

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
SCHOOL BOARD  
JOINT PUBLIC HEARING – RESCINDING SB-2 (RSA 40:13)  
February 12, 2007  
MINUTES**

Present: Board of Selectmen: James T. Alexander, Chairman; Joseph E. Stone, John Reagan and Stephen Barry, Selectmen.  
Absent: R. Andrew Robertson, Vice Chairman  
School Board: John Harrington, Chairman; Kevin Barry and Kevin Webber School Board Members  
Absent: Bonita Beaubien and Donald Gorman  
Also Present: Mr. Bob Davitt, Petitioner  
Cynthia Heon, Town Administrator; Kristine Morgan, Recording Secretary

Chairman Alexander read:

“The Deerfield School Board and Deerfield Select Board will hold a joint public hearing on Monday, February 12, 2007 at 7:00pm at the George B. White Building, Select Board Conference Room. The purpose of the public hearing is to discuss a petitioned article appearing on the upcoming school district and town ballots seeking to rescind the provisions of RSA 40:13, also known as SB-2.”

Chairman Alexander advised Hearing Notices were posted in various locations around town as well as on the Town of Deerfield’s website on January 15, 2007. Notices were also printed in both the Union Leader and Concord Monitor on February 5, 2007 and Petitioner, Mr. Bob Davitt was notified.

Chairman Alexander advised this petitioned article was on the School Ballot now. He was not going to read the petition out loud but did have the Town’s Petition in hand, with signatures, should anyone have the desire to review it.

Chairman Alexander advised the Hearing was now open for discussion.

Mr. Alan O’Neal requested an explanation of what happened with the School portion of the petition. Mr. Kevin Barry advised the School Board received twenty eight (28) signatures on the petition. The Supervisor’s of the Checklist could not match or verify five (5) of the signatures. The deduction of those five (5) signatures placed the petition below the required twenty five (25) signatures minimum. The Supervisor’s of the Checklist did verify two of the petitioners and were able to have them sign an affidavit at the Deliberative Session. Mr. O’Neal questioned if their procedure was legal because it was after the cut off time. Mr. Barry indicated they were already verified to be legal voters in the Town; they just couldn’t verify their signatures. He also informed Mr. O’Neal they went back to the State to confirm it was legal.

Mr. O’Neal commented it should be the responsibility of the petitioner to clarify and ensure everything is valid. Chairman Alexander advised there were no signatures added. The few signatures they thought were not valid, in fact, were valid.

Mr. Tom Dillon urges not to support the warrant. He indicated there were more than one thousand (1,000) voters on SB-2; there has never been over seven hundred (700) for Town Meeting. Since he is in the National Guard, he could actually vote on both the Town and School because of SB-2. It gives those otherwise unable to have a voice.

Mr. Bob Strobel stated he was not available for either Deliberative Session. Those people decided the numbers as well as what others got to vote on. Those who can’t make it are out of luck, he would rather have it the previous way.

Ms. Maureen Mann urges to support it because of what happened in Nottingham where only the School is SB-2. They had smaller numbers than Deerfield and there was one article asking for funds but it was reduced to zero. It cannot be changed once the Deliberative Session ends. In Barrington, it appeared as though there were a group of people who didn’t like either an article or those presenting it so they got together and the article became nonexistent. At Town Meeting, even if only three hundred (300) people are present, there is enough debate and discussion of the pro’s and cons for people to make decisions. One phrase stands out, “preserve rural character.” Town Meeting is the epitome of “Rural Character.” Ms. Mann indicated regret, however, for those in the service and others who may not have the opportunity to vote.

Selectman Barry indicated he has been in Deerfield since 1985 and typically had to work most Saturdays but always managed to get the time off to attend Town Meeting. He advised he would take three hundred (300) informed voters over one thousand (1,000) uninformed voters. It behooves them to know what they are spending money on and why. Mr. Daley commented the 2004 Town Report indicated 50/50, 2005 indicated 60/40 for SB-2. Last year there were over thirteen hundred (1,300) voters to which more than 60% for the Town and over 70% for the School voted for SB-2. If everyone is pro-town meeting, why did they have the numbers in favor of SB-2 if it's not wanted?

