

WICKENBURG UNIFIED SCHOOL DISTRICT NO. 9  
SPECIAL TELEPHONIC BOARD MEETING MINUTES  
November 19, 2015

**BOARD MEMBERS PRESENT:** Mr. Joe Maglio, President, Mr. Curtis Arnett, Member, Ms. Amy Brown, Member, Ms. Sandee Gill, Member

**BOARD MEMBERS ABSENT:** Mr. Daniel Scott, Member

**OTHERS PRESENT:** Dr. Howard Carlson, Victoria Farrar

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mr. Maglio called the meeting to order at 9:02 AM and led the Pledge of Allegiance.

**ADOPTION OF THE AGENDA**

Adoption of the Board meeting agenda for November 12, 2015

A motion was made to adopt the agenda for November 19, 2015.

Motion	Mr. Arnett	Aye
Second	Ms. Brown	Aye
Vote	Ms. Gill	Aye
Vote	Mr. Maglio	Aye

Motion passed 4-0.

**NEW BUSINESS**

**Substitution of Counsel – Festival Foothills Design/Construction Lawsuit**

At the Board meeting of September 14, 2015, the Contingency Agreement between Wickenburg Unified School District (WUSD) and Kirk Hays at Koeller, Nebeker, Carlson & Haluck, LLP. was approved by the WUSD Governing Board. The agreement allowed the retention of legal counsel to investigate, analyze and take any legal action deemed appropriate, including retaining experts and consultants and filing legal claims against persons and organizations involved in the design and/or construction of Festival Foothills Elementary School. On October 8, 2015, at the WUSD Governing Board meeting, the Board ratified the agreement.

It was then found that the law firm of Koeller, Nebeker, Carlson & Haluck, LLP had a conflict of interest, as they had represented Turner Construction, who had acted as the general contractor for the construction of Festival Foothills Elementary School, in the State of California on a separate matter. As such, administration requested a change of legal counsel from Kirk Hays at Koeller, Nebeker, Carlson & Haluck, LLP to Suzette Doody at Perry, Childers, Hanlon & Hudson, PLC.

Mr. Maglio asked if the agreement with Suzette Doody at Perry, Childers, Hanlon & Hudson, PLC was the same agreement as with Kirk Hays at Koeller, Nebeker, Carlson & Haluck, LLP. Dr. Carlson told him it was

A motion was made to approve the authorization for the substitution of legal counsel to Suzette Doody at Perry, Childers, Hanlon, and Hudson, PLC to investigate, analyze and take any legal action deemed appropriate, including retaining experts and consultants, and filing legal claims against persons and organizations involved in the design and/or construction of Festival Foothills Elementary School and to authorize administration to sign the contract, as submitted.

Motion	Ms. Brown	Aye
Second	Ms. Gill	Aye
Vote	Mr. Arnett	Aye

Vote Mr. Maglio Aye

Motion passed 4-0.

### 301 Performance Pay Plan

On November 9, 2015, the Certified Salary/Professional Growth Committee met to discuss the 301 Performance Pay Plan for 2015/2016, at which time the plan was developed. A survey, sent to all certified staff, was completed Monday, November 16, 2015.

According to Arizona State law, 35% of the total 301 Performance Pay Plan payout must be tied to classroom data, which is reflected in the 2015/2016 301 Performance Pay Plan with a 65%/35% split. The first payment will be made in December and the second in June.

Dr. Carlson informed the Board he had delegated this issue to Ms. Johnson and Ms. Farrar and commended them for a job well done.

A motion was made to approve the Wickenburg Unified School District 301 Performance Pay Plan FY2015/2016.

Motion Ms. Brown Aye  
Second Ms. Gill Aye  
Vote Mr. Arnett Aye  
Vote Mr. Maglio Aye

Motion passed 4-0.

### Governing Board Meeting Minutes for November 12, 2015

A motion was to approve the minutes for the Regular Governing Board Meeting of November 12, 2015, as amended.

Motion Ms. Brown Aye  
Second Ms. Gill Aye  
Vote Mr. Arnett Aye  
Vote Mr. Maglio Aye

Motion passed 4-0.

### ADJOURNMENT

A motion was made to adjourn the meeting.

Motion Ms. Brown Aye  
Second Ms. Gill Aye  
Vote Mr. Arnett Aye  
Vote Mr. Maglio Aye

Motion passed 4-0.

Meeting was adjourned at 9:07 AM.

**ATTEST:**

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Mr. Joe Maglio, Board President