MUSCOGEE COUNTY SCHOOL DISTRICT
COLUMBUS, GEORGIA

CALLED BOARD OF EDUCATION MEETING
THURSDAY, SEPTEMBER, 8, 2005, 6:00 P.M.

MINUTES

A called meeting of the Board of Education of the Muscogee County School District was held on Thursday, September 8, 2005, 6:00 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, Pat Hugley Green, Philip T. Schley, Fife M. Whiteside, and Naomi Buckner.

Others present: John A. Phillips, Jr., Superintendent of Education, Charles T. Staples, Legal Counsel, Robin Pennock, Deputy Superintendent of Education, Billy Kendall, Administrative Assistant to the Superintendent, Eddie Obleton, Chief Student Services Officer, Don Cooper, Chief Human Resources Officer, Myles Caggins, Chief Operations & Facilities Officer, Robert Hecht, Director of Construction, John Mitchell, Military Affairs with Columbus Chamber of Commerce, and Harry Franklin, Ledger Enquirer.

Dr. Polleys called the meeting to order with an invocation and pledge to the flag. Dr. Polleys stated that the purpose of the meeting was to take action on a request from Dr. Phillips to submit a grant application to the U.S. Department of Education for assistance in constructing new classrooms facilities for students who will be coming with the new brigades at Fort Benning.

Dr. Polleys made several announcements before the official business that included a reminder of the visit to Columbus High School by the Georgia Department of Education's bus tour to Schools of Excellence across Georgia. Dr. Polleys also reminded the Board of an invitation and cover letter from Mr. Bill Turner for (5) Board Members to attend a conference in Atlanta, October 20-22 on Building Cultures of Character.

Dr. Polleys called on Dr. Phillips. Dr. Phillips first informed the Board of the enrollment of students displaced because of the hurricane. He said that as of today there are 102 students that have been enrolled and they come under the Homeless Act. Dr. Phillips said that he has asked the principals to enroll these students, get them on the free and reduced lunch program and work with the families to make this a smooth transition.

Dr. Phillips addressed the Board and those present, "Over the last 6 months or more there has been a collaborative effort. We have been involved with Fort Benning, Colonel Riera the Garrison Commander and Dell McMullen who has been looking into possible uses of space on base. We've worked with Biff Hadden and John Mitchell from the Chamber, Mr. Mitchell is here tonight. They have worked with Fort Benning in trying to keep on top of the numbers. They keep changing as different decisions are being made. We have Robin Pennock, Myles Caggins, Jennifer Allen, and Del Parker who have been assigned to work specifically on the Fort Benning issues and what the implications are for us in terms of growth, new students, etc. We have worked with the State Department of Education. We've had Peggy Nielson, State Board member and others looking at our facilities plan and how we might get state funds as time goes on to help us with our needs. We have visited directly with the Governor's Chief of Staff, General Browning with others who have been working with BRAC in our state looking at needs that we're going to have predicated on the growth in Fort Benning. We did a financial analysis for them six months ago that they used as a model for other systems that were being impacted across the state. We have looked at growth points where apartments, multi-housing, single family homes are going to be developed, where possible sites might be that we could use for school sites. We have also worked with a consortium of superintendents in the valley. We have Chattahoochee, Harris, Marion, Talbot and in Alabama, we have Lee, Phenix City, and Russell Counties and also the Fort Benning Dependent Schools. Each of these school systems have joined us in signing off on this regional approach in seeking federal aid to help all of us in this endeavor. It is recommended that we make it as stream-lined as much as we could. One of the things we agree based on your final approval is that we be the fiscal agent for this service. We designed most of the format in the application and then brought the other school districts into it. We need our two senators and congressman on board and we'll also have support from the Alabama congressman and senators. We worked with General Freakley before he left and it is our intent to get the new general to sign off for his support of this application as well. We do believe that this is a fluid document and it is a unique time in our country and a unique time with what Fort Benning is having. We have been told and advised by the State Department of Education by others at Fort Benning and others who have been involved in this that time is of the essence. Even though we can't give them all of the facts on everything that this can be a fluid document and that it can be change over time predicated on the facts and whatever the changes are in the environment."

