MUSCOGEE COUNTY SCHOOL DISTRICT
COLUMBUS, GEORGIA

REGULAR BOARD OF EDUCATION
MONDAY, JULY 16, 2007, 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, July 16, 2007, 6:30 p.m. in the conference room at the Bradley Library.

The following Board Members were present: James Walker, Chairman, Philip T. Schley, Sr., Vice Chairman, Joseph Roberson, Naomi Buckner, John Wells, Brenda Storey, Patricia Hugley Green, Fife M. Whiteside, and Cathy Williams.

Others present: John A. Phillips, Jr., Superintendent of Education, Greg S. Ellington, Legal Counsel, Eddie Obleton, Del Parker, Robin Pennock, Peggy Connell, Billy Kendall, and representatives from the media. Mr. Walker recognized visitors in the audience.

The Board recognized Dr. Phillips for being named by GAEL as the 2007 Outstanding Educator. A presentation on AYP and CRCT was given by Carol Bradshaw.

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board unanimously approved official actions taken at the regular Board of Education meeting held on June 18, 2007 and a called meeting held on June 28, 2007.

Upon motion of Mrs. Storey, seconded by Mr. Roberson, the Board unanimously voted to add an addendum item.

Upon motion of Mr. Wells, seconded by Mrs. Green, the Board unanimously approved an amended Memorandum of Understanding (appended to minutes) between Columbus, Georgia and the Muscogee County School District and has added provisions that amend the previous Memorandum Of Understanding executed on March 20, 2007, which will remain in full force and effect with the exception of the Amended Memorandum Of Understanding. Mr. Whiteside, "We've already talked about in a different context. Am I correct in my understanding that once the MOU has been executed by all parties it will be possible to finalize the 1999 SPLOST projects and for us to get a deed to the property?" Mr. Vega, "That's correct. Once the MOU is approved by this body then we are ordered to prepare documentation and we will provide the City of Columbus indicating that the project has been deemed complete at which time the 37.75 acres shall be deeded over to the School Board in exchange for the $5.00 consideration that was required as per the SPLOST and the agreement back a number of years ago." Mr. Whiteside, "Once that's been accomplished, am I correct in my understanding that it will no longer be necessary for the Library Board to get change orders or purchase orders approved by City Council in order to spend the money?" Mr. Vega, "On July 10th the City Council approved all of the needs list as submitted. If there were a change that change would have to be requested but they have approved the items specifically as submitted. If they were going to change something, that would require some kind of a decision". Mr. Whiteside, "My point is once they get ready to let a contract on some element of what's already on the needs list, it would not be necessary for them to go back to Council." Mr. Vega, "That's correct. It's

