CALL TO ORDER
President Patricia Preiner called the meeting to order, a quorum being present, at 10:00 a.m.

ROLL CALL
Present: President Patricia Preiner, 1st Vice-Pres. Barbara Haake, 2nd Vice-Pres. John Waller, Treasurer Steven Wagamon, and Secretary Michael Bradley

Absent:

Staff Present: Interim Administrator Nick Tomczik, Office Manager Theresa Stasica

Visitors:

Items Requiring Board Action
Consider the terms of hiring the administrator

President Preiner stated that she and Manager Bradley met three times with Nick Tomczik to negotiate terms of his employment as administrator. She distributed a summary of their negotiation results.

Manager Haake responded the negotiations were done well and explained thoroughly.

Manager Waller asked Manager Bradley for clarity on the summary document; if Interim Administrator Tomczik’s job performance is acceptable to the Board after passing the 6-month learning period, he would be entitled to an approximate 2.5% increase and begin as a permanent employee at $111,500. Manager Waller believed this is a motivator. Manager Waller also requested clarification on the vacation pay-out.

Manager Bradley replied that Manager Waller was correct on the 6-month learning period and approximate 2.5% increase to a set amount of $111,500. He also added that Interim Administrator Tomczik’s review would be conducted annually from that time forward in November and the results would become retroactive on January 1 of the following year. Manager Bradley explained the vacation pay-out. Tomczik’s appointment to Interim Administrator included a provision to release Tomczik’s accrual of vacation time from policy limits at the District. When Mr. Tomczik was appointed interim administrator he worked without a
vacation break. Managers Bradley and Preiner felt it was important for the welfare of the administrator to take vacation time. It was negotiated that Interim Administrator Tomczik would be paid for the amount of vacation that was accrued during the interim administrator time period, a value of 10 days of vacation, at the interim salary level to be paid in November. Interim Administrator Tomczik will return to the District’s policy of vacation accrual and is encouraged to take time off.

Manager Bradley mentioned that he forgot to include in the summary document the negotiated severance provisions that past administrators received. President Preiner requested the severance provisions to be read into the record for clarity.

Manager Wagamon asked Interim Administrator Tomczik if he was happy with the results.

Interim Administrator Tomczik replied requested the mid-point of the entire salary range for the position. He informed the Board that the negotiation summary produced by Manager Bradley provided an accurate view of the discussion; he began the negotiation at a higher salary then the Managers. Interim Administrator Tomczik stated that the salary presented in the summary was the result of the negotiation process. Interim Administrator Tomczik stated there was a concern that if he pressed for a higher salary it would not carry a majority of the Board so he resigned himself to the negotiated salary.

Manager Wagamon asked Interim Administrator Tomczik why he felt he should be paid at a higher salary.

Interim Administrator Tomczik replied concern over 20 years of experience with 10 years being at the District being equated to 2 years on the scale and the reflection of the zone definition.

Manager Bradley replied that Mr. Tomczik’s salary as interim administrator is at $115,378 today. Since Interim Administrator Tomczik was successful in 6-month interim admin position, he anticipated the starting salary to be at or above that level. He and Manager Preiner were having difficulty justifying that in light of our employee manual. If the Board majority supports a higher salary that would be fine.

The Board discussed with Interim Administrator Tomczik their impressions of his strengths and experience that he brings to the position and reminded him that they would support continuing education that would benefit him in his job.

Interim Administrator Tomczik and the Board discussed the recent Gallagher salary analysis and outside job announcements received recently at the District. The Board informed Interim Administrator Tomczik that, going forward, it will be the Administrator’s responsibility to keep employee compensation in line with the current job market.
Motion by Manager Bradley, seconded by Manager Wagamon, to approve a salary of $108,700 effective today, effective 6-months from today 4/14/2020 the salary would increase to $111,500. Going forward the Board would do an annual review sometime in November, the first review being in November 2020, and the salaries established in that setting would be effective the following January 1. That we compensate Administrator Tomczik for unused vacation earned during his interim period for a total of $4,406 to be paid sometime in November. That the additional terms and conditions be those that we have approved for prior administrators including that Administrator Tomczik will get vacation at the normal rate as other employees, pay for memberships and conferences and continuing education, and that he will be entitled to a severance provision as we have approved for prior administrators as follows:

Should the Board terminate your employment without cause within the first two years of your service as District Administrator, you will receive six months severance pay. Should the Board terminate your employment without cause within the third and fourth year of employment, you will receive two (2) months severance. Following the fourth year of employment the District will offer no severance. Any of the following will constitute termination with cause and would result in no severance:

1. Willful neglect of duty.
2. Gross inefficiency or incompetence in office that you have failed to correct after a reasonable written notice.
3. Malfeasance in office.

Should you decide to terminate your employment with the District, you are required to give a minimum of 30 day notice of your intent to terminate.

Manager Waller requested a copy of this.

Manager Bradley provided him with a copy of a draft employment letter. Manager Bradley stated if the Board approves this motion today, he will contact District Attorney Louis Smith to write a contract that will have all this language.

Administrator Tomczik made two suggestions to the Board that would make the accounting clear: 1) have the District’s accountant calculate the unused vacation earned at the interim administrator wage by hours instead of days, so 80 hours and 2) have the employment date be October 16th which is the beginning date of a new pay period.

Manager Bradley and Wagamon accepted the suggestions and amended the motion.

Motion to accept the amendments to the motion. Motion carried 5-0.

Main Motion: Motion carried 5-0.
The Board congratulated Administrator Tomczik.

Motion by Manager Bradley, seconded by Manager Wagamon, to adjourn the meeting at 8:50 a.m. Motion carried 5-0.