

Lehigh Area School District

Lehigh, Pennsylvania

Reorganization Meeting of School Board

Monday, December 4, 2017, at 7:00PM

Minutes

Pledge of Allegiance

Call to Order - A reorganization meeting of the Lehigh Area School Board was held in the Administration Building, Conference Room A, on the above date and called to order at 7:00 p.m.

Roll Call

	Present	Absent
Mr. Richard R. Beltz, Member	X	☐
Mrs. Stacey L. Duerst, Member	X	☐
Mr. Duane R. Eidem, Member	X	☐
Mr. Stephen L. Holland, Member	X	☐
Mr. David L. Krause, Member	☐	X
Mr. Larry Stern, Vice President	X	☐
Mr. Wayne Wentz, Member	X	☐
Mr. Andrew Yenser, Treasurer	X	☐
Mrs. Gloria Bowman, President	X	☐
Mr. Brian Feick, Business Manager	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

Recognition and expression of appreciation for departing board members:

Mrs. Stacey L. Duerst
Mr. Duane R. Eidem
Mr. David L. Krause
Mrs. Gloria Bowman

Mr. Cleaver presented certificates to outgoing board members personally thanking them for serving countless hours at the table and throughout programs at the district. Appreciative of all that has been done for the district, students, and for the entire Lehigh education community. We could not have a more pro-education board than the group we have here tonight.

Mrs. Bowman – Thanked Mr. Cleaver for all he's done for the district. Without him, we would not have put our vision in place and everything that has been accomplished.

Courtesy of the Floor (Agenda Items Only)

1. Stacey Duerst – Reorganization

- *Speaking to the impending new board members regarding the organization, as a member of the board your first responsibility is to the students. Some of you have announced agendas that have nothing to do with education. It is imperative that as a board we elect a president who parents know will work professionally with administrators to continue providing the education our children need.*
- *Mrs. Maholick, this is not a simple affair. Parents will be watching your actions like a hawk and all of your actions will be shared with the public. We all know those actions of profound consequences on those around you and we hope when the time comes, you can look your granddaughter in the eye and justify what you have done. But luckily you can still change your mind in the nick of time.*
- *Mr. Beltz, you have denounced Mr. Bradley to our board. Your claims of corruption have always been at the fringe of your time here on the board and yet when questioned directly about those claims you have remained silent with no actual accusations being brought forward. Perhaps your ideas of corruption are just like the ideas of the mint juleps.*
- *Now is the time to vote for a president that is here for education, the reason you all should be here. If you fail to agree on a president that has proven that they are here for the students, you have failed every family in this district and every member of this community.*

Reading of Election Certificates

Atty. Schwab read each election certificate. Recording Board Secretary, Mrs. Wagner, made a list of the school directors. Larry E. Stern – 2 year term, Joy Beers – 4 year term, David F. Bradley, Sr. – 4 year term, Stephen L. Holland – 4 year term, Gail Maholick – 4 year term

Mrs. Maholick was also elected to the 2 year term but only turned in the certificate for the 4 year term. Mrs. Maholick cannot serve both, therefore there is a vacancy on the board.

Oath of Office for New Board Members and Re-Elected Board Members (if not completed):

Ms. Joy Beers
Mr. David F. Bradley, Sr.
Mr. Stephen L. Holland
Mrs. Gail Maholick
Mr. Larry Stern

Newly elected, Gail Maholick, and re-elected board members, Stephen Holland and Larry Stern, took the Oath of Office with Recording Board Secretary, Mrs. Wagner, administering the oath. Ms. Beers and Mr. Bradley submitted their notarized Oath of Office to Mrs. Wagner prior to the meeting.

Seating of New and Re-Elected Board Members

New and re-elected members took seats at the table.

Roll Call

	Present	Absent
Ms. Joy Beers, Member	X	☐
Mr. Richard R. Beltz, Member	X	☐
Mr. David F. Bradley, Sr., Member	X	☐
Mr. Stephen L. Holland, Member	X	☐
Mrs. Gail Maholick, Member	X	☐
Mr. Larry Stern, Vice President	X	☐
Mr. Wayne Wentz, Member	X	☐
Mr. Andrew Yenser, Treasurer	X	☐
Vacant	☐	☐
Mr. Brian Feick, Business Manager	X	☐
Mr. Jonathan Cleaver, Superintendent	X	☐
Attorney William Schwab, Solicitor	X	☐
Mrs. Melissa Wagner, Recording Secretary	X	☐

Election of Temporary President

Current Vice President, by prior practice, presides and opens nominations for Temporary President. Only holdovers eligible per school code 24 PS 4-402.

