

LUZERNE COUNTY HOME RULE TRANSITION COMMITTEE

**November 9, 2011
MINUTES**

CALL TO ORDER/PLEDGE

The twenty-eighth meeting of the HRTC convened in the Commissioners Meeting Room at the Luzerne County Courthouse, 200 River Street, Wilkes-Barre, Pennsylvania. It was called to order by Chair, Jim Bobeck at 6:30 pm.

ROLL CALL

PRESENT

Jim Bobeck, Chair
Rob Bakewell, Vice Chair
Ronna Ciaruffoli, Secretary
Susan Shoval, Treasurer
Tom Cooney
Jim Haggerty
Kick Heffron
CJ Kersey
Maryanne Petrilla
Steve Urban

ABSENT

Rick Morelli

ALSO PRESENT

Gloria Kijek, Clerk
Ken Mohr, Consultant
Attorney Jeff Malak

PUBLIC COMMENT (AGENDA ITEMS)

None.

PREPARATION FOR SEATING OF NEW TRANSITION MEMBERS EFFECTIVE 11/11/2011.

Maryanne Petrilla congratulated and introduced the new Luzerne County Council elect.

TREASURER'S REPORT/APPROVAL OF BILLS (Attachment 1)

Susan Shoval requested approval for the following expense:

Motion to approve \$8.80 for stamps purchased (Motion 1).

Motion CJ Kersey.

Second Ronna Ciaruffoli.

Unanimous vote.

Motion carried.

Motion to approve \$87.50 to Gloria Kijek for clerical services (Motion 2).

Motion Ronna Ciaruffoli.

Second MA Petrilla.

Unanimous vote

Motion carried.

Motion to approve \$357.38 for County Clerk ad that was placed in Times Leader by Ken Mohr (Motion 3).

Motion MA Petrilla.
Second Ronna Ciaruffoli.
Unanimous vote.
Motion carried.

Motion to approve \$3,865.00 to Ken Mohr for consultant services (Motion 4).
Motion Jim Bobeck.
Second CJ Kersey.
Unanimous vote.
Motion carried.

APPROVAL OF MINUTES

Motion to approve October 26, 2011 minutes (Motion 5).
Motion CJ Kersey.
Second Jim Bobeck.
Unanimous vote.
Motion carried.

Motion to approve November 2, 2011 minutes with the modification that it was the Executive Section of the Admin Code that was approved (Motion 6).
Motion Ronna Ciaruffoli.
Second Rob Bakewell.
Unanimous vote.
Motion carried.

SOLICITOR REPORT

CONFIDENTIALITY AGREEMENT RE: APPLICANT SUBMISSIONS (Attachment 2)

Attorney Malak asked to clarify who this agreement is between. Jim Bobeck explained that it is between all HRTC members, the current Luzerne County Transaction Committee and the members of the Luzerne County Council elect. So the language will change from Council elect and read Luzerne County Transition Committee member, which will apply to everyone. The purpose of this agreement is to protect the applicants for County Manager and County Clerk and keep information confidential until further formal action is taken by the committee.

Motion to approve the Non-Disclosure and Confidentiality Agreement (Motion 7).
Motion Jim Haggerty.
Second Ronna Ciaruffoli.
Unanimous vote
Motion carried.

**DISCUSSION/FORMULATION OF SELECTION CRITERIA FOR COUNTY
MANAGER/CLERK CANDIDATES**

a. Establishment of uniform grounds rules in selection process
b. Recommended Time Frames to complete applicant reviews & interviews
Jim Bobeck announced that on Nov. 14 the applicant's names will be released to HRTC members. There will be a special meeting at 6:30 on this date, prior to the release of applicant information, to discuss and

approve who can participate in the selection process, the ranking criteria, and a hiring process/outline for the County Manager and Clerk candidates. There will be a tour of courthouse prior to meeting at 6:00.

Ken Mohr spoke on the ranking criteria, recruiting process guidelines, and selection process/timeline transition plan (Attachment 3, 4, 5). He said there are about 70 applicants for County Manager and HRTC members will receive all 70. He ranked them high, medium and low and 20 candidates ranked high. CJ Kersey felt that the HRTC should choose the top 20 not Ken Mohr. Mohr said initially that was going to be the case but because of time restraints he has done this. Jim Bobeck said time restraints are important however if HRTC or County Council wanted to they can eliminate all 20. Ken Mohr added that if HRTC member ranks any others high they will be included as long as the majority of group participating agrees with this. From these they will interview top 5-10, or how ever many are agreed upon. These applicants interviewed will be re ranked and get numbered down to final 3-5, or amount decided on, and will be brought back for second interview. Ken Mohr said to keep in mind the timelines during this process.

Maryanne Petrilla said that the County Council doesn't have to have a Manger in place on Jan. 2; they can take as long as they need to and can appoint an interim Manager.

New elect Rick Williams asked if it is possible that the new County Council can revisit the whole hiring process. Jim Bobeck said you can but Robert's Rules are followed at these meetings and a motion has to be made to revisit. However he felt it was not a good idea because of the time line. Susan Shoal suggested letting new elected HRTC members know how much time went into the manager hiring process so far. Rob Bakewell said the discussion can be opened up at anytime but the time restraints are a concern and perhaps they should have this discuss on Nov. 14. But still they need to try to hit all the time targets. Jim Haggerty commented that the process is always open but stay focused on the timeline. Jim Bobeck said to re advertise may cause a serious delay. Kick Heffron commented that the discussion of appointing an interim manager should be addressed. Ronna Ciaruffoli suggested instead of referring to the HRTC members and the County Council elect, if on the selection process timeline, have all be referred to as just the Transition Committee. Ken Mohr agreed.

