeking full time employment and would not be able to devote the time necessary to fulfill the requirement of the Chair position. He did, however, indicate that he would be willing to accept a Vice-Chair position if nominated)

Mr. Robinson then nominated Mr. Harger as Chair; Dr. Wise seconded the motion.

Ms. McQuaid was nominated for the Chair position by Mr. O'Connor and the motion was seconded by Mr. Robinson.

Nomination for Chairman were then closed on motion of Ms. Houser and seconded by Mr. Robinson.

Roll call votes for the position of Chairman were as follows:

Mr. Harger received eight (8) Aye votes to three (3) Nays. Those Members voting in the negative were: Ms. McQuaid, Ms. Meyer and Mr. O'Connor. *(Mr. O'Connor, sometime later in the meeting, requested that the Secretary change his initial vote on this issue to affirmative and in support of the Chairman)*

Ms. McQuaid received three (3) affirmative votes and eighty (8) negative votes. Those voting in the negative were: Ms. Day, Mr. Hanna, Mr. Harger, Ms. Houser, Mr. Novosel, Mr. Renninger, Mr. Robinson and Dr. Wise.

The Recording Secretary then was instructed to cast the ballot for Mr. Daniel Harger as Chairman.

Vice-Chairman

Nominations were then opened for the position of Vice-Chairman of the Commission.

Mr. Houser nominated Ms. Hanna for the position of Vice-Chair; the motion was seconded by Mr. Robinson. Nominations were then closed on motion of Ms. Houser, seconded by Ms. Day. A roll call vote was taken and the vote was unanimously in the affirmative for this nomination.

The Recording Secretary then was instructed to cast the ballot for Mr. Michael K. Hanna, Jr. as Vice-Chairman.

Secretary

Mr. Renninger then nominated Ms. Day for the position of Secretary of the Commission; the motion was seconded by Mr. Robinson. Nominations were then closed on motion of Ms. Houser; seconded by Mr. Hanna. Upon call of the roll, the nomination of Ms. Day was unanimously approved.

The Recording Secretary then was instructed to cast the ballot for Ms. Debra R. Day as Secretary.

Treasurer

Mr. O'Connor was nominated by Ms. Day for the position of Treasurer of the Commission; the motion was seconded by Ms. Meyer. Nominations were closed by motion of Ms. Houser, seconded by Mr. Hanna. Roll was called and Mr. O'Connor was unanimously approved for the position of Treasurer.

The Recording Secretary then was instructed to cast the ballot for Mr. Terry O'Connor as Treasurer.

BOARD COMMENTS

The Commission Members and Officers having been seated, Chairman Harger presented some brief personal comments as to the role and intent of the Committee and noted that the Commission will work in the best interest of the County. He then requested that each Member introduce themselves to the public in attendance.

Each Member of the Commission offered comments on varying topics from their purposes in seeking election to this Committee, histories of their respective employments, involvement in other Boards, Commission and Committees, and their individual strengths and talents which will be beneficial to the Committee.

Several of Members alluded to past differences of the Commission Members and the need to now work together for the good of the citizens of the County. Also noted was that the mission of the Commission is to "study" the form of County Government, not necessarily "change" it. Caution was placed on the making the Commission's actions political and/or personal. The overall statement by all Members, however, was to be mindful of the County's best interests throughout their mission.

MEETING DATES/TIMES

Mr. O'Connor moved that the Secretary advertise for and meet on December 7, December 14 and again December 21, 2005 at six-thirty o'clock (6:30) P.M. in this meeting room. *The motion died for lack of second.*

Discussion was then held on the need to advertise the meetings and the need to maintain a regularly scheduled day of the week and time for ease of the Commission Members and the public wishing to attend as well.

It was then moved by Ms. Houser that the Secretary advertise for and meet on the first and third Wednesdays of each month, beginning December 2005, for the next six (6) months, at seven o'clock (7:00) P.M.. The motion was seconded by Mr. Renninger and carried unanimously.

The above motion was then amended to include that the meetings be limited to a two-hour timeframe. Ms. Houser and Mr. Renninger agreed to amend their motion and second; all Commission meeting, then, will terminate at nine o'clock (9:00) p.m.

ESTABLISHMENT OF COMMITTEES

Mr. Harger asked if Commission Members had any ideas on how they wished to proceed with handling the Commission's considerable workload. He indicated the need to study the administrative and financial arms of the County as well as all other aspects of the County operation, particularly the Budget process and administration of that Budget. He suggested establishment of Committees to assist in the process. The consensus seemed to be that Commission Members agreed with the Committee concept.