Mr. Wentz nominates Mr. Yenser for Temporary President.

Mrs. Maholick nominates Mr. Wentz for Temporary President.

Mr. Stern called for any further nominations.

Mr. Wentz declined the nomination.

Mr. Bradley asked Mr. Wentz why he declined.

Mr. Wentz stated personal reasons.

Mr. Bradley nominated Steve Holland for Temporary President. Mr. Stern stated that he (Steve) could not be nominated because he is not a holdover. Only holdover members can be nominated to Temporary President.

Mr. Bradley asked who else and Atty. Schwab stated Rusty.

Current Vice President calls for other nominations.

(1) MOTION by Mr. Wentz, SECONDED by Mr. Stern to close nominations.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Atty. Schwab – By acclamation, Mr. Yenser is Temporary President because he is the only one nominated.

Mr. Yenser assumed the chair for Temporary President of the LASD School Board.

(2) MOTION by _____, SECONDED by _____ to elect _____, as Temporary President.

VOTE: YES - _____ NO - _____ ABSENT - _____ ABSTENTIONS - _____

Election of President

Temporary President presides and calls for nominations for President.

Ms. Beers nominates Mr. Bradley for President.

Mr. Bradley declined for personal reasons.

Mr. Wentz nominates Mr. Yenser for President.

Mr. Yenser declined.

Mrs. Maholick nominates Ms. Beers for President.

Mr. Holland nominates Mr. Stern for President.

Mr. Yenser called for any other nominations.

Temporary President calls for other nominations.

(1) MOTION by Mr. Stern, SECONDED by Mr. Wentz to close nominations.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

Atty. Schwab - During the roll call you will say if you want to vote for Ms. Beers or Mr. Stern. This is an election, not a motion.

Mr. Stern	Roll Call Vote:	
Elected		<u>President</u>
President	Mr. Richard R. Beltz, Member	Ms. Beers
	Ms. Joy Beers, Member	Ms. Beers
	Mr. David F. Bradley, Sr. Member	Mr. Stern
	Mr. Stephen Holland, Member	Mr. Stern
	Mrs. Gail Maholick, Member	Ms. Beers
	Mr. Larry Stern, Vice President	Mr. Stern
	Mr. Wayne Wentz, Member	Mr. Stern
	Mr. Andrew Yenser, Treasurer	Mr. Stern
	Vacant	

Five votes for Mr. Stern, 3 votes for Ms. Beers. Mr. Stern is elected President of the LASD School Board.

(2) MOTION by _____, SECONDED by _____ to elect _____, as President.

VOTE: YES - _____ NO - _____ ABSENT - _____ ABSTENTIONS - _____

The President assumes the Chair.

Election of Vice President

President presides and calls for nominations for Vice President.

Mr. Yenser nominates Mr. Wentz for Vice President.

Mr. Bradley nominates Ms. Beers for Vice President.

Ms. Beers nominates Mr. Bradley for Vice President.

Mr. Bradley declined.

Mr. Stern called for any other nominations.

President calls for other nominations.

(1) MOTION by Mr. Yenser, SECONDED by Mr. Beltz to close nominations.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____
Motion carried.

4-4
Tie

Roll Call Vote:

	<u>Vice President</u>
Ms. Joy Beers, Member	Ms. Beers
Mr. David F. Bradley, Sr. Member	Ms. Beers
Mr. Stephen Holland, Member	Mr. Wentz
Mrs. Gail Maholick, Member	Ms. Beers
Mr. Larry Stern, President	Mr. Wentz
Mr. Wayne Wentz, Member	Mr. Wentz
Mr. Andrew Yenser, Treasurer	Mr. Wentz
Mr. Richard R. Beltz, Member	Ms. Beers
Vacant	

Four votes for Ms. Beers, four votes for Mr. Wentz. A Vice President is not elected.

