

# Parkview School District

106 W. Church Street – P.O. Box 250  
Orfordville, WI 53576

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## SPECIAL BOARD OF EDUCATION MEETING PARKVIEW JR/SR HIGH SCHOOL – Little Theater

**MAY 10, 2012**  
**5:30 P.M.**

### **1.0 MEETING CALLED TO ORDER** – by President Clay Hammes at 5:30 P.M.

**Members in Attendance:** Bill, Chuck, Clay, Elizabeth, Steve, Terry, & Mr. Lutzke.

**Guest in Attendance:** JoAnn Hart of Boardman & Clark LLP;  
Attorney for Parkview School District.

- 1.01 Approval of Agenda: Motion by Bill, 2<sup>nd</sup> by Terry to Approve the Agenda;  
All in favor, no opposed, motion passed.

### **2.0 BOARD WORKSHOP**

- 2.01 The Board's legal counsel will conduct an inservice regarding open meeting law. Highlights: Ms Hart mentioned the subject of having a recorded copy of each Board Meeting, and stated that it is not required by law to video tape or audio tape any meeting. If we needed to tape them for meeting minutes, we could, but were not required to keep, or distribute these tapes. She recommended simply that we 'generalize' our discussions, and release the approved minutes as noted in our by-laws. Open Meeting requirements are for a summary, and not verbatim discussions or conversations. See the Dept. of Justice Website or the Attorney General's website for 'Open Meeting Law Compliance Guide.

She provided a twenty one page handout that summarized the Wisconsin Open Meetings Laws that were updated in August of 2010. This is referred to later as ...page # of 21.

No individual Board of Education Member may represent the Board on issues. The collective Board must discuss and decide a position on a topic. "The more important the topic, the more public scrutiny will be applied."

Giving 'Notice' of an Open Meeting: A time table of twenty four hours for a normal subject of business, provided to the public in printed media format is generally accepted. Two hours would be acceptable when "Good Cause" would dictate a special item for discussion on the agenda, or the need for an "Emergency" meeting. Printed media would include an announcement printed in a local newspaper (called or faxed in), or the posting of the agenda on at least three public buildings (i.e. School, Post Office, Village Hall), within the stated time table. If an item is not on the printed agenda, the Board cannot legally act on that item, other than to add it to the agenda of a future meeting. See page 12 of 21. Give a 'notice' for a gathering of more than three Board Members to allow for 'reasonable accessibility' by the public.

Closed Session: The Closed Session must be scheduled on the approved agenda of that meeting. The Presiding Officer must announce that the Board will be moving from Open Session into Closed Session, with reasons, ask for a motion and a second to move into

Closed Session, the motion must pass with a Roll Call vote. Frequent need of a Closed Session are covered on page 11 of 21, letters c, e, f and g. The Board may voice vote to reconvene into Open Session after the business required is covered in the Closed Session. Notes should be taken, but do not require immediate release to the public on time sensitive issues. See page 12 of 21.

Committee Meetings: committees/sub-committees/ADHOC committees need to provide the same 'Notice' to the public as the regular Board meetings require. Minutes should be taken, but are not required to be released to the public, only to the Board members.

"Who is excluded from the definition of "Governmental Body": see page 4 of 21.

"Is it a Meeting?": see page 5 of 21. Gathered members of any Board or Committee can 'get together', but cannot discuss Board matters. Be careful not to allow public scrutiny to decide if there was a 'Meeting' just because a few of you were talking together in public. Quorums, negative quorums, walking quorums, and even emails between two or more Board members may be construed as a 'Meeting.' If you send out an email to other Board members, place a 'Notice' on the bottom – "Do not reply to this email." to safeguard against 'accidental meetings'. See page 21 of 21.

Agenda Items: Contact Clay, or Mr. Lutzke with your recommendation for an Agenda item. Give them the basis for your concern, but do not ask for opinions or discussion points. Discussion on topics outside of a posted meeting could result in fines of up to \$300.00, and are payable by the member, NOT the School District.

Make your meeting space large enough to accommodate your projected audience, or move to a larger room as required, and have someone left behind at the first room to direct late coming members of the public to your new / larger location.

Public participation: see page 8 of 21. Public participation is not required by law at Open Meetings. If you choose to allow it, establish, announce, and stick to a time limit for discussion by any given person. If a speaker refuses to stop at the end of their limit, defer to local Law Enforcement to have the person removed from the otherwise orderly meeting. Discussions should be topical to the agenda item on the floor, and the Board is not required to act on the information or views provided by the speaker at that meeting.

Defamatory remarks: see page 9 of 21. Comments made by the Board, or public speaker.

Meeting Minutes: Votes – Voice Vote - # Yes, # No, # Abstaining; Roll Call – Who voted Yes/No/Abstained; see page 17 of 21.

Members of a Board are allowed in meetings: see page 18 of 21. Member may excuse themselves from participation in votes or discussion in cases of 'conflict of interest'. See 18 of 21.

"Stay on the Agenda", "Stay on Target", "Stay Calm and Focused".

Include or incorporate proper signage to indicate a move from Open to Closed Sessions be posted to the outside of your meeting room when you have moved into Closed Session, or post someone outside the room to keep the proceedings 'closed'.

The Board thanked Ms. Hart for her handouts, clarifications, and advice.

Clay announced a ten minute recess (7:20 – 7:30) prior to moving into the Closed Session.

Troy Knudsen arrived at 7:20 from a previously scheduled engagement.

At 7:30, the Persons wishing address the Board in Closed Session had not arrived. Clay announced he had been in contact with the persons wishing to address the Board, and that they may, or may not attend this meeting.

**3.0 CLOSED SESSION:** not required – Persons wishing to address the Board did not attend.

**4.0 RECONVENE INTO OPEN SESSION:** not required – see #3 above.

**5.0 ADJOURNMENT:** Motion to Adjourn by Terry, 2<sup>nd</sup> by Bill, All in favor, Motion passed. Meeting was adjourned at 7:35.

Respectfully submitted by:

Chuck Hagmann B.O.E. Clerk