

SAU #39 Board

Tuesday, December 19th, 2017

Meeting Minutes

Administrative Team: Peter Warburton – Superintendent, Adam Steel- Business Administrator, Christine Landwehrle- Director of Curriculum and Professional Development, Carrie James- Director of Human Resources, Porter Dodge- Principal AMS

Amherst School Board: Galen Tremblay-Chair, John Glover- Secretary, Paul Prescott and Terri Behm.

Souhegan Cooperative School Board: Chair- Howard Brown, Jim Manning- Vice Chair, Amy Facey, and Pim Grondstra.

Mont Vernon School Board: Thomas Driscoll- Chair, Stephen O’Keefe, and Kim Roberge

Minute Taker: Danae Marotta

Public: Gordon Graham Esq., Diane Gorrow. Esq. Soule, Leslie, Kidder, Sayward & Loughlan. Mike Campo- Plodzik & Sanderson Professional Association, Concord, NH. Larry Breckenridge- Mont Vernon, NH. And Community Members.

I. CALL TO ORDER – Chair Amy Facey

Chair Ms. Amy Facey called the meeting to order at 6:35pm.

She noted that she is moving the Consent Agenda ahead due to some visitors here tonight.

II. CONSOLIDATION DISCUSSION

Superintendent Mr. Peter Warburton discussed that they have been talking about consolidation with the districts and added that they have been receiving legal counsel from Mr. Gordon Graham Esq. and Ms. Diane Gorrow Esq. along the way.

He noted that he would like the Board and Public to weigh in and ask any questions they may have.

He commented that Business Administrator, Mr. Adam Steel will give the Board an overview about the structure of the SAU #39.

Mr. Steel reviewed the current structure. He noted that every SAU has a Superintendent and can include multiple districts, in this case, SAU #39, Amherst, Souhegan Cooperative and the Mont Vernon Village school.

He added that the ASD covers pre K-8, with 5 school board members for the town of Amherst.

The Mont Vernon school covers students pre K-8 in MV, and has 5 school board members. For students in grades 7 and 8 MV pays tuition to Amherst, through a tuition agreement.

33 Then in 1989, the two towns got together and created the Souhegan Cooperative School District
34 for both students that live in Amherst and MV in grades 9-12. The Souhegan Cooperative School
35 Board has 7 members, 2 are from MV, and 5 from Amherst.

36 He then noted the Amherst tax rate covers the ASD and the MV tax rate covers all the MV
37 school district expenses. He added that the Souhegan Cooperative School District expenses are
38 split between the two tax rates, based on a formula, includes two factors, 1. is equalized
39 valuation and 2. the average daily membership that comes from each town.

40 Mr. Steel added that the SAU #39 Board is comprised of 17 board members, from each of the
41 districts, where every member has one vote. There is a potential for a weighted voting but that
42 has not happened in recent years.

43 That is the current configuration as it stands right now. He noted that consolidation came up due
44 to the complexity of the 4 schools.

45 He then noted that the working theory is that there would be one school district, Souhegan, using
46 the cooperative formula that already exists, for students pre k –grade 12. The ASD and MV
47 school districts would cease operations and essentially dissolve.

48 He noted that there was a Streamline Committee that has worked on gathering information.

49 He then explained what are the Articles of Agreement. He then noted that if someone wanted a
50 school to remain open then they could put it in the Articles of Agreement. He added that a
51 number of things are in the current Articles of Agreement.

52 He added that they met with Mr. Graham and Ms. Gorrow last week to discuss should they want
53 to move forward. He noted that all three warrant articles would have to pass.

54 He then noted that they are here to answer any questions then added that this is in relation to
55 RSA 195.

56 Mr. Graham noted that this discussion about consolidation has been going on since 2011. He
57 added that they have put time in analyzing some of the complexities, with the employees, and
58 how they could be merged.

59 He added that the law is clear for a Cooperative that already exists to expand the grades that go
60 to that district.

61 He added that the towns would each have to vote, where it gets complicated is the date and how
62 will the budget be because you will have to know who you are employing and those sorts of
63 things. He added that the details surround employees, land issues in terms of who owns what,
64 etc. He added that is the detail that needs to be investigated and answered by the Board in a short
65 amount of time.