Mr. Wentz
Elected
Vice
President

MOTION by Mr. Bradley, SECONDED by Ms. Beers that the board uses a coin flip to make the decision.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstention</u>
Mr. David F. Bradley, Sr. Member	X	☐	☐	☐
Mr. Stephen Holland, Member	X	☐	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐
Mr. Wayne Wentz, Member	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	X	☐	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Vacant	☐	☐	☐	☐

VOTE: YES - 6 NO - 2 ABSENT - ABSTENTIONS -
Motion carried.

By consensus of the board, Ms. Beers is heads and Mr. Wentz is tails. Mr. Feick flipped the coin. Mr. Feick revealed the coin and it was tails as stated by Mr. Feick and Atty. Schwab.

Mr. Wentz is elected Vice President of the LASD School Board.

(2) MOTION by , SECONDED by to elect , as Vice President.

VOTE: YES - NO - ABSENT - ABSTENTIONS -

Mr. Stern, President, deferred appointment of committees, Items A. to J. until a later date. Moving on to Item A. under XIII.

Atty. Schwab – As per past practice, as a sitting board member on a committee, you will remain on that committee until appointments are made.

Mr. Stern – As board members, you see the number of committees that are open. We are interested in folks that have a potential and want to participate in those committees. I will entertain letters of interest and appoint at a later date.

Mr. Feick – We may continue to have our regular committee meeting?

Mr. Stern – Yes. Committees are as standing.

President will conduct the appointment of the following positions (currently elected directors previously appointed continue until replacement appointee):

- A. **Negotiations/Personnel Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (4): *Deferred until later date.*

- B. **Budget/Finance Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (3): *Deferred until later date.*

- C. **Building and Grounds Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (2): *Deferred until later date.*

- D. **Policy Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (3): *Deferred until later date.*

- E. **Wellness Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointee (1): *Deferred until later date.*

- F. **Leighton Memorial Library Board** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (2): *Deferred until later date.*

- G. **Athletic Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (3): *Deferred until later date.*

- H. **Legislative Policy Committee of PSBA** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointees (2): *Deferred until later date.*

- I. **Advisory Committee of Title I** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointee (1): *Deferred until later date.*

- J **Academic Affairs Committee** (December 2017 to December 2018)
(President may decide to defer the assignment of committees until a later date)

Appointee (1): *Deferred until later date.*

President will conduct election of the following positions (if not filled, current appointees continue until new appointment):

- A. **Carbon Career & Technical Institute Representative to Joint Operating Committee** (December 2017 to December 2020)

President calls for nominations.

Mr. Stern nominates Mr. Yenser.

Mr. Stern called for any other nominations.

MOTION by Mr. Beltz, SECONDED by Mr. Wentz to close nominations and elect, Mr. Yenser as Carbon Career & Technical Institute Representative to Joint Operating Committee.

VOTE: YES - 8 NO - ABSENT - ABSTENTIONS -

B. Carbon Career & Technical Institute Alternate Representative to Joint Operating Committee (December 2017 to December 2018)

President calls for nominations.

Mr. Wentz nominates Mr. Holland.

Atty. Schwab – New board members should be advised why we are doing this. When you elect someone to the Vo-Tech board, you are authorizing them to commit the district to money and approve the Vo-Tech's budget. That is why it is an election as opposed to the appointment on the other committees.

Mr. Stern called for any other nominations.

MOTION by Mr. Beltz, SECONDED by Mr. Stern to close nominations and elect Mr. Holland as Carbon Career & Technical Institute Alternate Representative to Joint Operating Committee.

VOTE: YES - 8 NO - _____ ABSENT - _____ ABSTENTIONS - _____

Financial Matter - None

Personnel - None

Miscellaneous - None

Programs - None

Old Business for Discussion - None

New Business for Discussion

Atty. Schwab – Because there is a vacancy on the board, the board has 30 days in which to fill it because it is reorganized. Which would mean you have until January 3rd to fill that position however manner in which the board wishes to fill it.

Mr. Bradley made a motion that we fill the seat with Richard Beltz the next most vote getter in the general election for the same seat that Gail has advocated.

Mr. Bradley – Richard Beltz, I believe is here, and he is represented by Mr. Paul Rossi. I'd like a second to that motion.

Mrs. Maholick seconded the motion.

Mr. Stern called for a roll call.

Mrs. Wagner read the motion.

MOTION by Mr. Bradley, SECONDED by Mrs. Maholick to appoint Richard D. Beltz to fill the vacancy.

