



Unified School District 232

De Soto – Shawnee – Lenexa – Olathe
www.usd232.org

USD 232 BOARD OF EDUCATION

OFFICIAL MINUTES --REGULAR MEETING

Administrative Office (35200 West 91st Street, De Soto, Kansas) December 6, 2021

YouTube channel: <https://bitly.com/usd232youtube>

The meeting was called to order at 6:00 p.m. by the Board President, Danielle Heikes. A quorum of the Board was present. Attendance was as follows:

Board Members Present: Rick Amos (*Participated via Zoom*)
Bill Fletcher
John Gaignat
Danielle Heikes
Stephanie Makalous
Ashley Spaulding
Rachele Zade

Others Present: Jolyn Baldner, Director of Student Nutrition
Alvie Cater, Assistant Superintendent of Administration & Communications
Gerri Balthazor, Principal, Mize Elementary School
Steve Deghand, Assistant Superintendent of Facilities & Operations
Carrie Handy, Executive Director of Elementary Education
Dr. Frank Harwood, Superintendent of Schools
Michelle Hite, Director of Elementary Curriculum & Instruction/Accreditation
Dr. Joe Kelly, Director of Secondary Curriculum & Instruction/Title Programs
Rob Moser, Coordinator of Safety & Transportation
Brian Schwanz, Executive Director of Secondary Education
Julie Stucky, Director of Finance

Alvie Cater led attendees in reciting the Pledge of Allegiance.

Mr. Cater then briefly explained how the meeting will progress from one agenda item to the next.

President Heikes asked if there were any changes for the Agenda/Consent Agenda. Bill Fletcher asked to remove check #56952 from the Consent Agenda for approval separately.

Mrs. Danielle Heikes moved to adopt the Agenda.

Mr. John Gagnat seconded.

Carried 7/0.

GOOD NEWS.

Staff Member Recognition. Mill Valley High School staff members Brian McDanel, Paraprofessional, Erin Hayes, Counselor, and Jamie McKernan-Pollard, Special Education Resource Teacher, along with Mize Elementary staff members Tiffany Birk, Reading Specialist, and Courtney Schnurr, 1st Grade Teacher, were recognized for outstanding service in their district roles.

Student Recognition. The Board recognized the Mill Valley High School Girls' Cross Country Team for winning the Kansas Class 5A State Championship. Coaches Chris McAfee, Madeline Byrd, Katie Goering and Brian Fitzsimmons along with team members Katie Schwartzkopf, Quincy Hubert, Logan Pfeister, Bridget Roy, Kynley Verdict, Sarah Anderson, Ellie Walker, Charlotte Caldwell, Meghan McAfee, Laura Hickman and Calista Marx received Certificates of Achievement.

President Heikes announced that the Mill Creek Middle School Voyagers team has been selected as a top 20 finalist in the Burns & McDonnell Battle of the Brains competition. She encouraged those in attendance to vote for the team at BOTBKC.COM/VOTE.

President Heikes thanked Rachele Zade and John Gagnat for their service to the Board. She said Mrs. Zade has served 8 ½ years and Mr. Gagnat has served 4 years. She then read about the many Board of Education accomplishments made during their tenure. A token of appreciation was gifted to Mrs. Zade and Mr. Gagnat.

PATRON INPUT. President Heikes opened the floor for patron input. The following individuals spoke:

Sarah Carmichael, Shawnee, shared concern with pornographic material in library books, specifically the book titled "All Boys Aren't Blue". She said this book was recently pulled from district middle school libraries. She asked the Board to put together a committee to audit and review every book in district libraries. She also asked that the Board discuss this at the next meeting.

Dustin Harris, Shawnee, shared ACT data that can be found on the district and state department websites. He said he was concerned with the downward trend in ACT scores. He asked to get information on the dip in 8th grade scores.

Amy Parker, Shawnee, shared concern with the Health curriculum, specifically the sexuality unit relating to gender identity. She said the LGBTQ agenda was not in the curriculum three years ago.

Mitch Powers, Shawnee, thanked John Gagnat and Rachele Zade for their service. He also thanked and encouraged the rest of the Board and administration, noting the last 18 months have been difficult.

