

**Sanborn Regional School District
Budget Committee**

Kingston Member Vacancy Subcommittee

Revote for Kingston Budget Committee seat
Unapproved minutes for November 1, 2019

Call to order 5:00 p.m.

In attendance:

Kingston Member Cheryl Gannon, Kingston Member Moira Bashaw and Member at-large Mary Cyr, Kingston resident

Moira volunteered to take minutes

Motion to accept minutes

Mary motioned to amend minutes, Moira seconded,

Cheryl offers to change 4 candidates and enter the four names of the candidates to be Jason Fellows, Taryn Lytle, Vanessa Matias, and Ronald Conant

Unanimous vote to accept

Revote for Kingston Budget Committee Member

Statement by Cheryl Gannon to introduce the agenda item titled: "re-vote of committee appointment":

Since the RSA lacks specificity, the Budget Committee believed that it was proper to include the member-at-large on the Sub-Committee to fill the Kingston vacancy by virtue of the fact that she was elected, in part, by voters of Kingston. The School Board representative to the Budget Committee, who questioned the validity of including the member-at-large on the Sub-Committee, sought counsel on the issue.

Based on the October 16, 2019 email to Superintendent Ambrose by Attorney James O'Shaughnessy stating his interpretation of RSA 671:33 IV, having to do with filling a vacancy on the School District Budget Committee, which stated that the participation of the budget committee member-at-large in the selection of a replacement, was invalid and Secretary of State's office", this Sub-Committee has reconvened for the purpose of re-taking the vote. this Sub-Committee has reconvened for the purpose of re-taking the vote.

Mary recused herself from the vote

Moira made a motion to nominate Vanessa Matias for the position, Cheryl seconded the motion. Unanimous vote for Vanessa Matias. Moira and Cheryl voted in favor for Vanessa.

There were no public comments

Committee comments:

Mary had a comment that is attached. This was suggested to be an attachment per Cheryl.

Cheryl motioned to adjourn meeting, Mary seconded.

Meeting adjourned at 5:13pm

I wrote to the *four* District 13 Representatives serving Kingston on Tuesday, 10/29/19, imploring them to make legislative changes to RSA 671:33, to specifically define the role of the at-large member in the appointment process for vacancies.

I explained the opportunity to fill a vacancy on the Sanborn SB or BC, has arisen *three times* in the past two years alone, and the question of whether to include the at-large member has always surfaced (sometimes contentiously). The frequency of turnover in our tiny District tells me that other towns and schools are likely incurring the same interpretation dilemma. I told our Representatives that the vague nature of the statute will wind up with contested cases in litigation if the statute is not clarified. None of us want SAU17 to be the center of *more* case law.

Representative Weyler responded that day, indicating it was past the deadline for House filing, but he would try to get a Senator to file an amendment with all of the District 13 Representatives as cosponsors, OR try to find a related House filing where they can convince the sponsor to accept a friendly amendment.

I am cautiously optimistic either the House or Senate *will* run with this call to action - and make legislative changes in the near future to finally clarify the role of the at-large member.

I want it to be very clear that the recent legal opinion distributed by our SB representative, Mr. Heath, has no jurisdiction over our Budget Committee, and we are under no obligation to comply. The statute regarding the at-large member's role in the appointment process is vague, leaving it open to interpretation and consensus. We did nothing wrong as a subcommittee by including the at-large member in the process, and were simply following the SRSD Budget Committee's established protocol.

I initiated this re-vote today, before our Budget Committee is scheduled to begin deliberations with the School Board on 11/6/19, and before The Committee must vote on matters of significance. I also wanted to assure the recent attempts at legal wrangling by our School Board Chair and the appointed Representative to the Budget Committee will not become a distraction for the District, OR disenfranchise our new colleague, Ms. Matias, from being able to participate in the important work that must get done.

I chose to be present and duly recorded in today's revote. I have recused myself, rather than not participate, with the hope that our Legislators will amend RSA 671:33 to make the statute crystal clear for ALL of NH 's regional boards and committees, going forward.

Respectfully,

Mary Cyr,
Kingston
11/01/19