

Board Vice Chairman Mike Adams called the **regular meeting** of the board of Directors of Sweet Home School District No. 55 to order at 6:30 p.m. on Monday, August 11, 2025.

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**Board Members in Attendance**

Mike Adams, Dale Keene, Dustin Nichol, Mary Speck, Jenna Northern, Amanda Carter, Rachel Maynard  
Absent: Floyd Neuschwander, Erin Barstad

**Staff Members in Attendance**

Superintendent: Terry Martin; Administrators/Supervisors: Kevin Strong, Josh Darwood, Brian Brands, Barbi Riggs, Darel Bidwell, Luke Augsburg, Aaron Huff, Ralph Brown, Mark Looney, Josh Dargis, Todd Barret, Shelley Nurre Certified: Steve Thorpe, Aly Ellis; Classified: Michelle Bidwell, Velma Canfield, Stacey King; Board Recording Secretary: Julie Emmert

**Other Attendance:** Scott Swanson, New Era, Toni Ellis, Ken Bronson, Linda Cutright, other members of the community and staff

**1. Called the meeting to order/pledge****2. Swore in Amanda Carter to Position #2 Liberty**

Before public comment Board Vice-Chair reminded those attending the meeting of board comment guidelines and gave them the opportunity to sign up to speak. Only one public comment was given. ANYONE is welcome to speak.

**3. Public Comments:** *Jason Redick -Comment: Attempt to terminate the superintendents' contract for no cause:*

- *No cause termination clauses and why it was put in the superintendent's contract and the purpose. This was put into the contract originally because at the time that this contract was originally negotiated, if a board was to remove a superintendent, the contract was to be paid out in full. That would result in up to three years of wages and benefits being paid for work not performed. After this contract was negotiated the Oregon legislature passed a law that stated that districts would only be liable for one year of that contract if this clause existed in the contract. This clause was not intended to be used because a few members of the board decided that they wanted to remove the superintendent and insert their friend into the position. It was intended to protect the district from the liability of a large expenditure, if necessary.*
- *Violations of board policy BD/BDA and ORS 192.630. This policy and law states that any business of the board is to be conducted in public sessions only, except for a few legal exemptions. There have been conversations and text messages between board members that constitute an illegal serial board meeting. Board members can't discuss, outside of a public meeting, any business of the board. This violation occurred through the board chair contacting multiple board members in order to gain support for his termination of the superintendent's contract. These violations can result in fines of up to \$1000 per occurrence, given directly to the individual board members. You will see on your agenda that complaints have been filed regarding this violation and if the board is not willing to address those complaints and correct the situation those complaints will be appealed to the Oregon Government Ethics Commission.*
- *As a part of this process, Board Chair Floyd Neuschwander has also violated policy BBFA and ORS 244.040 in that he has a potential or actual conflict of interest regarding the removal of the superintendent and appointment of his preferred candidate to the position. This attempt to remove the superintendent from his position is in retaliation for*

*employment actions taken regarding Floyd's wife who is an employee of the district. Jason stated that he personally had to stop Floyd from trying to verbally attack the superintendent in public meetings for this situation.*