Ashley Sollars, Shawnee, thanked the Board for serving the community. She expressed support for the Diversity/Equity/Inclusion (DEI) agenda. She said there needs to be more conversations about what we can do to make sure we are affirming all students, and that all students have equitable access.

Lindsay Flint, Shawnee, asked for the data and proof that masks are working. She said there are mask studies on both sides, scientists on both sides. She said all studies on masking are not data driven. She cited the marginal difference in votes cast in the recent school board election. She said the Board set precedent in the high schools when they said masks would be removed when the vaccine was available and asked why this isn't applicable to elementary and middle school. She noted elementary students were the first to return to the classroom, but last to be unmasked. She said half of the community is tired of the double standard.

Emily Carpenter, Lenexa, thanked Rachele Zade for her service and congratulated Danielle Heikes on her re-election. She said the recent election is proof that the Board is not representing everyone. She asked the Board to start representing all students and listening to all parents. She told the Board to ask the hard questions.

Alison Phillips, Shawnee, asked the Board to remove the mask mandate for all students. She said making young children cover their faces for five days a week is very extreme. She said she didn't understand the logic in exposures being the reason for masking. She pointed out that school is the only place students are asked to wear masks, they don't wear them outside of school. She said her daughter says kids don't wear them correctly, masks make it hard for her to breathe, some students hideout in the bathroom just so they can have a moment without the masks, and some teachers are harassing students who don't wear them properly.

CONSENT AGENDA.

Mrs. Stephanie Makalous moved to approve the Consent Agenda as amended.

Mrs. Rachele Zade seconded.

Carried 7/0.

The following Consent Agenda items were approved:

1. Minutes of the November 1st regular meeting.
2. Payment of bills and issuance of checks numbered 56919, 56922 – 56951, 56953 – 56994, 56996 – 57078 and 57086 – 57204.
3. Transfer of funds as follows:
 - a. \$1,066,274.63 from General (Fund 06) to Special Education (Fund 30).
 - b. \$4,858.55 from Local Option Budget (Fund 08) to State Pre-K (Fund 11).
 - c. \$220,753.69 from Local Option Budget (Fund 08) to At-Risk (Fund 13).
 - d. \$38,355.41 from Local Option Budget (Fund 08) to Bi-Lingual (Fund 14).
 - e. \$186.26 from Local Option Budget (Fund 08) to State Safety Fund/Drivers Education (Fund 18)
 - f. \$152,100.98 from Local Option Budget (Fund 08) to Vocational Education (Fund 34).

4. Personnel recommendations as follows:

Resignations – Classified

Judy Dearwester, Secretary, BE

Lidia Flores-Ramirez, Student Nutrition Assistant, DHS

Rick Gude, Paraprofessional, DHS

Julie Heinking, ELL Aide, MCMS (*Effective 12/31/2021*)

Jackie Johnson, Lead Secretary, SE (*Effective at the conclusion of the 2021-22 school year.*)

Marcy Teasley, Math Aide, RE

Janet Whaley, Student Nutrition Cashier, BE (*Effective 12/31/2021*)

Retirement – Classified

David Bowers, Custodian, MVHS (*Effective 01/14/2022*)

Employment – Classified

Skye Anson, Student Nutrition Cashier, MCMS

Stephanie Chaponniere, Lunchroom Aide, RE

Hannah Christie, Grade Level Support Aide, BE

Jeannette Giangrosso, Rule 10 Assistant Swim Coach, MVHS

Scott Harris, Rule 10 Assistant Wrestling Coach, DHS

Diana Jerome, Evening Custodian, DHS

Jan Kinney, Paraprofessional Substitute, Districtwide

Barbara Kusnierkiewicz, Secretary, MVHS

Amy Maddox, Substitute Nurse, Districtwide

Carol Martin, Student Nutrition Assistant, MTMS

Denise Morrow, Secretary, BE

Amy O'Brien, Center Based Paraprofessional, ME

Jessica Ramirez, Preschool Aide, CTEC

Kyle Roberts, Center Based Paraprofessional, The Bridge

Lindin Scott, Student Nutrition Kitchen Manager, RE

Emma Spachek, Long-Term Substitute 5th Grade, HE

Ali Viravong, Rule 10 Assistant Wrestling Coach, DHS

Resignations – Certified

Jared Baugh, Manufacturing Teacher, CTEC (*Effective 12/17/2021*)