Mr. O'Connor opined that the Commission should have separate Committees to accommodate the efficiency of the Commission in their appointed task. He, however, indicated that the Members also need to have trust in each other and share the information from these Committee meetings with the full Committee. He indicated further that this Commission should learn from other Commissions in different counties. He noted that the Commission needs funding from which to operate and needs be mindful of not using those funds only to find a shortfall when the Commission is ready to publish their findings and recommendations. Ms. McQuaid agreed with Mr. O'Connor's comments and noted that Luzerne County reported this experience at the point they were prepared to finalize and advertise their Study Commission results.

County Commissioner Richard Kyle was in attendance and, in response to a questions concerning Budget matters, indicated that the Commissioners have currently appropriated Fifty Thousand (\$50,000.00) Dollars in their proposed 2006 Budget for Commission activities. He indicated the need for the Study Commission to provide the County with their projects for a proposed Budget for activities of the Study Commission for that same timeframe, if not beyond. He indicated that the County is prepared to assist this Commission however possible and prudent.

Mr. Harger suggested that, at a minimum, the Commission establish two (2) Committees; one (1) Administrative Committee and one (1) Financial Committee. He suggested that following their individual meetings, those Committees simply report back to the full Study Commission with their information, etc. Mr. O'Connor indicated that all Members of the Study Commission attend each of the separate Committee meetings. He was reminded that if a majority of the Study Commission is present at a Committee meeting this would violate the

Sunshine Law in that when a majority of Study Commission Members meet they are required to have the meeting advertised.

Following further, considerable discussion and Mr. O'Connor's suggesting that the Finance Committee focus on budgeting and auditing matters, *Ms. Meyer moved that the Commission establish an Administrative Committee and a Financial Committee (specifically budgeting and auditing issues). The motion was duly seconded by Ms. Houser and carried with the sole negative vote cast by Mr. O'Connor.*

Administrative Committee Membership

Chairman Harger then appointed Dr. Wise, Mr. Novosel, Mr. Robinson, Ms. Day and Mr. Hanna to serve on the Administrative Committee of the Study Commission.

Financial Committee Membership

The Chair appointed Mr. Renninger, Ms. Meyer and Mr. O'Connor to the Financial Committee for the Commission.

RULES OF CONDUCT/COMMISSION MEETINGS

Mr. O'Connor then moved that the Commission be governed and operate under the Robert's Rules of Order. The motion was seconded by Ms. Houser and carried unanimously on voice vote of the Committee.

FUTURE COMMISSION MEMBERSHIP

The topic of appointing Alternate Member(s) to the Commission was broached indicated a need to have person(s) knowledgeable of Commission activities in the event an elected Member is unable to fulfill their term(s). Considerable discussion ensued on this matter and Mr. O'Connor recommended that a Policy governing future Commission membership be established. *Mr. O'Connor then moved that any such vacancy not be filled in that any such person appointed would not have been elected by County voters.* Ms. Houser reminded Mr. O'Connor that the law requires eleven (11) seated Members on the Commission. *Mr. O'Connor's motion died for lack of a second.*

Various comments were offered on the subject of Alternate Members and appointments to vacancies on the Commission and *Dr. Wise moved that Ms. Zonda Gregory should be appointed as an Alternate Member of the Commission.* He indicated that Ms. Gregory had submitted her name for service on the Committee and conducted a write-in campaign during the General Election. Following a brief discussion, *the motion died for lack of a second.*

Mr. Hanna advanced the opinion that the person with the next highest vote during the Election should be considered. Mr. Harger agreed indicated that Ms. Gregory should be seriously considered for a position on the Commission. Mr. Hanna indicated that the matter should be re-visited if and when a vacancy occurs.

STENOGRAPHER POSITION

Ms. Houser reported that the County had provided the Commission with a new tape recorder for the purpose of recording minutes "verbatim". She indicated, however, that a Stenographer should be available to the Commission during meetings for the purpose of calling roll on various votes and in the event that a motion would need to be clarified, etc. She also indicated that the Recording Secretary for this meeting was voluntarily covering this organizational meeting for the Commission. She indicated a need to research someone to act as Stenographer for future meetings. In addition, Ms. Houser indicated a need for the Stenographer to assist the Commission Secretary in the preparation of an agenda, minutes of the meetings, copying and distribution of data and other information to Members of the Commission, etc.

Various Commission Members indicated that the Commission Secretary should conduct the search for a Stenographer and that anyone with knowledge of a candidate for Stenographer provide the information to Ms. Day.

