

Bob Mollette

3rd Ward Councilman

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September 22, 2009

Honorable Council Members
Jim Kalb, Mayor
Michael Jones, Solicitor
728 Second Street
Portsmouth, Ohio 45662

Re: Reported Deer Nuisance and Requested Urban Deer Management Plan

On August 24, 2009 the Mayor prepared Council Letters #09-39 and #09-40 to request Council to prepare legislation to address reported complaints from residents in the North End vicinity concerning a multiplying deer population and associated damage to the area. Specifically, Council was being requested to amend Codified Ordinance 505.11 and 549.08 to allow hunting of nuisance deer with specific guidelines to alleviate a reported overpopulation of deer in the City.

A brief discussion between Council members and the Mayor occurred within the August 24, 2009 Work Conference Session. It was apparent numerous residents were in attendance but only one (1) resident was permitted to speak. This was a missed opportunity to gather personal testimony and various facts to assess the magnitude of this issue. No action was taken on the proposed legislation.

During the September 14, 2009 Work Conference Session an Ohio Department of Natural Resources (ODNR) Division of Wildlife representative was present to discuss the proposed guidelines and options with a proposed Urban Deer Management Plan. The speaker was very informative and provided subsequent information on the legal options for managing deer populations. Also, one (1) resident spoke against the proposed deer hunting in the City limits during the Council meeting *Item 8* for "Items not on the agenda." No action was taken on the proposed legislation.

At this point, I feel the extent of the problem has not been well defined. I have prepared the following list of items I feel is needed to assist in the decision-making process on this proposed legislation:

1. The number and locations of deer/motor vehicle accidents.
2. The location, number, and type of property damage reported.
3. The number and location of deer herds.
4. Delineate the amount of estimated resources needed to permit and enforce Urban Deer Hunting.
5. Prepare a list of property owners, acreage, and contiguous parcels of real property that would be in favor of limited bow hunting. The proposed legislation could be restricted to this zone.
6. Determine if Urban Deer Hunting is a viable option based on the requirement for proficiency testing, hunter liability insurance (\$100,000 in Chillicothe, Ohio), permit fees, harvest restriction (antlerless only), hunting restriction on weekends and during scheduled school closing, requirement to remove all entrails from the scene of the harvest and transport the deer only in such a manner that they are not visible. Contact Chillicothe, Ohio for additional information.
7. Provide public meetings for two-way communication (fact-finding) with the residents.
8. Consider public education to eliminate feeding deer, efforts regarding deer repellants, alternative landscape techniques, substitute plantings, Lyme disease and deer crossing signs.
9. Consider a Citizen Advisory Committee or Focus Group.

Keep in mind the strength of our community lies in the public's ability to guide policy-making and our City government's ability to provide transparency, inclusiveness, and accountability. I have enclosed a document on "*Public Participation in Local Decision-Making*" by Charlie French (University of New Hampshire Cooperative Extension) for your review.

If you should have any questions or comments contact me.

Respectfully,

A handwritten signature in black ink that reads "Bob Mollette". The signature is written in a cursive style with a prominent initial "B".

Bob Mollette, 3rd Ward Advocate and Representative on City Council

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Enclosure

cc: Charles Horner, Police Chief
Jo Ann Aeh, Clerk (Record)

Public Participation in Local Decision-Making:
By: Charlie French

Has your community ever made an important decision or developed a policy that directly impacts you, yet you didn't even know about the decision until after it was made? If so, then perhaps you should read the following which outlines why and how communities should engage citizens in the local decision-making process.

The fact is, notification of community-level public meetings are required by law to be posted *prior* to the meeting and the meeting must be made accessible to the public. This safeguard was put in place to ensure that citizens have an opportunity to provide input on local decisions *before* they go into effect. In spite of this public notice requirement, many towns and cities around the country still conduct policy-making without full disclosure to the public. In some instances, this occurs due to time constraints or lack of understanding of the public's role in the decision-making process. In other cases, public officials intentionally neglect to engage the public, as the public might derail their agenda.

It was over a century ago that Gifford Pinchot, the first chief of the US Forest Service, observed that the strength of our nation lies in the public's ability to guide policy-making. Yet, it wasn't until the last few decades that the participatory decision-making movement took root in the United States. This movement has now sifted all the way down to the local community-level.

