

Miami-Yoder School District
BOARD OF EDUCATION
Special Session
Minutes
Wednesday
December 13, 2023
Cafeteria
6:30 PM

The Special meeting was called to order by Board President, Mr. Leupp at 6:35 PM. On roll call vote the following members were present: Mr. Nelson Leupp, Mr. Eric Bringhurst, Mr. Daniel Carneal, Mr. Timmothy Davis and Mr. Martin Howard also present were: Mr. Dwight Barnes Superintendent/Principal, Mrs. Sheila Hartley Elementary Principal, Kevin Jaramillo, SRO and Ms. Robyn Klunder, Business Manager.

2.00 The Pledge of Allegiance was recited

Mr. Leupp, Before we get started I would like our SRO Kevin Jaramillo to say a few words.

Mr. Jaramillo, Welcome to the board meeting. It is a special session and not a general public open forum. Please hold your question until the next general session. Thank you.

3.00 Motion to approve the Agenda by, Mr. Carneal second by, Mr. Howard

Ayes; Mr. Bringhurst, Mr. Carneal, Mr. Davis, Mr. Howard, Mr. Leupp

4.0 Special Session

Discussion of situation on December 2, 2023

- Mr. Leupp, so I have a few notes here just so we on the board and everyone listening knows where we are at. This is a special session and we would like to limit the discussion to the events of December 2, 2023 in relation to board conduct and policy. We are not trying to pick sides. We are not trying to make judgements. We are not a judge or jury. This board is just talking about this board. This board oversees the school admin. and itself. We don't hire, we don't fire directly, and we don't discipline staff. We are not going to talk about anyone's roll other than as a board member, we will not talk about coaching or anyone else.
- Mr. Leupp, Tim are you willing to answer questions from the board? Would you like to make a statement? Mr. Davis, I am not going to make a statement. Mr. Leupp, are you willing to answer any questions from the board? Mr. Davis, Sure. I find it ironic that no one has asked me questions before this board meeting, but they have talked to just about everyone else. Mr. Leupp, Does anyone have anything they would like to start with?
- Mr. Howard, I do have one question for you, what happened on December 2? It seemed like it was a very targeted attack on an individual family. We know that in the past we have had complaints about you meddling with grades for that individual or going in and checking the grades on that individual. When

your wife approached, she completely bypassed everyone else who was sitting there, went straight to that family member. Then she left. Then you proceeded to wait for them at the McDonald' parking lot and proceeded to get in his face. What happened after that I don't care. Mr. Davis, do you know what happened before this (parking lot at McDonalds)? Mr. Howard, what happened before McDonalds, I would like to know. Mr. Davis, Do you know what happened before McDonalds? This is not realistic, I am going to start with the grade's thing. I don't have access to her grades, I have not had access to her grade since May of last year. I don't know when it was taken away. But I don't have access to Infinite Campus. The grades that were brought up, were brought up in the locker room and I was asked how they know my daughter's GPA? I don't know how they know that. So, to accuse me of something like that is not ok. Mr. Howard, The accusation is not coming from me, I am just asking you questions. Mr. Davis, It does not matter where the accusation comes from, it is not ok. You can ask Mr. Barnes because he audited it. Mr. Howard, you asked why no one contacted you. I am not going to contact you until we are in this situation we are in right now. Does this make sense? I am just trying to get questions answered.

Mr. Davis, So the December 2 incident was unfortunate, I was not targeting anyone. I wanted to talk to the individual and it got out of hand. Since then we have sat down and agreed to be amicable and to let it go. All the Temporary Protection Orders have been dismissed. Are there regrets? Absolutely! There are lots of preconceived ideas and motions of what happened and none of those are important. Mr. Howard, I was not there, I am just asking questions. A follow up question, I understand we all get emotional, we are human beings and make mistakes but as a board member you know your responsibilities, correct? Do you think that was a good decision to wait in a parking lot? Mr. Davis, I did not wait, I was inside ordering. I did not know the bus was stopping as we fed the Athletes at Deer Trail. They had all this food out for the referees and the coaches. At the end of the boy's game, they said they had a lot left over and our team was welcome to have it. I walked them over to that food. They had not stopped at McDonalds the night before. But they did that night. When they pull up and the kids came into McDonalds, my thought was I could just talk to the individual right then and there. Had I known this would have happened I would not have gone outside. Had I thought I was going to be in this situation, I would not have worn a Tie or a Jacket, because as you know that is tactically a poor decision. Had I been looking for a fight, there would have been a fight. There were just emotions and bad feelings. I do regret it 100 percent. I have spoken to that in the meeting I had before this one. Mr. Howard, Ok.