- *The job of the board chair is to run the public meetings and keep these situations from happening. They are to ensure that violations of the law and board policies regarding meetings do not happen and to make sure that all voices of the board members are heard before decisions are made. Floyd has used his position as board chair to do the opposite. He has used his position to push a personal agenda and attempt to keep debate and the decision process out of the view of the public. He has violated not only board policy but state law, and in the process dragged other board members into these violations opening up those board members to personal liability and possible fines. One board member who was involved in this situation has already resigned. There are others who should consider the same course of action.*
- *Questions regarding the resignation of Erin Barstad. As a part of the agenda packet there is a copy of her letter of resignation. It is dated July 28, 2005. Based on Erin's own account it was submitted to Floyd on that date. The same form is stamped as received on August 7, 2025. The agenda for this meeting was then revised on August 7th to accept her resignation and declare the vacancy. If the board chair had received the letter of resignation, why did he sit on it through the board officers meeting, which took place on August 4th, when the agenda for this meeting was set? Why was it not part of the original agenda that was set and approved by all of the board officers? I can speculate about why this happened, but I can't come up with one single justifiable reason for him to hold this resignation until it became public knowledge and his hand was forced.*
- *Jason believes strongly that if you complain about something you should also offer solutions. So here are a few solutions he shared.*
- *Floyd has abused his position as board chair and dragged this board into controversy that is not only extremely disruptive to the operation of the district but also has the potential to cost hundreds of thousands of dollars that should be used to educate the students of the district not for his personal vendetta. He has violated the superintendent's contract by not giving the agreed upon 10 day notice spelled out in the contract before calling a meeting to discuss the no cause termination of that contract. He has broken the public trust and created unnecessary anger at the board for his own benefit. He has violated board policy and state law in the process. This board should take action to remove him from his position as board chair and censure him to minimize his ability to create legal problems for the board.*
- *There are at least three remaining board members who have been involved in supporting Floyd in his actions. They have participated in illegal serial meetings and have allowed this problem to destroy the confidence that the community, the employees, and the leadership of the district has in this board. They have been deceitful in their dealings with other board members and the community. Those three should make their position clear to the community and be open and honest moving forward. They should also consider resigning from their position as the public has lost trust in them as board members and they can no longer be trusted to be open and objective with decisions in the future. Recall petitions are in the works and if those involved can't make the right decision for the community and the students the decision will be made for them.*
- *Finally, there needs to be a commitment by this board and every board member to uphold your oath of office and conduct all business in public. The illegal serial board meetings can't continue. Problems like this and a dysfunctional board will work their way down into the classroom and affect the quality of education for the most important constituents of the district, the students.*

*You as board members have a choice to make. You can turn this around and begin to build the trust of the community back. I will be here to make sure that happens regardless of the actions that I must take.*

- *Thank you for your time and your dedication to the students of Sweet Home. Let's correct this situation and get back to the proper procedures of this board and move forward with the focus on giving each child, every chance to achieve their potential.*

#### **4. Agenda Approval/Changes**

Vice Chairman Adams called for changes and/or approval of the agenda

**Motion No. 25-44: Board Member Dale Keene moved to approve the agenda as presented. Board Member Jenna Northern seconded the motion. The motion passed 6-yes, 1-no**

**\*\*Mary Speck asked to add a board policy to the agenda but it was declined and will be discussed at the next officers meeting.**

Dustin Nichol- yes  
Amanda Carter yes  
Jenna Northern-yes  
Mike Adams-yes  
Dale Keene-yes  
Mary Speck-no  
Rachel Maynard -yes

#### **5. Student & Personnel Reports/Comments**

- A. Certified & Classified Representatives: Velma Canfield spoke on behalf of Superintendent Martin, shocked at the board's behavior. With enrollment down it is irresponsible of the board to even consider buying out his contract; Steve Thorpe- Let's move forward with a house that is divided. Thanked the board for their service and time. First and Last start up with the Kindergarten and Seniors. Lots of orientations happening throughout the district so invited board members to join. What's happening from High School. If board members are not getting this let us know. Negotiations are coming up this year and look forward to working with the board.
- B. Superintendent's Report
  1. Directors and Administrators returned.
  2. New Teacher Orientation Monday, August 18, 2025 - board is welcome to attend lunch at 11:30 to meet and greet the new teachers.
  3. District Wide Inservice Monday, August 25, 2025 - board is welcome to attend at 7:30am for muffins and coffee and then the Welcome to all staff at 8:00am in the HS Auditorium.
  4. Strategic Plan Progress- Next meeting September 9, 2025 -3:00-6:00pm.
  5. Cell Phones- shared information on the new policy that will need to be in place by January 1, 2026. Discussion was made on this topic. There is a draft policy in the works and should be out by the next meeting.

