

MINUTES
RSU 13 SCHOOL BOARD EXECUTIVE SESSION
TUESDAY, JANUARY 21, 2014
McLAIN SCHOOL
6:00PM

1. Chair Kilgour called the meeting to order at 6:01 pm and declared a quorum.

2. Executive Session:

To go into Executive Session per MRSA 405(6)(E) to meet and consult with legal counsel regarding rights and responsibilities.

It was moved by Steve Roberts and seconded by Nancy Jeffers to go into Executive Session per MRSA 405(6)(E). Motion carried unanimously.

Executive Session entered at 6:02 pm and Chair Kilgour declared the board out of Executive Session at 6:26 pm.

Open Session: presentations by:

- a) *Campbell Badger, attorney with Drummond/Woodsum, representing RSU 13*
- b) *Superintendent Lew Collins*
- c) *Ron Smith, auditor/owner of RHR Smith*
- d) *Bryan Dench, attorney with Skelton, Taintor & Abbott, representing Mr. Vaitones*
- e) *Business Manager Scott Vaitones*

***** Chair Kilgour declared a break from 8:23 pm until 8:31 pm. *****

Questions from board members were addressed to the presenters.

3. Executive Session:

To go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter.

It was moved by Steve Roberts and seconded by Nancy Jeffers to go into Executive Session per MRSA 405(6)(A). Motion carried unanimously.

Executive Session entered at 9:02 pm and Chair Kilgour declared the board out of Executive Session at 9:42 pm.

4. Open Session, if action is required

It was moved by Nancy Jeffers and seconded by Christine Curtis to go forward with a hearing regarding the termination of Scott Vaitones' employment contract. Motion passed 827 – 173 (Loren Andrews and Carol Bachofner against).

5. Adjournment: *It was moved by Nancy Jeffers and seconded by Christine Curtis to adjourn at 9:54 pm.*

**The next meeting of the RSU 13 School Board
will be January 22, 2014, at 5:00 pm.**

MINUTES
RSU 13 SCHOOL BOARD EXECUTIVE SESSION
WEDNESDAY, JANUARY 22, 2014
McLAIN SCHOOL
5:00PM

1. Chair Kilgour called the meeting to order at 5:03 pm and a quorum was declared.

In attendance: all board members, Lee Bragg, Campbell Badger, Scott Vaitones, Ron Smith. Bryan Dench, attorney for Mr. Vaitones, chose not to attend the meeting.

2. Executive Session:

To go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter.

It was moved by Steve Roberts and seconded by Nancy Jeffers to go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter. Motion carried unanimously.

Executive Session entered at 5:05 pm and Chair Kilgour declared the board out of Executive Session at 5:26 pm.

It was moved by Steve Roberts and seconded by Nancy Jeffers to go into Executive Session per MRSA 405(6)(E) for advice of legal counsel. Motion carried unanimously.

Executive Session entered at 5:27 pm and Chair Kilgour declared the board out of Executive Session at 6:22 pm.

It was moved by Darryl Sanborn and seconded by Steve Roberts to go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter. Motion carried unanimously.

Executive Session entered at 6:24 pm and Chair Kilgour declared the board out of Executive Session at 7:35 pm.

3. Open Session, if action is required

It was moved by Steve Roberts and seconded by Nancy Jeffers to deny Mr. Vaitones' motion for continuance.

Move question by Christine Curtis; motion carried unanimously.

Motion carried 581 – 419 (Loren Andrews, Carol Bachofner, Sally Carleton, George Emery, Marla McGeady against).

It was moved by Carol Bachofner and seconded by Marla McGeady to have the hearing cease immediately based upon the admission last evening by Superintendent Collins that he failed to protect due process of Mr. Vaitones by denying him any counseling or evaluation of his job performance and going instead to a termination procedure.

Motion failed 581 – 419 (Christine Curtis, Sherm Hoyt, Nancy Jeffers, Tess Kilgour, Darryl Sanborn, Steve Roberts, Don Robishaw against).

Superintendent Collins stated for the record that Ms. Bachofner's motion was defamatory and factually incorrect.

4. Adjournment:

It was moved by Sally Carleton and seconded by Loren Andrews to adjourn at 7:55 pm.

Move the question by Darryl Sanborn; motion carried 909 – 91 (Sally Carleton against).

Motion to adjourn failed: 264 – 736 (Christine Curtis, George Emery, Sherm Hoyt, Nancy Jeffers, Tess Kilgour, Marla McGeady, Steve Roberts, Don Robishaw, Darryl Sanborn against).

5. Executive Session:

To go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter.

It was moved by Darryl Sanborn and seconded by Christine Curtis to go into Executive Session per MRSA 405(6)(A) to discuss a personnel matter and begin hearing. Motion carried unanimously.

Executive Session entered at 9:02 pm and Chair Kilgour declared the board out of Executive Session at 10:00 pm.

6. Adjournment: *It was moved by Loren Andrews and seconded by Steve Roberts to adjourn at 10:02 pm.*

MINUTES
RSU 13 SCHOOL BOARD OPEN SESSION
THURSDAY, JANUARY 23, 2014
McLAIN SCHOOL
6:00PM

1. Chair Kilgour called the meeting to order at 6:08 pm and a quorum was declared. The Pledge of Allegiance was conducted.

In attendance: all board members, Lee Bragg, Campbell Badger, attorney for RSU #13, Scott Vaitones, Bryan Dench, attorney for Mr. Vaitones, Lew Collins, and Ron Smith, auditor/owner of RHR Smith.

It was moved by Steve Roberts and seconded by Christine Curtis to continue the meeting tonight until the hearing was complete. Motion carried 506 – 494 (Loren Andrews, Carol Bachofner, Sally Carleton, George Emery, Sherm Hoyt, and Marla McGeady against).

2. Open Session:

The hearing continued with Ron Smith giving testimony until 10:00 pm in response to questions from Campbell Badger and Bryan Dench.

At this point, with two more witnesses for the prosecution's side, as well as rebuttal, and the defense yet to present their case, it was determined that it would not be possible to complete the hearing in this one session. The next date all parties are available is Wednesday, February 12, and Thursday, February 13, at 5:30 pm on both dates. As the 13th was the rescheduled regular board meeting, it was agreed to move the regular meeting to Tuesday, February 11th, at 5:30 pm.

Chair Kilgour addressed Mr. Dench and Mr. Vaitones and stated for the record: "The fact that Attorney Dench chose not to attend the hearing date of January 22, 2014, was a show of disrespect for the members of the board. These meetings are extremely costly to the taxpayers of this district and Mr. Dench had two month's notice of these meetings and agreed to the dates. In fact, Mr. Dench had initially wanted these hearings in December 2013 so clearly he felt he and his client were prepared to present their case."

There was discussion regarding having the second auditor, Mr. Shorette, come in person to the next meeting.

It was moved by Steve Roberts and seconded by Nancy Jeffers to have the district pay to have him attend the February 12, 2014, meeting. Motion carried unanimously.

3. Adjournment: *It was moved by Sally Carleton and seconded by Carol Bachofner to adjourn for the evening at 10:25 pm. Motion carried unanimously. The meeting will reconvene on Wednesday, February 12, 2014, at 5:30 pm at McLain School.*