Mr. Bringhurst, I have a question. You claim this is an attack on you and that it is hearsay. I am assuming that your only bases for what went on with you guys is only hearsay? Because the time from when one individual talked to me and then incitement of, I am going to say violence was four or five hours later. Mr. Davis, I don't understand what you are saying. You are talking about Deer Trail and the incident in the stands and then the incident at McDonalds? That was not four or five hours later. Mr. Bringhurst, three hours later? There was a full basketball game before you arrived. Mr. Davis, So yeah one and half to two hours later. Mr. Bringhurst, or three. Mr. Davis, ok I will give it to you. Mr. Bringhurst, so what made you feel like you were using good welfare, good judgement to take that on at that place, three hours later? Mr. Davis, because I have never had issue or terse words or anything with

those individuals, not one time. The last message before the one I sent Sunday, I was referred to as brother. Had I known that there was going to be this incident at McDonalds, we would have gotten our food and just left. Mr. Bringhurst, but you always had that choice, you did not have to go into the parking lot. Mr. Davis, Right, but I had no clue that there would be that response. I will take the word response back and I'll say incident. Mr. Bringhurst, it still seems fishy that three hours later, it did not have anything to do with you. You took it up on your own on hearsay. Mr. Davis, the other individual we are talking about, as we were leaving was in tears. Mr. Bringhurst, over what? Mr. Davis, that is not mine to say. Mr. Bringhurst, or mine either. Mr. Bringhurst, I was at the first incident, there is nothing that should have been tearful. My opinion. Mr. Davis, your opinion. Mr. Bringhurst, but I am also going off of what I saw, it surly should not have requested or generated an act of violence like I heard. It was hearsay, I was not there, I heard some things. Mr. Davis, like I said, had I known I would not have left that McDonalds. Mr. Bringhurst, but that is not what you chose to do. Mr. Davis, again had I known. Mr. Bringhurst, had you known what? Mr. Davis, the incident that occurred. Had I known that would of happen, I would not have gone outside. Mr. Bringhurst, so I am supposed to think that nothing went on and you did that to a bus driver? Mr. Davis, did what? Mr. Bringhurst got crazy with him? over nothing? that makes it worse. Mr. Davis, the intent was not to be crazy, the intent was to Mr. Bringhurst, Come on. Mr. Davis, believe it or not I don't care. Mr. Bringhurst, Believe it or not, I was not there, the intent. Right. Mr. Davis, Correct.

Mr. Carneal, I don't have no questions. Everything can be based on what we all just heard in the matter. So, there was not a temporary protection order filed. Yes? Mr. Davis, yes nine of them. Just being specific. Mr. Carneal, nine of them. You're not denying the bus driver. Mr. Davis, Denying what. Mr. Carneal, it involved you verses a bus driver? Mr. Davis, verses? Mr. Carneal, the incident you are claiming, you and a bus driver? Mr. Davis, it was more than that. I think we are all aware it was more than that. Again, the intent was not there. The intent was to have a quick talk. Mr. Carneal, I am just trying to word what we said here and words that you have said. Mr. Davis, there were four adults and three minor children in the parking lot. Mr. Carneal, Ok. So, the incident happened, there was two hours in between first incident and the second incident? Mr. Davis, I gave him three hours. Mr. Carneal, two to three hours in between is fair. Off of bad feeling and emotions that just happened, we are humans. Mr. Davis, My wife was upset. I was not upset, but I responded poorly. I was not upset. But the incident occurred, I will be the first one to admit I responded poorly. Mr. Carneal, That you for that. So just that sentence, you did respond poorly. It amplified from December 2 to the rest of that week with protection orders and that kind of thing. Mr. Davis, I sent a message on Sunday night to see if we can work it out. I did not mean for it to get out of hand. We probably could both agree it did not need to be crazy. The Protection Orders were filed against us on Monday. We were at Children's Hospital all day with one of my children. We went on Tuesday to Lincoln County to file Protection Orders. I took service of mine at Lincoln County. Mr. Carneal, That is a complicated deal. You got on Monday. Then you had to do yours through Lincoln County. Mr. Davis, So, Elbert County was the first ones on Monday. They were filed in Elbert County. On Tuesday we filed our in Lincoln County because that is where we live. Mr. Carneal, now they are all done and gone. But they did happen. So, out of everything

that has been said, Miami Yoder Policy BCA-E- I Code of Ethics for a School Board Members, the last bullet point says. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

