

January 17, 2022 at 1:04 p.m.

The Kelleys Island Board of Education met in special session for the transaction of business. The following members responded to roll call: Mrs. Debra Haig, Mrs. Cindy Herndon, Mr. Tom Beck, and Mrs. Nataliya Makarova-Skeans. Mrs. Kathey Phinney was attending the meeting via Zoom.

22-13
Executive
Session

It was moved by Deb Haig and seconded by Cindy Herndon to adjourn to two consecutive executive sessions for the purposes of (1) conferencing with an attorney for the public body concerning disputes involving the public body that are the subject of imminent court action and (2) considering matters required to be kept confidential by federal law and/or regulations and/or state statutes.

Roll Call: Haig, yes; Herndon, yes; Beck, yes; Skeans, yes.

Motion Passed.

The board adjourned to executive session at 1:05 p.m.

Deb Haig, Board President, declared the meeting back to special session at 3:17 p.m.

22-14
Informed
Written
Consent

It was moved by Cindy Herndon and seconded by Deb Haig to approve the following resolution of Informed Written Consent:

INFORMED WRITTEN CONSENT RESOLUTION: The Kelleys Island Local School District Board of Education ("Board") is aware of the fact that the plaintiffs and their legal counsel in the case of *Gaither v. Kelleys Island Local School District*, Erie C.P. Case No. 2022 CV 0011 (Judge Roger E. Binnette) assert that the attorneys in the law firm of McGown & Markling Co., L.P.A. ("Law Firm Attorneys") are precluded from acting as an advocate for the Board and its officials in that case, but the Board knowingly disagrees as the Law Firm Attorneys are not necessary witnesses since any testimony relates to uncontested issues (e.g., Ohio Rule of Professional Conduct 3.7(a)(1)); there is not a substantial risk that the Law Firm Attorneys' ability to consider, recommend, or carry out an appropriate course of action for the Board will be materially limited by the Law Firm Attorneys' responsibilities to another client, a former client, or a third person or by the Law Firm Attorneys' own personal interests (e.g., Ohio Rule of Professional Conduct 1.7(a)(2)); the Law Firm Attorneys will be able to provide competent and diligent representation to the Board and its officials (e.g., Ohio Rule of Professional Conduct 1.7(b)(1)); the Board and its officials hereby give informed consent, confirmed in writing (e.g., Ohio Rule of Professional Conduct 1.7(b)(2)); and the representation is not precluded by Ohio Rule of Professional Conduct 1.7(c) (e.g., Ohio Rule of Professional Conduct 1.7(b)(3)).

Roll Call: Herndon, yes; Haig, yes; Beck, yes; Skeans, no.

Motion Passed.

22-15
Executive
Session

It was moved by Cindy Herndon and seconded by Nataliya Skeans to adjourn to two consecutive executive sessions for the purposes of (1) conferencing with an attorney for the public body concerning disputes involving the public body that are the subject of imminent court action and (2) considering matters required to be kept confidential by federal law and/or regulations and/or state statutes.

Roll Call: Herndon, yes; Skeans, yes; Beck, yes; Haig, yes.

Motion Passed.

The board adjourned to executive session at 3:23 p.m.

Deb Haig, Board President, declared the meeting back to special session at 3:34 p.m.

22-16
Adjourn

There being no additional business to come before the board, Deb Haig asked for a motion to adjourn. Mrs. Skeans made that motion, seconded by Tom Beck.

Roll Call: Skeans, yes; Beck, yes; Herndon, yes; Haig, yes.

Motion Passed.

The board adjourned at 3:35 p.m.

Board President

Board Treasurer