

**Nursery Independent School District  
BOARD OF TRUSTEES  
REGULAR MEETING**

**Tuesday, September 27, 2022, 5:30 p.m.**

**NISD Library  
13254 Nursery Dr.  
Victoria, Texas 77904**

**MINUTES**

**I. CALL TO ORDER**

*The meeting was called to order at 5:34 p.m. In attendance were Missy Yearwood, Anthony Zimmerman, Neal Stevenson, and Dr. Larry Gajewsky. Also in attendance were: Jennifer Southern, Sheena Vahalik, Nikki Weber, Addie Bell, Alyssa Villarreal, Pam Anderson, Melissa Karnei, Helen Resendez, Ashely Resendez, Jake Helfer, Jason Orht, Kenneth Sexton, Brianne Harrimann, Alyssa Tinsley, Herb Spencer, Darrel and Rhonda Talkington, Eron Lantz, Carla Gajewsky, Krista Cornett, Greg Vahalik, Deanna Jacob, Heather Taylor, Dr. John McNeill, and Leanne Whitaker.*

**II. APPROVAL OF MEETING MINUTES**

**1. August 30, 2022, Regular Meeting**

*Missy Yearwood made the motion to approve the August 30, 2022 minutes. Anthony Zimmerman the second. The vote was unanimous.*

**III. PUBLIC FORUM**

**Description:** Board members will listen to comments but only the Board President, as the designated spokesperson, may respond to the speaker if required. Those responses are limited to referring the speaker to applicable board policy or to the appropriate administrator.

**A. For Posted Agenda Items**

**B. For Non-Posted Agenda Items**

*Nikki Weber read a statement regarding the many hardships that she and the team has experienced over the last year and ongoing. In this statement she included the words harassment, threats, and tear down NISD. These actions have occurred both on and off campus. In this statement she commented on the many great things that has occurred for Nursery ISD including the Blue Ribbon accomplishment and 17 of her 24 5<sup>th</sup> graders mastered the STAAR test last year. She ended by asking the board for support.*

*Dr. Gajewsky will ask Mrs. Weber if she will provide a copy of the statement so that it may be*

*included in the formal minutes.*

#### IV. INFORMATION ITEMS

##### A. Payment of Bills

*The monthly expenditures were presented to the board, though not a lot of bills had been processed to date.*

##### B. Investment Report

*The investment report was presented for the last quarter.*

##### C. Superintendent Report

###### a. Principal Report

- i. Academics
- ii. Campus Profile
- iii. Employee of the Month

*Mrs. Southern started by briefly discussing academic updates for NISD and that we were confirmed for the National Blue Ribbon Award. Currently, NISD had 135 students and the Employee of the Month is Addie Bell. She has done an outstanding job with assisting the team with technology.*

###### b. Update on Public Comments

*Dr. Gajewsky commented on two items that were brought up in the August meeting.*

- 1). To replace the playground mulch with a turf would cost between 35 to 40K based on the initial discussion. This could be more depending on the amount of work. What we have is the most cost effective.*
- 2). Compadres contacted the school shortly after the last board meeting in August and the parts arrived for the Marquee. The Marquee is functioning and is updated almost daily. Addie Bell also helps with creating new slides for the marquee. On any given day 10-15 slides are present.*

###### c. Communication-Community Engagement

- i. Title 1 Night/Watchdogs-PACKS
- ii. National Night Out-Blue Ribbon Celebration

*Dr. Gajewsky stated that the Title 1 Night combined with the Watchdogs/Pack meeting had been scheduled. NISD would also host a National Night Out and Blue Ribbon Celebration for the community. We would serve hotdogs and snacks and have games for the students. This event is open to the community.*

###### d. TEA Complaint

*Dr. Gajewsky read a statement regarding a complaint that was filed on May 16, 2022 against the district. This complaint included allegations against the board and board election procedures, complaints against membership regarding the DOI, and complaints against the wife of the Superintendent, claiming that she was paid by the district. A copy of the statement read by the Superintendent is attached.*

*Neal Stevenson then commented by asking how much the district has already spent in attorney*

*fees? The number 50k was mentioned and Dr. Gajewsky stated around 30K. Neal then said that there are other ways in which concerns could be addressed. Administration is available to handle these issues. Ultimately, this is money that could have been used for our students.*

e. Bids for parking lot lighting and other

*Dr. Gajewsky presented 3 bids for the board to review regarding the cost of the parking lot lights. The need for the septic install was ongoing and final figures were not yet available. The cost will depend on if an aerobic system is installed or if a grind pump and tying into the original system is possible.*

f. LED lighting for NISD

*Dr. Gajewsky contacted Aquila Environmental regarding the installation of LED lights throughout NISD free of charge. Dr. Gajewsky will complete this necessary paperwork to determine if this is something that could potentially benefit NISD and save cost. Neal Stevenson asked that we reach out to VEC to inquire if they also offered a similar program.*

## V. UNFINISHED/NEW BUSINESS

A. Consider and Approve the amended NISD Strong Start Plan.

*At this time, Virtual Instruction is not an option from TEA, subject to change. The updated Strong Start Plan removed this clause. Missy Yearwood made the motion to approve the amended NISD Strong Start Plan. Anthony Zimmerman the second. The vote was unanimous.*

B. Consider and Approve the voting allotment for the Election of the Victoria County Appraisal District Board of Directors.