You did say there were a few minor kids who attend this school there? Mr. Davis, Yes, they came out of the McDonalds, well two of them did. Mr. Carneal, they were there. Miami Yoder had a bunch of other kids who were in the McDonalds at the same time? Mr. Davis, Yes. Mr. Carneal so, in the parking lot there were a few kids and, in the McDonalds, there were a few more. So, everything happened in front of a bunch of Miami Yoder Students. Mr. Davis, yeah. Mr. Carneal, you had bad feeling and emotions, everything did not work out in the parking lot of the McDonalds. Right there, I feel like just that on alone. We sit on here the main concern should be the kids at all times no matter our feelings, emotions or problems. We are held to an unwritten higher standard. Is it right or wrong, it is your own personal opinion? Policy, our greatest concern is supposed to be the students attending public schools. So, for that moment you broke a policy. Roberts rule of order, many other things have been broken too. I can bring up my notes if needed. Mr. Davis, Roberts rule of order, concerning the management of meetings? Mr. Carneal, Well that and it involved a bus driver. Mr. Davis, right I am aware. Mr. Carneal, You went to a staff employee with a problem. Mr. Davis, Right, like men do or should. Mr. Carneal, I get that, 100 percent. Mr. Davis, you don't, Mr. Carneal, yes, I do. We are in 2023 and not then 1990s no more, things are a little bit different. Mr. Davis, (inaudible) Mr. Carneal, So you went up to a school employee and had an incident with a school employee and you had two or three hours to calm down, talk about it, decipher what to do. Mr. Davis, I was not upset. Had I been upset the people who I was with would not have let me leave the McDonalds. Had I been upset I would not have worn my tie and jacket because those are not good ideas. But I did and I was not upset. Mr. Carneal, so you also went against a person that lives in our district also, you went and attacked, Mr. Davis, I did not attack. Mr. Carneal, or you went and had an incident with a person that lives in our district. Mr. Davis, we might as well call the question Mr. President, just have the vote now and be done with it. Mr. Leupp, what vote is that? Mr. Davis, we can look at the Action Item 5.01. There is already been a statement prepared. Mr. Leupp, I think it is fair that everyone gets to say what they want to say. Mr. Carneal, I have said my peace and I am good.

Mr. Leupp, Timm I am not here to run you down as a person. Mr. Davis, yeah you are. Mr. Leupp, No I am not here to run you down as a person or a coach, I am here to defend the district and this board. We are all a part of this board and we all have equal part of this board. So, your actions go against board policy. I think since your actions were public, it is important to address this in public. Mr. Davis, I am not saying it is not, I am saying it is predetermined. Mr. Leupp, what is predetermined? Mr. Davis, action item 5.01. Mr. Carneal, how has it been predetermined? No one has made a motion. Mr. Davis, alright but it was decided before I got here, because I am the last person anyone has talked to up until today. Mr. Leupp, you and I have talked. Mr. Davis, your decision was for me to resign. Mr. Leupp, I gave you the option to resign. Mr. Davis, you almost demanded it. Mr. Leupp, all most demanded it, your email said that I did demand it, which I did not. Mr. Davis, Not in that vocabulary. Mr. Leupp, What do you mean not in that vocabulary? I did not demand your resignation. Timm here is my problem, you were at McDonalds,

you did not have to be at McDonalds. At that point I don't think you were a parent and the other party was a parent. I think you were a board member and he was an employee. I think that is an abuse of power. That is my problem. I want the public to know that is not the way we run this board. We don't accept that, we hold us to a higher standard. I am not running you down as a person, I know you think I am. But I am not. I am talking to you board member to board member This is just unacceptable behavior for a board member. You said you agreed with that, am I right? Am I wrong? Mr. Davis, I am done talking about it. Mr. Leupp, Anyone else got anything?

