

Minutes of Special Meeting

June 7, 2011

Houghton Lake Community Schools

A Special Meeting of the Board of Education of Houghton Lake Community Schools was held Tuesday, June 7, 2011, beginning at 6:30 PM in the High School Cafeteria.

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

Administrators and Staff Present – Camie Hansen, Lynn Pope, Lisa Earley, Jan Pendrys, Brent Cryderman, Susan Tyer, Melisa Akers, John Earley, Jared Socia, PJ Steeby, Paula Youngberg, Evelyn Maciha, Jill Trahan, Lisa Earley, Pat Bigford, Alicia Thompson, Lori Warson, Mary Murphy, Karen Hunt, Anjanette Rusmisl, Jodi Blanchard, Marilou MacKenzie, Joann Gillman, Angela Shavalia, Sally Cotterman, Chris Sura, Darlene Roberts

Visitors Present – Leonard Natowski, Barbara Natowski, Becky Purvis, Lori Sajdak, Jack Kramer, Rod Lewis, Jim Haf, Betsy Mead, Larry Mead, Renee Britvec, Kraig Britvec, Jonathan Talbot, Cortnie Talbot, Allison Hood, Jan Manley, Barbara Souder, Debbie Hauch, Amy Stimac, Brad Stimac, Scott Bates, Jane Affholder, Pat Murphy, Char Murphy, Scott Taylor, Patti Moreau, Mary Hacker, Debra Halliday, Char Fitzgerald, Douglas Stockwell, Nannette Akin, Joseph Wagner, Pamela Pakizer, Richard Koupal, Matthew Doehring, Brooke Souder, Tom Weir, Diane Sharpe, Penny Vendzuh, Jill Huber, Helga Brown, Sally Szewczyk, Gail Haenlein, Clifford French, Danielle Czapo, Christopher Sura, Mike McKenney, Kathy McKenney, Kelly Hammontree, Ed Morris, Ray Davis, Michele Eaddy, Rob Urbain

Press Present – Cheryl Holladay, Tom Hamp, Eric Hamp

1. Pledge of Allegiance

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

Becky Purvis – 104 Sandy Shore, Houghton Lake, MI

What is the final cost of the investigation of both the superintendent and the Collins principal? Why isn't the report regarding the investigation regarding the principal of Collins Elementary being made public? I made a FOIA request for the report and have received no reply. At the meeting held on May 23rd, it was approved to spend \$182,000 on the middle school and high school cafeteria renovations. It was stated that only one bid was received. How was the work advertised? Was there a sufficient amount of time for response? Do you think it would have been feasible to take the time to solicit other quotes before submitting the bid for vote?

3. Closed Session

Motion by Duquette, support by Scherer to move into Closed Session at 6:35 PM to discuss confidential correspondence under section 8H of the Open Meetings Act. Roll call vote:

Paull Fry – Yes

Ron Duquette – Yes

Tim Scherer – Yes

Dave Johnson – Yes

Merry Maiani – Yes

Tom Dean – Yes

Dave Harned – Yes

All in favor, motion carried. Yes – 7, No – 0. We will try to be as expeditious as we can. Closed Session began at 6:40 PM.

4. Open Session Resumed

Motion to move out of closed session at 6:55 pm by Duquette, support by Scherer. All in favor, motion carried. Yes – 7, No – 0.

5. Consideration of Report

Dave Harned - We will now move to the item on the agenda to consider the report done by Ray Davis concerning the allegations. I do have a note from Mr. Morris to deliberate this in Closed Session under section 8A of the Open Meetings Act. Motion by Duquette, support by Scherer to go into Closed Session at 6:56 pm. Roll call vote:

Yes – 7, No – 0.

Dave Harned – Yes

Ron Duquette - Yes

Merry Maiani - Yes

Tim Scherer - Yes

Paull Fry – Yes

Dave Johnson – Yes

Tom Dean – Yes

All in favor, motion carried. Yes – 7, No – 0. Closed session began at 7:00 pm.

Motion to move out of closed session at 8:27 pm by Duquette, support by Maiani. All in favor, motion carried. Yes – 7, No – 0.

6. Report Action if Required

Dave Harned - Thank you for your patience. We have had a lot of discussion to clarify some points. I will now offer the following motion and will be looking for support. Our meeting of the Board of Education of the district was held in the cafeteria on the 7th day of June 2011 at 6:30 o'clock in the evening. The meeting was called to order by David Harned, President. Present were Paull Fry, David Johnson, Merry Maiani, David Harned, Thomas Dean, Timothy Scherer, Ronald Duquette. The following preamble and resolution was offered by Dave Harned:

