

WILLCOX UNIFIED SCHOOL DISTRICT NO. 13

480 NORTH BISBEE AVENUE

WILLCOX, AZ 85643

Pursuant to A.R.S. §38-431.02, notice is hereby given to members of the Willcox Unified School District Governing Board and to the general public that the Board will hold a special meeting open to the public on Wednesday, May 13, 2015 at 8:00 a.m. at the District Education Center, 480 N. Bisbee Ave., Willcox, AZ 85643. Pursuant to Policy BEDB, no call to the public is included on the special meeting agenda. Pursuant to A.R.S. §38-431.03 (A)(3), the Board may vote to move into executive session for legal advice from its attorney, either in person or via telephonic conference call, for any item on the agenda.

MINUTES FOR SPECIAL BOARD MEETING

May 13, 2015

- I. Opening of Meeting
 - A. Call to Order

Meeting called to order by Mr. Nolan at 8 am

Board Members present: Bill Nolan, President; Dwayne Owen, Vice-President; Debbie Ellis, Member; and Doris Jones, Member.

Absent: Gary Clement, Clerk.

Administration:

Ben Travis, Superintendent; Kevin Davis, Business Manager

School Attorney:

Candyce Pardee

Staff:

Andy Carrasco, Teresa Mills

Visitors:

Sue Lynch, Ansilee Witting

- B. Approval of Agenda

Unanimous approval of agenda.

- II. New Business

- A. Review website created by Dr. Richard Rundhaug at www.rundhaug.org and the settlement agreement with Dr. Rundhaug to determine if "What Happened in Willcox" comports with the terms of the settlement agreement.

Mrs. Ellis: Dr. Rich made a settlement agreement with us and I think he has broken it. I think the website totally provides false information. He needs to quit putting this stuff up because he signed an agreement with us. Do we still owe him payments on his salary agreement?

Mr. Davis: Yes.

Mrs. Ellis: Why are we paying someone who is not abiding by his side of the agreement?

Mr. Nolan: My understanding is that whether the allegations on his website are true or not, could be considered moot, since he said he would not say anything derogatory about us. So I am not sure it matters whether the comments are true or not.

Ms. Pardee: Has everyone managed to read the website?

Mrs. Jones: Yes.

Ms. Pardee: That is what I mainly wanted to know.

Mr. Nolan: Actually, I copied the website because I didn't know if it would suddenly disappear.

Mrs. Ellis: It is being added to all the time.

- B. Review allegations of whether photographs and statements regarding a contractor's release of materials in its possession for destruction to another entity to be reused violates the terms of the settlement agreement.

Mr. Nolan: My understanding on this is that someone agreed to remove the existing gym floor, at least part of the gym floor, for free in exchange for the material. Dr. Rich apparently called the police.

Mrs. Jones: I don't know anything about this one.

Mrs. Ellis: I don't either.

Mr. Travis: I was asked about this a week or so ago. That had been brought to my attention. The other part about Dr. Rundhaug, I know nothing about your agreements with him, but I am also a contractor, and if the materials in the contract go to a sub-contractor, there is no reason for what happened.

Mr. Owen: Right.

Mr. Nolan: So why don't you tell us (Mr. Owen). I heard about it, but no one else has.

Mr. Owen: Stephen (Klump) talked to DL Withers and they put us in touch with the flooring contractor who was putting the floor in. Stephen asked if he could take some of the gym floor up. The contractor said absolutely. We met with them on Thursday and everybody was there. They discussed what everyone wanted. Everybody was happy. We proceeded. They had a crew there on Friday and Saturday. We went back Saturday evening and that is when the cop showed up. They (police) said someone had called in and that we were taking material we weren't supposed to take. So we explained to them what had transpired. The cops were satisfied and left.

Mr. Nolan: Now they gave you a first name of who had called?

Mr. Owen: They said "Rich". He said, Who called? They said it was a "Rich. On Sunday, we had a family gathering with the secretary's (Mrs. Gallagher's) family. Dr. Rich had texted her, asking her about us taking the floor up. She texted him back, saying she had talked to Mr. Travis and that it was the contractor's material and everything was above-board. Dr. Rich sent her a picture of the two police officers standing in front of the building, their two cars, and Stephen and my pick-up, backed up to the door.

Ms. Pardee: Do you know if that picture was posted on that website?

Mr. Owen: It wasn't posted. The only picture I've seen is the one that was sent to her (Mrs. Gallagher). He was standing behind a tree, on the other side of the street, in front of the apartment buildings. I just wanted to bring it to the Board's attention.

Mrs. Jones: Who was the contractor doing the floor?

Mr. Owen: I don't know the name of the contractor actually doing the floor. They said take what you want because Monday morning, which was this last Monday, they were coming in and sawing the floor to the sand, taking the pieces to the dumpster in front of the school.

Mrs. Jones: Previously, we've used pieces of old gym floors to do things around the District. Some of the bulletin boards (in Board room) are made of recycled wood.

Mr. Owen: Cowboy in center of floor has been kept to do something with later. The owner of the Cattle Rest also took some wood.

Mrs. Jones: It probably saves the contractor money.

Mrs. Jones: If we take action, do we gain anything?

Mr. Nolan: Right now, we are just reviewing the allegations. Our next step would be to enter executive session and consult with our attorney.

Mr. Owen: Made Motion to go into executive session.

Mrs. Jones: Seconded the Motion.

Motion passed unanimously.

Board entered Executive Session.

- C. The Board may vote to enter into executive session to consult with the attorney for the District, either in person or telephonically, pursuant to A.R.S. §38-431.03(A)(3) and/or A.R.S. §38-431 (A)(4) for legal advice regarding the settlement agreement with Dr. Rundhaug and potential options open to the District to enforce them.
- D. Return to Open Session
- E. Discussion and action directing the attorney for the District to act in conjunction with the directives provided during executive session.

Mr. Nolan: We have provided those directives in Executive Session and now we need to vote to make them official.

Mr. Owen: Made Motion to approve directives from Executive Session.

Mrs. Ellis: Seconded Motion.

Motion unanimously approved.

- F. Discussion and action to offer contracts to the following teachers for the 2015-2016 school term:
 - 1. Linda McCann, 5th Grade Science.
 - 2. Patricia Christensen, 7th/8th Grade Special Education.

Mr. Nolan: Patricia Christen (name is mis-spelled) has declined the 7th/8th grade teaching position so only voting to approve contract for Linda McCann.

Mrs. Ellis: Made Motion to offer Linda McCann a contract as 5th Grade Science Teacher.

Mrs. Jones: Seconded Motion.

Motion unanimously approved.

III. Set the date for the next meeting.

IV. Adjournment

Mrs. Jones: Made Motion to adjourn.

Mrs. Ellis: Seconded Motion.

Motion unanimously approved.

Board Meeting adjourned at 8:36 am.

Verified by Board Approval:

Gary Clement, Board Clerk

June 2, 2015

Date

Respectfully submitted:

Teresa Mills, Business Support Specialist/Payroll-HR

June 2, 2015

Date