

MUSCOGEE COUNTY SCHOOL DISTRICT
COLUMBUS, GEORGIA

REGULAR BOARD OF EDUCATION MEETING
MONDAY, SEPTEMBER 20, 2004, 6:30 P.M.

MINUTES

The regular meeting of the Board of Education of the Muscogee County School District was held on Monday, September 20, 2004, 6:30 p.m. in the conference room at the Bradley Library.

The following members were present: Mary Sue Polleys, Chairman, James Walker, Vice Chairman, Brenda P. Storey, Philip T. Schley, David E. Ebron, Fife M. Whiteside, Naomi Buckner and Owen Ditchfield.

Others present: John A. Phillips, Jr., Superintendent of Education, James E. Humes, II, Legal Counsel, Del Parker, Treasurer, Brenda Dozier, Assistant Superintendent for Student Services, Billy Kendall, Administrative Assistant, Don Cooper, Chief Human Resources Officer, Richard Hyatt from the Ledger-Enquirer and other media.

Dr. Polleys called the meeting to order with an invocation and pledge of allegiance to the flag led by students from Key Elementary School. The Character Education word-Punctuality was introduced by a student from Key Elementary School.

Dr. Polleys recognized visitors in the audience, Mr. & Mrs. Halouska, representing the League of Women Voters and Friends of the Libraries, John Lincoln, PTA president, for Gifted Program, Edgewood PTA President, Jeannette Marshall representing Phi Delta Kappa.

Dr. Polleys recognized Dr. Phillips as one of four finalists for GSSA Superintendent of the Year. Dr. Pennock recognized America Fulbrighters for 2004 and Mrs. Joyce Lee teacher at Carver High School who won Who's Who Among America's Teachers. Mr. Cooper recognized Ms. Penny Watson assistant nutrition manager at Eastway Elementary for winning the ABCD Award. Dr. Phillips recognized Britt David, Edgewood and Columbus for winning "No Child Left Behind" Schools for 2004.

Dr. Polleys noted that there was no one to appear on the public forum.

Upon motion of Mr. Walker, seconded by Mrs. Storey, the Board unanimously excused Mr. Wells for business reasons.

Upon motion of Mr. Ditchfield, seconded by Mrs. Buckner, the Board unanimously approved modifying the agenda to add an addendum item.

Upon motion of Mr. Ditchfield, seconded by Mrs. Storey, the Board unanimously approved official actions held on Monday, August 16, 2004.

Upon motion of Mrs. Storey, seconded by Mr. Ditchfield, the Board unanimously approved the appointment of Dr. Robin H. Pennock to the position of Deputy Superintendent of Education.

Upon motion of Mr. Ditchfield, seconded by Mr. Walker, the Board unanimously approved the appointment of Mr. Chris Cox as Interim Principal at Rothschild Middle School.

Upon motion of Mr. Ditchfield, seconded by Ms. Buckner, the Board unanimously approved the appointment of Mr. J. Michael Bunn as assistant curator of history for the Columbus Museum.

Upon motion of Mr. Ebron, seconded by Ms. Buckner, the Board unanimously approved a policy revision to policy BBFA – Local School Councils in order to comply with changes in the law.

Upon motion of Mr. Ebron, seconded by Mr. Walker, the Board unanimously approved a policy revision to policy JB – Student Attendance I order to comply with the new attendance law.

Upon motion of Mrs. Storey, seconded by Mr. Ebron, the Board approved the declaration of the old Pitts Chapel School as surplus and donated it as a gift to the Pitts Chapel A.M.E. Church with the understanding that all expenses incurred in moving the school to the church grounds will be the responsibility of the Pitts Chapel A.M.E. Church. Mr. Whiteside commented, “What we’re being asked to do here tonight is to cross a line which we’ve never crossed before. That’s to make an outright gift or donation of public property to a private charity. We’ve never done that for the eleven years that I’ve been on the Board. I spoke with Mr. Humes about the legal implications of the transaction and if it can be established that the building has no value we can legally do it. The problem here is first the building is currently used for storage, second, within the last ten or fifteen years it’s been used for classroom. Most problematic is that there’s been no independent evidence that the building is without value. I can make a gift out of my assets but I can’t be generous with what I don’t own. I am sympathetic to the need to benefit Pitts Chapel. There are a hundred churches in Muscogee County and any one of them is just as deserving as the next and I can’t do this.” Mrs. Storey commented, “I don’t know how many of you are familiar with the building but, the building is in a state of total disrepair. It is a historical building for the Pitts family in particular. The Pitts family built this building and it operated as a school. The last kindergarten class that was in that building, my daughter who is twenty-nine years old now attended. The Pitts family built the school there for the black residents of that area. We have an inherent responsibility as stewards of education, financial responsibility to either repair and restore that building where it can be and continue to be part of the history of that community or we can say truly what it is, the building has no value for us. I’m not sure the Pitts family can move it but, they have a desire and a willingness. We have as great a responsibility to insure that the building remains part and parcel of that community. We can spend the tens of thousands of dollars to restore it or we can do what we are doing tonight that is, declare it surplus property and give it to someone who has the hope and the aspiration to do something with it and not only that we give it back to the people who gave it to us.” Ms. Buckner commented, “I’d like to thank Mrs. Storey for bringing this matter to the Board. If this property has no value then it is very appropriate that we give it back to this people because of it’s historical value.” The vote was (7) affirming and (1) opposing, Mr. Whiteside.