Whereas the board has received complaints against the superintendent of the district; **Whereas** the board has a duty to assure such complaints are investigated; **Whereas** the board appointed Raymond M. Davis of Thrun Law Firm, PC. to investigate these allegations, and Mr. Davis has issued this report to the board. Following receipt of this report the superintendent agreed to accept disciplinary action as hereinafter delineated. Now therefore, be it resolved: That the board received and fully considered the investigation report from Mr. Davis concerning allegations raised concerning the districts' superintendent. The superintendent, while disagreeing with some findings in this report, accepts full responsibility for his conduct, and agrees to this reprimand with a 7 day suspension without pay. The board shall place the superintendent on an individual development plan to be monitored by a board sub-committee consisting of members Thomas Dean, Tim Scherer and David Johnson. The superintendent agrees to take a course lasting at least 8 hours long, at his own expense, concerning essential human resource functions and standards. The course must be acceptable to subcommittee members Dean, Scherer, and Johnson. The superintendent shall not challenge this disciplinary action, though he will be able to exercise his right under the Bullard Plowicki Right to Know Act to draft a response, for attachment to the report. The superintendent shall not retaliate against any witnesses or individual providing information to the invest report. The superintendent and administrator A1 shall continue to abide by the methodology established by the board concerning the supervision of administrator A1. The superintendent's failure to abide by these terms, or to abide by the elements of his improvement plan, could result in disciplinary action, up to and including discharge. Both the superintendent and the board agree to these terms. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution, be it the same, are hereby rescinded. I will ask for a vote on this, but I believe we have a friendly amendment? **Tim Scherer**- I would like to direct the superintendent to draft an appropriate letter of apology to administrator R1 that is acceptable to the board president concerning inappropriate posting on the districts website. **Dave Harned** - Are you in agreement with this Mr. Morris, Mr. Murphy? **Mr. Morris** - Yes I am, **Kevin Murphy** – Yes. We will need a roll call vote on the resolution including the amendment to the resolution. Support by Merry Maiani.

Roll Call:

Ron Duquette – Yes

Dave Johnson - Yes

Dave Harned – Yes

Tom Dean – “The task given me as a board member of Houghton Lake Community Schools is to evaluate the facts concern the allegation against Mr. Murphy . I have been charged to evaluation of the facts present by our board attorney in an unbiased and open minded manner to determine if Mr. Murphy violated law, board policy or professional conduct. Knowing that each and every one of us has made mistakes, it is with hope that judgment will be fair and merciful and restoration complete. Based on the facts presented, I have determined that, in his role as superintendent, Mr. Murphy showed a lack of good professional judgment in word and deed. My recommendation to the board is that Mr. Murphy be disciplined at an appropriate level for such lack of professional judgment in word and deed. I believe that voting in the affirmative on this resolution fulfills my task”. - Yes

Paull Fry – Yes

Tim Scherer – Yes

Merry Maiani – Yes

Dave Harned –Yes

All in favor, motion to adopt the resolution passed. Yes – 7, No – 0.

7. Opportunity for Attorney and Board Comments

Mr. Morris –Thank you. I appreciate the 7-0 vote. I would like to make a few comments. The last time I was here was on May 9th. I was very much impressed by the public support. On behalf of Mr. Murphy and his wife, I want to thank the public for their support. Thank you very much. Some people are always concerned about the open meetings act. I would like to briefly explain how this settlement came to be. Personally, I worked 40 hours preparing for tonight, thinking we were going to have a contested situation, quite frankly. Ray Davis and I started talking, sincerely, on Monday about what would be best for the district and for Mr. Murphy. I had a draft of his report last week. Lawyers deal in recommendations. Ray can't bind the board without a vote and I can't bind Kevin Murphy without his permission. Ray and I started making recommendations back and forth. Kevin did admit some errors in judgment. Ray and I were able to, yesterday and up to 1:00 today, reach recommendations. That is how lawyers deal. They deal with recommendations and offers. No offers could be made because Ray didn't have the authority, and I needed to clear it with Kevin. The matters have been resolved in these terms. Kevin believes they are fair terms, I believe they are fair terms. We think it is in the best interest of everyone to put this behind us. I want to thank all of the people who spoke on behalf of Kevin. I also want to congratulate the board. I believe that, as elected officials, you listened to the public and you weighed things, and you had and followed your duty. It can be a tough job sometimes. When people can come together and compromise and resolve their

differences, it is in the best interest of the community. The bottom line is, whether you are the board, the superintendent, the staff or teachers, you all have the same objectives which are a fantastic school system: that gives the best opportunities to the students keeps the property values up and that is rewarding and fulfilling for everyone. I was very impressed by the passion and the commitment you have here in the Houghton Lake School District, both May 9th and today. Prior to a few weeks ago, I did not know Kevin Murphy very well. I knew his brother very well, that is how I was referred to Kevin. I have worked very closely with Kevin over the past 8 to 10 weeks. I will congratulate you once again. Whoever was on the board at that time, you did an excellent job in selecting Kevin. I know Kevin has learned from this experience. Kevin has grown from this. I think you got a good superintendent, and you got a great package with his remarkable wife, Mary. I truly believe that Kevin is going to be an outstanding member of this community and an outstanding superintendent. Again, I congratulate you. A 7-0 vote is a great vote of confidence. If I can, I will turn this over to Kevin for a brief statement. Kevin Murphy - This has been a humbling experience. I certainly will continue to learn a great deal from this series of events. Most importantly I am excited for the opportunity to return from leave as superintendent of Houghton Lake Community Schools. I look forward to working with the Board of Education, the entire staff and all stakeholders, to continue our journey to make Houghton Lake schools one of the best in the state of Michigan. My hope is that we build from here: open, supportive relationships that will bring forth the vision of one school, one community standing strong together.

