

**Minutes of Special Meeting  
The Board of Education  
Gallup McKinley County Schools  
February 10, 2022**

A Special meeting of the Board of Education of Gallup-McKinley County Schools was held February 10, 2022, beginning at 1:00 PM in the Board Room of the Student Support Center, 640 Boardman, Gallup, New Mexico 87301.

**BOARD MEMBERS PRESENT:**

Charles Long, President  
Christopher Mortensen, Vice President  
Michael W. Schaaf, Secretary  
Priscilla Benally, Member  
Kevin Mitchell, Member

**GUESTS**

Tonya Spencer

**STAFF MEMBERS PRESENT:**

Mike Hyatt, Superintendent  
Joan Nez, Recording Secretary

**CALL TO ORDER – PLEDGE OF ALLEGIANCE - ROLL CALL**

Charles Long called the Board of Education meeting to order at 1:00 p.m. on Thursday, February 10, 2022, in the boardroom of the Student Support Center, 640 Boardman, Gallup, New Mexico. (Four board members were present for roll call: Charles Long, Chris Mortensen, Michael Schaaf, and Kevin Mitchell)

**APPROVAL OF AGENDA**

Chris Mortensen moved, and Michael Schaaf seconded to move the agenda be approved as presented. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

Charles Long stated the Board is meeting for a personnel hearing. The motion is to close the meeting for the purpose of Limited Personnel Matters, and to conduct a personnel hearing.

Michael Schaaf moves, and Chris Mortensen seconded to close the meeting for the purpose of Limited Personnel Matters, and to conduct a personnel hearing be approved as presented. Upon roll call vote, motion carried unanimously. (Four board members present and voting: Kevin Mitchell-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

Priscilla Benally entered at 1:05 pm

Andy Sanchez, school attorney stated the Board of Education for the Gallup McKinley County Schools is meeting in a quasi-judicial capacity to hear proceedings in the termination of Tonya Spencer, a classified employee of the School District. He presented the informal hearing procedures.

Michael Schaaf moves, and Chris Mortensen seconded allowing Andy Sanchez, school counsel be delegated the authority to assist the Board in resolving any legal issues, which may arise during the hearing, including pre-hearing motions or disputes, objections to evidence or other legal question or issues with either party needs addressed. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

**RECESS THE MEETING**

Michael Schaaf moves, and Chris Mortensen seconded to recess the meeting at 1:53 pm and to continue within the hour is presented. Upon roll call vote, motion carried unanimously. (Five board members

present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

### **RECONVENE THE MEETING**

Priscilla Benally moves, and Chris Mortensen seconded to reconvene the meeting at 2:18 pm. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

**EXECUTIVE SESSION**-The Board will meet in executive session on Pursuant to Sections 10-15-1 (H)(2) and (7) of the Open Meetings Act, the Board will convene an executive session for a limited personnel matter to conduct a Termination Hearing regarding the employment of Ms. Tonya Spencer, including discussions with and receive support from legal counsel on conducting and holding said personnel hearing pursuant to statute. This portion of the meeting with the exclusion of any and all Board deliberations following the personnel hearing will be open to the public should the employee demand it to be open to the public at the time of hearing.

Michael Schaaf made the motion, Chris Mortensen seconded to go into executive session to discuss personnel issues at 6:59 p.m. on Thursday, February 10, 2022. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

Chris Mortensen made the motion, Michael Schaaf seconded to reconvene the meeting from the executive session at 7:23 p.m. on Thursday, February 10, 2022. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

### **REPORT ON CLOSED SESSION**

Charles Long stated for the record only personnel items were discussed in executive session.

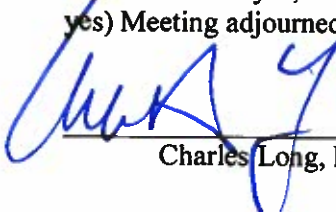
### **NEW BUSINESS**

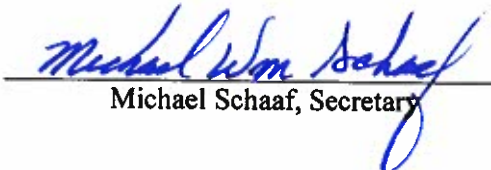
- A. Render Decision on the outcome of the Hearing to terminate or to reinstate the employee or for continuance of the hearing — ACTION ITEM (following the executive session)

Chris Mortensen moves, and Michael Schaaf seconded to sustain the recommendation of the superintendent the outcome of hearing to terminate Tonya Spencer, classified employee be approved as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-abstain, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes and Charles Long-yes)

### **ADJOURN**

There being no further business Chris Mortensen moves, and Michael Schaaf seconded the meeting be adjourned. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes) Meeting adjourned Thursday, February 10, 2022, at 7:24 p.m.

  
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Charles Long, President

  
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Michael Schaaf, Secretary

Recorded by  
Joan Nez  
February 10, 2022