



Minutes/October 15, 2018

The Board of Trustees of School District Five of Lexington and Richland Counties met at Chapin Elementary School with the following members present:

Mr. Robert Gantt, Chairman  
Mr. Larry Haltiwanger, Vice Chairman  
Mrs. Ellen Baumgardner, Secretary  
Mr. Michael Cates  
Mrs. Jan Hammond  
Ms. Beth Hutchison  
Mr. Ed White  
Dr. Christina Melton, District Superintendent

The following staff were in attendance:

Mrs. Katrina Goggins, Director, Office of Communications  
Mr. Michael Guliano, Chief Instructional Officer  
Dr. Michael Harris, Chief Planning and Administrative Officer  
Dr. Allison Jacques, Chief Human Resources Officer  
Mr. Len Richardson, Chief Finance Officer

Chairman Gantt gave welcoming remarks.

The Invocation was given by Ellen Baumgardner, Board of Trustees. The Pledge of Allegiance was led by Samiyah Johnson, fourth grade student at Chapin Elementary School.

The Board conducted the School Board Spotlight.

A welcome and brief overview of Chapin Elementary School was given by Jess Hutchinson, Principal.

During the Superintendent's Report, Dawn Strickland (McGregor and Company) gave a presentation on the Process of Audit; and Barb Haller and Dan Neal presented a report on the New Elementary School Workshops.

During the public participation, Kim Murphy spoke regarding issues in District Five; and Mike Whitehurst spoke regarding testing, teachers and analytics.

SCHOOL DISTRICT FIVE  
OF  
LEXINGTON AND RICHLAND COUNTIES

Meeting of October 15, 2018

		B A U M G A R D N E R	C A T E S	G A N T T	H A L T I W A N G E R	H A M M O N D	H U T C H I S O N	W H I T E
1.	M. Cates S. Haltiwanger Approve the agenda	A	X	X	X	X	A	A
2.	M. Hammond S. Cates Enter executive session to consider the following : a) selected employment items (Exhibit)	A	X	X	X	X	A	A
3.	M. Cates S. Baumgardner Approve the minutes of the September 24, 2018 board meeting	X	X	X	X	X	X	X
4.	M. Cates S. Baumgardner Approve the minutes of the October 1, 2018 special-called board meeting	X	X	X	X	AB	AB	X
5.	M. Baumgardner S. Hammond Approve the selected employment items (Exhibit A)	X	X	X	X	X	X	X
6.	M. Hutchison S. Cates Approve the proposed Superintendent's 2018-2019 goals (Exhibit B)	X	X	X	X	X	X	X
7.	M. Baumgardner S. Hammond Adjourn at 9:22 p.m.	X	X	X	X	X	X	X

A = Absent  
AB = Abstain  
N = No  
X = Yes  
R = Recuse

Attachment 1 is included with the minutes of the 10-15-2018 meeting, at the request of Board member Robert Gantt pursuant to S.C. Code Ann. § 30-4-90(a)(4) and Board Policy BEDG. The Board majority did not approve, disapprove, or otherwise act upon the contents of this attachment.

October 2018 Statement for Board Chair  
Prepared by counsel for the School District

During our last board meeting a member of the public made a statement asserting that the Board had “condemned” land that is a part of the District’s Derrick Pond Road property. Because I believe that the statement misrepresented the facts, the following explanation is offered to clarify the record.

In 2010, District Five purchased approximately 45 acres on Mount Vernon Church and Derrick Pond Roads. A 2.67 acre parcel (known as PARCEL E) was included in the land Seller agreed to sell to the District. During the District’s due diligence, our attorneys discovered a discrepancy in old plats that cast some doubt on the Sellers’ claim to title of PARCEL E.

The parties discussed possible ways to resolve the issue so that the purchase could be completed. Several alternatives were discussed. These included the options of the Sellers bringing an action to Quiet Title, or the District possibly bringing a condemnation action to obtain clear title to PARCEL E. The Sellers decided that they would prefer that the District assist them by initiating an action and requested in writing that the School District bring a condemnation action to cure the title to PARCEL E. At its December 13, 2010 board meeting, the School

Board voted to condemn PARCEL E as requested by the Sellers. The minutes clearly reflect that the motion was being made at the Sellers' request. The motion was:

Approve the request of the sellers of the property, and in consideration of the options before the District pursuant to the Amendment to the Contract to purchase the property, I move that the School District bring a condemnation action to obtain the remaining 2.67 acres known as Parcel E of the Derrick Pond Road property.

However, the condemnation action for PARCEL E was never filed because the sellers and the the District's Attorney were able to work together to get the title cleared and property purchase complete without needing the condemnation action. This happened because the parties worked together, identified everyone that had any potential interest in PARCEL E, and amicably resolved the title issues to PARCEL E. The fact is that the district did not unilaterally decide to condemn property as the speaker seemed to allege.

Condemnation is a tool available to the government to use for specific public purposes. Sometimes it is a useful tool beneficial to both the public entity and members of the public. I have not

been able to identify any time where School District Five has filed a condemnation action to acquire property and condemnation was not actually used to obtain any of the property owned by District Five on Derrick Pond Rd.



Minutes/ December 13, 2010

The Board of Trustees of School District Five of Lexington and Richland Counties met at Nursery Road Elementary School with the following members present:

Mr. Robert Gantt, Chairman  
Mrs. Beth Hutchison-Watson, Vice Chairman  
Mrs. Ellen Baumgardner, Secretary  
Mrs. Jan Hammond  
Mrs. Kim Murphy  
Mr. Jim Turner  
Mr. Ed White  
Dr. Herbert Berg, District Superintendent

The following staff were in attendance:

Ms. Helen Anderson, Chief Instructional Services Officer  
Dr. Angela Bain, Chief Human Resource Services Officer  
Mr. Gary Black, Chief Technology Services Officer  
Dr. Karl Fulmer, Chief Financial Services Officer  
Mr. Keith McAlister, Director, New Design and Construction  
Mr. Buddy Price, Director, Office of Community Services

Robert Gantt called the meeting to order and gave welcoming remarks.