Dave Harned - For the people who have been concerned with what the allegations were, and what the investigation reflected, that is a public document and there are some copies that are available if you fill out a FOIA application at the table. If we run out of copies, we will try to get some more.

Dave Harned - I pondered a lot today on what I would say tonight. I was pretty sure on what I was going to try to recommend to the rest of my fellow board members. A lot has been said over the past 8 weeks. A lot of it is injurious to several board members. A lot of it was injurious to Kevin and his family. The reason allegations are not made public, even though there was an outcry for information, is that the minute an allegation is made; here is either the assumption of guilt or innocence. That is not fair to the individual; it is not fair to the person making the accusation and it is not fair to the person receiving the accusation. There needs to be an investigation. If we had not done an investigation as a board, we would not have been doing our job. We did that job, and we think we did it very well. We thank Mr. Davis for his thoroughness; his unwillingness to short-circuit the investigation for haste. I think you did a fine job getting that ready for us. We hope our integrity is intact as board members. I think we have made the right decision and I thank you for your patience.

Ray Davis - I would like to thank Mr. Morris and Kevin for being responsive to my request for information. Getting me information and being helpful in providing and receiving information in terms of moving forward. I want to make it clear: I did not pose this as my recommendation to the board. I talked to the board in terms of parameters. The board, ultimately their vote up here was their vote. I certainly didn't pressure them into anything. There was a wide range of options that were before them. They chose the options to give Mr. Murphy another opportunity because they see someone who has characteristics to as a superintendent and they want to give him an opportunity to learn from this and too succeed. That said, I would also like to thank the person in the report known as administrator A1, who, I will say, is Pam Akin, for getting me all the information and being as diligent and professional during the process in getting me the information, as well as her attorney, Gordon Gregory, who was just outstanding in the process. I would like to thank Lynn Pope, Lisa Earley, and Evelyn Maciha. They would get late requests from me for information; they were extremely responsive; all were extremely professional. We've got three really good employees there at the district, and they should be noticed for their professionalism and their diligence. Pete Injasoulian should be thanked for being willing to come in and handle everything during a difficult time in the district. Also, board members Dave Harned and Merry Maiani were very patient during the process; despite personal wishes to come forward with information when, from my perspective, it wasn't best to do so, you guys sat on your hands to make sure the that process was fair to everyone. Dave Harned; his integrity during the process, and Merry Maiani; in terms of being willing to be my eyes and ears on a couple of issues here in the district, I really appreciate that. I was also very impressed with the teaching staff that I interviewed. It is very clear to me, if everyone works together; you have the makings for an excellent district. If everyone gets focused in the right direction. And, it is our sincere hope that this happens with this action.

Dave Harned - We have the best staff in the world in our schools, and I thank every one of you. As you all know, this is my last year on the board. I appreciate the support you have given me. I appreciate the direction we have gone. I think we have the best school. I think we have the best band in the land. I think we are developing a choir exceeding the expectations of everyone. We have a lot to be proud of. Let's start healing from here on out. Let's take advantage of what we have: a lot of great people.

Ron Duquette - I was just passed a note. The Golf team placed 6th out of 12 in the state districts on Thursday, and our high jumper placed 6th with a jump of 6'3".

8. Discussion Items

- A. Resolution by the Houghton Lake Board of Education that COOR ISD Conduct Another Special Education Millage Election in the Upcoming 2011-2012 School Year - **Pete Injasoulian** - Special Education Millage - I understand that our new community group is focused on this. I think that is great. The superintendents of the 6 COOR districts are asking the ISD to get this back on the ballot. This is a really important thing. At this time I would ask the board, under action, to approve the resolution to request that COOR ISD request a Special Ed Millage.
- B. Summer Tax Collection Agreements - Summer Tax Collection Agreements - We need to pass the resolution to get these agreements to allow the local taxing units to collect summer taxes.

9. Action Items

- A. Approve - COOR ISD Special Education Millage Request Election Resolution
Motion by Duquette, support by Maiani to approve the COOR ISD Special Education millage request election resolution as presented. All in favor, motion carried.
- B. Approve - 2011 Township Summer Tax Collection Agreements
Motion by Duquette, support by Johnson to approve the 2011 summer tax collection agreements with Denton, Lake, Markey, Roscommon, Nester, Backus, Richfield Townships as presented.

C. Approve - Reinstate Kevin Murphy as Superintendent

Motion by Dean, support by Fry to reinstate Mr. Murphy to his position as superintendent beginning Monday, June 13, 2011.

All in favor, motion carried. Yes – 7, No – 0.

Dave Harned –I would like to suggest that Pete stay 1 day of transition to get you up to speed with what has gone on if you are comfortable with that.

10. Adjourn

Motion by Duquette, support by Maiani to adjourn the meeting at 9:15 PM. All in favor, motion carried. Yes – 7, No - 0.