66 Mr. Graham added that they would be happy to answer as many questions as the Board may
67 have. He noted those questions they don't know they will get back to them.

68 Mr. Manning asked what information do they need from the Board in order to form a
69 comprehensive plan.

70 Mr. Graham noted that the Board needs to affirm the grades that they want in the coop. That is
71 the first thing then they can draft Warrant Articles for the district. Then, the Board needs to come
72 up with a constitution that they will live by answering questions such as “how many people will
73 be on the Souhegan Board”, “how will you divide the apportionment”, “is the Souhegan District
74 going to take over all of the land that exists”, “how are they going to negotiate with the
75 employees so that in time you can have a clear idea of what your budget will need to be prior to
76 the date of the responsibility that Souhegan District will take over” and etc. these are all
77 questions that need to be resolved in short order.

78 He added that the other two districts, Amherst and Mont Vernon will vote to cease operations
79 and transfer their funds to the Souhegan district and that article will be to expand the grades that
80 Souhegan covers and all the other issues.

81 Mr. Glover commented that Mr. Manning’s question went unanswered.

82 Mr. Glover asked Mr. Steel what other ways and mechanisms are out there before they get into
83 the weeds both legally and structurally.

84 Mr. Steel replied that they have options, such as to dissolve all three and create a new district,
85 you could have an Area agreement, and a tuition agreement.

86 Mr. Graham noted that it totally depends on what they are trying to accomplish.

87 Mr. Glover noted that being student focused is paramount, it is not about the property. Students
88 in MV are not allowed to participate in sports, he noted that there is a lot of good reasons to
89 seriously consider consolidation.

90 Mr. Graham added that the consolidation issue is the creation of a new entity and that is what
91 they are doing. He noted that they already did that for Souhegan (in 1989). The question is, do
92 they become one and if they do, then they have made their decision and that is the way to go. He
93 noted that for the purposes of school, Mont Vernon and Amherst will pay for their contribution
94 of Souhegan District.

95 Mr. O’Keefe thanked the attorneys and asked why are they not having this conversation here
96 tonight with just us and not last night in Mont Vernon with the general public.

97 Superintendent Warburton added that they felt that it was important for the SAU board to weigh
98 in with the attorneys before they take it to the individual boards.

99 Mr. Graham added one of the complexities is how they would specifically apply and consolidate
100 the organizations that represent the employees. He added that it is doable and the most recent
101 example was Exeter Regional Cooperative School District (6 surrounding towns including
102 Exeter). He explained that they went from an Area Agreement to a Cooperative. You have
103 multiple organizations with multiple representatives and to figure out how that process is going
104 to work to get to the knowledge that you need in the future. He added that it is a complication.

105 He added that he can tell them, essentially discussions on the part of the represented bodies.
106 Through negotiation and discussion, you can solve any of these problems, but on the other hand,
107 you may not. If you don't then you need to be prepared.

108 Mr. O'Keefe commented that it is an extreme obstacle and that is why they were cancelled.

109 Superintendent Warburton added to at least hear it.

110 Mr. Graham added that it is something that can be overcome, it takes real planning and thought,

111 Ms. Gorrow remarked what this Board has to provide them is guidance. She noted that lawyers
112 pick things apart, in terms of details, and they were looking for guidance.

113 Mr. Graham added that until they form a new District employees are still working on their
114 original agreement. They need to know or plan for it.

115 Mr. Driscoll replied that they do know the bargaining cycles, and asked what the legal
116 requirement is for the remaining contracts.

117 Mr. Graham remarked that is the complicated question, and it is better to get an agreement
118 beforehand.

119 Mr. Prescott, added that it boils down into 5 different pieces, land, does it get absolved? 2, how
120 will budgets change? 3. What will the board look like? 4. What unions will represent the
121 employees? 5. And policies, although wording similar, are going to have to be negotiated. He
122 then asked what is he missing.

123 Mr. Graham replied, the financing and apportionment piece.

124 Ms. Roberge added far as they would be concerned it could be binding for 3 years in March, it
125 could go longer than that. She added that it is not like the Exeter case.

