

**MINUTES OF THE
TWO HUNDRED FORTY SIXTH MEETING
OF THE CONSUMERS' COUNSEL GOVERNING BOARD
March 8, 2004**

Members Present: Mark Gehri, Vice Chair
 Herman Kohlman
 Dorothy Leslie
 Helen Mac Murray
 Michael Murphy
 James Rarey
 Jerome Solove, Chair
 John Steinberger

Members Absent: John Moliterno

The meeting was called to order at approximately 9:05 AM. Chair Jerome Solove stated the purpose of the meeting is to interview candidates for the position of Consumers' Counsel, and at conclusion to potentially select the next Consumer's Counsel.

At approximately 9:10 AM on a motion by Mr. Steinberger, seconded by Mr. Gehri, by a roll call vote, the Board voted unanimously to meet in executive session for the purpose of considering the appointment or employment of a public official.

At approximately 4:07 PM the Board returned to public session. Mr. Solove stated the Board is pleased to have had such strong candidates from which to select the next Consumers' Counsel. Mr. Solove thanked the candidates for their time and thanked the organizations and individuals that had submitted letters of concern, and letters of recommendation for the candidates.

Mr. Solove stated that Mr. Eric Stephens, Deputy Consumers' Counsel, has proven to the Board that he is a valuable asset to the Ohio Consumers' Counsel (OCC), and commended him for admirably fulfilling the duties assigned to him in the interim time of the Board's search.

Mr. Steinberger moved that the Board appoint Ms. Janine Migden as Consumers' Counsel, pending a successful background check, and if unsuccessful, appoint Mr. Eric Stephens Consumers' Counsel. The motion was seconded by Mr. Murphy.

Ms. Mac Murray moved to divide the motion with Mr. Gehri seconding.

After some discussion, Mr. Steinberger withdrew his motion and Mr. Murphy withdrew his second. The attending attorney to the Board from the Attorney General's office, Ms. Audra DeVictor, advised the Board that proper process had been followed, and that all motions had been correctly rescinded.

On a motion by Mr. Steinberger, seconded by Mr. Murphy, by a roll call vote, the Board voted unanimously to appoint Ms. Janine Migden Consumers' Counsel pending a successful background check.

On a motion by Mr. Steinberger, seconded by Mr. Kohlman, by a roll call vote, the Board voted to appoint Mr. Eric Stephens Consumers' Counsel if Ms. Migden's background check is unsuccessful. The roll call vote: Chair Solove – yes; Vice Chair Gehri – yes; Mr. Kohlman – yes; Mrs. Leslie – yes; Ms. Mac Murray – no; Mr. Murphy – yes; Mr. Rarey – yes and Mr. Steinberger – yes.

At approximately 4:28 PM the meeting was adjourned without objection.

I verify that the above meeting minutes have been approved and ratified by the OCC Governing Board on this _____ day of May of 2004.

Jerome G. Solove, Chair
Ohio Consumers' Counsel Governing Board

Donna Mucci, Secretary
Ohio Consumers' Counsel Governing Board