Dr. Phillips called on Mr. Caggins who stated, "This slide represents Fort Benning growth as to why we're here tonight to consider what it is we need to do to be successful at is a project to assure our support and to manifest our support for all the families that will be coming as a part of that growth. The how is through the federal government thorough an unsolicited grant application. That application is based on this authority which is very simple for us and that is we simply have to say what our need is and why we need the federal help is. It basically is because it's rapid, growth's going to be rapid and in a nutshell it's going to be sudden and severe. Why, is that, is based on the national significance and that's the growth at Fort Benning and the mission to prepare better war fighting capabilities for the ground forces. We will have now John Mitchell to give us a little more."

Mr. Mitchell noted, "This slide depicts what General Freakley familiarly termed, the perfect storm. In fact it shows that what we are talking about in terms of growth is not just BRAC (Base Realignment and Closure) but the conversance of several parallel, simultaneous programs on-going in the Department of Defense that all impact Fort Benning's size and mission. The top one of course is BRAC and it is the most significant one of all of them in terms of a single block of increase to military and civilian residents and folks working at the base. The second and simultaneous program that affects all the arm forces but particularly hits Fort Benning is the integrated global presence and basing strategy which is a glorious term for re-stationing of oversees forces. We've heard about the forces that will be re-stationed from places like Korea, Japan, Italy, Germany and other oversees stations and become part of the force here in the United States. They will come back to permanent assignments here and deploy forward when necessary and Fort Benning will be one of the bases receiving some of that oversees re-stationing. Another element in the growth at Fort Benning is the re-structuring of the Army referred to as the Army Modular Force. It's the Army's re-design of how its fighting units are organized so that they can be smaller and more deployable. Instead of having a division as the base unit for fighting, it goes around an enhanced brigade and so you'll see the total number of brigades in the Army go from 33 to 44 in a course of a very few years and of course each of these brigades has to have a home station part of which will be accommodated by Fort Benning. We have the global war on terrorism on-going and Fort Benning continues to be a major training site and a mobilization and de-mobilization site for reserve and national guard forces and so that adds actual structure to Fort Benning. It's not just people passing through but its people who become permanently part of the organization there and then their families come along with them. That is all overlaid and we'll call it additional missions, all overlaid on the continuing mission of Fort Benning which is to train and produce infantryman and infantry units and to provide a base for several major deployable units. They have the 75th Ranger Regimen, the 36th Engineer Group and the Third Brigade of the 3rd Infantry Division. They've got their continuing installation operations on-going while all these additional missions are overlaid on them. It's the collective impact of those that are affecting Fort Benning and directly our community because as you know historically 60% of the families assigned to Fort Benning live in our community, their children attend our schools, their family members attend our churches and they work in the community. That historical percentage is expected to creep up as the total strength of Fort Bennings' assigned force increases but the family housing on the base does not increase in fact it decreases by about 400 units in the next 10 years as the residential communities in there shift and privatizes all family housing on Fort Benning, demolishes a great number of them and raises up in their place fewer but better homes so we'll see more people living in our communities not less. This slide captures the major categories of growth that we see at Fort Benning, first the uniformed military, family members, so for 6,500 military personnel we'll see approximately12,000 family members. Then we have people who are government civilians, those under major

contract with the Army. Finally, defense contractors and these are employees with major companies like Boeing, or some other major defense industry player that has a specialized contract at Fort Benning so they have employees actually working there. You will note that all those people live in our community, none of them live on Fort Benning even though they work on Fort Benning. Finally, Clark Realty, the partner of Fort Benning and the Residential Communities Initiative who will be managing all the family housing on Fort Benning as they do their construction for the next 10 years, they will bring in an estimated 2,000 principals, that is employees and another 4,000 family members also boosting our permanent resident community in our larger community. We are really looking at a total of almost 31,000 new residents of our community when you look at all those categories. In addition to that, the student population, the temporary residents or the transients those living in barracks or motel rooms are depicted in the lower line and that will increase as the armor school and the armor center move here and merge with the Infantry School and become the maneuver center, that will increase by almost 29,000 students a year. In the next 4 to 5 years, we're going to experience some growth and even though the BRAC recommendations haven't been made law yet, that will be made in December. The increase that we are expecting would be like bringing a city like LaGrange and superimposing it on our metro area. We would go from what is now about 70,000 people a year training at Fort Benning, anything from 3 weeks to 9 months to something in excess of 100,000. It will be significant, housing, public education is a major one, transportation, public services. I think the most important point to make though is that there are other stake holders, and other competitors lining up for federal dollars. We need to be first in line or we need to be near the front of that line. When we started this work with Muscogee County School District, we didn't know about hurricane Katrina and there are other things that have intervened that will compete for the same larger part of federal dollars and discretionary money. I would suggest that while this is not a 100% locked in concrete in terms of data. Your team has done an exceptional job of analyzing the information available remaining in weekly touch with Fort Benning and updating their numbers. Time is of the essence."

