

Legal action filed against Galion school district

Group seeks to halt abatement, demolition of old Galion High School

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Monday morning legal action was filed against the Galion board of education. The plaintiff's complaint included "breach of fiduciary duty (R. C. 3313.10), violation of the public meetings act (F. C. 121.22), violation of the public records act (R. C. 149.43), unauthorized conduct (R. C. 3313.41), injunctive relief in the form of mandamus and prohibition and a demand for trial by jury."

"We don't feel that they followed the law and they have exceeded their authority," said John Barga, attorney for the plaintiffs. "They have a fiduciary responsibility to the citizens and taxpayers of the district to use their resources for the best interest of the students."

The board violated public record laws and public meetings laws (sunshine laws), said Barga.

"Public business should be transparent," said Barga.

"We received notice from our attorney that the filing was taking place this morning," said superintendent Kathy Jenney. "We are working closely with our attorneys. We are confident that the board has acted within the law and will prevail."

R. C. 3313.41 states "... when a board of education decides to dispose of real or personal property that it owns in its corporate capacity and that exceeds in value \$10,000, it shall sell the property at public auction."

Other details from the suit:

- "The taxpayers of the Galion City School District cannot afford an additional tax burden or unnecessary financial expenditures under

the current economic conditions. The taxpayers and citizens of the Galion City School District have the rights to expect and demand that the board make financially prudent decisions about the assets of the school district and the expenditures made by the board."

- "Based upon information and belief, the board has not obtained a fair market value appraisal for the high school. ... has not offered the high school for sale at public auction. ... has not offered the high school for private sale. ... has not offered the High School to other community based schools. ... has failed to cooperate with the Ohio Historical Society regarding preservation of archaeological and historic sites, and in the recovery of scientific information from the high school real property. ..."

"The board has not given the director of the Ohio Historical Society the opportunity to exercise his right to determine the disposition of artifacts and skeletal remains located on or in the real property where the High School is located (R. C. 149.53)."

- "Based on the information and belief, the demolition of the high school will cost the Gallon city school district at least \$195,000. ... the demolition of the High School will cost the taxpayers of the state of Ohio approximately \$600,000. ... at least one offer to purchase the High School for the sum of \$100,000 has been rejected by the board. ... The school district has refused an offer to accept an exchange of real estate valued at approximately \$200,000 from a third party.

Based upon information and belief, the board has recklessly failed to provide the necessary and vitally important safety pedestrian under-

pass or overpass for the children at the school district's new complex that includes the new Galion High School, new Galion Middle School and two elementary schools at a cost of approximately \$300,000."

- As a direct and proximate result of the breach of the oath of office and breach of fiduciary duty, the board has made reckless decisions about the high school, that will unnecessarily cost the school district at least \$395,000 and the state of Ohio approximately \$600,000 for a total loss of almost \$1,000,000."

"The court was asked for a temporary restraining order to prevent future destruction of the high school and related facilities," said Barga, "until the court has a chance to hear and resolve this case."

There will be a hearing on this issue Wednesday, Jan 16, at 3 p.m. in the Crawford County courthouse in front of Judge Russ Wiseman.

The school district records commission of the Galion City School District Board of Education will hold a meeting at 3 p.m. on Tuesday, Jan. 22, at the board of education administrative center conference room at 470 Portland Way North to review record retention schedules.

A special meeting of the Galion City School District Board of Education will be held at 6:30 p.m. on Thursday, Jan. 24, at the new high school cafetorium, 472 Portland Way North. The board will consider approval of the bid documents and advertisement for the demolition of the old high school and any other business they determine necessary to transact. The agenda to regular board meetings will not be followed.