

MUSCOGEE COUNTY SCHOOL DISTRICT
COLUMBUS, GEORGIA

REGULAR BOARD OF EDUCATION MEETING
MONDAY, DECEMBER 12, 2005, 6:30 P.M.
BRADLEY LIBRARY CONFERENCE ROOM

MINUTES

The regular meeting of the Board of Education of the Muscogee County School District was held on Monday, December 12, 2005, 6:30 p.m. in the conference room at the Bradley Library.

The following Board members were present: Mary Sue Polleys, Chairman, James Walker, Vice Chairman, Brenda P. Storey, Philip T. Schley, Patricia Hugley Green, Fife M. Whiteside, John Wells, Naomi Buckner and Joseph Roberson.

Others present: John A. Phillips, Jr., Superintendent of Education, Greg S. Ellington, Legal Counsel, Del Parker, CFO, Billy Kendall, Administrative Assistant to Superintendent of Education, Eddie Obleton, CSSO, Myles Caggins, COFO, Peggy Connell, CAO, Don Cooper, CHRO and representatives from the media.

Dr. Polleys called the meeting to order with an invocation. The pledge to the flag was led by students from Eastway Elementary and the Character Education word was generosity. Eastway students performed a musical selection conducted by Carver High School teacher cadet, Warren Williams.

Dr. Polleys recognized visitors in the audience; Mr. and Mrs. Halouska representing the League of Women Voters and Friends of the Libraries;

The Board recognized; Shaw High Region Champions and State Semi-finals; Jordan High, Knox Culpepper Trophy winners, Columbus High State Cross Country winners, Counselors of the Year, Georgia Counselors Leadership Team, National Family Week Award, and ABCD Award.

Dr. Schley recognized Dr. Phillips as being one of four finalists selected by the GSSA for the Superintendent of the Year award at the GSBA Conference. Dr. Schley thanked Dr. Phillips for his ability, vision and dedication to public education.

Upon motion of Mrs. Storey, seconded by Ms. Buckner, the Board unanimously approved official actions taken at the regular Board of Education meeting held on Monday, November 21, 2005.

Upon motion of Mr. Roberson, seconded by Mrs. Storey, the Board unanimously approved Financial Statements for four months ending October 31, 2005.

Ms. Buckner made a motion, seconded by Mr. Roberson to re-consider the selection and payment of Dubberly Garcia Associates, Inc., of Atlanta, Georgia to facilitate the development of the Chattahoochee Valley Regional Library System's Long Range Plan. The payment authorization is in the total amount of \$43,950.00. The vote to re-consider was (7) affirming and (2) opposing, (Mr. Whiteside, Mrs. Storey). Upon motion of Mrs. Green, seconded by Mr. Roberson, the Board approved the selection and payment of Dubberly Garcia Associates, Inc., of Atlanta, Georgia for \$43,950.00 to facilitate the development of the Chattahoochee Valley Regional Library System's Long Range Plan. The vote was (6) affirming, (2) opposing, (Mr. Whiteside, Mrs. Storey), and (1) abstaining, (Dr. Schley).

Upon motion of Mrs. Storey, seconded by Mr. Roberson, the Board voted to refer the issue of selecting a vendor for Muscogee County School District Wide Area Network to the Citizens Technology Committee and get a recommendation prior to taking action on this item in January. The Committee would meet in January. Mr. Whiteside commented, "The agenda item says that copies of the RFP will be distributed to the Citizens Technology Committee but what about the responses to the RFP. Will they be distributed as well?" Dr. Phillips noted, "We will have our evaluation of it as well for them to review." Dr. Vander Gheynst, "We will have to check that Mr. Whiteside because, there is a question about whether a vendors response to a specific RFP can become public knowledge because they are competitive vendors. We will check that. We're not sure. We have summarized the responses." Mr. Whiteside, "We don't know yet whether we're going to give them the responses." Dr. Vander Gheynst, "No." Mr. Whiteside, "What about the evaluation tally sheets?" Dr. Phillips, "Yes." Mr. Whiteside, "Is someone actively trying to determine we can release them?" Dr. Vander Gheynst, "I know in the State RFP evaluation process the responses cannot be distributed outside of the community." Mr. Whiteside, "Even after they have been opened?" Dr. Vander Gheynst, "Correct." Mr. Whiteside, "The vendors would be invited to present their proposals within a fixed time frame. The fixed time frame is troublesome. I don't know whether we are talking about 3 minutes or 30 minutes." Dr. Vander Gheynst, "We may be able to allow a little more time or we may have to shorten it according to what we determine." Mr. Whiteside, "When are you going to have answers to the two questions, (1) Whether or not you can release the responses to the RFP and (2) How much time are you going to allow each vendor." Dr. Vander Gheynst, "After the Board's decision tonight, I'm hoping to get it before we go on break." Mr. Whiteside, "Is it the considered opinion of the administration that it's too late now to reject all bids tonight and reform the RFP to cover the issues that have been brought up primarily the bandwidth issue in time to get responses back for approval for the February 16 E-rate?" Dr. Vander Gheynst, "It's not impossible but, it is highly unlikely. We would have to go back to CELT and arrange for them to look at the RFP and take out any parts that we would want to change. We would have to let that bid out in 28 days. The big part would come with evaluating the RFP's and we would not want to hasten that process. What we would loose is not E-rate but a years worth of time." Mr. Whiteside, "You would loose \$300,000. Has any thought been given to what happens if the Board chooses not to reject all proposals but to consider the (3) proposals that are on the table but not accept the recommendation of the administration." Dr. Vander Gheynst, "We would go back to square one. If Mr. Askew agrees, we would go back and re-issue a RFP." Mr. Whiteside, "I'm not at all comfortable with the process that has gotten us here, with all due respect."