Mr. Caggins noted, "We did see that housing is one of the major areas that will be impacted and is one reason that we decided to reach out and bring in the other educational agencies. These housing units and locations will attract military personnel. In additional to housing the first thing they will look for are good schools. Also closer to Veterans Parkway near Wooldridge we are looking at over 700 or 800 single family units. About 530 houses will be south of Wooldridge Road close to our north school campus. In the east near Buena Vista and St. Mary's Road, we are apt to get another 2900 houses. We believe this growth will continue and our numbers will eventually become 5,500. These students we categorize as federally connected students. There's going to be some other growth from Fort Benning that we can't clearly define."

Ms. Allen commented, "We are looking at Elementary School No. 5 that has been planned all along that would relieve Blanchard and Double Churches. The current enrollments at Blanchard is 825 and a capacity of 600 and Double Churches Elementary with an enrollment of 800 with the capacity of 638 totaling those we're over 200+ students. The projected growth in that area is like 1,405 students based on the new housing development in that area. This along with the current enrollment and adding elementary no. 5 with the capacity of 675 leaves us short again some students. We have more students than we do capacity. We are asking that elementary no. 9 at Wooldridge Road have a 900 student capacity putting that together puts us pretty even with our expected growth and current students."

Mrs. Storey noted, "We would still be short."

Ms. Buckner noted, "If you add the Wooldridge school, wouldn't that make it even?"

Dr. Polleys, "We'd still be short 71 spaces."

Ms. Allen, "We're having to leave Northside at 675 and Shaw at 675 because those have already been funded for those amounts. But adding an elementary no. 10 with a capacity of 900 around the Macon and Flat Rock Road areas and elementary no. 11 with a capacity of 900 takes the capacity of 2,788 and a growth of 2,275 so we've got about 500 that all of these areas can mesh and take from the Midland Academy area and then the schools in the pan handle, Macon and Flat Rock areas. We know that there is a lot of development proposed on St. Mary's Road area that is not in the documents we were using when we were calculating projected growth."

Dr. Phillips commented, "We believe these figures are conservative based on our briefings at Fort Benning. We already had significant growth in the school district particularly in parts of the school district. If we're going to meet the growth, it's going to happen over a 4 year period.

Mr. Mitchell commented, "These figures do not incorporate your normal community growth. We did not address that. The three star general in charge of Army installations will be visiting here next week, Lt. General David Varnum on Thursday, and the 15th. He's making a visit to each of the large installations most gravely impacted by BRAC to confirm for himself that they are prepared, planning and that the surrounding communities are prepared to handle the growth."

Dr. Phillips commented, "One of the things that paramount in all of our minds and that is that in some cases like Dawson, Baker others, we have property that we own in which these schools can be built on that property but in other cases we do not have the property. What we tried to do is to look at the number of houses, normal growth, the additional growth based on the build up at Fort Benning and then we tried to go in and look at areas where there was potential for securing property. We are in discussions right now with people, land owners that have been very favorable. Do we have that land today? No. But, we feel very optimistic about being able to work it out with those land owners. At this time we are not at liberty to expose who those are but we've had favorable conversations and we think it's going to be mutually beneficial for the land owner to either donate the property based on having a school being built to serve as a catalyst for development of that area. As long as we have secured these sights by the time that this money is allocated through us, then we'll be in good shape. We'd like to be able to say we have property certain but obviously we can't. We believe the risk of not going forward is greater than not doing anything at all."

Dr. Pennock commented, "In so many ways Benning leads the way because particularly with BRAC, that before it happens in other places cannot happen until what happens at Benning occurs because there will be a domino. The support that we are getting from the military at very high levels has been explained to the DOE how critical this is."

Ms. Buckner asked, "Have you factored in the growth for Dawson? Where will those kids go to high school?"

Dr. Phillips commented, "A new high school is being planned for that area. The lines will have to be re-drawn."

Ms. Allen commented, "We have accounted for the growth, elementary, middle and high school."