Kyle Becher, 5th Grade Teacher, HE (*Effective 11/19/2021*)

Lawrence Meier, Chemistry Teacher, DHS (*Effective at the conclusion of the 2021-22 school year.*)

Employment – Certified

Lynnsey Keehn, Elementary Teacher, TBD (*Effective for the 2022-23 school year.*)

Lauren Ward, Speech Language Pathologist, MCMS

Blake Webber, Elementary Teacher, TBD (*Effective for the 2022-23 school year.*)

Kelsey Wilson, Elementary Teacher, TBD (*Effective for the 2022-23 school year.*)

5. Appointment of Alvie Cater, Julie Stucky, Carrie Handy, Brian Schwanz, Sam Ruff and Kristel Fulcher to serve as negotiating representatives on behalf of the school district with regard to the Professional Negotiated Agreement.

6. The 2022 Capital Outlay Committee report addressing various needs and projects with planned expenditures from the Capital Outlay Fund; with projects re-submitted to the Board of Education from time to time for approval based on submission of bids and costs as required by Kansas Statutes 72-8801.
7. Acceptance of the following donations:
 - \$735.00 from Ben Stamey to the De Soto High School Cats Closet (school store).
 - \$750.00 from PLK Development Inc., DGA Stonebriar, to the De Soto High School Girls Basketball program.
 - \$8,000.00 from Bruce Garner to the Mill Valley High School Wrestling program.
 - \$1,150.00 from Tyffani and Bruce Richards to the De Soto High School Cross Country program.
8. The following extended day trips:
 - De Soto High School Cheerleading, Grades 9-12, participate in the NCA National Cheerleading Competition, Kay Bailey Hutchison Convention Center, Dallas, TX, January 21-23, 2022.
 - Mill Valley High School Girls Basketball, Grades 9-12, participate in the El Dorado High School Basketball Tournament, El Dorado School District gymnasiums, El Dorado, KS, January 27-29, 2022.

Bill Fletcher declared a conflict of interest and left the meeting at 6:47 p.m.

Mrs. Rachele Zade moved to approve payment to Kansas Land Management, LLC in the amount of \$8,334.90 with check number 56952.

Mrs. Ashley Spaulding seconded.

Carried 6/0.

Bill Fletcher returned to the meeting at 6:48 p.m.

ACTION ITEMS.

Fiscal Year 2021 Audit Report. Julie Stucky, Director of Finance, introduced Ms. April Swartz of Varney & Associates, who reviewed the district's 2021 fiscal year audit with the board. She gave clean opinions on internal control and compliance and reported that there were no statutory violations. Ms. Swartz also let the Board know that Varney & Associates would like to offer a 3-year contract to the district at the current rate. She also noted that with a contract the district can ask questions of the audit firm anytime throughout the year. Board members were given the opportunity to ask questions regarding the audit.

Mrs. Ashley Spaulding moved to to approve the 2021 Fiscal Year Audit as presented.

Mr. John Gagnat seconded.

Carried 7/0.

Communicable Disease Mitigation Protocols. Superintendent Frank Harwood gave the Board current data on COVID-19 in USD 232. The following slides were presented:

- Johnson County COVID-19 Case Rates - Case data was taken from the Kansas Department of Health and Environment's (KDHE) COVID-19 dashboard on December 3, 2021. The number of cases peaked on August 1st, then declined through October 24th and steadily increased through November 14th, but are beginning to decline again.
- Johnson County COVID-19 Percent Positive Rates - Percent Positive data was taken from the KDHE COVID-19 dashboard on December 3, 2021. It shows the percent of tested individuals that have tested positive since May 30th. After peaking on August 1st and dropping through October 24th the percentage has steadily increased through November 21st.
- Hospital Capacity – Adult ICU bed availability data was taken from the Mid-America Regional Council (MARC) Kansas City Region Area COVID-19 Data Hub on December 3, 2021.
- Student Attendance – The Average Daily Attendance (ADA) for the months of October and November in the 2020-21 and 2021-22 school years. Historically USD 232's annual ADA has been between 96% - 97%. For this school year the ADA was 96.1 the week of October 24th, 93.9 the week of October 31st, 95.2 the week of November 7th, 94.9 the week of November 14th and 92.1 the week of November 21st. Superintendent Harwood noted the week of November 21st was a short week with Thanksgiving break.
- USD 232 Exclusions – Weekly information provided on the USD 232 COVID-19 Dashboard. Superintendent Harwood shared the number of Exclusions for recommended Isolation and Exclusions for recommended Quarantine for staff and students for the weeks of October 30th through November 29th.
- USD 232 Exclusions by Level - Weekly information provided on the USD 232 COVID-19 Dashboard. Superintendent Harwood shared the cumulative exclusions for students and staff broken down by elementary (450 total), middle school (171 total) and high school (250 total).
- USD 232 Exclusions by Building – The number of student exclusions for recommended isolation and quarantine for the past four weeks broken down by school building. The district total over the four week period is 310.
- Johnson County COVID-19 Vaccination Rates - Data was taken from the Johnson County Department of Health & Environment's (JCDHE) COVID-19 Dashboard on December 6, 2021. It shows vaccine progress for all eligible population broken down by zip code. Superintendent Harwood pointed out that with the addition of 5-11 year olds as eligible, total vaccination rates have held steady or declined slightly in some zip codes. Zip code 66018 is at 75.5%, zip code 66227 is at 106.1%, zip code 66226 is at 73.7%, and zip code 66218 is at 82.8%.
- Johnson County COVID-19 12-17 year old Vaccination Rates – Data was taken from the JCDHE COVID-19 Dashboard on December 6, 2021. It shows vaccine progress for 12-17 year olds broken down by zip code. Zip code 66018 is at 54.1%, zip code 66227 is at 77.0%, zip code 66226 is at 53.1%, and zip code 66218 is at 97.8%.

- Johnson County COVID-19 5-11 year old Vaccination Rates – Data was taken from the JCDHE COVID-19 Dashboard on December 6, 2021. It shows vaccine progress for 5-11 year olds broken down by zip code. Superintendent Harwood said as expected, the percentage of 5-11 year olds considered fully vaccinated is very low at this time. He said rates will most likely increase over the coming weeks. Zip code 66018 is at 1.8%, zip code 66227 is at 2.5%, zip code 66226 is at 4.0%, and zip code 66218 is at 2.7%.

Stephanie Makalous asked if there was any data on Flu vaccinations. Superintendent Harwood said he didn't know, but would check into it.

Alvie Cater, Assistant Superintendent of Administration & Communications, presented the following slide:

- Test to Stay Update – Test to Stay & Learn started on October 20th. Through December 6th 197 students have participated, 23 declined and 2 staff members participated. On November 22nd, MAWD Pathology began performing the tests. MAWD uses PCR tests. They collect samples and send students/staff to go about their day with results available later in the day.

Superintendent Harwood concluded his presentation with the following slide:

- School District Home Rule – General powers of the Board of Education are outlined in KSA 72-1138(e). These powers are often referred to as "Home Rule". Superintendent Harwood shared the powers of the board:
 - The board may transact all school district business and adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools.
 - The power granted by this subsection shall not be construed to relieve a board from compliance with state law. The power granted by this subsection shall not be construed to relieve any other unit of government of its duties and responsibilities which are prescribed by law, nor to create any responsibility on the part of a school district to assume the duties or responsibilities that are required of another unit of government.
 - The board shall exercise the power granted by this subsection by resolution of the Board of Education.

Superintendent Harwood said laws governing public health are in Chapter 65 of the Kansas Statutes. He said the Kansas Association of School Boards (KASB) attorneys say local school boards do not have authority to override a county health order and the school district's attorney, Mike Norris of Norris, Keplinger, Hicks & Welder LLC, recommended to Dr. Harwood that the school board not override the county health order.

