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Adams State College



'Secrecy' triggers Wueste suit against Adams State trustees

By HEW HALLOCK



Dr. Richard Wueste has sued the Adams State College Board of Trustees, seeking restoration of his job and duties as president of ASC.

ALAMOSA — Claiming he has “suffered substantial damages, injuries, and losses to his reputation and career opportunities,” Richard Wueste has asked District Court in Alamosa County to order that he be restored to his job and duties as President of

Adams State College.

In a complaint filed yesterday by his attorneys, Todd McNamara and Kristina James of Denver, Wueste charges the trustees operated in a pattern of secrecy and sandbagging in connection with his being placed on paid administrative leave, and continued in this manner afterward, repeatedly violating the state’s Open Meetings Law. It is through these alleged violations Wueste claims he was harmed.

The complaint filed in court presents eight claims that the trustees acted without voting on those actions in an open meeting, under the provisions of the Open Meetings Law.

Key among those claims is that the trustees voted during a closed, executive session on June 28 to place Wueste on leave. The law requires action of that nature be taken in a meeting open to the public.

Wueste also claims the trustees disobeyed the law on July 7 by drafting the notice of the grounds for his termination during a closed meeting.

Other violations cited are when the board failed to approve, by motion, in a public meeting, a freeze on hiring new employees; removing Wueste from supervisory duties and signature authority on contracts; and denying Wueste's access to college computers, cell phone and credit card.

On three occasions, Wueste claims the trustees went beyond the legal boundaries of what may be discussed during executive sessions. Those occasions were on June 13 and 26 when the trustees talked about the college's budget and a staff reorganization plan, and on July 14 when they discussed the proposed budget with a senior administrator.

Four times the trustees failed to give proper public notice of meeting, according to the complaint. In one instance, a meeting on June 26, Wueste said he was not notified, even though he served as official secretary to the board of trustees.

The trustees also ignored the Open Meetings Law, Wueste charges, in two instances when they failed to promptly record the discussion of executive sessions on May 6 and June 13, waiting until weeks later to compose the minutes, and then did so in a way to support their actions in placing him on leave.

In the notice of grounds for termination of Wueste, the trustees claim he seriously violated his duties under his employment contract, and showed an unwillingness to perform his duties in good faith.

The notice said Wueste failed to provide effective leadership and sound fiscal management of the college, and failed to comply with board policies and directives. Originally, a hearing on Wueste's termination was scheduled for July 28. The hearing was rescheduled at Wueste's request to August 25. It has been rescheduled second time to October 6 because Wueste's attorneys from the Denver firm of Davis, Graham and Stubbs withdrew from the case.

Wueste's complaint also asks the court to award reasonable costs, attorneys' fees, and "other and further relief as the court may deem just and proper."

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