COMMISSION MINUTES

Many suggestions were made with regard to the availability of minutes of the meetings of the Commission and the process for the same

It was suggested by Ms. McQuaid that they be posted on the County Web Page and Mr. O'Connor indicated that a policy should be established to maintain the integrity of the minutes in light of inspection by interested parties. Ms. Houser indicated that the taped-version of the minutes would be maintained in safekeeping (and prohibited from removal the Courthouse/safekeeping) and that hard copies of the minutes would be made available for inspection. Mr. *O'Connor moved that a formal policy be established for those wishing to review minutes of the Commission meetings. The motion died for lack of a second.*

It was noted that Mr. O'Connor suggested that the Stenographer for the Commission should be a volunteer and expressed his opinion that the person should not be affiliated in any way with any of the Commission Members in the interests of propriety.

MISCELLANEOUS QUESTIONS/COMMENTS/OBSERVATIONS

Mr. O'Connor requested guidance and direction from the Commission since he planned on attending the County Commissioner's meeting on Thursday, December 1, 2005 to review Budget appropriations, etc. He asked if the Committee wished him to make any formal requests to the County for the Budget. Mr. Harger reiterated that the Commissioners have already appropriated Fifty Thousand (\$50,000.00) Dollars for 2006 for Commission activities and it is now incumbent upon this Committee to submit their own proposal for the expenditures of necessary funds from this appropriation. He noted that a proposal should be made in Year 2006 when Budget requests are entertained and deliberations are in earnest for the County's obligations for Year 2007. County Commissioner Kyle indicated that he would make copies of the proposed Budget available to all Commission Members and Mr. O'Connor could then make these copies available to the full Study Commission at their next scheduled meeting. Mr. O'Connor indicated that he would attend the County Commissioner's meeting on December 1, 2005 and indicated that this Commission will subsequently submit their Budget requirements to the County. He, however, asked that a motion to that effect be made. Thereupon, *it was moved by Mr. Robinson that Mr. O'Connor attend the December 1, 2005 County Commissioner's meeting on behalf of the Government Study Commission requesting the retention of the Fifty Thousand (\$50,000.00) Dollar appropriation by the Commissioners for Year 2006 and indicated that the Government Study Commission would submit their proposed, written Budget shortly thereafter. The motion was duly seconded by Mr. Renninger and carried with eight (8) votes in the affirmative and four (4) negative vote; those negative votes were cast by Ms. Day, Mr. Hanna, Mr. Harger, and Mr. Novosel.*

Ms. Meyer then suggested that the Finance Committee meet on December 14, 2005 in order to draft their proposed, written Budget to the County Commissioners for activities of the Commission during 2005 and to submit the same for review of this Commission at their December 21, 2005 meeting. The remaining Members of the Financial Committee agreed.

LEGAL COUNSEL

Mr. Renninger informed the Commission that he had consulted Lewis G. Steinberg, Esquire, regarding the matter of assistance with legal Counsel to the Commission and an effort to keep costs of the Commission to a minimum. He indicated Mr. Steinberg's willingness to offer his services, Pro Bono, to the Commission unless a conflict should occur between the County and the Commission on any given issue.

County Commissioner Kyle indicated that Mr. Steinberg, currently the County

Commissioners' Solicitor, should not be offering legal advice to the Commission due to any potential conflict of interest between the two bodies. Commissioner Kyle indicated that there is a Representative at the Department of Community and Economic Development who may be of assistance to the Study Commission and he will provide the Chairman with the name of that Representative. Ms. McQuaid voiced her opinion that Mr. Steinberg was not an appropriate candidate for Legal Counsel in that this would surely represent a conflict of interest since the Study Commission will be reviewing the conduct of business of the County under which Mr. Steinberg is employed.

Mr. O'Connor indicated that the Commission must be on legal footing at all times with respect to the conduct of the meetings, procedures of the Commission, etc. and he indicated also that any Legal Counsel should be separate and apart from any affiliation with the County's legal representation.

Mr. O'Connor suggested that the Chairman establish areas requiring study by the Commission and report back at the next meeting with recommendations for use by the Commission in this regard. Ms. Day took exception to the suggestion noting that this would be the function of the newly created Administrative Committee.

Mr. O'Connor then suggested that the Commission establish a "call-chain" in order that the full Committee obtains all information on all meetings, including the Administrative Committee and Financial Committee meeting.

COMMENTS FROM THE PUBLIC

Mr. Harger, and various Members of the Commission throughout the meeting, voiced their desire to have the public attend and participate in meetings of the Study Commission.

Mr. Harger then asked for any comments, questions and/or observations from those members of the public in attendance.

Several brief statements were made, including Mr. David Wallace who indicated that the Commission was elected to perform the function of studying the form of County Government and his desire that they obtain the necessary information to do just that. Another comment, made by Ms. Waltz, indicated that the Commission is charged with studying the form of Government and see if there is any alternative which would be better for the County as a whole.

There being no further business of the Commission, the meeting was adjourned at 8:28 P.M. on motion of Mr. Robinson, seconded by Ms. Day.

Respectfully submitted,
Ms. Debra R. Day
Secretary