*NISD splits the votes evenly between the candidates. Neal Stevenson made the motion to split the votes evenly and any remaining votes would go toward Kevin Janak. Missy Yearwood the second. The vote carried unanimously.*

C. Consider and Approve Pricing and the Meal Charge Policy for 2022-2023.

*Dr. Gajewsky presented the meal pricing and local charge policy for students. The SSO program is over and students no longer are able to eat for free. Many students are impacted by this. Dr. Gajewsky stated that students would not go without food and a cheese sandwich is not appropriated for those without money. No child at NISD will go hungry and admin was working toward a solution via NISD Angels. Missy Yearwood made the motion to approve the pricing and meal charge policy for 2022-2023. Anthony Zimmerman the second. The vote carried unanimously.*

D. Consider and approve capital projects related to the parking lot.

*The board discussed the options for the two remaining improvements related to the parking lot. Neal Stevenson made the motion that up to 35K could be utilized for the completion of the lights and septic system. Missy Yearwood made the second. The vote carried unanimously.*

**VI. CLOSED SESSION** *The board went into closed session at 6:23 p.m.*

- A. The Board may seek the advice of the attorney for the governmental body on matters that are protected by the attorney/client privilege (TGC 551.071)
- B. The Board will discuss resignations and retirement of personnel (TGC 551.074)
- C. The Board will discuss the employment of personnel (TGC 551.074)
- D. Consultation with legal counsel regarding personnel matters. Tex. Gov't Code Section 551.071, 551.074 and 551.129.
- E. Pursuant to Tex. Gov't Code 551.076 deliberate regarding the adoption of the school guardian plan.
- F. Pursuant to Tex. Gov't Code 551.071 and Tex. Gov't Code 551.129, consultation with District's legal counsel regarding the adoption of school guardian plan.

**VII. OTHER BUSINESS: BOARD TO RECONVENE FOR OFFICIAL ACTION**

*The Board Reconvened at 6:55 p.m.*

- A. Consider and Approve Renewal, Non-Renewal, Termination and Extension of Teacher Contracts.

*No action was taken*

- B. Consider and approve adding additional employee positions.

*No action was taken*

- C. The Board will reconvene and take any action deemed necessary based on discussions held in closed sessions.

*No action was taken*

- D. Discuss, consider and take possible action to approve a resolution adopting the school guardian plan including adopting revised local policies CKC (Local) DH (Local) and GKA (Local), and delegating authority to Superintendent to develop rules and procedures to implement the School Guardian Plan.

*Neal Stevenson made the motion to approve a resolution adopting the school guardian plan*


*including adopting revised local policies CKC (Local) DH (Local) and GKA (Local), and delegating authority to Superintendent to develop rules and procedures to implement the School Guardian Plan. Missy Yearwood made the second. The vote carried unanimously.*

*The next meeting will be October 24, 2022 at 5:30 PM.*

**VII. ADJOURNMENT**

**Missy Yearwood made the motion to adjourn the meeting at 7:03 p.m. Anthony Zimmerman made the second motion to adjourn. The vote was unanimously.**

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the Board will convene in such closed meeting in accordance with the Open Meetings Act, Government Code, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

Approved:  Date 10/24/22  
Neal Stevenson, President  
Nursery ISD School Board

Approved:  Date 10/24/22  
Anthony Zimmermann, Secretary  
Nursery ISD School Board

Dr. Gajewsky read this statement at the August 27, 2022 meeting.

**The following is in response to the TEA Complaint filed on May 16, 2022. The non-bolded information was cut and copied from the complaint unedited. This is not an all-inclusive list of the report or complaints.**

1. School board members continue to appoint who they want to take their place when they decide to retire and an election never occurs. When a school board members term expires, they decide to continue for another 3 years without an election.
2. 2 school board members terms were extended in 2021 without proper election postings or notification of the community. No election occurred.

*This is factually false. The last term that expired was in 2020 and Mrs. Jaeger posted the notice on June 18, 2020, and this was placed on the website on June 17, 2020. I have the documentation to verify this statement is factually false.*

3. The District of Innovation committee is also in violation- the community member listed is a parent AND employee, the parent listed is a contract employee who is on campus more then 75% of the time and is the wife of the superintendent.

*This statement is factually false. The superintendent's wife is not a contract employee. She works for Region 3 Service Center and she is not paid by NISD. The statement that she was on campus more than 75% of the time is also factually false. She was coaching teachers for the state-mandated Science of Teaching Reading and was at NISD for a total of 20 days for the 2021-2022 school year. 75% of 187 contract days is 140. This number reported to TEA is factually inaccurate.*

*Summation: NISD has obtained counsel regarding this complaint. I was contacted yesterday while shredding the back field at NISD and was advised that I need to sign the Conflict of Interest Disclosure and present this to the board president. I was made aware of this yesterday, September 26, 2022 and I am taking care of this today, September 27, 2022. I am submitting a written copy of these remarks to be included in the minutes of the September 27, 2022 Board Meeting.*