

**RECORD OF BOARD PROCEEDINGS
(MINUTES)
Regular Board Meeting
August 24, 2009**

The Fayette County Board of Education met at 701 East Main Street, Lexington, KY at 6:00 p.m. on the 24th day of August 2009, with the following members present: (1) Becky Sagan, (2) John Price, (3) Melissa Bacon, (4) Amanda Ferguson and (5) Kirk Tinsley

Staff Members Present for Regular Meeting

Mary Wright, Mike Burke, Brenda Allen, Melodee Parker, Jack Hayes, Kathy Dykes, Vince Mattox, Mike McKenzie, Julie Hawkins, Loraye Jones, Rodney Jackson

A. Call to Order

Becky Sagan, Chair called the Regular Board Meeting to order at 6:00 p.m.

B. Roll Call

Becky Sagan, John Price, Melissa Bacon, Amanda Ferguson and Kirk Tinsley

C. Extended Welcome to Guests

Becky Sagan, Chair, welcomed the guests and attendees to the meeting.

D. Moment of Silence

E. Pledge of Allegiance, Mission Statement

Amanda Ferguson led the pledge and read the Board Mission Statement.

F. Approval of Agenda

A motion was made by John Price and seconded by Amanda Ferguson, to approve the agenda with any changes voiced including the lifting of items from the consent section for discussion. The motion carried with a vote of 5 to 0.

G. Introductions, Student Performance and Recognitions

1. Student Performance

a. Veterans Park Elementary Chorus

The Chorus is offered to all students grades K-5 and is comprised of over 300 students.

b. Fencing Demonstration: Alexandra and Lee Kiefer, Paul Laurence Dunbar High School

Alexandra and Lee Kiefer have been fencing for eight and a half years and travel extensively competing nationally and internationally

2. Recognitions

a. Perfect ACT and SAT

Brian Fei, a senior at Paul Laurence Dunbar High School, earned the highest possible scores on both the ACT and the SAT.

b. Perfect ACT Score

Alexandra Kiefer, a senior at Paul Laurence Dunbar High School, scored a 36 on the ACT college entrance exam, which is the highest possible composite score.

c. Junior & Cadet World Fencing Champion

Lee Kiefer, a sophomore at Paul Laurence Dunbar, recently competed in the under-17 and under -20 World Fencing Championships in Belfast, Northern Ireland. She won the silver medal in the under-17 women's foil event and was a member of the three member under-20 US team that upset Russia and Italy for the gold medal.

d. Middle School State Track Championships

More than 1,200 students from 90 schools across Kentucky participated in the Middle School State Track and Field Championships held in the spring. Winners from FCPS were:

Beaumont Middle School:

- **Kierra Muhammad**, second place in the triple jump
- **Trina Thomas**, second place in the 400 meter dash
- **Allison Grewe, Sydney Jones, Mikayla Piper and Trina Thomas**, first place in the 4 by 400 relay

Winburn Middle School:

- **LeDarius Jackson**, second place in the 100 and 200 meter dash
- **LaDarius Jackson, Lewis Morrison, Patrick Puckett and Curtis Sellers**, second place in the 4 by 200 Meter Relay
- **LeDarius Jackson, Justin Miller, Lewis Morrison and Curtis Sellers**, first place in the 4 by 100 Meter Relay

Crawford Middle School:

- **Carynn Stewart**, second place in the shot put.

H. Reports, Communications, Resolutions

1. Superintendent's Reports

A. Progress Reports

a. Singapore Math

Natalee Feese and Peggy McKee gave an overview of the Singapore Math Program that is being introduced in the FCPS.

b. Support Services Position Control Document – No discussion

c. Monthly Construction Report

Mary Wright gave a PowerPoint presentation regarding the construction and renovation projects in progress in the district. A hard copy of the presentation is included with the permanent minutes.

John Price: Thanked Stu, Mary and Lars for the construction tour that the Board was provided.

2. **Remarks by Citizens - None**
3. **Resolution**

- a. **Regarding the Death of Kathleen A. Fitzsimmons – Teacher at Lansdowne Elementary**
Melissa Bacon read a resolution regarding the death of Kathleen A. Fitzsimmons.

A motion was made by Melissa Bacon and seconded by Kirk Tinsley, to adopt the resolution regarding the death of Kathleen A. Fitzsimmons. The motion carried 5 to 0.

I. Approval of Routine Matters

1. *Approval of the Special Meeting Minutes of July 8, 2009*
2. *Agenda Planning Meeting Minutes of July 13, 2009*
3. *Approval of the Regular Board Meeting Minutes of July 27, 2009*

A motion was made by Melissa Bacon and seconded by Kirk Tinsley to approve the minutes. The motion carried with a vote of 5 to 0.