Reverend Sean Brown, Palmetto Church of Christ, gave the Invocation. Corey Davis, a fifth grader at Nursery Road Elementary School, led the Pledge of Allegiance.

Robert Gantt, Jan Hammond and Kim Murphy presented the School Board Spotlight.

A welcome and brief overview of Nursery Road Elementary School was given by Christina Melton, principal, and Debra Phipps, SIC member.

During the superintendent's report, an update on the Chapin High School's renovation project and legal appeal was given by Pam Baker, McNair Law Firm; an update on the cost of Chapin High School's wetlands lawsuit (Exhibit C) was given by Karl Fulmer; the financial reports for October and November 2010 (Exhibit D) were presented by Karl Fulmer; and the school and district state report card ratings were presented by Helen Anderson (Exhibit E).

During the public participation, Albert Bueno spoke regarding Chapin High School; Susan Baker spoke regarding the Chapin High School lawsuit; Dr. Michael Green and Dennis Shedd spoke regarding the Health Science Building at Dutch Fork High School; and Michael Quinn spoke regarding the property for the new elementary school.

During the new design and construction agenda, Keith McAllister presented information on several building renovation projects: Irmo High School (Exhibit F), Dutch Fork High School (Exhibit G), Chapin Elementary School (Exhibit H) and Leaphart Elementary School (Exhibit I).

Karl Fulmer presented the timeline for the 2011-2012 general fund budget (Exhibit N).

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X = Yes

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Meeting of December 13, 2010

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1. M. Watson                      S. Hammond                      X   X   X   X   X   X   A

Enter executive session to consider the following: 2a) personnel issues; 2b) property matter; 2c) selected employment items (Exhibit A); and 2d) request for student expulsion appeal hearing (Exhibit B)

2. M. Baumgardner                      S. Watson

Approve the agenda

M. Murphy                      S.

Amend to include an update on the Oak Pointe Elementary School traffic issue

M. Murphy                      S.

Amend to add live streaming during the action agenda

M. Hammond                      S. Baumgardner

X   X   X   X   X   X   X

Amend to place the item on the discussion agenda

Vote on the original motion

X   X   X   X   X   X   X

3. M. Watson                      S. White

Approve the consent agenda (13 approval of the minutes of the November 8, 2010 board meeting and the minutes of the special-called November 19, 2010 board meeting; 14 second reading of new board policy GCE "Professional Staff Recruitment" (Exhibit K); second reading of new Administrative Rule GCF-R "Professional Staff Hiring" (Exhibit L); and second reading of new Administrative Rule GCK-R "Professional Staff Assignments and Transfers" (Exhibit M)

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M. Murphy	S. Watson					
Amend to withdraw the minutes of the November 19, 2010 special-called meeting		X	X	X	X	X
M. Watson	S. Baumgardner					
Approve the minutes of the November 19, 2010 special-called meeting						
Motion withdrawn						
M. Baumgardner	S. White					
Approve the minutes of the November 19, 2010 special-called meeting						
M. Murphy	S. Hammond					
Amend that we go back and not approve until we have listened to the tapes		No	No	X	X	No
Vote on the motion		X	X	No	No	No
4. M. Watson	S. Baumgardner	X	X	X	X	X
The Board not grant the request of an employee to be heard by the Board in connection with a grievance						
5. M. Watson	S. White	X	X	AB	No	No
Approve the request of the sellers of the property, and in consideration of the options before the District pursuant to the Amendment to the Contract to purchase the property, I move that the School District bring a condemnation action to obtain the remaining 2.67 acres known as Parcel E of the Derrick Pond Road property		X	X	AB	No	No

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6.	M. Baumgardner                      S. Watson  Approve the selected employment items (Exhibit A)	X	X	X	X	X	X	X
7.	M. Watson                                      S. Hammond  Grant the request of the student and his family to appear before the Board for an appeal hearing (Exhibit B)	X	X	X	X	X	X	X
8.	M. White    S. Baumgardner  Approve to proceed with site adaptation for the new elementary school (Exhibit J)	X	X	No	No	No	X	X
9.	M. White    S. Watson  The District adopt the recommendation of the Corp of Engineers in it's letter dated March 22, 2010 to the District and we separately permit the academic buildings and athletic fields at Chapin High School so that we can proceed with the renovations to Chapin High School	No	No	No	X	No	No	No
10.	M. White    S. Watson  Adopt a Resolution, The Board of Trustees of District Five of Lexington and Richland Counties disapproves of the lawsuit brought by Mrs. Kim Murphy, Murphy vs. School District - Five of Lexington and Richland Counties and DHEC, which has cost the school district in excess of \$1.4 million dollars as of December 14, 2010, and is delaying the renovations to Chapin High School and denying students the timely use of much needed facilities. The Board requests that Mrs. Murphy abide by the vote of the majority of the Board of Trustees to proceed with the renovations at Chapin High School	X	X	X	No	X	X	X
11.	M. Hammond    S. Baumgardner  Schedule a budget workshop session on January 18, 2011, at 6 p.m. at the District Administration Building	X	X	X	X	X	X	X

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12. M. Watson

S. Baumgardner

X X X X X X X

Adjourn at 11:45 p.m.

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