Upon motion of Mr. Ebron, seconded by Mr. Ditchfield, the Board unanimously approved financial statements for one month ending July 31, 2004.

Upon motion of Ms. Buckner, seconded by Mr. Ebron, the Board unanimously approved Amendment No. 1 the Construction Guaranteed Maximum Price of \$8,400,745.00 between the Muscogee County School District and RA-LIN & Associates, Inc., Construction Manager, for the Kendrick High construction project including additional funds in the amount of \$241,327.00 and approve the revised budget dated September 3, 2004.

Upon motion of Dr. Schley, seconded by Mr. Walker, the Board unanimously approved change order no. 2 in the amount of \$45,576.82 to be added to the original contract for construction at Wynnton Elementary.

Upon motion of Mr. Walker, seconded by Mr. Ditchfield, the Board unanimously approved a request from Tompkins/Edge Trust to traverse over parts of the North Site Property to remove timber from their site which is beyond the school district property. Dr. Phillips commented, "we shall continue to supervise this project to make sure that things are done properly."

Upon motion of Mrs. Storey, seconded by Dr. Schley, the Board unanimously approved the sale of old Midland Elementary School property located at 8620 Garrett Road, Midland, Georgia to the highest bidder in the total amount of \$86,500.00. These funds will be deposited in the Capital Projects Not Project Related Fund. Mr. Whiteside commented, "this is a troublesome transaction for me for a couple of reasons. We've disposed of at least one other surplus property of value in the period of time that I have been on the school board. The procedure that we used the last time was the Board was apprised of the appraisals on the property before it was put up for market in an executive session, keeping the appraisal values confidential because it'll chill the bidding. Then the Board members were apprised before the property was put up for sale. What happens is members of the general public don't understand that we're not involved in selling off school district property. Board members get calls all the time wanting us to tell them how they go about buying something. I've gotten calls over the years about buying this very property. I found out about this when I got the agenda package on Friday before the bid deadline on Tuesday. All of this brings up procedural questions. When you have an unusual situation such as this where you end up having an employee being the successful bidder even though the value is clearly within the parameters set by the appraisals, it makes us uncomfortable in trying to explain that to our constituents unless the procedure followed is exactly squeaky clean. All that being said, I don't know anything else to do here but to vote to approve the sale because, in all fairness to everybody involved in it, if we tried to recall the sale and used a different procedure then the bidding would be adversely affected by the fact that all the perspective bidders have shown their cards. I hope that the next time that we offer a valuable property, I just hope that we are told about it earlier." Mrs. Storey commented, "It was advertised for four weeks. I am a reader of the classifieds that includes the legal parts. I was happy to see that there was more than one bid. I was also glad to see the winning bid was greatly more than the appraisal. I like not knowing." Mr. Humes commented, "there is no legal prohibition for an employee to bid on such property. It is legally permissible."

Upon motion of Mr. Ebron, seconded by Mr. Walker, the Board unanimously approved the following consent agenda items with the exception of items E, J1 and M:

- Human Resources Report (Appendix A).
- Payroll deduction of PAGE Membership Dues.
- Payroll deduction of GSFSA and School Nutrition Association Membership Dues.
- Phi Delta Kappa to use Kinnett Stadium on October 23, 2004.
- Rothschild Trust Funds used to purchase books for Rothschild School Library.
- Resolution for Board of Education Travel.
- Contract to Turner Plumbing Heating & Air, Inc., awarded for drainage at North Branch Library, \$10,947.00.
- Contribution from Walmart, \$1,750.00 for literacy in the school district.
- Budget adjustment, K-3 Statewide Grant, \$106,641.51.
- Budget adjustment, 4-8 Statewide Grant, \$46,811.89.
- Contract awarded to McDowell Window Products, \$17,826.43 to replace blinds at Cusseta Road, Forrest Road, Wynnton, Jordan, Kendrick and Shaw.
- New budget Pre-K Resource Coordinator FY05, \$600,000.00.
- New budget Even Start Family Literacy FY05, 640,000.00.
- New budget Georgia Learn and Serve Ambassador Grant, \$5,895.00, Hardaway
- New budget Georgia Learn & Serve Ambassador Grant, \$4,000.00, Carver High.
- Georgia Learn & Serve Grant, \$9,981.00, Shaw High School.
- Georgia Challenge Program Grant, \$30,000.00, Arts & Humanities.
- Diverse Power Foundation, \$5,020.00, Shaw High School.
- Statewide K-3 Program Allocation, \$426,566.11.
- Statewide 4-8 After-School Program, \$187,247.57.
- Audit of Financial Statement of 1997 SPLOST Capital Projects Fund.
- Sales Tax Construction Program Report.

- Report on Transfer from FY03 SPLOST Critical Needs.
- FY97 Sales Tax Construction Program Report.
- Report on Transfers from Capital Projects to SPLOST Fund to cover scope changes.
- Report of change orders and changes in project contingencies.
- Report on System-wide Technology Plan.
- Status Report for Projects under Construction and Projects in the Planning/Design Stage.
- Financial Assistance, \$2,976.00.

Dr. Phillips commented on Consent Agenda item E the Naming of New Main Library. Dr. Phillips clarified that the new name recommended from the Library Board is Columbus Public Library.

Upon motion of Mr. Ebron, seconded by Mr. Ditchfield, the Board approved the new name as Columbus Public Library. Mrs. Storey asked, “were all the legalities regarding changing the name researched?” Dr. Polleys commented, “I spoke with Ms. Mueller and she assured me that parties are aware of the name change.” Mrs. Storey commented, “I just don’t want it to affect any other deeds on the property.” Mr. Humes commented, “I think the old deeds that Mrs. Storey is referring was back in the mid 1940’s. In that deed the responsibility for running the library was given to the Muscogee County School District. I took a look at the deed and it’s not very clear. The critical thing is that the appropriate contact has been made.” Dr. Polleys asked that Mr. Humes clarify this transaction. Mr. Whiteside asked Mr. Humes, “If an issue does arise concerning the impact of the name of the library on the title of the property, is it your opinion that a change back to a different name would cure that problem? If we made a vote tonight, could we undue it?” Mr. Humes replied, “a motion would be made by one of the members who affirmed asking that this item be re-considered.” The vote was (7) affirming and (1) opposing, Mrs. Storey.

Upon motion of Mr. Ebron, seconded by Mr. Ditchfield, the Board approved item J1, the Jordan High School Auto Shop Renovations to move funds from the Jordan Magnet budget to the SPLOST Fund. The vote was (7) affirming and (1) opposing, Mr. Whiteside.

Mr. Whiteside asked if there was any additional information regarding the purchase order for a service truck on Consent Item M. Dr. Phillips commented, “The truck is on the State Contract but the actual body is not on the State Contract but is less than \$10,000.00.” Mr. Whiteside asked, “is the body and truck being purchased together or separately.” Jim Askew commented, “It is one unit.” Mr. Whiteside clarified that “part of this purchase, the body is not covered by the State bid.” Upon motion of Mr. Walker, seconded by Mr. Ebron, the Board approved the purchase order to Bill Heard for \$26,565.00 for a service truck and body in the Transportation Department. The vote was (5) affirming and (3) opposing, Mrs. Storey, Mr. Whiteside, Dr. Polleys.

The Board took action on the one addendum item. Upon motion of Mr. Ebron, seconded by Mr. Walker, the Board unanimously approved the revision to accounts for the \$127,969.00 of Library Reserve funds that were approved at the August Board meeting to purchase RFID and Smart Card technology for all branches of the CVLS to participate in the technology purchased for the new main library.

Dr. Polleys reminded the Board that discussions had come up at the Board Work Session regarding appointing an Advisory Committee for the Midtown Site. Dr. Polleys said that this committee would be appointed by the October Board Meeting. A determination will also be made regarding the issue of one or two committees.

Upon motion of Mr. Walker, seconded by Mr. Ditchfield, the Board unanimously voted to go into executive session to hear a student discipline appeal and a personnel matter.

Upon motion of Mr. Ditchfield, seconded by Ms. Buckner, the Board unanimously voted to come out of executive session.

Upon motion of Mr. Ditchfield, seconded by Mr. Ebron, the Board unanimously voted to adjourn the regular meeting of the Board.

James E. Humes, II
Legal Counsel