

MUSCOGEE COUNTY SCHOOL DISTRICT  
CALLED BOARD OF EDUCATION MEETING  
FRIDAY, AUGUST 20, 1999, 12:00 NOON

MINUTES

A called meeting of the Board of Education of the Muscogee County School District was held on Friday, August 20, 1999 at 12:00 noon in the conference room at the Bradley Library.

The following Board members ere present: James Walker, David Ebron, Philip Schley, Linda Parker, Fife Whiteside, John Wells, Barbara Pierce and Brenda Storey.

Others present: Guy W. Sims, Superintendent of Education, James E. Humes, II, Legal Counsel, Fred M. Jones, Treasurer, Brenda F. Dozier, Assistant Superintendent for Student Services, Myles Caggins, Assistant Superintendent for Business Affairs, William Hortman, Associate Superintendent, Gordon Stallings, Assistant Superintendent for Instruction, Tom Walters, Assistant Superintendent for Personnel and representatives from the media.

Mr. Walker called the meeting to order with an invocation and pledge of allegiance to the flag. Mr. Walker stated that the purpose of the meeting was for the Board to vote on a site to present to the City Council for a new library if it becomes a part of the projects proposed for the continuation of the one-cent sales tax referendum.

Upon motion of Mr. Whiteside, seconded by Mrs. Parker, the Board unanimously voted to excuse Mrs. Polleys from the called meeting due to out of town business.

Mr. Wells made a motion seconded by Mrs. Parker to select Columbus Square as the site for building the new public library facility provided that all of the Board's other previously passed resolutions are in place. Mrs. Storey clarified that other previous motions would be the agreement with the City being signed and returned back to the Board and there would be funding for the operations of the new library. Mr. Whiteside commented that having just received a revised version of the non-binding letter of intent he would like for the Superintendent to comment. Mr. Sims commented that the major exception to the revision is that the City has changed item #6 to read: "There shall be a provision for and a pledge of private funding for differential operating costs over and above the costs now incurred by MCSD to operate its libraries prior to the commencement of construction, or renovation by Columbus Government". Mr. Sims said he spoke with the City Manager this morning and it appears that City Council will be unwilling to put the item on the list if the stipulation is on there that it will not be built if there is no endowment because if goes on there the \$40,000,000 dollars will be collected and if the \$40,000,000 for the project is abandoned their bond counsel has advised that there will be some legal provisions that will have to be dealt with. If an endowment cannot be raised to build a \$40,000,000 library then it can be scaled back to what can be raised to operate it with and there would be now legal problems. Mr. Whiteside commented that it appears that the Mayor and City Manager have rejected the original proposal of the Board and have made a counter proposal without putting it before City Council. Mr. Sims commented that at the City's workshop last Tuesday, the City Council was given the letter of intent although there was no action taken on it. Mr. Ebron commented that dropping a project is contingent upon the collection of funds and the money cannot be re-allocated. Mrs. Storey said that her concern is not whether or not the City comes off disingenuous but how the Board comes off because if the Board doesn't do exactly what is said not to exceed \$40,000,000 then it's the Board that the people will look to.

Mrs. Parker commented that the revised letter of intent now reflects advice from Bond Counsel of the City. Mr. Humes commented that he has not had opportunity to speak with Bond Counsel to know what the objection is or the penalties are. It could possibly be that proceeds received to use on a project and you earn money from them and you invest it before you have to spend it then you have more than what you spend then you may wind up having some arbitrage penalties. Mr. Whiteside commented that item #2 seems to have been subtly changed to show that they will not use private contributions and this will free them up to compete with MCSD in soliciting private contributions. Mr. Ebron asked what can be done to satisfy both parties by next Friday because the public should be clearly informed as to what is being proposed and maybe the Superintendent and Attorney should negotiate again with the City Manager and Council.

Dr. Schley made a substitute motion, seconded by Mr. Whiteside that the Board of Education reiterate to the City Council that we wish to be included in the referendum to extend the SPLOST to provide \$40,000,000 of funds for a new library to be located at a site not yet determined. Further, we urge City Council to sign and return the previously identified non-binding letter of intent. Further, he moved that the Chairman appoint an ad hoc committee of the Board, which shall address itself specifically to questions applicable to a new library. Mr. Whiteside asked that the motion be made in two parts.

Dr. Schley amended his substitute motion, seconded by Mr. Whiteside that the Board reiterate to the City Council that we wish to be included in the referendum to extend the SPLOST to provide \$40,000,000 of funds for a new library to be located at a site not yet determined. The vote was (5) affirming and (3) opposing.

Dr. Schley made another motion for the Chairman to appoint an ad hoc committee to be made up of members of this Board, which shall address itself specifically to questions applicable to a new library. Mr. Wells commented that he could go along with the motion except governance should remain with the Board. There was no vote taken.

Mr. Ebron said that if the Board has voted on an amended substitute motion then the substitute motion is no longer valid. Mr. Humes concurred.

Mr. Walker allowed any from the audience to speak to the Board regarding the library issue. Paul Olson, Alice Budge and another citizen addressed the Board.

Mr. Whiteside made a motion, seconded by Mr. Ebron that the Chairman and Superintendent reiterate the earlier offer of the Board to the City and communicate immediately any counter offer or a rejection of that to the Board. The vote was (7) affirming and (1) abstaining.

Mr. Whiteside made a motion, seconded by Mrs. Storey that the Board ask the Superintendent, Chairman and Attorney to explore the prospect of having a library foundation established or an organizational endowment fund within the Chattahoochee Valley Community foundation and bring back a proposal or recommendation to the Board at a later date. The vote was (5) affirming, (2) opposing and (1) abstaining.

Upon motion of Mr. Ebron, seconded by Mr. Wells, the Board adjourned the called meeting.

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James E. Humes, II  
Legal Counsel