

# Minutes of Special Meeting

## Houghton Lake Community Schools

### April 11, 2011

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A Special Meeting of the Board of Education of Houghton Lake Community Schools was held Monday, April 11, 2011, beginning at 6:30 pm in the High School Cafeteria.

Board Members Present: David Johnson, Tom Dean, Tim Scherer, Dave Harned, Merry Maiani, Paull Fry, Ron Duquette

Administration and Staff Present: Brent Cryderman, Susan Tyer, Pam Akin, Melisa Akers, John Earley, Sue Williams, Mary Murphy, Laina Delay, Darlene Roberts, Eric Drog, Joann Gillman, Cheri Euler, Kristi Bisballe, George Rieger, Maureen Whidden, Rhonda Whitlock, Sally Cotterman, Amy Peterson, Chris Sura, Kathy Serum, Lori Warson, Kathy Hamel, Karen Hunt, Paula Youngberg, Tonja Hinkston, Susan Tyer, Coreen Julin, Alicia Thompson, Michelle White, Jill Trahan, Brenda Kunik, Marilou Mackenzie, Amy Koupal, Pat Bigford, Jan Pendrys, Gail Harned, Stan Gardner, Becky Wagner

Visitors: Jonathan Talbot, Lucy Stanislawski, Kris Murphy, Katie Earley, Bryn Peterson, Kevin MacArthur, Becky Radulski, Jane Affholder, Mary Rieger, Stacey Barnes, Scott Bates, Denise Bates, Mike Ignat, John Fuller, Sindy Fuller, Paula Fuller, Kristin Carrick, Ken Peterson, Kim Karoub, Scott Taylor, Jason McKinley, Shannon McKinley, Dwight Youngberg, Jill Huber, Nichole King, Charlotte Fitzgerald, Jeffrey Patti, Jim Kent, Tom Weir, Jim Garrett, Brandon Scott, Jessica Scott, Craig Younkman, Betsy Mead, Larry Mead, Madeline Hiller, Suzanne Hiller, Renee Britvec, Kraig Britvec, Cortnie Talbot, Barbara Natkowski, Leonard Natkowski, Virginia Deisler, Kris Deisler, Marvin Austin, Irma Austin, Bus White, Wendy Morrison, Chad Morrison, Sandy St. Riggow, Anne Bawek, Tracey Haggart, Jeff Campeau, Jennifer Flick, Kevin Flick, Becky Purvis

Press: Tom Hamp, Eric Hamp, Cheryl Holladay – Houghton Lake Resorter  
9 & 10 News Crew

President Dave Harned began the meeting with a statement to the public. He thanked everyone for coming out for the meeting. Thanked them for writing or e-mailing their concerns and comments. Every action the board has taken has been with the best interest of Superintendent Murphy and the district in mind. The board will not discuss the allegations against Mr. Murphy out of respect for Mr. Murphy. They will remain allegations until they are proven. The board will not know the results until they are notified by Thrun Law Firm.

#### 1. **Approve Minutes of Previous Meeting - March 28, 2011 Regular Meeting**

Motion by Duquette, support by Fry to approve minutes of the March 28, 2011 Regular Meeting as presented. All in favor, motion carried. Yes – 7, No 0

#### 2. **Citizen's Request to Address the Board of Education**

**Kraig Britvec** – What exception to the Open Meetings Act was used to go into Closed Session at the 3-28-2011 board meeting? How many members of the board knew about the Closed Session? Is there a deadline on the investigation? How much is this investigation going to cost? Why was the resolution approved at the 3-28-2011 board meeting typed prior to the meeting?

**Jonathan Talbot** – MEA/Negotiator, members up for re-election? Is it true that we have had 7 different superintendents in the last 10 years? What is the estimated turnover cost to this issue?

**Amy Stimec** – What is the board policy on addressing low performing employees? When Mr. Murphy was first addressed in regards to questions about his superintendency?