Chairman Alexander advised he could give his opinion why he supports Town Meeting. He indicated he has been in town since 1961 and Town Meeting had been the process before Deerfield. To him, that is "pure democracy" and he finds it reprehensible people can't find four (4) hours out of a year to come to Town Meeting. People in Iraq walked for days to vote. The turnout at the MBC Public Hearings and the Deliberative Sessions was deplorable. He would prefer to stay with something that has worked well for two hundred (200) years. Chairman Alexander advised that was his personal opinion, not that of the Board.

Selectman Stone informed, being his opinion, he has opposed Senate Bill 2 since it began (9) years ago. The idea has been heard for years and finally passed after being voted down for several years. One main reason is low participation; there has been between two hundred (200) to six hundred (600) people in attendance at Town Meeting. On one occasion, he can remember the Town Hall being filled to capacity both levels. With Town Meeting, you can hear people debating which is democracy in action. Many times, debates changed his vote. He would rather talk and debate an issue than get a paper in the mail.

Chairman Alexander advised they had previously discussed whether to support or not support and took a Roll Call Vote. The Vote resulted 4 to 1 in favor of the petition with Selectman Reagan the one opposed.

Mr. Dillon questioned if the Board would be taking a new vote at the hearing. Chairman Alexander advised he can take a poll of the members and get opinions but the Board of Selectmen Meeting was closed so the results would not be official. Mr. Dillon commented the Board had their mind made up before hearing.

Selectman Barry advised he had his mind made up and has not heard anything, at this time, to change his mind. It is not happening with SB-2; people are voting uninformed. No one participates; no one attends meetings to give input.

Mr. Walter Hooker questioned why Selectman Reagan was not in support of it. He also questioned the intention of warrant articles; he thought they could not be changed as ruled by Courts but there are cases of zeroing out.

Selectman Reagan advised he believes democracy originated from the voice of people. Due to lifestyle changes, not everyone can attend but it provides a ballot giving people the opportunity. He added he didn't believe money amounts could be changed.

Chairman Alexander revealed the Court decided they could be zeroed out and ultimately made nonexistent.

Mr. Strobel questioned, with all the deficiencies about SB-2, has there been any legislature involved to take it back? Selectman Stone advised when a Bill comes in there is "tinkering with it" but nothing dramatic is changed. As far as doing anything, there has only been cleaning up of the legal aspects of it.

Ms. Carolyn O'Neal advised she supports SB-2. She indicated she has heard concern over uneducated voters but comments are also saying they shouldn't have thirteen hundred (1,300) educated voters going to vote. The Board should have a better way of getting higher attendance and perhaps it's due to the leaders of the Town not showing support and encouraging it. Ms. O'Neal stated with Town Meeting, people such as those serving our Country or elderly people can't attend. The Deliberative Session gave her and Mr. O'Neal the opportunity to discuss and possibly exchange ideas. She commented Deerfield is an expensive town to live in and some households require two incomes so people must work and can't always attend. With SB-2, they have the opportunity to think during meetings and appreciate the time between sessions.

Chairman Alexander indicated his belief there is a misconception and this is not a Board meeting. Ms. O'Neal commented they are the leaders who do not support it. They are there to convince the leaders of the town where only one leader supports their concerns.

Selectman Barry advised he supports SB-2, it is the law of the town to be able to voice their opinion but there is a better way. They are using so many different ways trying to get information out but that doesn't mean people will read it.

Selectman Barry commented Mr. and Mrs. O'Neal are the only people who ask really hard questions and who really want answers. They need more people to do that. Mr. O'Neal asked how to get more people. Selectman Barry indicated he didn't know how.

Mr. O'Neal stated one plan that needs to change is the paperwork provided prior to the meeting. They are sending the wrong message when the town leaders don't show support. They should not be indicating "yea" or "nay". Candidates such as for Governor get message out because they politic it. They need a better way to get information out and when the head people indicate no and say they have been doing Town Meeting for 200 years; society has changed so there is a need for more effort on SB-2 to get information out. He doesn't have an answer how though.

Mr. Kevin Barry reminded everyone of the Voter's Guide given out just prior to vote which should give everyone a good idea beforehand. Ms. O'Neal commented maybe they can do a guide prior to the Deliberative Sessions too.

Ms. Lynne, DeVarney, Town Clerk, questioned where the resources to produce all the additional information would come from. There was no answer offered.

Mr. O'Neal asked why the meetings were not on cable as they were in the past; quite a few people watched before. Chairman Alexander advised the cameras in the Town Hall were for a television documentary on how small town life works. The meetings were previously taped by the staff of the Deerfield Community School.