only if there were a change on the needs list and if there is "X" amount of monies left over after that particular project is done the Council has already determined that that money would go towards landscaping as well. This would not require another approval because Council has already spoken on that." Mr. Whiteside, "Going to a couple of the comments that were made during the public forum part of the meeting, I read the MOU carefully and my interpretation of it is that the term landscaping as a defined term includes items other than grass and trees." Mr. Vega, "That is correct." Mr. Whiteside, "It would be theoretically possible to expend the entire $3 million that's guaranteed and not spend any of it on grass or trees." Mr. Vega, "I wouldn't agree with that, because landscaping incorporates a hardscape element and a softscape element they're not mutually exclusive. When you're looking at designing landscaping and that's where the definition came from. We wanted to make sure for example the story telling plaza which encompasses a hardscape component that that's also included. It's an outdoor activity; it's for children and those to read outside. That is a landscaping component. When it was said it could be concrete, that's not what it says in the MOU. Let me read to you what the MOU says so that the public will understand that we're being very clear. The definition says that hardscape for landscaping consists of the inanimate elements of landscaping especially masonry work or woodwork for instance stonewall, concrete or brick patios. It doesn't say concrete generally. It says concrete or brick patios. We're talking about components of landscaping. It also talks about softscape comprising the animate, horticulture elements of landscape design, i.e., plants. Softscape elements are complimented by hardscape design elements. The hardscape elements are complimenting the softscape and that's what architectural design is done in the landscaping part." Mr. Whiteside, "You will agree with me, it is clear that the term landscaping in the agreement is not synonymous with greenspace?" Mr. Vega, "It encompasses greenspace but they would not be the same." Mr. Whiteside, "My understanding is that today since October 30th which is the date that we voted to approve sending a letter to the Library Board concerning our opinion about how the $6 million should be spent, this is the first time that we as a body have had an opportunity to vote on this particular set of issues." Mr. Vega, "This body voted on the MOU on March 20th, the same issue, the only difference is that the City Council over the last few months has indicated a preference to have the property exchange. The City thought it wise to have the City Service Center, the Natatorium and the shared parking facility rather than it be on the Sears site that perhaps it would be better for the community and for the library site to be included on the SPLOST property and that was the major change." Mr. Whiteside, "This is our first opportunity to vote on what's to become of the SPLOST property. The six acres is on the Sears property. I don't like the term MOU. It's either an agreement or not. Either way you figure it an agreement is an agreement. I'm going to vote with the majority to support the execution of the agreement. I have serious concerns about it. The first serious concern I've got is that it has been referred to repeatedly as a $3 million guarantee to do greenspace. I can give book and page example of that and that's not what this is. What my fear is, it doesn't really matter so much what we understand as to what the 180,000 or so who surround this building what they think and I'm afraid that we're setting them up for disappointment because, I'm afraid that a great many of them believe that $3 million means $3 million in landscaping and the Merriam Webster dictionary sense of landscaping which means, green things. That's bothersome to me. It really is. The other thing that's bothersome to me is, I just hope that this is the end of it but, I just don't know if it is. One city council member said that we were building a

wall of public distrust one brick at a time and I hope what we're doing here tonight is not just buying another truckload of brick but, I'm going to vote for it." Mr. Vega, "To address one thing about the definition. When a government entity addresses definitions, generally, it is wise where that government entity especially when it's making a commitment to expend funds to provide a definition but it is clear as to what their definition means, as opposed to just simply taking the definition from a term. There's a concept term referred to as statutory construction and what's important about that is that if a school board or a city council or any other governmental entity does not define it's terms then you can go to the definitional terms that are in a dictionary and in this case the dictionary, I don't think is as clear as the definition to make sure that the public understands that when it is said that landscaping is going to be done, it encompasses a number of factors. I think what the bodies have been doing is trying to make sure that the public is not mislead that the public has in its' definition what landscaping means that includes a hardscape and a softscape component. I am confident that the end result is going to be a wonderful community area with plenty of beautiful landscaping that includes both a hardscape and softscape component but softscape will be a very intricate part of this." Mr. Wells, I'm confident to that the end result of this will be a very encompassing area which will be something that will beautify the city. I'm wholly in agreement with the MOU which sets out the details clearly. I remember when somebody said something about a wall of mistrust a brick at a time and I don't believe they were referring directly to the Board of Education as they were to the whole process. But, it is beginning to clear up tonight. The City approved it unanimously and is ready to move on this and I hope we can move forward with it tonight." Mrs. Williams, "Mr. Wells pretty much voiced my sentiment on it. I will add the Library Board, kudos to them. I'll also compliment the Park Coalition. It has been a fascinating adventure these first several months in dealing with this issue. I have to say that I have been incredibly impressed by the due diligence, the attempt for collaboration, the intense consideration of every single proponent suggestion that has come to all the different bodies. I have to agree with our legal counsel I think in the end from the very beginning I said, this SPLOST property is different. Its public land and it should be public use. I think that we've gone very close to that in this MOU. I'm very pleased with that and I think the end result is, if the people will have the patience. It took us (8) years to get where we are from the time we voted on the SPLOST to have that magnificent building sitting on Macon Road. It's going to take a little longer to finish the rest of the property but when it's done, I feel certain that the people of this city will be very, very proud of all thirty-seven acres and I honestly believe that it will be all public use and it will be absolutely magnificent." Mr. Vega, "Just as importantly, it's good to announce that those books have already been ordered. Thanks to the Council making their approval on July 10th. They are on their way." Mrs. Green, "My comment is mainly for us to be reminded to keep our eye on the prize and that is that all this hard work has been done and I think it's going to look magnificent as well. Our library gets to function and more importantly the new Mildred Terry Library project has an opportunity now finally it can get jump started because we are lagging behind time here for dealing with all the intricate details that has gotten us to this point. I want to say thank you for all the hard work to everybody but the main thing is the main thing is that our library can now function and Mildred Terry the people in South Columbus and Downtown can finally look forward to having a new expanded MLT Library and that's what I'm excited about. I have complete confidence that once all of the buildings and all of the landscape, all of those