**Nicole Bruce** – Who first raised concerns regarding Mr. Murphy and his superintendency? Was there a performance improvement plan put into effect? What was the outcome of that plan?

**Becky Pervis** – Read the HLCS board policy's definition of due process. Did the board follow its policy on due process? Read portions of the HLCS board policy the responsibilities of the superintendent. Which of the 15 items listed did Mr. Murphy fail to honor? If his performance was unsatisfactory to the board, when did he receive verbal and/or written notification of his unsatisfactory performance?

**Mark Souder** – What is the current status of the investigation? Why can't Mr. Murphy continue to work during the investigation? If Mr. Murphy cannot continue to work why can't Mr. Cryderman continue to fill the interim superintendent position?

**Adam Gandolfi** – What is the daily cost to the district for this situation? Where is the money for this coming from? Who will suffer due to this relocation of funds?

**Brooke Souder** – What is the daily cost to the district for this situation? When are these concerns going to be answered? Will a board meeting be scheduled prior to the May 3<sup>rd</sup> elections which will address our concerns?

**Wendy Morrison** – Has a child with special needs. A meeting with Mr. Murphy, the school nurse, Mrs. Akin, and the child's doctor was scheduled for March 30, 2011. She was contacted on the 29<sup>th</sup> saying the meeting was taking place but the parents were not allowed to attend. The meeting took place with Dave Harned, Tom Dean, the school nurse and the doctor. She feels that her concerns about harassment by the Collins Principal have not been addressed. She has now contacted an attorney regarding this matter.

### 3. Discussion Items

#### A. Chief Negotiator

**Tom Dean** - Made a statement that it has been deemed necessary to contact a labor relations specialist to move forward towards the negotiations with the HLEA. All board members have a copy of the contract. They wanted to begin meeting on February 1, 2011. Administration did not have things in order to begin at that time. The negotiating committee had discussed that they were not moving forward quickly enough. In the last few weeks Mr. Dean contacted a superintendent in another district to get a recommendation on a negotiator. Mr. Dean met the superintendent from Oscoda Public Schools at a conference who shared information regarding this specific negotiator.

**Tim Scherer** – It would be useful to all parties to use someone who has a regular and ongoing knowledge of what is going on in the state. Thrun Law spoke highly him.

**Merry Maiani** – Did this superintendent feel that the expense was worth it based on what their district got out of the deal? Was it much cheaper than having an attorney sit in on negotiations? If we don't use him for the three years are we obligated to pay?

**Tom Dean** – This is a three year contract. He will be here for three years and we would use him for grievances, MERC hearings. It is a flat fee; it is not just straight negotiating.

**Brent Cryderman** – It seems to be a good move at this time.

**Dave Harned** – Is this something that is being brought to us because Mr. Murphy is not here or were we contemplating this previously?

**Tom Dean** – We have talked about it in the past. We had lawyers involved a couple of contracts ago. We hadn't moved forward up to this point but now we need to move forward.

**Ron Duquette** – Thrun Law thinks it is ok.

**Paul Fry** – Ok at this time.

**Dave Johnson** – Is worried about the cost to the district. Is there an Option B or Option C?

**Tom Dean** – No, almost all districts are three year contracts.

**Dave Harned** – What about all of the contracts we just rescinded? Is he going to work on them as well?

**Ron Duquette** – No just negotiated contracts.

#### B. Summer Projects

**John Early** - gave the board an update on possible projects for the summer months. Food Service, lighting and bleacher upgrades. No real decision has been made. The interior lighting project will move forward for the bus garage, middle school, Collins, and Alternative Education. These locations use T8 technology. Looking to recover up to 20%. Cost should be approximately \$50,000.