Mr. Bradley – Typically a board would have a discussion before you have a vote after you have a motion and a second. Are we going to entertain a discussion of this or have you guys already decided?

Mr. Stern – Maybe at this point, I'll make a motion to nominate Mr. Duane Eidem who is actually the next most vote getter in the general election for all seats.

Mr. Wentz seconded the motion.

Mr. Bradley – Point of order, you're going to discuss a new motion before we discuss the other motion?

Mr. Stern – We can put both of them on so we can vote the same way we would for President or Vice President.

Mr. Bradley – Typically, this is not how this would go. There is procedure dealing with a motion. You have one motion on the floor, you have a second to that motion and you have discussion.

Mr. Stern – Okay, we will revert and vote on that motion first.

Mr. Bradley – You are going to have a discussion on that motion first. Am I correct Mr. Schwab?

Atty. Schwab – A board can organize however it wishes and how it wishes to proceed with these meetings. The majority controls. If a majority says what you are saying then yes, if a majority doesn't than no, if we have a 4-4.

Mr. Bradley – I think out of courtesy to the people that are in this room, and the courtesy to the board, and the letter that Larry wrote this afternoon about how governance of a board should work, we should have a discussion on the vote before you take a roll call vote and that's just parliamentary procedure right in Robert's Rules. To deviate from that would be an error.

Mr. Stern – Who would like to speak on behalf of Mr. Beltz? Is that the proper protocol? Maybe I should ask you, Mr. Bradley, if that is proper? Do we allow each of the representatives to speak or do we allow Mr. Beltz his three (3) minutes?

Mr. Bradley – Actually, he has an unlimited time if anyone on this board would like to hear what he has to say. There is not a three (3) minute courtesy of the floor during a meeting while you are discussing much like when an architect comes here and gives a presentation. So, with that being in mind...

Mr. Stern – We will give him a three (3) minute...

Mr. Bradley – I'm talking Larry, with that being in mind, I think that we as a board should discuss the merits as you mentioned Duane Eidem with a lot of votes, the most votes that he got on that other seat if that's the criteria, that I would agree with, getting a lot of votes is important. Mr. Beltz obtained almost 30% of the votes for his seat in comparison to the 12 or 13% I believe Mr. Eidem got. And, that's just one criteria, we have many to discuss.

Atty. Schwab – If you want to discuss, discuss until someone calls for quest.

Ms. Beers – I would personally like to hear from Richard Beltz and his representative to hear his sales pitch.

Mr. Stern – I don't think we want to hear from his representative, we want to hear from Mr. Beltz.

Ms. Beers – That's fine.

Mr. Bradley – I'm sorry Larry, I couldn't hear, you were mumbling.

Mr. Stern – She heard me just fine David, not sure why you didn't. Maybe if you'd pay attention we'd be fine.

Mr. Stern – I think we'd like to hear from Mr. Beltz, not from his representation.

Mr. Bradley – The board can hear from anyone that they so choose, any board member.

Mr. Cleaver – I think as we move forward with this meeting, I think it is understandable that there is a sign of understanding, respect, and courtesy shown for everyone here on the board. I think that's important. We are a district that is in charge of 2400 students and I believe we ask them do the same every time they walk in our doors and so I continue to ask the same for every individual who walks through these doors as we move forward with these meetings. That is something that I think is important for us to conduct order, conduct the process, and most importantly do what's right for kids. Thank you.

Atty. Schwab – When you're talking process, because some of the board members are new, when vacancies have been filled, this district has used a myriad of ways to fill the position. We've done it essentially as Mr. Bradley suggests, we had the motion and appointed at the same time. We've had times when the board takes applications and has a special meeting that is devoted solely to interviewing each one. That's probably the most common this board has followed in the 30 years that I'm solicitor.

Mr. Bradley – Actually, Bill, I'll take a point of order on that. The last two (2) appointments you guys just did in a meeting just like this.

Atty. Schwab – I said that happened..

Mr. Bradley – You said mostly...

Atty. Schwab – In 30 years of being here, most of the time it was opened up to the community to see who was interested. The board got all the resumes, they sat down and they interviewed. That wasn't the last two (2) appointments, your right, but that has been what we've done in the past. It's up to the board how they fill the position.