126 Mr. Graham replied you are touching on those issues.

127 Ms. Roberge asked if they are beholden to those contracts.

128 Mr. Graham replied, there could be things that could impact that, like new organizations.

129 Mr. Brown asked if the state board have to give their blessing.

130 Mr. Graham replied, yes, he then read the State Board duties. He added that it is a pretty
131 proforma review for districts that already operating in a SAU and are already supporting one
132 another.

133 Mr. Brown asked if this needs to happen before they proceed.

134 Mr. Graham replied, no. The State Board would approve the revised articles of the Souhegan
135 Cooperative School District.

136 Mr. Grondstra thanked Mr. Graham and Ms. Gorrow for coming and asked if all those points
137 being captured by Superintendent Warburton and Mr. Steel.

138 Superintendent Warburton asked the attorneys from today onward, if they can give us up to
139 March. He discussed when they got to the juncture in the meeting about, collective bargain
140 agreements, they questioned whether they stop it in 2 years or does it go to its expiration. He
141 noted they don't have an answer for that yet and there are two different opinions.

142 He added that they do have a pretty good working knowledge of the process.

143 Mr. Grondstra asked if they are supposed to make decisions tonight.

144 Superintendent Warburton asked Mr. Graham and Ms. Gorrow go through what needs to happen
145 in the next month, or so if they choose to go forward.

146 Mr. Graham replied if you decided to go forward with changes to the amendments to the SCSD,
147 the first thing is to go through with a find tooth comb the changes to that agreement how is that
148 going to be amended for a wide segment of the population. He added that they will be working
149 as hard as they could about contracts and whether or not there needs to be issues. He gave an
150 example from the new Exeter District, some of that has to happen non-public.

151 He added that there needs to be public hearings at the February meetings. It would be a busy
152 January.

153 Mr. Glover commented what they need to understand are the pathways. He added that there are
154 gaps but there are example questions there are 14 questions that are salient for them to consider.
155 He then asked if it is possible to dissolve those contracts. He added that he appreciates their
156 work, but this is a serious matter, and the depth calls for more than an oral discussion of the
157 matter.

158 Mr. Graham replied, that is why they are here. He asked if they want to move forward now, you
159 folks need to decide that and there are some questions that need to be answered and some will
160 have to be in non-public session.

161 Ms. Facey added that they did ask the voters if they wanted to explore consolidation and
162 80%replied, yes. She added that they need to solve the details.

163 Mr. Driscoll thanked them for coming, and asked if with the Board if there is a prescribed
164 formula.

165 Mr. Graham replied, it is one person one vote. He added that they can also have it at Large. He
166 added that there is a way of doing that in the existing agreement as a part of your going forward.

167 Mr. Manning added that it is a chicken and the egg of their own way. So that the say come to
168 them with a plan. He added that he has been saying this for three years and that is the
169 fundamental problem. He noted that their job is not to take a million notes. He added that they
170 have nothing but air, if MV seems hesitant then they are because they do not know the details.
171 He added his recommendation for management to work with the attorneys to come up with a
172 comprehensive plan.

173 Mr. Glover added that they need to see all solutions, it is really important and to see the "it".

174 Ms. Facey mentioned that there will be some issues that the separate boards need to address. She
 175 added that they are looking for direction in that here are the issues that they need to contend
 176 with, the land and the contracts are the big topics. Yes, they need administration with gathering
 177 information so they can make a decision.

178 It is a timing thing too, for this year's ballot and she is putting that out there.

179 Mr. Manning asked Mr. Steel if he has the capacity to take that on.

180 Mr. Steel replied if your intention is to have something on the ballots for this March then no, if it
 181 is to do it well for March FY 19 then, yes.

182 Mr. Graham added that it is a major undertaking. That is a long process, if that is the way you
 183 want to go through it, then it should happen no later than sept or October so you can see if there
 184 are any tweaks.