From a public official's standpoint, there are a lot of reasons to engage the citizenry in local decision-making. First off, local citizens know best what the local needs and issues are. Second, engaging the public in the decision-making process serves to educate both citizens and policy-makers about the various facets of a particular decision or issue from a variety of perspectives. Third, engaging citizens in decision-making makes the implementation of a decision or policy more likely. After all, unless public officials have their constituents on board with a particular decision, plan, or policy, the public is not likely to assist with its implementation. Finally, engaging the public helps to build accountability for both public officials and the citizenry.

So, the question remains, how can your community effectively engage citizens in local decision-making, whether these decisions focus on Master Plans, local schools, capital improvement projects, economic development, or other local issues? The fact is, there are a variety of tools that public officials can use to engage citizens in decision-making. These tools include citizen advisory committees, survey questionnaires, community meetings, forums, public

review and comment periods, public hearings, counter planning, etc. The following provides a brief description of a few of these public engagement tools:

1. **Citizen Advisory Committee:** Citizen advisory committees are intended to foster positive relations with the community by engaging citizens in the development of policies/programs and to ensure that they are enriched by diverse perspectives. The following is an example of what a citizen advisory committee does in the context of Department of Transportation projects: <http://www.dot.state.ga.us/dot/preconstruction/urbandesign/johnsonferry-abernathy/html/cac.shtml>
2. **Community Survey Questionnaire:** Community surveys help public officials gather data about local attitudes regarding precisely defined issues, problems or opportunities. For more information on survey questionnaires, visit the following website: http://ctb.ku.edu/tools/en/section_1048.htm
3. **Focus Groups:** The focus group is a roundtable discussion aimed at gathering ideas and opinions from a targeted group of citizens. Focus groups are used to build a synergy of thoughts and ideas. For more information on focus groups, visit the following website: http://ctb.ku.edu/tools/en/section_1018.htm
4. **Public Hearing:** Hearings are public meetings that enable residents to express their concerns about public plans, decisions, or issues. For information on public hearings, visit this website: <http://www.memun.org/SchoolsProject/html/Resources/zoning/PUBHEARING.HTM>
5. **Public Review and Comment:** Public review and comment refers to a formal process whereby the public is given a window of time to review public plans or policies and to provide comment prior to the ratification or revision of a plan or policy.
6. **Community Forum:** A community forum is a public meeting intended to bring together a variety of community perspectives to discuss salient issues, visions, problems, or concerns that the community is facing. For more information on community forums, visit the following website: http://ctb.ku.edu/tools/en/section_1021.htm

However, before public officials attempt to implement one of the above-mentioned tools, they must first ask themselves some critical questions. First off, what is the role of the public to be – how involved should the public be in the decision-making process and at what stage? Perhaps most important, how are local officials going to engage the public in the process, given that most citizens live busy lives? These are some critical questions that must be addressed before public officials decide what public participation technique is to be used. In any case, effective public participation processes maintain the following attributes:

- Public input is collected at various stages of the process.
- Information, education, and/or training is provided so that citizens can have a meaningful role in the decision-making process.
- The stakeholders impacted by a particular decision or policy must be given equal opportunity to participate in the process.
- Public participation must be sought in the initial planning stages of a decision/policy, and not simply to validate an already existing plan.
- Facilitators of public participation processes should refrain from leading the participants

While much of the responsibility for engaging citizens in local decision-making falls upon public officials, citizens *also* have a role in ensuring that they are actively engaged. This may entail periodically visiting the Town Hall or other public buildings where meeting notices are posted to keep informed of local decision-making, writing letters to public officials to make them accountable, asking key questions at town meetings, and encouraging officials to develop an effective process to engage local citizens. Often times, citizens may need to turn to the various state and Federal regulatory agencies to ensure that public officials abide by state laws and regulations. And finally, citizens have the right to enact a citizen initiative – if enough signatures are garnered, public officials may be forced to put an issue up for referendum.

To conclude, public participation is by no means an easy thing to accomplish. It requires much energy, time, and resources. Yet, if cities and towns are to effectively respond to citizen needs, than they need to start listening to what citizens are saying and recruit their assistance in crafting effective policies and decisions.