If what is said here that if we reject all bids and we have to start all over, we're still not likely to make the February 16 e-rate deadline, then there is no negative. I would like to figure out how we can clean the process up by January." Dr. Phillips, "We feel that we have a good process along with a number of experts and consultants who believe it was a good process and who believe that it was not flawed and we'd like to have the opportunity to take it to the Community Technology Committee to review it from an impartial basis and make a recommendation back to us. Mr. Whiteside, "A recommendation back to the Board, right?" Dr. Phillips, "Yes, back to the Board." Mr. Whiteside, "There are two counties in Georgia right now where there are on-going criminal investigations over errors made in procurement of technology. I'm not implying that anything here has happened that is wrong, I don't believe that. I am uncomfortable with the process and it will ultimately be Board members in Cobb and Atlanta City that will have to answer. I want to be able to say to my constituents that we did the right thing." Dr. Schley, "I think Dr. Phillips' proposal of getting some people that understand technology to evaluate the process is an excellent one. We need somebody else who understands this to help us in this evaluation. I'm not sure whether I understood Dr. Vander Gheynst's answer. Will the committee have the responses to the RFP's? Dr. Vander Gheynst, "I don't know yet. It's my understanding that when a company writes a proposal to bid on an RFP that it's private information for the corporation that's asking for a specific pricing structure. That information may not be public information. In other words we can't share it publicly." Dr. Schley, "Would not the Technology Committee be an extension of us, because absent that, I would be most uncomfortable." Dr. Vander Gheynst, "Maybe, and that is one thing I need to check on." Dr. Phillips, "I would agree with Dr. Schley. This is a Board appointed advisory committee for the sole purpose to look at the technology and our efforts in Muscogee County and to advise us on it. It is a logical extension to review proposals of such a nature obviously they may not share it outside of that committee. They have to have the information in order to do so." Mrs. Green, "I am less concerned about starting the process all over again than I am about going forward with something that is going to be to our detriment and we'll have to start all over again anyway. Considering our current status with technology or the lack thereof, we need to proceed with caution. I just don't feel that we can do it without the Citizens Committee." Mr. Walker, "Dr. Vander Gheynst, is there something in writing that tells us about sharing information." Dr. Vander Gheynst, "There is information that says that we cannot share information until there is a contract signed. The proposals are still in the evaluation stage. We are bound not to speak about the proposals in public." Dr. Phillips, "If that becomes a problem, there is a way to get around that and that is if each vendor is there. Each vendor will have an opportunity to give their proposal to the committee. That would be them giving their information to the committee." Ms. Buckner, "Will the Board get to hear back from the committee? If we entrust an advisory board then I can make a better decision." Dr. Polleys asked for a vote on the original motion. The vote was unanimous.

Upon motion of Mrs. Storey, seconded by Dr. Schley, the Board unanimously awarded a contract to Arco Builders, Inc., as construction manager for new Middle School No. 5. The tentative construction budget is estimated at \$8,100,000.00. Mr. Whiteside, "Will we have a final budget when we break ground?" Dr. Phillips, "Yes, in other words we would have a guaranteed maximum price when all of the drawings are complete from the architect. Is that right Mr. Hecht?" Mr. Hecht, "Will get a GMP before we sign the contract, then the school Board will sign the contract if we agree with it. We have already anticipated that we will go above that so that you will know. The budget was based on a pro-type school, considerable less footage in that building than the new middle school. The reason for that is because the State had increased some of the requirements in the interim time between the time that we built Double Churches Middle and the time that this was being designed. The second reason is that construction costs have gone up. This will make the budget increase."