**Tom Dean** – Will the funds come out of this year's capital outlay budget?

**Merry Maiani** – How did we choose the contractor?

**John Early** – They are a spinoff of Johnson Control. The project will be put out for bid if the board approves it.

#### C. Interim Superintendent

**Dave Harned** – We are looking for someone to fill this position during the investigation phase. We asked Mr. Cryderman but he would like someone else to fill the position. We spoke to a couple of past superintendents. Spoke with John Walkley and he is hesitant. Pete Injasoulian would be willing to help. Jack Kramer volunteered to come back and fill the position. I am looking for comments from the board. Two of the people have their certification and one has let his lapse.

**Ron Duquette** – Pete Injasoulian is experienced, is willing to help, and is very familiar with the district. He would be working inexpensively.

**Merry Maiani** – Likes that he is familiar with the district. We would need more support in the central office. Pete needs more help than Kevin did.

**Dave Harned** – Thinks we have capable office staff at the central office.

**Paul Fry** – How long are we talking about? Are they going to maintain the district as it is operating? Are they coming on board to make changes? Would like to know what the cost is?

**Dave Johnson** – What do we expect from the interim superintendent?

**Ron Duquette** - \$25,000 per year. That is all he can earn with his pension. Not looking for new programs until this whole thing is resolved.

**Dave Harned** – The attorney is working to resolve this issue as quickly as possible. Sometime in mid May.

**Ron Duquette** – It depends on the results of the investigation. We may need to look for a full time replacement.

**Tom Dean** – This is just for the duration of the investigation. He will make no changes – just need to accomplish the day to day necessities.

**Tim Scherer** – Regarding the certificates – how long can you run a district on an interim?

**Dave Harned** – Not really hearing anything definite as a candidate.

**Tom Dean** – My suggestion would be to recommend Pete Injasoulian.

#### 4. **Citizen's Second Request to Address the Board of Education**

**Kraig Britvec** – Regarding the negotiator you are looking at; what is his track record? \$25,000 for Pete Injasoulia is \$25,000 more than we are spending now. If the problem is an internal problem can't Mr. Murphy be here and not have contact with that internal problem? With the lack of information from you it is hard for us to decide if you are doing the right job.

#### 5. **Board Opportunity to Make a Comment/Statement**

#### 6. **Action Items**

##### A. **Chief Negotiator**

**Merry Maiani** – What did we pay the attorney on the last contract negotiation? I know I am not qualified and no one on the board is either. I think it is neglectful on our part to enter into negotiations without proper representation. Does not want to enter into this without knowing the cost.

**Dave Harned** – I wonder if we could sit and talk about this at a work session? It would take away some of the uneasiness for the board.

**Ron Duquette** – If he is available I am sure he will be happy to come in.

**Dave Harned** – I am getting the feeling from the board that they are not quite ready to take this on. I don't want to offend the finance committee. We will change the Work Session scheduled for the 18<sup>th</sup> of April to a Special Meeting to allow for an action item.

NO ACTION TAKEN

##### A. **Summer Project Updates**

Motion by Dean, support by Duquette to approve the lighting contract with Air-N-Energy Consulting Inc. as presented. All in favor, motion carried. Yes – 7, No – 0.

##### B. **Interim Superintendent**

Motion by Duquette, support by Scherer to approve the appointment of Peter Injasoulia as the interim superintendent on a per diem basis as presented. Roll call vote:

Maiani – Yes

Scherer – Yes

Johnson – No

Dean – Yes

Fry – No

Duquette – Yes

Harned – Yes

Motion carried. Yes – 5, No – 2

\$145.00 per day. No radical changes, just someone to be here. Mr. Walkley will help him with any advice.

#### 7. **Correspondence**

FOIA request and letter from the Houghton Lake Resorter were read.

#### 8. **Statement by Board President Harned**

The board is acting with the oversight of Thrun Law Firm. The board is confident that our legal team is not misleading us.

#### 9. **Adjourn**

Motion by Duquette, support by Maiani to adjourn the meeting at 7:35 pm. All in favor, motion carried.

Yes – 7, No – 0.