Mr. Caggins commented, "We are looking at the federal growth in pupils. At the old Baker site we are looking at an elementary school there as well, but there is one thing significant in our thinking about the old Baker site and that is to retain the auditorium and the tallest tower that opens up to the hallway to the auditorium and for the rest of the building to take it down and put a new structure there. The federal request and the regulations under the construction authority allows for the development of a building for cultural uses in the community. We think that's a good fit for that building and will open up a good facility for that part of town where we don't have one and it's perhaps one of the best auditoriums we have in the county. At the Dawson site, we have over 38 acres there and it is quite suitable for a middle school in that area where we would see a lot of

growth around St. Mary's and Buena Vista Road. In east Columbus a new middle school, there we will have the 12-classroom addition. At the north site for a high school, we're looking at a 26-classroom addition to accommodate the growth up on Woodridge Road and we're also adding an auditorium in our request. For the rest of the school sites to be acquired, we believe we can get close to what the government would like to see in order to release the money to us and we can do that hopefully before the beginning of the year. We want to go ahead with our packet as soon as we can complete the administration and review of it. Our packet would go in two pieces. One piece would state the national significance of our request basing it upon the growth at Fort Benning and our traditional support for our installation over the years. Fort Benning is here because the citizens requested that it be brought to our county in 1917. During times of war we've also gotten support from the DOE as it was under HEW. In 1943 the Baker School was built and during the WWII we had schools built, during the Vietnam War we had schools built and also during the Korean War we had schools built. So each time there's been a war and the growth has occurred at Fort Benning, we've had a partnership with the DOE to accommodate that growth and kids. There's something different about this time. We're still at war in two countries. But the enemy has also demonstrated that he can strike on our land. So the urgency in the Defense Department of Army is to make assessments of our capability, to do better to be more effective, and by marrying the tankers with infantry, the ground combat team at Fort Benning is the leadership position for the national defense establishment to assure to some degree our security and our aim for peace. We think that as they have supported us in the past with the construction of 15 schools and also with additions at 8 others this is very similar to those arrangements. The circumstances are more urgent. With the support of the community, the administration and your support, we believe we can be successful with this request."

Mr. Whiteside commented, "I'm going to vote for this but, I do want to get a couple of things clear in the record here. Because some of the information I've heard tonight is at variance with what I've heard before and that's fine and I'm sure there's a reason for that. After we learned about this, read about it in the paper a couple of months ago, Dr. Phillips was gracious enough to give us each an executive briefing to explain to us what this was about. During the course of that executive briefing, we were told that the condition of the grant application is that property locations had to be secured in order to turn the grant application in. About that same time, I spoke with Biff Hadden who's with the Chamber and has been a real resource for us in this process. By the way, I am impressed with the amount of work that you all have done, you've done a yeoman's job in assembling the information and I appreciate that. It's about $200 million dollars, I believe we've got about $100 million here. Am I right?"

Mr. Caggins commented, "We have refreshed our numbers and ours alone would be over $200 million."

Mr. Whiteside continued, "Mr. Hadden told me the same thing that the property had to be secured before the grant application can be turned in. I got worried about that here recently within the last few days when I heard that we were going to turn the grant application in with six properties unidentified, six of the twelve that we have here. I pulled the administrative regulations. The way I read the CFR, I don't know the answer to that question because, there are two material provisions in it. One of the material provisions is clear and it says that if the grant application is turned in and it's not complete, it's not considered, period, end of story. Then I go and read the part where it says you're suppose to have the property and that's ambiguous. That's not clear to me, it says that you can either have the property or be getting the property and I don't know what that means. I know that the theory behind this is, the way I think it's suppose to work is that we acquire the property and then the trade-off with the federal government when we get the grant money is we give them either an interest in the property or the property outright to build a school, something like that. I don't understand that completely but that doesn't matter. First, have you determined whether or not that the grant application can be considered if we are missing 6 of the 12 real estate sites?"

Mr. Caggins, "We have asked the question to the Director of Impact Aid but, we don't have a response yet. We believe that under the authority of the unsolicited application based upon national significance that many administrative requirements that are commonly found in a competitive solicitation go away. This opens the door in the unsolicited regulations, what is the need and what is the national significance. We believe that putting together an exceptional product that we will get what we ask for. We know full well that we must have the land before we get the money. We've asked them to give us a work-around kind of authority to let us make the application while we also try to satisfy the agreement of getting some kind of contract for the land where we don't own it."

Mr. Whiteside, "If the grant application is turned in the way I read the regulations and it is fatally flawed, it's not considered and you move directly to the back of the line."