Mr. Howard, I don't have any questions but, like Mr. Carneal said greatest concern must be the educational welfare of the students attending public schools. You completely abandon that, there were students inside of McDonalds who watched the whole thing happen. Ok. You got a restraining order put on you and then instead of being the adult in the situation and reach out to find out what is going on. You decided to turn around and put a restraining order against one of the students in the school. That is completely against what this says. What do you call yourself a board member, sitting in here being smug about it, not even apologizing to these people out here or us on this board! Sitting here saying we are trying to attack you? If you were in my shoes right now and I was in yours what would you be doing? Mr. Davis, I would not be yelling at you. Mr. Howard, I am not yelling, this fires me up, your attitude just now is why I am fired up! I am not yelling at you I am making sure the audience can hear me. Mr. Davis, Board policy states we should have an electronic device so everyone can be heard. We don't do all of those. Mr. Howard, I don't care about that Mr. Davis. Mr. Davis, I just saying and making sure we understand. My point, I did not put an Order of Protection against a student. Mr. Leupp, I have one question about a different incident, are you willing to talk about it? Mr. Davis, No, because you started with the December 2 incident and that is all we will talk about. Mr. Leupp, so that is all, it applies to December 2 but did not happen on December 2. Mr. Davis, I am not willing to talk about it. Go ahead, I will talk about it.

Mr. Leupp, There was a Process Server who showed up at the school to serve a Protection Order to a student at the school. Do you have any knowledge of that? Mr. Davis, I do. Mr. Leupp, what happened? Mr. Davis, a process server tried to serve temporary protection orders to the place of employment. Mr. Leupp, at school? Mr. Davis, at their place of work. Mr. Leupp, that is a student. It is not a place of work. Mr. Davis, well the thing is, the one to the minor is served to the parent not the minor. Mr. Leupp, I saw it, it was to the student. Mr. Davis, that is the protection order and it was going to be handed to one of the parents. Mr. Leupp, that seems vindictive to me. The process server did not have to come to the school to serve them, is that correct? Mr. Davis, (inaudible) Were you served by a process server? Mr. Davis, I was served by a deputy, as was my wife. Mr. Carneal, at your home? Mr. Davis, No, well my wife was. Mr. Barnes call and said that he had talked to Lincoln County Sheriffs and that we needed to be served, Sarah said she was heading out the door, but she would wait. Unless he wanted her to drive to Lincoln to get it. Because were going to be on our way. So, she waited and was served at home. I met her and went into town and I was served at the court house. Mr. Carneal, the Hugo court house? Mr. Davis, Lincoln County Courthouse. Mr. Carneal, but not at your job? Mr. Davis, the right of being served, you can be served (inaudible). Mr. Leupp, by a board member to a student. Mr.

Davis, I did not serve her or them. I did not do it. Mr. Leupp, you had no

knowledge of it? Mr. Davis, The Elbert County Sheriff tried a few times and could not make contact. So, we got a process server. The temporary protection order was against a student and from a student. A student can't file their own it has to go through a parent or guardian. The TPO should be served to the parent and not the student. I don't know why it worked out that way. Because we could not contact them Mr. Leupp you do it at the school. Mr. Davis, again it was the server. Mr. Leupp, I am not buying it. I think that was intentional. Mr. Davis, it was not.

Mr. Howard, I have one more thing. In the BCA-E-I Bullitt point 8 Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff. Next Bullitt Avoid being placed in a position of a conflict of interest, and refrain from using my board position for personal or partisan gain.

