

**SPECIAL MEETING OF THE BOARD OF EDUCATION  
SCHOOL DISTRICT OF BELOIT  
June 28, 2016  
Published Proceedings**

The Board of Education held a special board meeting on June 28, 2016 at the Kolak Education Center in Room 106. President Scharmer called the meeting to order at 5:17 p.m.

Members Present: Lisa Anderson-Levy, Pam Charles, Shelly Cronin, Nora Gard, Kris Klobucar and Shannon Scharmer. Member Absent: Dennis Baskin. Also present: Anthony Bonds, Jamie Merath, Emily Pelz, and Darrell Williams.

Charles moved approval of the agenda with removal of item 7b, Request for District Counsel to Participate in External Ongoing Investigation. Seconded by Gard. Michelle Shope, Board Secretary, read a statement from Dr. Tom Johnson, Superintendent as to the purpose of the agenda item. Scharmer indicated that she is willing to turn over that portion of the meeting to either Dr. Johnson or Anderson-Levy should the board choose if it stays on the agenda. Charles requested a roll call vote.

Approval of the agenda with removal of item #7b failed on a roll call vote with Charles and Gard voting in the affirmative and Anderson-Levy, Cronin, Klobucar, and Scharmer voting in the negative. Anderson-Levy moved approval of the agenda as posted. Seconded by Cronin. Motion carried 4-2, with Anderson-Levy, Cronin, Klobucar and Scharmer voting in the affirmative and Charles and Gard voting in the negative.

Cronin moved to convene the Board of Education into closed session pursuant to section 19.85(1)(a) of the Wisconsin Statutes relative to deliberating concerning a case which may be the subject of any judicial or quasi-judicial trial or hearing. Seconded by Anderson-Levy. Motion carried on a roll call vote 6-0.

Gard moved to reconvene to open session. Seconded by Cronin. Motion carried unanimously of the members present.

Gard moved to uphold the approval of the Hearing Officer's order of expulsion for I.S. Seconded by Anderson-Levy. Motion carried on a roll call vote 5-1, with Klobucar voting in the negative.

Williams indicated on Dr. Johnson's behalf that he is supportive of this forecast for tuition reimbursement. Gard moved approval of the forecast for tuition reimbursement. Seconded by Klobucar. Motion carried unanimously of the members present.

Merath introduced Megan Levy, Director of Wisconsin Energy Office's Municipal Energy Efficiency Technical Assistance Program (MEETAP) who addressed revenue limit energy exemption projects and performance contracts and how their office can assist the district with an independent opinion as well as resources to secure the best services at a reasonable cost.

Scharmer turned the meeting over to Anderson-Levy to discuss 7b, Request for District Legal Counsel to Participate in External Ongoing Investigation. Members discussed the aspects of the case, pros and cons of legal counsel being interviewed and whether or not to break attorney-client privilege.

Gard moved to allow Attorney Rob Buikema to be interviewed while not breaking attorney-client privilege. Seconded by Klobucar. Gard called for the question. Charles asked if Scharmer would be recusing herself from the vote. Scharmer asked if Gard would also be asked to recuse herself. Charles stated she felt it is only a conflict of interest for Scharmer since she is the one being investigated. She also stated that

Scharmer should not even be in the room for the discussion stating the example of Klobucar leaving during construction bids.

The vote to call for the question carried on a roll call vote 6-0. The vote to allow Attorney Buikema to be interviewed while not breaking attorney-client privilege carried 4-1-1 with Charles voting in the negative and Scharmer abstaining.

Scharmer resumed the chair and recessed the meeting at 7:02 p.m. for the business meeting. Scharmer reconvened the meeting at 8:29 p.m.

Anderson-Levy moved to reconsider the vote previously taken regarding the district's attorney being interviewed. Seconded by Charles. Scharmer turned the meeting over to Anderson-Levy.

Anderson-Levy stated that during the televised meeting, Charles looked at Wisconsin Statute 905.03 (5a), forfeiture of privilege, in the discussion earlier, it appeared that the will of the board was to allow the investigators as long as they did not divulge information that would put the district in a position to be sued. Anderson-Levy read 5a. Anderson-Levy asked if anyone felt the information would change their vote.

Gard moved to reconvene the Board of Education into closed session pursuant to Section 19.85(1)(g) of the Wisconsin Statutes relative to conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and Section 19.85(1)(e) of the Wisconsin Statutes relative to deliberating or negotiating the purchasing of public properties, whenever competitive or bargaining reasons require a closed session. Seconded by Klobucar. Motion carried on a roll call vote 6-0.

Anderson-Levy moved to reconvene to open session. Seconded by Gard. Motion carried unanimously of the members present.

Anderson-Levy moved to reconsider the vote on the motion relating to legal counsel to participate in an ongoing external investigation. She voted in the affirmative. Seconded by Gard. Motion carried on a roll call vote, 5-0-1 with Scharmer abstaining.

Anderson-Levy moved that if Attorney Rob Buikema is interviewed during the course of the external investigation, the board does not waive attorney-client privilege for any information he may be asked during the interview. Seconded by Klobucar. Motion carried on a roll call vote 5-0-1 with Scharmer abstaining.

Anderson-Levy moved to authorize Merath to enter into a contract with Beloit Auction for the sale of Royce pending termination, if applicable of our current listing contract at no cost to the district. Seconded by Klobucar. Motion carried unanimously of the members present.

The meeting adjourned at 10:20 p.m.

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Michelle Shope, Board Secretary

Approved at the Regular Business Meeting on July 26, 2016

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Lisa Anderson-Levy, President