#### **6. Consent Agenda**

- A. Approved minutes from the July 14, 2025 School Board Meeting
- B. Approved Out-of-State field trip for the High School FFA trip to Indianapolis October 25, 2025 - November 2, 2025
- C. DECLARED VACANCY: Accepted resignation from Erin Barstad, Board Member position #8 At Large effective July 28, 2025

***Motion No. 25-45: Board Member Mary Speck moved to approve the consent agenda as presented. Board Member Dale Keene seconded the motion. The motion passed unanimously.***

**Post vacant board position #8- At Large on Tuesday, August 12, 2025**

**7. Information/Discussion**

- A. Budget Update - Kevin Strong - YTD spending was shared. This is compared to the adopted budget & YTD spending last year by object code. Higher liability costs have made it higher this year. We belong to a pool and things that happen to other school districts affect us. Professional behavior from staff to students claims are made at other districts can cost our district.
- B. OGEC Complaints:

Vice Chair Mike Adams has been sent some written complaints alleging an illegal meeting of the school board. Technically, they are ""grievances" not "complaints. A grievance is filed with the governing body in accordance with ORS 192.705 and OAR 199-050-070. A complaint is filed with OGEC after the grievance procedure in accordance with ORS 192.685 and OAR 199-05- 075.

Mary Speck asked where these were filed and Vice Chair Adams explained that they were filed with the district and we have 21 days to respond. If the district does not respond the complaint goes directly to OGEC.

Decisions that need to be made:

Who will draft a response to each complaint with the 21 days

- 1. Deny Facts/Deny Violation
- 2. Admit Facts/Deny Violation
- 3. Admit Facts/Admit Violation

To summarize the complaints, it is:

- 1. On Monday, August 4th - 4 separate complaints, each against 4 different named board members.
- 2. On Tuesday, August 5th - One complaint against 5 named board members
- 3. On Thursday, August 7th - One complaint against one board member by name and others who have participated in an illegal meeting.
- 4. On Sunday, August 9th- One complaint against two named board members and other unnamed, plus an employee and spouse for facilitating an illegal meeting, and other possible ethical violations in ORS Chapter 244.
- 5. On Monday, August 11th - One complaint against one named board member and other unnamed, plus an employee and spouse for facilitating an illegal meeting, and other possible ethical violations in ORS Chapter 244.

Basically, all complaints name 5 different board members. On August 5th, Vice Chair Adams called and spoke with someone at OGEC. He spoke with a couple of attorneys over the weekend at the OSBA conference (PACE attorney and OSBA attorney) to clarify certain points on how to proceed. I do not believe that our school board Policy BBAA allows me to contact our attorney of record without approval of a majority vote of the board. He has not communicated with any of 5 persons who are named in the complaints. This is news to them. If I had called and told them of a complaint, they would have asked how we are going to handle it in the meeting. In short, I did not want to risk the allegation of yet another inadvertent public meeting. Better to avoid the appearance of impropriety. As an attorney, he is going to do an attorney-like-thing. Nothing he says in this meeting is legal advice, He is just acting as the chair to explain the process as I understand it. If anyone wants legal advice, consult an attorney. This last legislative session, the Oregon Legislature passed a Bill that granted authority to the Oregon Government Ethics Commission (OGEC) to investigate violations of the Oregon Public Meetings Law. See ORS 244.350. He pulled some information directly

off the slides presented by two OSBA attorneys at the OSBA conference held during this last weekend.

"Convening" [a meeting] in ORS 192.610(1) is defined as: 1. Gathering in a physical location; 2. Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; 3. Using serial electronic written communication among participants.

Serial Meetings Prohibited These prohibitions apply to any one of a combination of the following methods of communication:

1. In-person;
2. Telephone calls;
3. Videos, video conferencing, or electronic video applications;
4. Written communications, including electronic written communications, such as emails, texts, and other electronic applications;
5. Use of one or more intermediaries to convey information among members; and
6. Any other means of conveying information.

If OGEF finds that the school board violated public meetings law, it can impose civil penalties not to exceed \$1,000, per violation.

The civil penalty is a personal liability of each board member, and can't be paid by the school district, per ORS 244.040.

A complaint alleging violations of the Public Meetings Law that is filed under ORS 192.685 will be construed as a complaint against all members of the governing body and cases will be opened for each member of the governing body. OAR 199-050-0075(2).

Within 21 days of receipt of a complaint, the school board is required to send a written response to each person making a complaint and OGEF. It needs to acknowledge receipt of the complaints. The law does not specify who will respond on behalf of the board.

The board needs decide (1) who will draft the written response to each complaint on behalf of the school board, within 21 days of receipt; and (2) we as a board have 21 days to reply with one of the following three options:

1. Deny Facts/Deny Violation: Deny the facts. Provide the public bodies version of the events, and deny a violation occurred.
2. Admit Facts/Deny Violation: Admit the facts. Explain why the facts are not a violation of the Public Meetings Law.
3. Admit Facts/Admit Violation: Admit the facts. Admit the violation and explain how the public body will fix the violation (ie attend remedial additional training).

