

CASWELL COUNTY BOARD OF EDUCATION MINUTES
Joint Meeting with Caswell County Board of Commissioners
December 17, 2018

The Caswell County Board of Education met in a joint meeting with the Caswell County Board of Commissioners on Monday, December 17, 2018, at 5:00 p.m. in the Caswell County Historic Courthouse located in Yanceyville, North Carolina. Members present: Chairman Gladys Garland, Vice Chairman Donna Hudson, Ross Gwynn, Mel Battle, Wayne Owen, Vennie Beggarly, and Tracy Stanley. Commissioners present: Chairman Rick McVey, Vice Chairman Jeremiah Jeffries, Sterling Carter, Steve Oestreicher, David Owen, and Nate Hall. Bill Carter was absent. Others present include Superintendent Dr. Sandra Carter, Assistant Superintendent Andrew Tyrrell, Attorney Ron Bradsher, Brian Bradner with Dewberry & Davis, County Manager Bryan Miller, Gwen Vaughn, Attorney Brian Ferrell. Connie Kimrey recorded the minutes for the Board of Education and Paula Seamster recorded the minutes for the Board of Commissioners.

I. CALL TO ORDER

The joint meeting was called to order by Chairman Rick McVey followed by a moment of silence and the pledge of allegiance.

Gladys Garland called the Caswell County Board of Education meeting to order.

Chairman Rick McVey turned the meeting over to County Manager Bryan Miller. Mr. Miller welcomed the Board of Education and shared that the school construction project is one of the largest we've had in the county and he, as well as the Board of Commissioners, look forward to working with the school system; however, there is a tremendous amount of work before us. He shared that we need to work as a unified body and work towards the same goal.

An agenda was reviewed and discussed as follows:

Update of Project to Date

- BYHS (Bartlett Yancey High School) Project Status (BOE)

Dr. Carter shared that the Board of Education would like to begin the process as early as January of 2019. A planning committee was formed and all information has been reviewed and put to the public for the vote. The voters were in favor of the bond referendum and we are ready to move forward.

- Construction Timeline (BOE)

Dr. Carter shared that if we begin in January with the process hopefully we will break ground in early September with anticipation of the completion of the high school in early 2021.

- Bond Referendum Resolution (BOC)

County Manager Bryan Miller informed the Board of Education that the Board of Commissioners have certified and prepared the paperwork for the bond referendum results by resolution. This has been completed and there is a 30-day period to contest the results. Mr. Miller did not anticipate any issues. Mr. Miller confirmed that the Board of Commissioners have taken the first step in issuing the bonds.

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Responsibilities Moving Forward

- Ownership of Property

County Manager shared that in speaking with the USDA it was originally understood that the county would need to have ownership of the property; however, it was later shared that this is not the case.

- Design of Process

Plans are to move forward with Dewberry & Davis as this was part of their original bid proposal. The BOE has agreed to continue with Dewberry & Davis.

- Financing

Whose responsibility is it? The passing of the bond authorizes the Board of Commissioners to move forward and the first step has been taken.

Dr. Carter shared information as follows regarding funding:

Summary of available funding to date

\$15 million	NC School Based Capital Needs Grant (for new construction)
<u>\$3 million</u>	Caswell County Schools Lottery Proceeds
\$18 million	Total funding to apply to projects

Summary of Expenses

\$35.1 million	BYHS Construction/Upgrades
<u>\$1.4 million</u>	School Safety Upgrades
\$36.5 million	Total Capital Needs as pursuant to Nov. 2018 referendum

Application of Funding/Expenses

	\$3.0 million	Caswell County Schools Lottery Proceeds
Less	<u>\$1.4 million</u>	payment from Lottery for School Safety Upgrades
	\$1.6 million	Remaining Lottery Funds to apply to BYHS project

	\$35.1 million	BYHS Construction/Upgrades
Less	(\$1.6) million	paid from remaining Caswell County Schools lottery
Less	<u>(\$15.0) million</u>	paid from NC School Based Capital Needs Grant
	\$18.5 million	Balance to fund by Commissioners

Additional Commitments by Caswell County Schools

\$653,925 payoff remaining balance of N.L. Dillard Middle School using ADM funds.

- Contracting

Attorney Brian Ferrell reviewed requirements according to the USDA and traditional state law regulations. A conference call took place on December 7 with the attorneys, county manager and superintendent. Mr. Ferrell shared that a fundamental piece of information is that the USDA requires the county to be a party to the architectural contracts. Attorney Ferrell shared that an agreement will need to be made to lay out joint responsibilities. Attorney Ferrell shared

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that a Memorandum of Agreement (MOU) needs to be drawn up and noted that Attorney Bradsher has agreed to take the lead in doing this. This document will be extremely important going forward and will be a collaborative process for both groups to work together.

Attorney Bradsher stated that he felt there is a vast difference of opinion regarding the understanding of information shared from the USDA. Mr. Bradsher shared that the Board of Education is building the school and the county commissioners will finance; however, there is no definition of the leadership role. This will need to be defined in the Memorandum of Understanding. Attorney Ferrell shared that the local government must be involved for design purposes. Attorney Bradsher did not feel this is what the USDA shared.

Lengthy discussion took place regarding the difference of opinions regarding what roles each group will play. It was also discussed the amount of work the school system has done regarding the architect and Attorney Ferrell stated this will be instrumental in going forward and will go towards the goodwill of the project; however, he shared that the components include the county being involved in the architectural service agreement and moving forward with the architect through the bidding process. Continued discussion took place.

Dr. Carter shared that she felt the MOU will include that the ownership of the contracts will go back to the BOE. Attorney Ferrell shared that the USDA will be looking at the county to pay the borrowed amount and that in turn means that the borrower (the county) is in compliance and will rely on the BOE that compliance takes place. Again, this terminology will be included in the MOU.

Continued discussion took place on the clear definition of “party to the contract” and what roles each board has. Chairman McVey stated that he felt a live representative from the USDA needs to meet with both groups so that everyone can hear the information and answer questions at the same time. The county manager was instructed to schedule a meeting with a representative from the USDA as soon as possible with the Board of County Commissioners and the Board of Education.

II. ADJOURN

Steve Oestreicher moved, seconded by Nate Hall to adjourn the Board of Commissioners meeting at 6:15 p.m. Ross Gwynn made a motion to adjourn the Caswell County Board of Education meeting, Wayne Owen seconded the motion and it carried unanimously.

Gladys Garland
Chairman

Dr. Sandra Carter
Superintendent