

Special Meeting

Cascade School District 3B

Board of Trustees

April 4, 2018 - 6:00 pm

Board Members Present –

High School Board

Rick Cummings - Chair
Chris Boland - Vice Chair
Erin Wombold
Blake Standley
Deanna Hastings
Val Fowler

Elementary Board

Rick Cummings - Chair
Chris Boland - Vice Chair
Erin Wombold
Blake Standley
Deanna Hastings

Others Present: Karsen Drury - District Clerk, Wesley Seabolt, Emily Seabolt, Pam Marquis, Rita Hood, Chayleen Person, Katey Marquis, Wes Marquis, Felicia O'Brien, Brooke Hanson, Mark Hanson, Carol Brady, Teresa Weems, Iain McGregor, Farrah McGregor, Chris Wilson.

Rick Cummings - Board Chair, called the Board of Trustees meeting to order at 6:00 pm. Mr. Cummings asked for public comment on **non**-agenda items.

New Business

- A. Election Issue: Determine the validity of 3 Declarations of Intent for Trustee Candidates that failed to be turned into the District Clerk as required by 20-3-305.

Erin Wombold moved that given the legal requirement for the Declaration of Intent for a school board candidate to be submitted to the Clerk of the District and given that the District Clerk did not timely receive the Declarations of Intent of 3 individuals, I move that the Board comply with the legal requirements and declare the forms not timely submitted and therefore the names are not to be placed on the ballot as such. I further move that any of these 3 individuals should be informed of their option to declare as a write-in candidate. Valerie Fowler seconded the motion.

Board discussion:

Rick Cummings stated that he will abstain from voting. Rick acknowledged that mistakes were made throughout the process. 3 filed with the county with understanding that they would be placed on the ballot. 2 filed with the district with understanding they would be placed on the ballot.

Hastings states that it is an unfortunate situation all around. She referenced the MCA, saying that we are not the law and do not make the law, but we must follow the law.

Fowler said her concerns were all legal and it is the board's job to protect the District.

Hastings said that it's important to understand what OPI is--the buffer between the state and the schools.

Cummings says that the paper says intents are to be returned to the clerk. The only solution is be a write in candidate and states that the difference between this year and last year is that the County sent the intent to the clerk, this year they did not. Fowler says if the board puts them on the ballot we are breaking the law. The individuals can still be write-in candidates. Write-in candidate deadline is April 5th. Standley says that all candidates should then be write-in candidates out of fairness. Trustees recall the process of when they were running for trustee positions. The trustees put the responsibility on the county. The board engaged in a legal discussion about being protected from potential lawsuits.

Public Comment:

Wes Seabolt commented on his process and procedure of filing for candidacy and expresses his opposition for the motion.
Wes Marquis commented on his process and procedure of filing for candidacy, concern for other individuals not able to file for write-in, and opposition for the motion.
John Rumney commented on his process and procedure of filing for candidacy and expressed his support for whatever the board decides.
Felicia O'Brien expressed her opposition for the motion.
Jodie Campbell expressed her opposition for the motion.
Chris Wilson expressed his opposition for the motion.
Emily Seabolt expressed her opposition for the motion.
Pam Marquis expressed her opposition for the motion.
Carol Brady expressed her opposition for the motion.
Wesley Seabolt made a reference to other school district election processes and the script from the last board meeting.
Felicia O'Brien commented on the board agenda for the Special Meeting.
Mark Hanson expressed his opposition for the motion.

Board Comment:

The board engaged in a discussion about the script from the last board meeting and concluded that what was said may have been taken out of context.
Hastings and Fowler stated that the law must be followed.
Standley expressed his opposition to the motion and his support to put the 3 individuals on the ballot.
Rita Hood posed a question to the board of what the county's determination of the situation was.
Cummings stated that they validated the intents.

RECESS:7:27pm-7:33pm

Wombold referenced MCA 20-20-301, stated that the county is not the election administrator, and explained the certification process.
Boland expressed his opposition for the motion and support to put the 3 individuals on the ballot.

Cummings agreed with Standley and Boland. Cummings makes the following final statement: it comes back to what's best for the kids. Let the vote be what it is with all names on the ballot. If someone sues the District, then so be it. The law is the law but with the board of trustees as the supervisors of the election, they are able to put the names on the ballot if they want and disregard the law. States he will abstain from the vote. Understands MTSBA point of view, it's highly unfortunate that this happened, the individuals filed in the wrong place and did not tell the clerk, OPI has not taken legal stance or provided legal opinion. Every decision the board makes is based on what's best for the kids, so if we can bend the rules and let them on the ballot, extend the olive branch, in the end do what's best for the kids.

Deanna Hastings and Erin Wombold in favor. Valerie Fowler, Blake Standley and Chris Boland opposed. Motion fails.

Blake Standley moved to accept the 3 individuals as official candidates on the ballot. Chris Boland seconded.

Val Fowler, Blake Standley and Chris Boland in favor. Deanna Hastings and Erin Wombold oppose.
Motion carries.

Adjournment

At 8:12 pm Erin Wombold moved, seconded by Chris Boland **to adjourn.**
Passed unanimously.

Val Fowler, Board Chair

ATTEST: Karsen Drury, District Clerk

Date Signed _____