185 **Mr. Jim Manning moved to direct the Associate Superintendent to develop a**
 186 **comprehensive consolidation plan with input from each individual school board in time to**
 187 **be considered for the March, 2019 school district meeting cycle. Ms. Kin Roberge seconded**
 188 **the Motion. The vote was unanimous, Motion passed.**

189 Mr. Graham remarked that is precisely what they are looking for, to narrow the focus.

190 Ms. Facey added, yes, it is important to understand the deal breakers.

191 Mr. O'Keefe asked about the cost of the investigation, he knows that their legal counsel is not
 192 free.

193 Mr. Steel commented that he does not see it as an exorbitant amount, the work is in the deal
 194 breakers and if they can thread the needle between the districts. He added that he is not
 195 concerned with the legal costs.

196 Mr. Prescott noted that he is concerned that they are putting the cart before the horse. He then
 197 suggested to get the deal breakers out of the way then get the mission/ vision then go the
 198 administration. He added that is what they are going to look for consolidation supports then look
 199 at the preferred option.

200 Ms. Roberge noted that it gets missed is that it is a control issue. She added that the Board is
 201 looking at supporting kids in the middle school and the lack of control, and they don't know why
 202 the SCCD or ASD would want to consolidate. They like their teachers' contracts, so why are
 203 those districts looking at consolidating. She added that she believes that there is something more
 204 to this.

205 Ms. Facey noted she agrees that they do not have enough time to put it on the ballot this year.
 206 She noted that it could be imperative to the educational benefits of the students. She added that it
 207 is her opinion. She added that they need to have those conversations again.

208 Mr. Glover noted that he disagrees with Mr. Prescott and Ms. Roberge. He added that the
 209 consolidation is an extreme benefit for the students. He added that is the tool that they need now,

210 if they don't have that tool then they should cease discussion. These negotiation points can be
211 solved this is why consolidation is on the table. He noted that they can push the ball a little more
212 forward tonight.

213 Ms. Roberge added that she is not sure if the MV students will greatly benefit from
214 consolidation.

215 Mr. Steel noted that he needs to hear the deal breakers from the constituent districts.

216 Discussion ensued.

217 The Board thanked Mr. Graham and Ms. Gorrow.

218 III. ANNOUNCEMENTS

219 A. Individual Board Reports

220 1. Souhegan Cooperative School Board

221 Chair Mr. Howard Brown noted that they are busy with the budget.

222 The Board thanked Mr. Brown.

223 2. Amherst School Board

224 Chair Ms. Galen Tremblay

225 The Board thanked Ms. Tremblay.

226 3. Mont Vernon School Board

227 Chair Mr. Thomas Driscoll discussed that teacher and the Board have reached an agreement;

228 They continue to work on their budget, they are 8.02% percent with the default at a 5%.

229 The Board thanked Mr. Driscoll.

230 4. SAU #39

231 Superintendent Warburton noted that they are discussing consolidation.

232 The Board thanked Superintendent Warburton.

233 IV. PUBLIC COMMENT

234 Mr. Larry Breckenridge, 32 Spring Hill Road, Mont Vernon, NH commented that he would like
235 it in the Articles of Agreement that the MVVS stays open.

236 The Board thanked Mr. Breckenridge.

237 V. CONSENT AGENDA

238 A. Minutes

239 1. November 14, 2017

240 2. November 20, 2017

241 B. Treasurer's Report

242 1. November 2017

243 C. 2017 Auditor's Report

244 **Ms. Galen Tremblay motioned to accept the Consent Agenda items A. Minutes 1.**
 245 **November 14, 2017, 2. November 20, 2017 B. Treasurer's Report 1. November 2017 and**
 246 **C. 2017 Auditor's Report. Mr. Howard Brown seconded the Motion. The vote was**
 247 **unanimous, Motion passed.**

248 VI. DISCUSSION ITEMS

249 VII. INFORMATIONAL ITEMS/ UPDATES

250 A. NHSBA 2018 Delegate Assembly

251 Superintendent Warburton added that it is in the agenda packet and coming up on of the 20th of
 252 January.

253 Ms. Amy Facey added that she will be in attendance as a Board Member.

254 **The Board recessed at 8:00PM.**

255 **The Board resumed the regular meeting at 8:20PM.**

256 **Ms. Kim Roberge motioned to enter into Non-Public session RSA 91-A:3 II. (a) and (c) at**
 257 **8:23 PM. Mr. Jim Manning seconded the Motion. The vote was unanimous. Motion passed.**