Chairman Alexander advised the School Board and the Board of Selectmen spent a large amount of time putting the Voter's Guide together. It will not contain any editorialized content, only explanations. At no time will either Board show favor or not on anything, he had just vocalized his opinion not the Board of Selectman's opinion. SB-2 is not bad but harms the chance of debate and having speakers give their opinion to sway voters either way due to the points they make; that part is missed and it is awful twelve hundred (1,200) people can't find time to vote. How many take the time to read the guide? Last year proved to be a poor test for SB-2 with a seven (7) page ballot including zoning changes, warrant articles, etc. Chairman Alexander added this year they will find out how many show up for vote but can't understand why people can't take some time off or switch shifts or do something so they can attend a meeting.

Mr. Bob Davitt advised the problem with SB-2 is more people need to go to more meetings. With SB-2, they used to see dozens of people in sessions but they can't vote so maybe that's why they don't come. People must have passionate discussions to decide. Mr. Davitt indicated he went to both Deliberative Sessions and is still uninformed. Under old Town Meeting, he could go on a Saturday and vote even if it meant he had to take time off to go. Thirteen hundred (1,300) people voting is nice to hear but look at the School meeting, no one was there. A few years ago, the Gym and the Cafeteria were packed, SB-2 is a "drive by" democracy, and we are not the size of Manchester.

Chairman Alexander commented on the number of people in the room who were not Elected Officials or Town Employees. The rest is a small number trying to make their voices heard; where are the other eleven hundred (1,100) in favor of SB-2 or the four hundred (400) opposed. He added he was glad to see those who did come.

Mr. O'Neal mentioned people probably don't show up because there are no hot topics, they can still vote on SB-2 and don't have to be there. They don't lose the debate; they just need more people to go.

A resident commented the issue isn't people denied the right to vote at Deliberative Session, it's deciding what content ends up on the ballot. Perhaps there is a method of amending SB-2 where they have options to choose on each item because he would rather have eight hundred (800) people vote then twenty (20) people decide what he can vote on.

Mr. Hooker questioned if there has been any changes to anything in the past two (2) years. He added he thought last years brochures sent out to the Town were nice and people didn't vote no on everything. It looked like people looked at it and it worked well.

Mr. Dillon commented the only point heard against SB-2 was the voters not being informed. He added he thought it was terribly arrogant for them to say they would rather see small numbers then spend a few hours to inform people.

Ms. Cynthia Heon, Town Administrator, responded in regards to resources and getting information out. She advised Town employees are pushed to the max especially where timeliness is a factor since the information, several publications, must be done before the vote. All Boards put full effort in and will continue to do so either way.

Mr. Davitt commented it takes more money to get information out. They can just state the purpose of the warrant article, sentences don't get dropped off, the information isn't filtered; they can just talk about it, vote, and get it done. Now articles get filtered and you have to spend money to get the information out to people. You just can't get up and try to persuade people to your opinion.

Selectman Stone advised he respects every persons view; he and Mr. O'Neal can sit and talk, maybe disagree, but still leave as friends. As Selectmen, they still talk, listen, and leave as friends. He indicated remorse for Mr. Dillon if it lands on his weekends away but that is life. One thousand (1,000) people showed up for voting; they managed to get there. Selectmen Stone added he was not saying people are wrong.

Mr. O'Neal referred back to the resource issue and indicated if more resources are needed because they are under SB-2 then it should be added. Chairman Alexander responded there is more money in printing ballots and election information. Mr. O'Neal included don't begrudge money; voters want this form of government then they should do what they can, hire more people, spend more money.

Selectman Barry advised another thing they have tried to do is video tape meetings but due to issues with formats on Metrocast and not having someone to do it; it doesn't come out right. SB-2 is costing a little more money, not an outrageous amount, but if there is something someone can suggest, then do so. Comments are not coming; they need recommendations or even conversations like this evening.

Chairman Alexander requested if there were any additional comments. Hearing none, Chairman Alexander announced the Deerfield School District and Town of Deerfield Joint Public Hearing on Rescinding SB-2 (RSA 40:13) was now closed.

Attendance:           Petitioners and Residents (15)  
Recorded, Transcribed and Respectfully Submitted by Kristine Morgan, Recording Secretary  
Pending Approval by the Board of Selectmen.