Upon motion of Mrs. Storey, seconded by Mr. Walker, the Board voted to approve the closing of Kendrick High and Shaw High Schools Construction Projects and depositing \$480,495.53 in the 1997 SPLOST NPR Fund to be used for other 1997 SPLOST Projects and \$541,228.74 in the 2003 SPLOST Critical Needs Fund. Ms. Buckner, "A number of things from Kendrick I understand have not been done. I know that there has been further communication but to this date, I called the administration at Kendrick before I came down here. These things have not been done, so because of that I am going to vote against closing the Kendrick project and also F and G for re-directing money when things at Kendrick have not been completed." Mr. Wells, "We need to know what's left at Kendrick. We do this all the time, re-direct funds." Dr. Phillips called on Mr. Hecht. Mr. Hecht, "I've talked to the contractor several times. I think there are three items communications, television system and the lights. Unfortunately all of this is sub-contractors work. They have assured me that they are going to handle these three items in a timely manner. I will follow up with the contractor." Mrs. Green, "How is it that we paid the contractor before the job was finished." Dr. Phillips, "Basically you always pay them when the job is substantial." Mr. Hecht, "In this case we paid the contractor but we possibly made a mistake because we were not aware that these three items had not been completed." Dr. Phillips, "If our principal is not on the final walk-thru they shouldn't be invited, they should be told to be there so that, if there's any problem that we are aware of that they should be noted and not come after the fact, anything that was promised in the contract." The vote on closing Kendrick's project was (5) affirming and (4) opposing, (Mr. Walker, Mr. Roberson, Ms. Buckner, Mrs. Green). The vote on closing Shaw's project was (8) affirming and (1) abstaining, (Mr. Walker).

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board approved additional funds in the amount of \$45,000.00 to be added to the budget for the Jordan High School construction projection as additional contingency funds. The vote was (7) affirming and (2) opposing, (Ms. Buckner, Mrs. Green)

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board approved additional funds in the amount of \$82,000.00 to be added to the budget for the River Road Elementary Construction Project as additional contingency funds. The funds will be re-directed from SPLOST-NPR. The vote was (7) affirming and (2) opposing, (Ms. Buckner, Mrs. Green)

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board unanimously approved changing Board meeting dates for January to Tuesday, January 24, 2006 and to include a change in the regular meeting day for February to Tuesday, February 21, 2006.

Upon motion of Mrs. Storey, seconded by Mr. Wells, the Board unanimously approved the following consent agenda items:

- Human Resources Report/Professional and Classified. (Appendix A)
- Employee Assistance Program, \$87,000.00
- State Waiver for Muscogee Evening School
- Out-of-town trip for Fox Elementary School
- Purchase order for Testing 8th Grade Students, \$21,740.07
- Purchase order for Student Achievement Project
- Renewal of software licenses for Columbus Public Library and Branches
- State grant allocation for reading and mathematics in grades K-8
- Budget adjustment, Title I over \$25,000 for computers at Dimon Magnet
- Budget adjustment Purchase equipment maintenance
- Budget adjustment FY06 VI-B Federal Discretionary, \$58,670.00, GLRS
- Budget adjustment FY06 Capacity Building Grant, \$42,316.00, GLRS
- New budget Title I FY06 Distinguished Schools, \$95,410.00
- New budget Title IV Safe and Drug Free Schools, \$225,297.00
- New budget Woodall FY06 Federal
- New budget FY06 State
- New budget GLRS, FY06 New Special Education Mentor Teacher, \$6,479.00.
- New budget Governors' Cup SAT Scoring Awards, Carver High (\$1,000) and Hardaway, (\$1,000)
- Even Start, FY06, \$577,664.00
- Even Start Technical Assistance Grant, \$30,000
- Financial Assistance, \$1,950.66
- Audit of Financial Statement of 1997 SPLOST Capital Projects
- 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 & Debt to SPLOST Fund to cover Scope Changes
- Report of Change Orders/Changes in Project Contingencies
- Status Report for Projects under Construction
- Report on System-wide Technology Plan
- Report on Forecasted Revenue Collections

Upon motion of Mrs. Storey, seconded by Ms. Buckner, the Board voted unanimously to go into executive session to hear (4) student discipline appeals and a litigation matter.

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

Upon motion of Mr. Whiteside, seconded by Ms. Buckner, the Board voted unanimously to adjourn the regular December meeting of the Board.

Greg S. Ellington, Legal Counsel