details are worked out. It's going to be absolutely beautiful and the entire city will be proud of it. For me because, I love libraries we're going to have an expanded MLT Library that is past due. I also want to add that the public can rest assured that we have a joint properties committee that consist of school board members and city council members and staff from city and school board and it needs to function so we can take care of all those other details and concerns. It should be viable." Mr. Vega, "This is vital. This is very critical to City very important to them as well as to the School Board. The Mayor was intricately involved. The City Manager was intricately involved as well as council members and some of the school board members here. It was at the highest level of these two bodies that people were trying to make this happen and I think this MOU reflects the sentiment of the two bodies." Mr. Wells, "I've got to thank the Mayor personally and on behalf of the Board. He has truly kept his foot on the pedal on this and he was willing to call out this attention, move forward on it and have these meetings. The Mayor is very responsible in this and has told me over and over that he wants the Board of Education, the Library Board and City Council to work together. It's very important to him as well as to us."

Upon motion of Mrs. Williams, seconded by Mr. Wells, the Board approved the one-year contract extension to 2010 for Dr. John A. Phillips, Jr., and increase his compensation package by $7,200.00 effective July 1, 2007. Mrs. Williams noted, "This is a 2.963% increase over his compensation of June 30, 2007." Mr. Whiteside, "Here we have the situation where the public will learn of the terms of Dr. Phillips contract after it's been approved by us. I'm not comfortable with that procedure therefore, I'm going to vote against the contract extension but, I want to make something clear here. This should not be construed as a comment on the superintendent, his performance or his proposed salary. His salary is within the range of what a superintendent for a system this size ought to be paid. Under different circumstances than those that I am faced with here today, I would have approved his contract but I just cannot do that tonight." The vote was (8) affirming and (1) opposing, (Whiteside).

Upon motion of Mrs. Williams, seconded by Mr. Wells, the Board unanimously approved the appointment of Patricia Horner to the position of Coordinator of Student Services.

Upon motion of Mrs. Williams, seconded by Mr. Wells, the Board unanimously approved the appointment of Kimberly Cason to the position of Professional Learning Specialist/High School.

Upon motion of Mrs. Storey, seconded by Mr. Roberson, the Board unanimously approved the appointment of Randolph Buck to the position of CTAE Supervisor at Jordan High.

Upon motion of Mrs. Storey, seconded by Mrs. Williams, the Board unanimously approved the appointment of Shari Williams to the position of Human Resources Specialist.

Upon motion of Ms. Buckner, seconded by Mrs. Williams, the Board unanimously approved the revision to Board Policy IHA – Grading Systems and Board Policy BBFA – Local School Councils.

Upon motion of Mrs. Storey, seconded by Mr. Wells, the Board awarded a contract to the lowest responsive bidder for food items in the new Breakfast for All Program. The vote was (8) affirming and (1) abstaining, (Buckner).

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board unanimously awarded a contract to Columbus Pre-sort, Inc. for the Print and Mail Department.

Upon motion of Mr. Wells, seconded by Mrs. Williams, the Board unanimously approved a lease agreement to Xerox in the amount of $12,292.57 per month for upgraded equipment in the Print and Mail Department.

Upon motion of Ms. Buckner, seconded by Mr. Roberson, the Board unanimously approved as per the recommendation of GSBA an increase in the property deductible by $25,000.

Upon motion of Mr. Wells, seconded by Mrs. Williams, the Board unanimously approved Financial Statements for eleven months ending May 31, 2007.

Upon motion of Ms. Buckner, seconded by Mr. Wells, the Board unanimously approved CELT to initiate the upgrade of the LAN at all schools according to the Technology Blueprint. The total cost is $145,000.00.