I am not saying you used this for personal or partisan gain, I don't have any proof of that. But the trend of attacks of other families that I have seen in this community trying to get them fired. Attacks like you did on this family. During your little altercation I was told that you told the individual you would make sure he did not work here anymore. You just broke four of these policies, right? and you are still thinking we had our minds made up. We did not have our minds made up. We are basing it all on your reaction. I have not heard an apology, only you denying you did anything wrong, you were not upset. You said you were not upset over and over again. If you were not upset, why did you bother going and talking to him? Mr. Davis, I wanted to talk to him. Mr. Howard, because you were upset. Mr. Davis, I was not upset. Mr. Howard, sitting next to you in board meeting I have heard you say over and over again "I would fight that". I have seen you in basketball games having to be taken out by the Sheriff. Mr. Davis, because of you. That was you. Mr. Howard, yes, I got talked to by the Sheriff. There is a trend here that is all I am saying. We have to hold ourselves higher accountable, right? Higher accountable is the biggest thing, we are on the board. Especially for the new board members. Do they really need to walk into this and have to worry about what you are going to do? Then next time someone makes you angry Mr. Davis, are you saying I am dangerous? Is that what your implication is? Mr. Howard, Have you ever seen me go and attack anybody? Have you ever seen me get in anybody's face? Mr. Davis, Yes, I sure have! Mr. Howard, when? Mr. Davis, at the game in Limon. You were standing up yelling and the Superintendent of Limon was walking over to you and you were yelling at him. Mr. Howard, did I get in his face? did I sit down? did I mind my manners after that? But this is not about me, this is about your actions. Mr. Leupp, I would not say you are dangerous, but you have said you lack self-discipline. Mr. Davis, I did. Like I said at the meeting before this I did apologize. Mr. Carneal, I am not sure all 40 of us heard the apology? If you apologized, if things are better, why can't you do it in front of the 40 of us? Mr. Davis, no one asked me. Mr. Howard, why would we have to ask you to apologize for doing something that you know you're not supposed to do? We are adults here, if I make a mistake I am going to own up to it. I am not going to do a vindictive order against another family because they did it to me, I am not going to sit in the parking lot and wait for them. Mr. Davis, why is it vindictive? I did not wait in the parking lot. Mr. Howard, They had to file a restraining order against you and then you went and filed one against them and then their daughter so she can't come to school. Then you sit here and say you did not have anything to do with that.

Make us all believe what you are trying to say. Mr. Davis, again I would have file the order on Monday. I was in Children's Hospital with my son because of his mental conditions that we learned about on Saturday, the day of the game. (inaudible) Mr. Howard, (inaudible). Mr. Davis, it does not matter. Mr. Howard, it does matter. Mr. Davis, we were there until about 4:00pm. The court was closed so we went Tuesday. It was not vindictive regardless of what everybody thinks. I mean I can see why you would think it. However, we had planned on it. Mr. Howard, (inaudible) I am sorry I am getting worked up about it. I take this seriously. We all live in this community, we all have to get along together, we are on this board together, for everybody that is sitting here, all of the facility, all of the students. When we do something like this we have to stand up and own up to it and try to make it right. That is what we are doing here. No body is out to get you, despite what you think. You can roll your eyes at me all you want. If I was out to get you I would have done it when you tried to get my wife fired. Mr. Davis, (inaudible) I was still cordial to you. I never went after you or said anything to you about it. Because I don't care, your decisions don't affect my life. Until now they affect everyone in the school's life. You have to understand what you weather you meant to or not was a blatant conflict of interest and you went against board policy. You were in the military, were you not? Did you lead troops. What would you do if one of them did this? Mr. Davis, I would talk to them. Mr. Howard, that is what we are now. Mr. Davis, Now. Mr. Howard, when would you rather us talk to you? Mr. Davis, as soon as you started talking with each other. Mr. Leupp, I did that Timm. Mr. Davis, you talked to me on Tuesday, Tuesday. Not Sunday, Not Monday, but Tuesday. (inaudible) Mr. Carneal, you beat me, mine was Wednesday. I heard about it on the second, for sure after it happened. Mr. Davis, I will make a statement, I am sorry this happened. I am sorry for the roll I played in this it was not my intent. I have every reason to believe in hind sight that I should not have walked out that door, however I did. It happened and we resolved it as adults.