Rachele Zade said that the Johnson County Sheriff's Office has said they would not enforce any county health order.

Superintendent Harwood noted that the expanded administrative powers of school districts have not been reviewed by an appellate court to date.

President Heikes asked if Superintendent Harwood has been in communication with the Board of County Commissioners (BOCC). Superintendent Harwood said he has communicated with County Commissioner Ed Eilert and the commission believes that the K-6 grade mask mandate is a legally enacted order.

Stephanie Makalous asked if other counties have some kind of mask mandate. Superintendent Harwood said Wyandotte County and Douglas County do.

President Heikes asked if Superintendent Harwood has seen anything from the BOCC's legal team. Superintendent Harwood said he has not seen anything from the county's legal counsel.

Rachele Zade said the thing that is frustrating is that the law is subject to interpretation. She said the Johnson County Sheriff and the County Prosecutor said they would not press charges if schools do away with the mask mandate. However, she said she doesn't want to be breaking rules or risk the school district getting in trouble.

Superintendent Harwood said he thought the County Commissioners set the mask mandate for grades K-6 because they were not eligible to get vaccinated at the time. He suggested that they may begin to have conversations about the mandate now that younger kids are eligible for the vaccine.

Bill Fletcher said he didn't understand why the law wasn't applicable to private schools. Rachele Zade said she wondered how private schools were able to do it without getting penalized and noted Maranatha was even accredited. Superintendent Harwood said he could only speak about how the mandate affects the public schools, not private. He said private schools don't have elected officials and hold public meetings which could play a part in it.

President Heikes mentioned Superintendent Harwood said this is "unsettled law" and asked if there were other times in Kansas history where school districts or other entities have gone against county mandates. Superintendent Harwood said cities and counties are different because they have always had constitutional home rule versus public schools which have only had it since 2003. He said there probably are times when this has happened, but they haven't gone to court.

President Heikes said the mandate is meant to cover any building housing K-6 grades. She asked how the Board could put in place a mask-optional policy for 7th and 8th graders assuming the county mandate goes beyond January 5th, if that is the date the Board considers. Superintendent Harwood said 7th and 8th grade students could wear masks when they leave their pod, or when they are out in the hallway. He said the administration could work with the buildings to minimize the time masks are required for 7th and 8th graders.

Bill Flether said he thought the Board should continue with the current masking policy to avoid a lawsuit from parents.

Stephanie Makalous suggested the Board set parameters for unmasking elementary and middle school students because the vaccine is available for them now. She said she wasn't concerned about being sued by the county and the district could even possibly be looked at as a leader. She said she wasn't in support of making a change to the masking policy that would be effective immediately.

Superintendent Harwood said he would not advise the board to go against a county public health order.

Bill Fletcher said the Board should test the mandate. He said it is not mandatory.

President Heikes asked Mrs. Makalous to clarify her stance. Mrs. Makalous said she felt the school board can choose what they want to do and doesn't have to wait on the commission to make a change. She said she would not want to make a change in the masking policy effective immediately in order to allow families time to get their students fully vaccinated.

Ashley Spaulding asked if making masks optional for 7th and 8th graders would keep the district in compliance with the mask mandate. Superintendent Harwood said it would.

Rick Amos said the district has not strayed from any county health order in the last 20 months. Superintendent Harwood said the district has always been as restrictive, or more restrictive, when it comes to masks than what the county has mandated.

Ashley Spaulding said it was important to note the district has not always followed public health guidelines and recommendations, but that is different than following the county health order. Superintendent Harwood said under public health guidelines the district would still have all grades levels masked. He said the district has always followed the county health orders.

President Heikes said she is thankful the vaccine is now available to all students. She said she would like to consider unmasking 7th and 8th grades tonight and said she doesn't want to go against the county health order. She suggested the Board set rules about removing masks when the county mandate is lifted.

John Gagnat said he agreed with President Heikes.