Upon motion of Mrs. Storey, seconded by Mr. Roberson, the Board approved purchase orders in the total amount of $344,600.38 for technology equipment, instructional software and media center books at Eagle Ridge Academy. The vote was (8) affirming and (1) opposing, (Whiteside).

Upon motion of Mr. Wells, seconded by Mr. Roberson, the Board unanimously approved National Evaluation Systems to use Northside High School as a testing site for teacher re-certification.

Upon motion of Ms. Buckner, seconded by Mrs. Storey, the Board unanimously awarded a contract to Davis Concrete, sole source provider in the total amount of $30,000.00 to pump grease traps and grease inceptors in various school kitchens.

Upon motion of Mrs. Storey, seconded by Mr. Roberson, the Board unanimously approved the purchase of audio visual equipment for Veterans Memorial Middle ($67,750.97) and Eagle Ridge Academy ($76,450.15) from various providers.

Mr. Walker asked that the Board take action on the addendum item. Dr. Phillips asked that the Board rescind a contract that was awarded for a beverage machine purchase in the School Nutrition Program. Upon motion of Mrs. Storey, seconded by Mrs. Williams, the Board unanimously approved that the administration rescind and re-bid the contract for a beverage machine contract in the School Nutrition Program. The vote was unanimous.

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board unanimously approved the following consent agenda items with the exception of items I-6 and 7:

- Human Resources Report/Professional and Classified
- Employment Litigation Settlement, less than $10,000.00
- Student Discipline Tribunal Members for 2007-2008
- D&R Global Enterprise, $33,087.60 HVAC services, Columbus Library
- Renewal, Tier Technologies, Financial Services, $73,945.00
- Resolution for Board Travel
- MCSD fiscal agent, $19,574.00 Anne Elizabeth Shepherd
- Payroll deductions, MAE, PAGE, GSFSA, MEEF
- Purchase order Applied Software, GA State University, $33,000.00, CTAE
- Purchase order Trapeze Software, $24,605.00 fees for Student Services
- Purchase order fuel for Transportation Department $55,925.71
- Purchase order Mainline Information Systems, $60,424.85, DOTS
- Purchase order Renaissance Learning, $17,077.85, Veterans Memorial Middle
- Purchase order GSBA, FY08 Membership, $15,025.00
- Grant, Captain Planet Foundation, $1,000.00, Arnold Magnet
- Grant, GPLS Vacation Reading, $400.00, Columbus Public Library
- Grant, Community Foundation Chattahoochee Valley, $3,600.00, DOTS
- New budget, Pre-K FY08, $3,848,713.00
- New budget, Laura Bush, $5,000, ASC
- New budget, Laura Bush, $5,000, Fox Elementary
- Contract renewal, Angel Security for CVRLS, FY08
- Appointment of New Library Board Members
- Ambulance Services for football stadiums, CARE Ambulance
- Donation to Carver High, Holbrook Service Company, $3,549.25 – Davis Electrical, $2,000.00 for the purchase of a lawnmower
- Audit of Financial Statement, 1997 SPLOST Capital Projects
- Sales Tax Construction Program Report
- Transfer from FY03 SPLOST Critical Needs
- FY97 Sales Tax Construction Program Report
- Transfers from Capital Projects and Debt to SPLOST Fund
- Change Orders/Changes in Project Contingencies
- Status Report for Projects under Construction
- System-wide Technology Plan
- Forecasted Revenue Collections
- Transfers from Capital Projects Fund

Upon motion of Mr. Wells, seconded by Mrs. Storey, the Board approved the following purchase orders. The vote was (8) affirming and (1) opposing, (Whiteside):

- Vitucom, $3,494.61, computer purchase for a school and a department
- Virtucom, $1,432.28, computer for Payroll Department

Upon motion of Mrs. Storey, seconded by Mr. Wells, the Board unanimously voted to go into executive session to hear two student discipline appeals.

Upon motion of Mrs. Green, seconded by Mr. Wells, the Board unanimously voted to come out of executive session.

Upon motion of Mrs. Green, seconded by Mr. Wells, the Board unanimously voted to adjourn the regular July meeting of the Board.

Greg S. Ellington, Legal Counsel