Mr. Bradley – In the more recent past, if we have a qualified applicant, Richard if you'd please come up and tell us a couple of things about your qualifications. I have an 18 year old in the district, I'm a taxpayer in the district. I think they are the basic requirements of a school board member if I'm not mistaken.

Mr. Richard D. Beltz

I've lived in the area for about 68 years.

Atty. Schwab – Just to make sure, you are a resident of the district?

Palmerton.

Atty. Schwab – You're a resident of Palmerton?

No.

Atty. Schwab – I just wanted to make sure that's clear.

Mr. Wayne Wentz and I started off at Phiffer's Corner School, two (2) room school house, outdoor plumbing. Third grade we went to Franklin. I thought that was the biggest thing that came along. About 6 months later, we were told to hide under our desk in case of bombs.

I have watched what is going on here. I'm concerned about the four (4) elementary schools that are being sold off, I think a little bit too cheap. The new elementary center was going to come sometime, sooner or later.

I was fortunate to spend 37 years as an airline pilot. It was my duty and my job to make sure that we were a team that worked together. Recently, the last 10-11 years, I've been running the Beltzville Airport.

Do I have any questions?

Mr. Bradley – Did you bring a lawyer with you?

Oh yes, there's a lawyer here.

Mr. Bradley – I'd like to hear from him.

Mr. Stern – We don't want to hear from his representation.

Mr. Bradley – I would like to hear from him, thank you.

Mrs. Maholick – I'd like to hear it too.

Atty. Schwab – It has to be the majority.

Mr. Bradley – Not to hear from an individual that's going to make a presentation for the board.

Mr. Stern – Why do we need a lawyer to represent him?

Mr. Bradley – Whether he is a lawyer or not, doesn't really impact. If he is interested in providing information for a motion that is on the floor and a board member has interest in that information, it's part of the data collection, I'd like to collect that data.

Atty. Schwab – Mr. Bradley wants it, Gail wanted it, see if five of you agree to it.

Mr. Bradley – Actually, Bill, you don't need a full majority to hear information to make a decision nor do you need a vote.

Atty. Schwab – How a board runs is a majority decision.

Mr. Bradley – Only when there is a discrepancy associated with a policy. This is not a policy, this is just collecting data prior to making a decision.

Atty. Schwab – That's my ruling as your legal counsel.

Mr. Bradley – That is not the case, Bill.

Atty. Schwab – Get your five votes.

Mr. Bradley – It's not about getting five votes, Bill.

Mr. Stern used the gavel and called for order.

Mr. Stern – At this point, it seems we are not moving in the direction that is benefiting anyone.

Mr. Bradley – You are oppressing the information.

Mr. Stern used the gavel and called Mr. Bradley out of order.

Mr. Bradley – I'm not out of order. I have a right to make a point of order in a meeting.

Mr. Stern – My recommendation and I move, it does not need to be a motion, that at this point in time, I'm calling for the community to submit letters of interest to the district for the open school board position. And, with that, I'm calling for a recess until we receive such letters and a meeting will be held at a later date to make a determination on how we move forward with our ninth member.

Ms. Beers – What happened to the motion that Dave brought forward?

Mr. Stern – We can vote on it if you'd like to do it now or we can do it later. We've given Mr. Beltz the opportunity to put more information together so the rest of the board can make a better decision.

Mr. Bradley – Actually, Larry does not have the right to make a recess because he doesn't like the way it's going because this is a board of nine (9) people, eight (8) currently. So, that's not really the case. What we want to look at is whether or not a person, inside this audience, has a right to provide information to a board prior to making a decision. I'd like to call up Mr. Paul Rossi and let's hear what he has to say.

Atty. Schwab – He is not the chair of the board, you (Larry) run the meeting, so you make the decision.

Mr. Stern – I'm calling for letters of interest to be submitted to the district by December 20th.

Mrs. Maholick – I think all the arguing wasted more time than it would have taken to listen to him.

Mr. Bradley – I agree. The people have spoken, you can only oppress them so far, Larry. You've got to let the people speak. You have two (2) people you are looking at. You're looking at Mr. Duane Eidem and you're looking at Mr. Richard Beltz. You can either do one of two things.

Mr. Stern – How do you know there are not others, sir?

Mr. Bradley – I'm sorry?

Mr. Stern – How do we know there are not others expressing interest?

Mr. Bradley – I can't hear that, say it again.

Mr. Stern – How do we know there are not others who would express interest?