Rick Amos asked if there was any indication from Johnson County Commission Chairman Ed Eilert at all about when the County might lift the mandate. He said he would like the Board to be prepared to move immediately if the county does lift the order. Superintendent Harwood said he has not spoken with Chairman Eilert about their plans regarding the public health order.

Ashley Spaulding said she wants to continue following the mandate. She said she would be in favor of doing something with 7th and 8th grade as the next step.

Superintendent Harwood said the Administration could easily make it work for 7th and 8th grade after winter break. It would allow principals eight days to come up with a plan and time to communicate a change before break and implement the change when students return from break.

Bill Fletcher suggested the Board make the mask rule for 6th, 7th and 8th grade and not try to separate the grades.

Stephanie Makalous said she would like to keep things as they are until the Board re-evaluates in January. She is not in favor of separating out 7th and 8th grades. She asked how many school days are left until students return from winter break. Superintendent Harwood said 11 days. Mrs. Makalous suggested the district keep the mask policy as it is unless the county commission lifts its mandate.

Rick Amos suggested the district's attorney, Mike Norris, could be at the next meeting to advise the Board on what they could be held accountable for if they were to make a change to the masking policy prior to the county public order expiring. Superintendent Harwood said if the BOCC doesn't appear to take any action the administration could have Mike Norris attend the next meeting, January 10th, to advise the Board in open session.

Ashley Spaulding supported Mr. Amos' suggestion.

Bill Fletcher suggested Superintendent Harwood asked the State Attorney General if it would be legal or not for the Board to make a change to the mask policy with the county mandate in place.

Rachele Zade said Superintendent Harwood has spoken with district attorney Mike Norris about this matter. Superintendent Harwood said Mr. Norris could give the board information about possible ramifications of making a change to the masking policy before the county mandate is lifted.

Ashley Spaulding asked if there was somebody else that could be invited to the meeting to answer questions and offer a different perspective. Superintendent Harwood suggested Mike Norris could present both sides and explain the ramifications of decisions made.

Mrs. Stephanie Makalous moved to continue the requirement for barrier face masks in Preschool, Elementary and Middle School buildings in compliance with the Johnson County health order. When the county mask order expires, barrier face masks will be optional as long as recommendations for quarantine and isolation for COVID-19 are below 4%. If recommended quarantine and isolations exceed 4%, barrier face masks will be required following guidelines previously adopted for high schools.

Mr. John Gaignat seconded.

Carried 6/1. (Bill Fletcher dissented)

President Heikes said this will be on the January 10th agenda.

DISCUSSION ITEM.

City of De Soto to Consider Redevelopment District - TIF. Alvie Cater, Assistant Superintendent of Administration & Communications, said a written report was included in the board packet about a proposed redevelopment district on the former Sunflower Army Ammunition property. He said this is regarding a possible Tax Increment Financing (TIF) option the City of De Soto is considering and reminded the Board that Kansas Statute gives authority to the Board of Education in matters related to TIF. He said during the establishment process for redevelopment districts, the county or school district may veto the inclusion of any privately owned parcel subject to ad valorem taxes; this is known as an inter-jurisdictional veto. Mr. Cater said the City of De Soto will hold a Public Hearing on January 6, 2022, to consider the redevelopment district. If they approve it, the Board of Education has 30 days to decide whether to exercise its veto authority. Mr. Cater then introduced De Soto Mayor Rick Walker, and City Administrator Mike Brungardt. Mayor Walker gave a history of status of the Sunflower Army Ammunition Plant site and summary of city negotiations to annex the property. Mr. Brungardt presented the Board with the following information relating to the city's consideration of establishing a redevelopment district for approximately 6,000 acres of the former Sunflower Army Ammunition site, located south of K-10 Highway:

- A map highlighting 6,375 acres the City of De Soto annexed on 11/18/2021.
- A map highlighting 6,000 acres the City of De Soto would like to redevelop with Tax Increment Financing (TIF) on projects within the designated area.
- A map highlighting the proposed initial development area which is 1,200 acres +/-.
- An aerial view of the property showing existing and remaining remediation efforts. The developer estimated \$200,000,000 in remaining remediation costs throughout the entire 6,000 acres.
- Several Blight Analysis pages showing pictures of deteriorated/deteriorating structures and roads on the property that create unsanitary or unsafe conditions. There are 427 buildings that are in various stages of disrepair and will have to be cleared away and remediated before any development can happen as well as over 70 miles of roadway that will have to be done away with due to poor condition.
- An aerial view of the proposed initial development area which is 1,200 acres +/- . It was pointed out that this is 10 million square feet, has an appraised value of \$550 million, and a projected 20-year TIF revenue of \$249 million.
- A list of reasons the City of De Soto proposes this TIF as follows: TIF is needed to fund infrastructure and remediation, return the former ammunition plant to productive use, leverage hundred of millions of dollars in private investment, generate thousands of jobs producing considerable spinoff economic benefit to the community, gaining jurisdictional control of most of the Sunflower property and established De Soto as the water and sewer provider for this and future development at Sunflower.
- City of De Soto support of USD 232. The city recognizes USD 232 as a major asset to the community. Economic Incentives Policy aims to "Hold Harmless" USD 232. The city

understands Board of Education concern with scale of the proposed TIF. The city supports significant Board involvement with any future residential projects within the TIF district.

Superintendent Harwood asked why the developer can't do a TIF for just the 1,200 acres now and do another TIF for the remaining acres down the road. Mr. Brungardt said TIF proceeds must be used inside the defined TIF area.

Superintendent Harwood said the 1,200 acres might be about half a billion dollars worth of appraised value. Right now the whole 6,000 acres is about \$500,000 in value and probably is technically worthless. He said the district is receiving about \$6,000 in tax revenue from the whole 6,000 acres; with the TIF that amount is what the district would continue to receive for 20 years, but after that time if the property is worth a lot more, it could significantly lower tax rates across the rest of the district. He said the concern is what happens if they build houses, because if they build houses the district will have to build schools and the people living in the houses and going to the schools aren't paying for the schools because the district can't collect the necessary revenue from the TIF district. He said if it develops as light industrial and no people live there it will be awhile before everybody sees their taxes go down, but they would in the future. Mr. Brungardt said the Capital Outlay mill levy (8 mills) for the district is protected so the district will continue to receive that throughout the 20 years as well as the 20 mills that goes to the state and gets re-distributed to school districts.

Bill Fletcher asked about the original plan where the district and county were to get acreage. Superintendent Harwood said the developer has said they will honor the original plan. He said right now the district is to receive 30 acres of the property, but will need to start with 100 acres if a high school is needed. He said if the district can work out a plan with the developer to negotiate acreage for schools if more kids are living there it would be beneficial. He said without something that gives the schools some real leverage in negotiations his recommendation would be to veto the TIF because the district couldn't go into it for 100% for 20 years with 6,000 acres and have no idea what is going to be built out there.

Bill Fletcher asked Mr. Brungardt if the developer has an insurance policy to be sure the remediation takes place and if there was a timeframe for them to perform the work. Mr. Brungardt said there is no insurance or bond that says they have to remediate all 6,000 acres or any timeframe for the work to occur. Mr. Brungardt said the environmentally hazardous remediation has been taken care of by the Army. He also said the purpose of TIF statute is to clean-up blighted areas.

Superintendent Harwood pointed out that there is no way to make money for the developer without cleaning the property up.

Bill Fletcher asked Mr. Brungardt to not rush into this without proper assurances in place.

John Gaignat asked what type of housing could be built on the property. Mr. Brungardt said any type of residential development, single family or multi-family housing.

Mr. Brungardt said this school board needs to negotiate with the developer for assurance of additional property.

President Heikes said she wanted to see the Board work with the developer. She shared concern about approving the TIF for 20 years without any idea of what the plan is for the future.

Superintendent Harwood said the city will have their hearing on January 6th and the Board will have until February 5th to issue a veto, should it decide to do so. He suggested that the developer will come up with a plan to present to the school district by then and the board may want to have a work session in January to discuss it further.

President Heikes adjourned the meeting at 8:21 p.m.

January 10, 2022
Date Approved

Wendy S. Anheim
Clerk, Board of Education

Carol Heikes
President, Board of Education