

JOHNSON CREEK SCHOOL DISTRICT
Special Board of Education Meeting Minutes
Tuesday, June 4, 2019
5:15 p.m.
Weis Center

President Rick Wrench called the meeting to order.

Board Members Present: Duane Draeger, Heidi Hartz, Ken Johnson (arrived at 5:22 p.m.), June Kolaske (arrived at 5:22 p.m.), Jennifer Malueg, Mark Siewert, and Rick Wrench

Also Present: Lyle Wuestenberg, Melissa Christian, Melissa Enger, Stacy Pustina, Neil O'Connell, Lisa Krohn, and School Attorney Larry Steen

Mrs. Hartz verified that the meeting was properly posted Pursuant to § 19.84(1) Wis. Statutes.

Motion by Draeger/Malueg to adopt the agenda as posted. Motion Carried.

Community Viewpoint

Mr. Wuestenberg voiced his support for Mrs. Garvey and he also stated Jim Glover wanted to as well, when he talked with him on the phone.

Mr. Steen gave a history on the nepotism policy and the language he suggested which was approved by the Board on March 18, 2019 and was in place on May 20, 2019. His legal opinion was to not change the policy during the meeting but it could be changed at a later date.

Mr. Steen stated that he spoke with Attorney Robert Butler (WASB) who joined him in suggesting the Board hold the vote to reconsider the action taken at the May 20, 2019 meeting concerning the hiring of Mrs. Garvey.

Mr. Draeger asked if the Board members are opening themselves up to a lawsuit. Mr. Steen stated the Board needs to follow the District policies.

Mr. Wrench talked with Attorney Butler who said if the Board knowingly does not follow policy or ignores the advice or school council, the individual school board members could be sued.

Mrs. Hartz asked about having the names of staff being considered for positions listed on the agenda. Mr. Steen agreed that they should be listed on the agenda so the community is aware of the pending action.

Mr. Draeger asked about the negotiation of benefits when the nepotism policy applies. Mr. Steen responded that Dr. Garvey, per the policy, should have no influence on the salary or benefits determined for the candidate in this case.

Ms. Kolaske made a motion to seek a second opinion from the Boardman and Clark Law Firm. There was no second. Motion Failed.

Mr. Wrensch read a letter to the Board, which he authored, addressing his position on the matter at hand.

Mrs. Malueg spoke about her position on the matter.

Mr. Siewert recommended having a copy of the District's policies at Board meetings and more detailed notes, as he was not at the policy meeting.

Motion by Malueg/Draeger to reconsider and rescind an employment action taken at the previous Board of Education Meeting on the hiring of elementary teacher Samantha Garvey.

Roll Call vote: Draeger (Y), Hartz (Y), Johnson (Y), Kolaske (Y), Malueg (Y), Siewert (Y), and Wrensch (Y).

Yes – 7 No – 0 Absent – 0 Abstained – 0 Motion Carried

Motion by Kolaske/Siewert to considering changing the current nepotism policy to be an anti nepotism policy.

Roll Call vote: Draeger (N), Hartz (Y), Johnson (Y), Kolaske (Y), Malueg (Y), Siewert (Y), and Wrensch (N).

Yes – 5 No – 2 Absent – 0 Abstained – 0 Motion Carried

Motion by Malueg/Draeger to consider employment of elementary (4th grade) teacher Samantha Garvey.

Mrs. Kolaske asked Mrs. Enger how long before the long term sub had Samantha been teaching. Mrs. Enger was unsure, yet she said when she was a long term sub she had a positive experience.

Mr. Siewert pointed out that Dr. Garvey is Mrs. Enger's supervisor as well as the other administrators. He also asked if Mrs. Garvey was certified. Mrs. Enger answered yes.

Mrs. Hartz discussed nepotism policies in public sectors.

Roll Call vote: Draeger (Y), Hartz (P), Johnson (Y), Kolaske (Abstained), Malueg (Y), Siewert (Abstained), and Wrensch (Y).

Yes – 4 No – 0 Absent – 0 Abstained – 2 Present – 1 Motion Carried

NOTE: Hartz stated "present". Mr. Steen stated he was unfamiliar with that terminology. Mrs. Hartz stated that it is not a yes or a no vote. Mr. Steen said abstain is the terminology. Mrs. Hartz felt that abstain meant she had a personnel or monetary conflict and she does not. Mrs. Hartz changed her vote to Y.

After reviewing materials Mrs. Hartz sent Mr. Steen after the conclusion of the meeting, Mr. Steen stood corrected and a "present" vote should have been accepted. The minutes reflect the initial vote of "present" which Mrs. Hartz cast.

Motion by Draeger/Johnson to adjourn.

Respectfully submitted,

Heidi Hartz
Board Clerk