Mr. Bradley – Don't care.

Mr. Stern – You don't care?

Mr. Bradley – Not at all.

Mr. Stern – You don't care?

Mr. Bradley – I do not care if others have expressed interest when I have a district full of voters that have made a decision and we should honor that decision. The people have spoken, they should be listened to, Larry. That is the point of this board to be representative of the people that have spoken. If you are going to stop them from speaking, you're going to have to do it in public, which is what you are doing now, and a board of nine (9) people. Rather than oppress a gentleman that is here, that has the most votes, as you have honored with importance, let's hear him. Then, you can put that on hold, and discuss Duane Eidem. Listen to both to make a decision. I'm fine with that. I'll respect that.

Mr. Bradley – Mr. Rossi, as a board member, I would like to hear what you have to say.

Mrs. Maholick – So would I.

Mr. Bradley – You can let him speak. There's nothing against it.

Mr. Stern – Have at it. Mr. Rossi...

Mr. Bradley – Larry, I respect that and I appreciate it. Thank you for recognizing what Robert's Rules of Order and how they work.

Mr. Stern – Mr. Rossi, what district do you represent and where do you live?

Mr. Rossi – I'm a resident of Hempfield School District in Lancaster County.

Atty. Schwab – (Larry) It's up to you?

Mr. Stern – We will give you your three (3) minutes.

Mr. Rossi – Thank you. I just wanted to point out that this board had a recent experience with the untimely death of Mr. Hill and the judge articulated quite clearly that the judge does not want to be placed in the position of imposing his view or his selection on a school board. That it is the job of the school board to make a decision and through that obviously judges primary consideration is the most qualified person for the job is the person that the judge is going to select and if there is more than one candidate that are appropriately qualified. Judges across the commonwealth have begun to look at those qualified candidates that are petitioning the court who have actually entered the political arena and have significant community support and electoral support. And, I think the board needs to stay cognizant of that Mr. Beltz have garnered 1274 votes, more than even some of the candidates on the four (4) year ballot. That his unease in picking a candidate will default back to the qualified candidates who have put themselves forward and have garnered substantial support in the community and the electoral process. And, that is completely Mr. Beltz. Mr. Beltz is clearly qualified. He is a retired airline pilot. I can't imagine why you wouldn't want somebody with a level head, the skill set of an airline pilot sitting on your board to help you guys through some very difficult decisions apparently which is dividing this community and a community which has spoken in the recent election. He is clearly of a demeanor that can facilitate and help this board get to the point of the decisions they need to get to and add is substantial management skills to this board which I think any school board should desire to have on the board moving forward. I think Judge Nanovic when he appointed the replacement for Mr. Hill expressed deep discomfort in making this decision. He essentially admonished the school board that you really need to make this decision and I highly suspect that if he is forced to make this

decision again, and in such a short period of time, he is not going to be particularly pleased. And, I think we are going to make the argument, moving forward, that he should look to what other common plea judges have done across the commonwealth, in Lancaster County, Chester County, and Allegheny County by selecting qualified candidates who have put themselves forward in the prior election and really default to what the voters wanted. The next best option down ballot and that would be Mr. Beltz in this situation. I would encourage the board to essentially perhaps vote in a manner in which you're going to have to put Judge Nanovic in a position having do himself. Now, I would also suggest that the prior board's attempts to reach out to the judge before this meeting taking place was inappropriate and I think any kind of discussions with a judge before litigation before something has taken place...

Atty. Schwab – Stop. Stop right there. There have been no discussions with Judge Nanovic

Mr. Bradley – He's speaking...

Atty. Schwab – I don't care.

Mr. Rossi – That's okay.

Atty. Schwab – You are saying that there have been discussions with the judge. There have been no discussions.

Mr. Rossi – That's good to hear and I appreciate that.

Atty. Schwab – There wouldn't be discussions. I didn't take a position with Mr. Hill as well. I was there for the board to answer general board questions. But, there has been no discussion with the judge at all.

Mr. Rossi – That's excellent and that's the appropriate way to move forward.

Mr. Bradley – With that being said, is there anyone else here in the audience that would like to make a statement against Mr. Beltz being a qualified candidate at all? Is there anybody here that can please help these four (4) guys that don't want to elect him and tell you why Mr. Beltz is not a qualified candidate.