Mr. Bringhurst, Timm a couple times in this conversation you said "that if I would have known I would not have worn a tie and coat" Mr. Davis, Yeah. Mr. Bringhurst, what does that mean? What am I supposed to think about that? Mr. Davis, Martin what does that mean? Mr. Howard, I am not the one who said it. Mr. Davis, but you understand the statement, don't you? Mr. Howard, I get what you are saying, it is kind of an off handed Mr. Davis, If you are looking for a fight, I would have taken off my tie and jacket. Someone can choke you with a tie, the jacket is the same way. Mr. Bringhurst, did it get that bad? Mr. Davis, That is my point, if I thought it was going to get bad I Mr. Bringhurst, are you going to get nasty tonight, you're not wearing a tie? Mr. Davis, because I did not have a tie on. Mr. Bringhurst, why did you say that twice. What am I supposed to think? Mr. Davis, I am trying to reiterate Mr. Bringhurst, you are trying to reiterate that you are going to be violent with somebody at some point if you don't have a tie. Mr. Davis, No I was not, I was wearing a tie. Mr. Bringhurst, why would you say it condescending like that? Come on! Mr. Davis, I was wearing a tie. Mr. Bringhurst, I don't care. When true violent happens, it happens fast, right or wrong. Does it brew for three hours Timm? or is that a planned attack? you answer yes or no Timm. Mr. Davis, It was not an attack. Mr. Bringhurst, O really! Let's say me and the wall get in a fight, then three hours latter I attack the other wall. Was that just out of the blue? Mr. Davis, (inaudible) Mr. Bringhurst, I can't use names that is why. So why would you not wear a tie? I have never been in a fight. Mr. Davis, I was a MP, MP wear clip on ties. Mr. Bringhurst, I don't know what an MP is? Mr. Davis, Military police. Mr. Davis, I was wearing a tie. Mr. Bringhurst, so if you are wearing a tie, nothing violent can happen? Mr. Davis, I am sorry you are not picking

up what I am saying.

Mr. Leupp, can I call a quick Executive Session? Ms. Klunder, no as it is not on the agenda. It can be added to the next meeting. Mr. Barnes, Board members can not meet in Executive Session. Mr. Leupp, even if that board member is in the Executive Session? Mr. Davis, the public has the right to hear what we say. Mr. Leupp, can we add an action item? or is the agenda set. Ms. Klunder, We would have that before the meeting starts. Not during the meeting. Mr. Leupp Does anyone else have anything. Mr. Bringhurst, You said Nelson demanded your resignation, Nelson said he asked. Which one is it? Mr. Davis, I took it as a demand. Mr. Bringhurst, You took it as a demand, come on man. Mr. Leupp, I told you there will be a lot of pissed off people, are you sure you want to go through this? Mr. Davis, you said you talked to all the other board members and they wanted me to resign. Now I find out that you did not talk to Dan until Wednesday. Mr. Carneal, We talked Saturday, Mr. Davis, you just said Wednesday. Mr. Carneal, no you did not hear me and we can replay the tape. We talked Saturday and we talked about resignation. Before we knew policy or anything else. Then we talked again on Wednesday. Mr. Leupp, in hind sight Timm how would you like us to have handled it? Mr. Davis, talk to me. Mr. Leupp, and ask you what I wanted you to do? Mr. Howard, there has to be accountability Mr. Davis, Yes and I accept what ever you guys censure me for. Mr. Howard, if I was in your position now I would stand up in front of all these people and resign my position. Especially since there were three people that were elected. Mr. Davis, no only two. Mr. Howard, there were three people. You can do what you want. I am pretty sure all these people would like to see you resign along with the board. Because you are not fulfilling your duties on this board. Mr. Davis, I disagree, but that is ok. Mr. Howard, you disagree? If one of us did what you did, you would say don't worry about it, its ok? Mr. Davis, I am not saying its ok, but there is a process and you can censure me and that is what this is about. Mr. Leupp, that is not what this is about. This is about letting the public know that we don't stand for this. Mr. Bringhurst, Timm you are a appointed member not even an elected member of the board. Mr. Davis so are you. Mr. Bringhurst, I get that. Mr. Leupp so am I, I am appointed. Mr. Bringhurst, Sunday would have been good to hear from you. Mr. Davis, I did not feel like I should call around. Mr. Bringhurst, of course you didn't. Mr. Leupp is there a plan moving forward if you are going to stay on the board that this type of thing is not going to happen anymore. Mr. Davis, a plan? Mr. Leupp, yeah, obviously if it just happened, you need a plan to avoid situations. Is this going to happen again? Mr. Davis, no it will not. From here forward if there is any issue I have with anyone, I will take it to the superintendent and have him deal with it. Even if the outcome is not what I expected or wanted and that was established. Mr. Leupp, what about the other people on the board? Mr. Davis, what about them? Mr. Leupp, exactly, why did you not call the other board members? We are all together, we all hold the same standards. Mr. Davis, I called Mr. Barnes that night. How would it look if I called everyone on the board and said here is my side? It would look like I needed to defend myself. Mr. Leupp, I think that would be great. I think that would be a normal response. Mr. Howard, we would not be sitting here today. Mr. Bringhurst, in the statute that Mr. Howard read off, and refrain from using my board position for personal or partisan gain. If you have an intimate relationship with him over us. Mr. Davis, I don't. Mr. Bringhurst, what is that. Personal and Partisan gain? I was there when it started bro, you like that name bro? Mr. Davis, I let him know because he was my employer. Mr. Bringhurst, but none of us. Where is the person who was there with me? That started all this fire. Mr. Davis, my wife? She is at home, she is upset. Mr. Bringhurst, again? Mr. Davis, we are still reeling from our son. Mr. Bringhurst, I believe that. Mr. Davis, (inaudible). Mr. Davis, She is upset. I mentioned this in the meeting before this and it brought her to tears and I said she should go home. Mr. Bringhurst, well I am sorry for that. To answer my question to refrain from using my board position for

