Minutes/May 9, 2022

The Board of Trustees of School District Five of Lexington and Richland Counties met at the Center for Advanced Technical Studies with the following members present:

Mrs. Rebecca Blackburn Hines
Mrs. Nikki Gardner, Secretary
Mrs. Jan Hammond, Chair (virtually via video)
Mr. Matt Hogan
Mrs. Catherine Huddle
Mr. Ken Loveless, Vice Chair
Mrs. Tifani Moore
Dr. Akil Ross, Superintendent

The following staff were in attendance:

Mr. Todd Bedenbaugh, Executive Director of Operations
Dr. Michael Harris, Chief Student Services and Planning Officer
Mrs. Anna Miller, Chief of Academics and Administration
Mrs. Amanda Taylor, Director of Communications
Dr. Tamara Turner, Chief Human Resources Officer

A livestream video link was provided to the public as a viewing option for the May9, 2022, board meeting.

Vice Chair Loveless called the meeting to order and Chair Hammond gave welcoming remarks.

Tifani Moore, Board of Trustees, gave the opening reflection and Pledge of Allegiance.

The Board conducted the School Board Spotlight.

During the Superintendent's Report, Jumper Carter Sease Architects presented and update on Chapin High School Stadium; Dr. Ross provided an update on the Vision for new Irmo High School Wing; Dr. Michael Harris presented information regarding budget priorities (Whole Child Continuum/Behavioral-Mental Health); and Dr. Ross presented an updated on a potential Bond Referendum to finance the poor and fair-rated facilities in the 2019 M.B. Kahn Report.

During the public participation Bonnie Stewart spoke about the potential bond referendum and Harbison West Elementary, and Renee Kelly spoke about teaching practices/primary stakeholders.

The Board presented for discussion:

- Third-Party Inspection at Piney Woods Elementary (Exhibit J)
- FY 2022-2023 General Fund Budget (Exhibit K)

The 135th-Day Enrollment Report was provided as information (Exhibit L).

Record of Voting

SCHOOL DISTRICT FIVE
OF
LEXINGTON AND RICHLAND COUNTIES

Meeting of May 9, 2022

		BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
1.	M. Huddle S. Hogan Approve the agenda.	X	X	X	X	X	X	X
2.	M. Gardner S. Hogan I make the motion to enter executive session to consider the following: a.) Selected employment items (Exhibit A) (Action); b.) Selected employment items (Exhibit B) (Information Only); c.) Contractual matter for Dutch Fork High track replacement (Exhibit C); d.) Legal advice regarding preliminary report on detailed procurement audit	X	X	X	X	X	X	X
3.	M. Huddle S. Hogan I move that we approve the minutes of the April 25, 2022 board meeting.	X	X	X	X	X	X	X
4.	M. Gardner S. Huddle I move that we approve the selected employment items as shown in Exhibit A.	X	X	X	X	X	X	X
5.	M. Gardner S. Moore I move that we award AstroTurf Construction Corporation the bid for Dutch Fork High School Track surface removal and replacement and utilize contingency to fund the $40,284 difference (Exhibit C).	X	X	X	X	X	X	X

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

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		BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
6.	M. Huddle S. Gardner I move that upon the recommendation of the detailed procurement auditor, we send the letter "Notification regarding identification of likely significant deficiencies, material weaknesses, and/or direct and material legal noncompliance", as read during the meeting, to the South Carolina Department of Education and enter the letter into the minutes of this meeting.	N	X	X	X	X	X	N
7.	M. Gardner S. Huddle I move that we approve textbook adoptions for K-2 Social Studies; 6th Grade Social Studies, Economics and Personal Finance CP/Honors, AP Macroeconomics, AP Microeconomics, AP Psychology, Psychology, Sociology as shown in Exhibit D.	X	X	X	X	X	X	X
8.	M. Gardner S. Huddle I would like to make a motion to approve second and final reading of proposed revisions to Board Policy BCA "Board Member Code of Ethics" as shown in Exhibit E.	X	X	X	X	X	X	X
9.	M. Loveless S. Gardner I make a motion to approve second and final reading of proposed new Board Policy FGG "Facility Construction Project Administration" as shown in Exhibit F.	X	X	X	X	X	X	X
10.	M. Loveless S. Hogan I make the motion to approve second and final reading of proposed revisions to Board Policy FEC "Selection of Professionals in Facilities Construction" as shown in Exhibit G.	X	X	X	X	X	X	X