Mr. Stern – I'd like to call for a roll call vote.

Mr. Bradley – Even Wayne can you? Larry, can you even make a statement against Mr. Beltz that makes him not qualified?

Atty. Schwab – He (Larry) has called for a roll call vote.

Mr. Yenser – Mr. Eidem is also here and as I look down the tallies here, Mr. Eidem had accumulated 1535 votes in the general election. I don't know if he'd like to say any words as well?

Mr. Bradley – I think we should do one at a time and then discuss Mr. Eidem. We have a whole list of items I'd like to discuss about Mr. Eidem if we are going to go down that path. However, currently, I want to ask this board. Steve, can you name one thing that says Richard Beltz is not qualified?

Mr. Stern – I've called for a roll call vote, Mr. Bradley.

Mr. Bradley – I'm having a discussion.

Mr. Stern – I've called for a roll call vote.

Mr. Bradley - We are discussing the motion prior to making a vote. You can't just force a roll call vote when you are still having a discussion, Mr. Stern.

Mr. Stern - Yes you can.

Mr. Bradley - How can you do that Mr. Stern? Where in Robert's Rules does it say that you can call a vote while we're still having a discussion to collect data. Would you like me to pull it up for you?

Mr. Stern used the gavel.

Mr. Bradley - Wait, you can't gavel me out, I'm a board member. You have a motion on the floor, you're having a discussion. If there is other information pertinent to the discussion, you should address it and then call the vote Mr. Stern.

Mr. Yenser – Mr. Stern, if I may, we've heard one candidate, there are others who may have interest in this position and again in fairness to everyone, before there is a vote taken, shouldn't others again as you have stated keep it open for all candidates. Is that a fair way to do it for the citizens that we represent? Again, to give everyone a fair opportunity at this position.

Mr. Bradley - Andrew, I greatly respect your idea, but the reality is if you have a motion on the floor and a second, you then have a discussion and then anyone of the board members can make a roll call vote after the discussion of the board members is complete. Prior to that, it would be out of order for you to make such a suggestion. As part of this discussion, Wayne, do you have anything against Mr. Beltz that would not let you vote for him?

Mr. Yenser – I believe the discussion would continue at that point if we do open this up to other candidates. We wouldn't be...

Mr. Bradley – If you want to make Duane Eidem part of this discussion, I can respect that.

Mr. Stern – There is a call for a roll call vote. So we can either...

Mr. Bradley – We are not done with the discussion. You cannot have a roll call vote if people are still discussing. If we are asking for a roll call. Andrew just mentioned he'd like to hear from Duane Eidem. If we want to put him as part of the discussion...

Atty. Schwab – The chair controls the meeting, Mr. Bradley.

Mr. Bradley – Robert's Rules of Order control this meeting, Mr. Schwab.

Atty. Schwab - We are not a Robert's Rules of Order if you looked at our policy. We don't follow it.

Mr. Bradley – Wait, you’re telling me that the school board association that Larry Stern just told us was part of the governing is not going to follow Robert’s Rules of Order which they talked about.

Atty. Schwab – What I’m saying to you Mr. Bradley, is the policy of this district is to use the Robert’s Rules of Order as a guide. It is not binding on us and we’ve modified it many times over 30 years. Ultimately, you can’t filibuster forever making a discussion and keeping a discussion when there is a call for a vote. The practice and policy of this district is when the call for a vote is made, that terminates the discussion. You can ask for reconsideration after that.

Mr. Bradley – Put a three (3) minute timer on it and let’s go through the discussion and we’ll end it. Wayne, do you have anything against Richard...

Mr. Stern – A roll call vote...

Mr. Bradley – Beltz that prevents you for voting for this man. Steve, do you have anything against?

Mr. Stern – We can do one of two ways. We can vote at this point and time for and consider Mr. Beltz or we can wait for other candidates and he can have time to put his information together in a more timely manner, maybe more succinctly and he might be able to express himself a little bit better or we can vote and he can still express his letter of interest later.

Mr. Bradley – More succinctly than the three (3) minute you gave him?

Mr. Stern – I gave him more than that and he didn’t give more detail.

Mr. Bradley – Very generous of you. Steve, do you have anything that you can vote for this man?

Mr. Stern – I call a vote...

Mr. Bradley – I want to hear it. I want to know anyone in this room, prior to silencing the whole crowd, who says Richard Beltz is not qualified by any means not to accept this seat on this board.