DISCUSSION/APPROVAL OF PORTIONS OF ADMINISTRATIVE CODE

Susan Shoal said nothing to report at this time.

OLD/NEW BUSINESS

Rob Bakewell reported that the Budget Subcommittee is continuing to meet and are not quite ready.

Jim Bobeck announced that according to the Charter you can not serve on any Authorities, Boards and Commissions when serving on County Council, so folks may want to start the resignation process for any such positions they hold.

Jim Haggerty, on behalf of the Government Study Commission that wrote the Charter, congratulations to new County Council and commented that the political and geographical diversity of group was a good thing.

PUBLIC COMMENT

Kathy Dobash, Hazelton – Congratulated newly elected County Council. She feels the two most important issues of why Home Rule passed is transparency and conflict of interests and the HRTC has ignored some conflicts of interest. She commented that the three major duties of County Council are to hire a County Manager, approve a budget, and appoint Authorities, Boards, & Commissions. She asked how they are going to approve a budget because she feels there is a conflict of interest. She asked the

County Council to consider when a relative gets County contracts. She asked how Jim Bobeck is going to handle this issue to when voting on any part of the budget because of a conflict of interest. She also requested going on record that she is very concerned and upset with the lack of respect for the citizens of this County for the play with the word employment or subcontractor and feels the Charter was violated and asked Jim Bobeck to resign.

Jim Haggerty responded the issue how Mr. Bobeck may choose to govern in his role as a County Council member is not relevant to our activities as a transition member so there is no need to go any further with this. If there is an issue when he becomes a County Council member, that would be the appropriate time to address.

Kathy Dobash responded that she is highly insulted that Mr. Bobeck hadn't answered her question.

Jim Bobeck responded he is going to answer just briefly. He congratulated Kathy Dobash on her spirited election campaign. He said he appreciated her attendance at Home Rule meetings where they have had disagreements on many things and one is on whether or not he has a conflict of interest. He has not resigned and will not resign and respectfully disagrees with her opinion. When on County Council when there is a genuine conflict of interests he said he will certainly not involve himself.

Ed Brominski - Suggested a resolution that all nonessential government spending or contracts that bind the new Council cease until after Jan. 2, 2012. He also requested copies of all policies, procedures, codes, budget info. contracts, etc., be made available to new County Council.

Maryanne Petrilla responded they are available online.

Charles Hatcko, Jenkins Township – Congratulated all newly elected County Council.

Tom Dombroski, Kingston Township - Suggested all info. the HRTC and Subcommittees have worked on be all together in a file for new County Council so they can start review and deciding if they want to adopt these things.

Jim Bobeck said this is a good idea.

Kick Heffron commented that the codes first go to County Manager he puts together; then, they are presented to County Council for approval.

Jim Bobeck commented that there are time lines associated with this.

Susan Shoal commented that as codes get approved by HRTC they are being put online.

Rick Williams, - commented on the process of hiring a manager and the confidentiality of applicants. He suggested that the expanded Transition Committee consider the possibility of reopening the process for a short period of time. He feels some possible applicants may not have applied because of the possibility of names being released and making all applicants aware that the names will only be released of the top three or so. He commented this may need to be revisited Monday at Special Meeting.

Tom Cooney agreed but said it has to be done before packages of applicants are passed out on Monday.

Rob Bakewell said section E. 2. of Charter says it is the responsibility of the Transition Committee to take responsibility of the search and recruiting process of County Manager and Clerk and recommend the best candidates. If this is revisited we may not get any more applicants we may lose some because folks may think we don't know what we are doing.

Jim Bobeck reminded folks no matter what decision the Transition Committee makes it is only good until Dec. 31, 2011. New Council could change everything on Jan. 2, and the council is not bound by any confidentiality agreement that Transition Committee makes.

Fred Heller, Mountaintop – Commented this small group of folks did a big feat and good job.

Therman Guamp, Kingston – Commented on choosing manager, confidentiality, and reopening up process.

Elaine Curry, - Asked if the applicants that don't meet the minimum qualifications be out?

Ken Mohr said you will have a matrix that will show the different qualifications but all applicants will be there. If you didn't meet the minimum qualifications they automatically were rated low.

Kick Heffron asked about Resolutions and Ordinances that may be needed for the transition.

Jim Bobeck responded Attorney Malak is looking into what ones we may need.

Rob Bakewell commented we are looking forward to working together with new members and the Charter mandates we make recommendations even though we know County Council makes final decisions.

Ronna Ciaruffoli said this will not be easy and wishes County Council the best. She suggested County Council members meet with any Transition member to ask questions and get information.

Maryanne Petrilla suggested the County Council have a joint swearing in ceremony in the courthouse rotunda.

ADJOURNMENT

Motion Rob Bakewell.

Second Ronna Ciaruffoli.

Unanimous vote.

Motion carried.

Meeting adjourned at 7:37 pm.

Respectfully Submitted,

Chairman Jim Bobeck