Vice Chair has been advised by OGEF and OSBA attorneys that subject matter of the complaints are not confidential or privileged (except for personally identifiable information (PII), which would be redacted in a public records request, is name, address, phone and email, together). As a result, it appears that the board has a number of options to assist in making this decision:

1. Hire an investigator (either an internal employee; or external investigator, which I recommend if we go this route - we don't want to put an employee in this situation). That person would substantiate or unsubstantiate that the violation occurred and rely on his/her decision, but again timeline is limited by 21 days to respond.
2. The Board could vote to have me identify the 5 people implicated in the complaints;
3. The Board could vote to have me summarize the complaints now in the hearing; or
4. The Board could vote to have me read the complaints; or read without any names.

The state law does not specify who should respond on behalf of the public body to the complaints.

This is another issue we should decide tonight. Before we take any action, I need to ask the board to disclose any:

1. Conflicts of interest - may/shall, potential and actual, financial benefit or avoidance of finance detriment.
2. Ex Parte Contact - discussions outside the public meeting; and
3. Bias - do you feel like you can be objective in a decision? As the OGEC requested the response to identify which board members voted which way, I will ask Julie to do a "roll-call" vote when we get there. I am open for a motion and a second. It would then be appropriate to discuss how to proceed.

## **8. Action Item**

### **A. OGEC Complaint Decision (s)**

**Motion No. 25-46: Board Member Mary Speck moved to take no action tonight and be able to review accusations. After discuss there was no second; motion dies**

**Motion No. 25-47: Board Member Rachel Maynard moved to read the comments. Board Member Mary Speck seconded the motion. The motion fails 4-3.**

Dustin Nichol, no  
Amanda Carter, no  
Jenna Northern, no  
Mike Adams, no  
Dale Keene, yes  
Mary Speck, yes  
Rachel Maynard, yes

Dustin Nichol spoke - commented on the process of terminating the Superintendent. This was upsetting to him because he had met the Superintendent once and now he is choosing his future. So spent 72 hours getting ready and so he called 62 people, admin, classified, certified, community members. He asked all these people who; support him, think he is doing a good job; ok or could he do better, get rid of him today 32 doing a good job, 24 voted that they did not always agree with Superintendent Martin but they do not support the way this was handled. 97% percent of the people want to keep Superintendent Martin. He was called regarding voting and getting rid of the superintendent. He then started looking at ORS's. He got texts to vote for Floyd, and heard there was a movement to remove the superintendent. He called the State and got versed on ORS 192.630 - board not to discuss board matters in all communications.

**Motion No. 25-48: Board Member Dustin Nichol moved to remove Floyd Neuschwander as Board Chair - no confidence in the board chair and that he be removed. Board Member Jenna Northern seconded the motion. The motion passed 5 yes 2 no.**

Mary Speck voiced that she is disappointed because Floyd Neuschwander is not here to speak on his behalf. Dustin Nichol responded that Mr. Martin was gone as well when they were trying to get rid of him. Mary Speck thought we should vote no until Floyd Neuschwander could be present. Jenna Northern shared that Terry Martin had a good evaluation and the next month we try to get rid of him.

Dustin Nichol- yes  
Amanda Carter yes  
Jenna Northern-yes

Mike Adams-yes  
Dale Keene-yes  
Mary Speck-no  
Rachel Maynard -no

**Motion No. 25-49: Board Member Dustin Nichol made a motion to limit Floyd Neuschwander's position as a school board member and that he should not be able to participate in his evaluation or discipline matters until the ethics violation is final. No second, Motion died**

Mary Speck shared that she feels like this is a lynching.

Rachel Maynard asked why we evaluate the Superintendents in March instead of the end of the year. It was shared that it is law. We evaluate each March. She feels she was thrown under the bus with this whole thing. She would like to see past evaluations.