Mr. Michael Lusch (member of the audience) – I believe Duane Eidem is more qualified because he is a previous board member.

Mr. Bradley – And, I believe if you’d like to have that conversation, let’s talk about his experience...

Mr. Stern – A roll call vote, please.

Mr. Bradley – He offered a discussion...

Mr. Stern used the gavel and called for order.

Mr. Stern – I would thank you to show more respect, that even the community. I know that it is hard for you to stop talking at certain points.

Mr. Bradley – When I’m being silenced by a man with a gavel that doesn’t follow Robert’s Rules of Order? I can respect that.

Mrs. Wagner read the motion.

MOTION made by Mr. Bradley, SECONDED by Mrs. Maholick, to elect Mr. Richard D. Beltz.

Roll Call Vote:

	Yes	No	Absent	Abstention
Mr. Stephen Holland, Member	☐	X	☐	☐
Mrs. Gail Maholick, Member	X	☐	☐	☐
Mr. Larry Stern, President	☐	X	☐	☐
Mr. Wayne Wentz, Vice President	☐	X	☐	☐
Mr. Andrew Yenser, Treasurer	☐	X	☐	☐
Mr. Richard R. Beltz, Member	X	☐	☐	☐
Ms. Joy Beers, Member	X	☐	☐	☐
Mr. David F. Bradley, Sr. Member	X	☐	☐	☐
Vacant	☐	☐	☐	☐

VOTE: YES - 4 NO - 4 ABSENT - _____ ABSTENTIONS - _____

Motion failed.

Mr. Stern – As stated previously, I’m opening the position to accept letters of interest from the community by the December 20th timeline. Until then, we will go into recess. Thank you.

Mr. Bradley – I have other new business. Mr. Stern, before you go into recess, you have to actually have to ask everybody and have a vote.

Atty. Schwab – No you don’t.

Mr. Bradley – You cannot go into recess if you have other new business.

Atty. Schwab – Mr. Bradley, the adjournment...

Mr. Bradley - It’s not adjournment, we are talking recess

Atty. Schwab – He said a recess.

Mr. Bradley – Until when? You mean five (5) minutes, he’s gotta take a leak? What are we talking about? You’re recessing for what? We have other business to handle here this evening.

Atty. Schwab – There is nothing else on the agenda.

Mr. Bradley – There is new business on the agenda. We were given information to be able to address on this new agenda and it was not placed on the agenda by the new board members. I’m wondering why it wasn’t placed on it.

Atty. Schwab – It’s the policy of this district that has been adopted the agenda is done by your Superintendent and the board president. They are the two (2) responsible for the agenda.

Mr. Bradley - Bill, you know that any board member can make a motion at any time and it can be added to this board minutes and its time to do that. You have a board, you have a room full of

people and we've got some business to take care of. I don't understand why you are in such a rush. It's not even 8 o'clock.

Atty. Schwab - You will need to set up a meeting and advertise.

Mr. Stern - We'll set a meeting for Thursday, December 21st to review letters of interest for the school board opening.

Mr. Cleaver - Should we do them by 3:00 p.m.?

Mr. Stern - Yes, 3:00 p.m. on the 20th.

Mr. Cleaver - We will, as we have in the past, forward all letters of interest that we receive to the board so they can view them prior to the meeting for December 21st.

Atty. Schwab - Madam recording secretary, just so your minutes are accurate. The chair has called a recess of this meeting to December 21st. I assume 7:00 p.m. to review all applicants and to fill the position.

Mr. Bradley - Mr. Schwab, I'd like to file a formal protest against Mr. Stern's ability to silence members of this board.

Atty. Schwab - That's your privilege.

The board recessed at 7:56 p.m. until the meeting to be held on Thursday, December 21, 2017, at 7:00 p.m. to review applicants to fill the position and to resume the reorganization meeting.

Courtesy of the floor / Public Comment

Adjournment

Next regular scheduled meeting is January 22, 2018, at 7:00 p.m.

A. MOTION by _____, SECONDED by _____ to adjourn the meeting.

VOTE: YES - _____ NO - _____ ABSENT - _____ ABSTENTIONS - _____

Respectfully submitted



Brian Feick
Board Secretary

(Minutes of December 4, 2017, includes Pages 1 through 20.)