Dr. Phillips, "We are working with the property owners as quickly as we possibly can. We've got meetings with them. There are a number of parties involved. I can tell you take it's going to take six weeks or more."

Mr. Caggins, "Mr. Whiteside what the simplest requirement says is that we should have a legal commitment from the other party to the land."

Mr. Whiteside, "What kind of timeframe are we on in trying to get a letter of intent?"

Mr. Caggins, "Before 1st of January."

Mr. Whiteside, "How much before the 1st of January?"

Dr. Pennock, "There's no precise answer for that. I think there's a legal phrase, it's called with all deliberate speed. We are pressing forward on this as much as we can."

Mr. Whiteside, "I'm familiar with that concept. The United States Supreme Court decided a desegregation case in 1954 and said you should desegregate with all deliberate speed and it took twenty years after that before they…pardon me…before they ever got around to saying that's not good enough. But the point here is, if the failure to locate the property is fatal to the application, it's important for us to either satisfy that requirement or know that sooner than later. How soon are you going to get an answer to that question."

Mr. Caggins, "I thought I would have had it by now but, probably by tomorrow, I should have an answer."

Mrs. Green, "The 6 properties that are not identified, we're not just clueless, we're just negotiating, right. You feel comfortable in moving forward?"

Mr. Caggins, "Yes."

Mr. Whiteside, "Would it be unreasonable to ask you, you don't have to tell us who they are, but would it be reasonable to ask you to tell us when you get letters of intent. Would it also be reasonable to ask you to provide us with whatever definitive response that Mr. Caggins gets from the DED on that question about whether we have to have a title?"

Mr. Caggins, "Yes."

Dr. Phillips, "This impact aid person that we are dealing with told us that they have a lot on their plate right now. I just wouldn't say definitively that we'll have an answer by tomorrow. We're going to do the best we possibly can to get an answer."

Mr. Whiteside, "All I'm asking for is what reasonably, what timeframe are we looking for to get a response from the DED. If the answer to that question is we don't know, that's fine I can base my decision on that, I just need to get an answer to that."

Dr. Polleys, "I think the answer is we don't know."

Dr. Phillips, "All I can say is that we'll do it with deliberate speed."

Mr. Whiteside, "If you don't know then just say you don't know."

Dr. Phillips, "We don't know."

Mr. Whiteside, "That's fair. What is reasonable here is that, when you do know, I think you should communicate this to us. This is not a tempest in a tea kettle. The problem with this is, if what we turn in is fatal. I understand the need for urgency here. That's completely clear to me, because there are many competitors for the same dollars. I understand that, but the law is pretty clear on this. If your application is fatally defective, you don't get to cure it and then relate back to the day you turned it in, you drop back to the end of the line. There's an old Chinese phrase here that applies, make haste slowly. What I don't want to do is in my interest here in getting a document to the government is I don't want to end up shooting myself in the foot."

Dr. Phillips, "There are federal guidelines, regulations, and there are policies. When congressmen and senators intervene on your behalf, a lot happens."

Mr. Whiteside, "The reason that might be an issue here is I think our congressmen are going to help us, I know that and they have the ability to speed through the administrative details and application process but there are competitors for the same money. If there is a specific requirement and it is waived quote 'politically' I think what that does is that creates a claim for the competitors money that they get just like in competitive bidding, if we rig a bid then a losing bidder finds out about it then the competitor can sue the School District. I'm have an enormous amount of confidence in our delegation who will do everything they can to help us but if there are specific requirements of the law, I don't think those are going to get waived not unless there is a provision for waiving them but I can't find that in the regulations. I am concerned about this because it is a lot of money and at the end of the day those of us who are laymen and we get paid the small amount of money we get paid to do this, we're the ones that will be blamed if it goes wrong. That's the reason I am asking the questions. But, I'm satisfied with the answers."

Dr. Polleys called for a motion.

Dr. Schley made the motion, seconded by Mr. Walker to approve the submission of the unsolicited grant application to the U.S. Department of Education and that Muscogee County School District serve as the fiscal agent for the grant group. The vote was unanimous.

Upon motion of Ms. Buckner, seconded by Mrs. Green, the Board unanimously voted to excuse the absence of Mr. Wells, and Mr. Roberson.

Upon motion of Mrs. Storey, seconded by Ms. Buckner, the Board unanimously voted to adjourn the called meeting of the Board.

Charles T. Staples - Legal Counsel