**Motion No. 25-50: Board Member Dale Keene moved to reconsider looking at the complaints and distribute them to the board. Board Member Dustin Nichol seconded the motion. The motion passed 6-yes, 1-no**

Dustin Nichol - yes  
Amanda Carter- no  
Jenna Northern- yes  
Mike Adams- yes  
Dale Keene- yes  
Mary Speck- yes  
Rachel Maynard- yes

Mary Speck read a personal letter. Gave Board Member time to read the Public complaint forms.

**Motion No. 25-51: Board Member Dale Keene moved to remove Mary Speck as Secretary. Board Member Jenna Northern seconded the motion. The motion passed 5-yes, 2-no**

Dustin Nichol - yes  
Amanda Carter- yes  
Jenna Northern- yes  
Mike Adams- yes  
Dale Keene- yes  
Mary Speck- no  
Rachel Maynard- no

Mary Speck again referred to this process as a Lynching. Vice Chair Mike Adams stated that that was not the case and that is not good humor and inappropriate.

Break 7:54 pm

Return to regular session at 8:03 pm

**Motion No. 25-52: Board Member Dustin Nichol moved to Admit Facts/Admit Violation. No second motion died.**

**Motion No. 25-53: Board Member Dale Keene moved to have Mike Adams to respond to each complaint. Board Member Jenna Northern seconded the motion. The motion passed 6- yes 1- no**

Dustin Nichol - yes  
Amanda Carter- yes

Jenna Northern yes  
Mike Adams yes  
Dale Keene yes  
Mary Speck- no  
Rachel Maynard- yes

**Motion No. 25-54: Board Member Mary Speck moved to go for Deny Facts/Deny Violations. No second motion, motion dies.**

Superintendent Martin shared that no matter what the complaints will go to OGEC by the people filing them.

**Motion No. 25-55: Board Member Dustin Nichol moved to vote on choices one, two or three. Board Member Mary Speck seconded the motion. The motion passed 6 for choice 3 1 for choice 1.**

Deny Facts/Deny Violation  
Admit Facts/Deny Violation  
Admit Facts/Admit Violation

Dustin Nichol, 3  
Amanda Carter, 3  
Jenna Northern, 3  
Mike Adams, 3  
Dale Keene, 3  
Mary Speck, 1  
Rachel Maynard, 3

**Rachel Maynard declared a conflict of interest**

**9. Board Comments:** Mary apologized for her comment regarding a lynching, Thanked the community for their support.

**Motion No. 25-56: Board Member Dustin Nichol moved to appoint Mike Adams as board chair. Board Member Jenna Northern seconded the motion. The motion passed 6 yes, 1 no.**

Dustin Nichol - yes  
Amanda Carter, yes  
Jenna Northern, yes  
Mike Adams, yes  
Dale Keene, yes  
Mary Speck ,no  
Rachel Maynard, yes

**Motion No. 25-57: - Board Member Dale Keene moved that we state in our letter to OGCE that we removed and replaced board chair and removed secretary who were listed in the complaint and made the decision to receive remedial training from OSBA on public meetings and defer to OGCE for their decision. Jenna Northern second the motion. The motion passed unanimously.**

Dustin Nichol, yes  
Amanda Carter, yes  
Jenna Northern, yes  
Mike Adams, yes  
Dale Keene, yes  
Mary Speck, yes



Rachel Maynard yes

***Motion No. 25-58: - Dale Keene moved that we decide on the open officers board positions at the next board meeting. Board Member Jenna Northern seconded the motion. The motion passed unanimously.***

**Moved to executive session at 8:22 pm**

**10. Executive Session**

- A. ORS 192.660 (2)(e) Negotiate Real Property Transactions

Return to regular session at 9:01 pm

**11. Late Items – NONE**

**12. Future Agenda Items**

- A. New Teacher Luncheon, August 18, 2025 - 11:30 in the boardroom
- B. Inservice - August 25, 2025 , 7:30 HS Cafeteria - 8:00 HS Auditorium
- C. Next Board Officers Meeting, TUESDAY, September 2, 2025 at 3:30 p.m. Superintendent's Office
- D. First Day of School, Tuesday, September 2, 2025
- E. Next Board Meeting September 9, 2025 at 6:30 p.m. in DO Boardroom

**13. Adjournment**

The meeting adjourned at 9:05 p.m.

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*Signature, Board Chairman*

*Julie Emmert, Board Recording Secretary (This meeting was also recorded and saved supt/board/audio)*