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	BLACKBURN HINES	GARDNER	HAMMOND	HOGAN	HUDDLE	LOVELESS	MOORE
11. M. Gardner S. Huddle I move for second and final reading approval of proposed revisions to Board Policy BDG "School Attorney/Legal Services" as shown in Exhibit H.							
M. Huddle S. Hogan	X	X	X	X	X	X	X
I move to amend the motion to revise the proposed policy to remove the words "fee agreement" and replace with "scope of work" and "fee schedule".							
Vote on original motion	X	X	X	X	X	X	X
12. M. Gardner S. Huddle I move that we approve for second and final reading of proposed revisions to Administrative Rule BDG-R "School Attorney/Legal Services" as shown in Exhibit I.	X	X	X	X	X	X	X
13. M. Hogan S. Blackburn Hines Adjourn at 10:23 p.m.	X	X	X	X	X	X	X

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Attachment #1 is included with the minutes of the 5-9-22 meeting, at the request of Board member Cathy Haddle pursuant to South Carolina Code Ann. Section 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.

5/9/2022

The Honorable Molly Spearman
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Re: Notification regarding identification of likely significant deficiencies, material weaknesses, and/or direct and material legal noncompliance

Ms. Spearman,

In February 2021 our Board of Trustees discovered some apparent procurement code violations with several contracts. As a result, the board requested termination and rebidding a problematic contract for temporary services for substitute teachers. In addition, other potential procurement issues dating back several years were investigated.

In July 2021, shortly after hiring a new Interim Superintendent, the board authorized a contract with a consultant who subsequently reported additional concerns with prior procurement. As a result, in September 2021 the board voted to issue an RFP for a detailed procurement audit for the previous five fiscal years.

Pursuant to SC Law 59-20-90, The Board of Lexington Richland School District Five is notifying the South Carolina Department of Education that the district has received an indication from the auditor that the audit will likely identify significant deficiencies, material weaknesses, and/or direct and material legal noncompliance.

Upon receipt of the final audit report (due by June), the board will ensure that any potential malfeasance is reported to the proper law enforcement agency and the district's finance department will develop a Financial Recovery Plan approved by the board and submitted to the Department of Education within 60 days. The Financial Recovery Plan will address the possible recovery of funds as well as a remediation process to ensure future vendor payments are correctly reviewed and authorized prior to payment.

Sincerely,

Mr. Ken Loveless, Vice Chair, Board of Trustees
Acting Board Chair, 5/9/2022 Meeting

ITEM SUBMITTED FOR # 19. DISCUSSION AGENDA

May 9,2022

Questions concerning the presentation by Mead and Hunt.

1) Do the entries presented in the spread sheet of the Power Point presentation copied to you from Mr. Loveless present any qualms about accepting non- conforming materials?

2) The district paid about $8.90 per square foot of building for Piney Woods Elementary school for land.

By comparison of values:

The Board approved a budget for Piney Woods Elementary School and was later told that the testing for materials soft cost Owner's allowance was $450,000.00 for this project. Does it surprise you that we spent $450,000/105,000 square feet or $4.29 per square foot of building for testing of materials?

3) Does it surprise you to find that the quality control program set up for this project this expensive and yet we are forced to accept non-conforming materials on this project?

4) Would it further surprise you that by contract that the quality control manager for the project was also the contractor's project superintendent? Who should have been the Quality Control Manager?

Presentation by
Kyle Golden
Mead Hunt

Attachment #2 is included with the minutes of the 5-9-22 meeting, at the request of Board member Ken Loveless pursuant to South Carolina Code Ann. Section 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.