258 **Ms. Facey called a Roll Call: Facey-Yes, Brown-Yes, Manning-Yes, Grondstra-Yes,**
 259 **Prescott-Yes, Tremblay-Yes, Behm-Yes, Glover-Yes, Driscoll-Yes, Roberge-Yes and**
 260 **O'Keefe- Yes.**

261 Other people present in non-public session: Carrie James, HR Director

262 Discussion: Personnel Matters and SAU 39 Leadership Transition

263 **Ms. Kim Roberge motioned to exit Non-Public session RSA 91-A:3 II. (a) and (c). Mr.**
 264 **Howard Brown seconded the Motion. The vote was unanimous. Motion passed.**

265 **Ms. Facey called a Roll Call: Facey-Yes, Brown-Yes, Manning-Yes, Grondstra-Yes,**
 266 **Prescott-Yes, Tremblay-Yes, Behm-Yes, Glover-Yes, Driscoll-Yes, Roberge-Yes and**
 267 **O'Keefe- Yes.**

268 The Board resumed Public Session at 8:50 PM.

269 **Kim Roberge moved to approve the contract for Adam Steel as Superintendent of Schools**
 270 **as amended. Mr. Stephen O'Keefe seconded the Motion. The vote was unanimous. Motion**
 271 **passed.**

Kim Roberge moved to name Adam Steel the Associate Superintendent effective 1/1/2018 for a stipend of \$8,000 and to provide stipends to Christine Landwehrle and Meg Beauchamp in the amount of \$3,125 each from January, 2018 through June, 2018 for transitional services. Mr. John Glover seconded the Motion. The vote was unanimous. Motion passed.

VIII. PRESENTATIONS/REPORTS

A. SAU 39 Strategic Modeling Session

Mr. Jim Manning noted that he sent a report via link that the model that is in that report. He added that they changed the language today a little.

Mr. Glover added that the word “community” is sufficient.

He added that he is looking for support.

The Board noted their support for Mr. Manning’s model.

The Board thanked Mr. Manning.

IX. PUBLIC COMMENT

No public Comment

X. ACTION ITEMS

A. EEAA – Video Surveillance on District Property

Ms. Tremblay noted that after she had gotten back feedback the Policy Committee took it back for review. There is no change to the first bullet. She added that live surveillance is permissible under certain circumstances. She noted it doesn’t change the intent.

Ms. Behm asked if it could be added to the Thursday agenda.

Discussion ensued.

Mr. O’Keefe noted that the Emergency Management committee has not met this year and asked why. He noted that there should be consistency with emergency planning and they have had shortfalls with public communication.

Ms. Galen Tremblay motioned to send Policy EEAA out of revisions and back to the individual boards Mr. John Glover seconded the Motion. The vote was unanimous. Motion passed.

XI. NON-PUBLIC SESSION RSA 91-A:3 II. (a), (b), (c)

A. Personnel Matters

B. SAU 39 Leadership Transition

See above VII. INFORMATIONAL ITEMS/ UPDATES

304 XII. FUTURE AGENDA ITEMS

305 Chair Ms. Amy Facey noted the following future agenda items:

- 306 • Strategic planning

307 She then recommended Emergency planning.

308 Mr. Steel added that he suggests that they revisit it in spring.

309 Ms. Behm noted as long as it is not dropped off the radar.

310 Mr. Glover noted that as much it is centrally patrolled, to ask where are the gaps, and the top 10
311 questions.

312 Mr. Steel added, in the interest of efficiency please send him an email. He added that it is an
313 extremely high priority for him.

314 Ms. Behm noted there needs to be certain things that need to be addressed.

315 Mr. O’Keefe asked for an SAU board meeting in MV.

316 The Board thanked Mr. Steel.

317 XIII. REVIEW OF MEETING/ADJOURN

318 **Mr. Paul Prescott motioned to adjourn the meeting at 9:30 PM. Mr. John Glover seconded**
319 **the Motion. The vote was unanimous, Motion passed.**