any kind of leverage, why would you call him first? why would you not call and say guys I got us in a wreck? Mr. Davis, (inaudible). in hind sight I probably should have, but then it does seem like I am covering my ass. Mr. Bringhurst, you sit here with 5 men. But you are going to tell me that none of us are men? Mr. Davis, We are all men, but next week we will have 3 men and 2 women. Mr. Howard, so you are just buying your time? Mr. Davis, I not. Mr. Howard, you should really resign! Mr. Bringhurst, We are all adults, which one of us is not a man pick him out. Mr. Davis, (inaudible). Mr. Leupp, I think we have all we are going to get. Does anyone have anything else? Mr. Howard, One last thing. I am concerned with you continuing on the board, I am not saying we are getting rid of you. I am concerned with it because of your prior past and the way I see you handle other families in this community. I know they are just rumors, but I have heard from numerous people about firing lists. I know that they are just rumors. I have heard from numerous sources that you have a fire list for when we leave. I have heard now that you have people going around saying the board is embezzling money. This is what the community is telling me. My concern is if you continue on this board are you going to target people in this audience? Get them kick off teams. Who knows what you have been doing since you have been on this board. I am concerned with you holding a board position and trying to better yourself at the expense of others. Mr. Davis, I don't hire or fire, we started the meeting with that. Mr. Howard, that does not mean you aren't going to try and change it. None of this would have came if you had been a man about it and came to us, talked to us. O yes, I just messed up and what are we going to move forward? I did not come in here to censure you, but you have made up my mind.

Mr. Leupp, honestly a censure statement is pretty weak. I am not really with the censure statement. Legally I think that is all we can do at this time. I am not a lawyer and did not have a lawyer to draw up a censure statement and I don't think anyone else did. Do we have to have a censure statement?

Mr. Bringhurst is there a length of term the censure lasts? (inaudible)

I would like to censure Timm Davis for going against the Board code of Ethics.

5.00 Action Items

5:01 Motion to approve the Censure Statement by, Mr. Carneal second by,

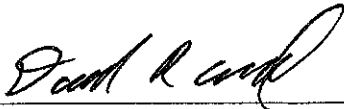
Mr. Bringhurst

Ayes; Mr. Bringhurst, Mr. Carneal, Mr. Howard, Mr. Leupp Mr. Davis abstain

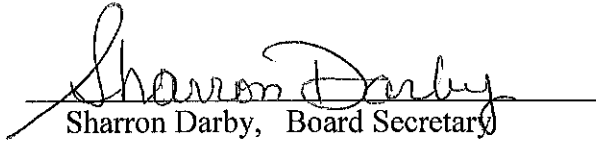
6.00 Motion to Adjourn at 7:23 PM by, Mr. Carneal second by, Mr. Howard

Ayes; Mr. Bringhurst, Mr. Carneal, Mr. Davis, Mr. Howard, Mr. Leupp

Respectively Submitted

A handwritten signature in cursive script, appearing to read "Daniel Carneal", written over a horizontal line.

Daniel Carneal, Board President

A handwritten signature in cursive script, appearing to read "Sharron Darby", written over a horizontal line.

Sharron Darby, Board Secretary