J. Approval of Consent Items

- a. *A motion was made by John Price and seconded by Melissa Bacon, to approve the items on the consent section of the agenda including items added by addendum. The motion carried with a vote of 5 to 0.*
1. **Award of Bids/Proposals and Bid Contract Extensions** - No discussion
2. **Actions for Post Approval and Claims** - No discussion
3. **Special and Other Leave of Absences** - No discussion
4. **Requests from Principals for Extended Trips** - No discussion
5. **Professional Leave by District Personnel** - No discussion
6. **Declaration of Surplus and Intent to Sell – Warehouse, Operations and Food Service Equipment** - No discussion
7. **Conversion of LAN Technician Position to Database Administrator** - No discussion
8. **Approval of Preschool Gap Interventionist** – No Discussion

K. Approval of Action Items

9. **Approval of Name for Transportation Facility at 780 Miles Point Way**

A motion was made by Kirk Tinsley and seconded by Melissa Bacon, to name the new transportation facility at 780 Miles Point Way, the Miles Point Bus Terminal. The motion carried with a vote of 5 to 0.

10. **Approval of Name for Eastside Agriscience Property Located at 3591 Leestown Road**

A motion was made by John Price and seconded by Amanda Ferguson, to name the Eastside Agriscience Property located at 3591 Leestown Road, Locust Trace Agriscience Farm. The motion carried with a vote of 5 to 0.

11. Approval of Bid, Proposed Contract, and a Revision to the BG-1 Project Application for the Renovation of Henry Clay High School Girls Softball Field BG 09-152

A motion was made by Amanda Ferguson and seconded by Melissa Bacon, to accept the base bid as submitted by WS Construction, approve the proposed contract in the amount of \$746,830 (Seven hundred forty six thousand, eight hundred thirty dollars), and approve a revision to the BG-1 Project application for a total of \$898,241.25 (Eight hundred ninety eight thousand, two hundred forty one dollars twenty five cent), for the renovation of the girls' softball field at Henry Clay High School, subject to the approval of the Kentucky Department of Education, Division of Facilities Management, per the provisions of 702 KAR 4:160. The motion carried with a vote of 5 to 0.

12. Approval of a Proposed Change Order (No. Three) to the Contract for the Adaptive Reuse of 780 Miles Point Way as the New Bus Transportation Facility BG 09-204

A motion was made by John Price and seconded by Melissa Bacon, to approve the proposed additive Change Order No. Three to the contract with James R. Leake and Son for the adaptive reuse of 780 Miles Point Way as the new bus transportation facility in the amount of \$18,977.30 (Eighteen Thousand, Nine Hundred Seventy-seven dollars and Thirty cents), with an equivalent transfer of funds from Object Code 0840 to 0450, and a corresponding transfer of \$1,376.00 (One Thousand, Three Hundred Seventy-six dollars) for design consultant fees from Object Code 0840 to 0336, subject to the approval of the Kentucky Department of Education, Division of Facilities Management, per the provisions of 702 KAR 4:160. The motion carried with a vote of 5 to 0.

13. Ratification of Board Action to Purchase 1126 Russell Cave Road to be Used as a Warehouse

A motion was made by Melissa Bacon and seconded by Kirk Tinsley, to ratify the Board's decision made in closed session on August 10, 2009, to purchase from Barbara Baker, et al. (the "Sellers") the property with improvements thereon known and designated as 1126 Russell Cave Road, Lexington, Kentucky for a purchase price of \$2,625,000 (two million, six hundred twenty-five thousand dollars) subject to the terms of that certain Commercial Offer to Purchase Contract between the Sellers and the Board dated May 7, 2009 as amended including the right of the Sellers to declare their appraised value of the property, less the aforesaid purchase price, recognized as a gift to the Board. The motion carried with a vote of 5 to 0.

14. Monthly Financial Reports

Rodney Jackson:

- Period ending July 31, 2009 – Revenue of expenses is approximately \$6.35 million
- Financial position remains sound

A motion was made by John Price and seconded by Kirk Tinsley, to accept the Monthly Treasurer's Report of Revenue/Expenses reports as presented to the Board. The motion carried with a vote of 5 to 0.

15. Unaudited Year End Financial Report

Rodney Jackson:

- Year-end financial report is unaudited
- Unaudited carry forward balance is \$49.9 million
- Expenses year to date are 82% - down 3% from last year
- Interest revenue remains low

- Ad Valorem taxes came in steady
- Motor Vehicle down 14%
- Indirect costs increased

A motion was made by John Price and seconded by Melissa Bacon, to accept the Unaudited Year End Financial Report of Revenue/Expense reports as presented to the Board. The motion carried with a vote of 5 to 0.

16. Rescission of Approval of Bid From Venture One Construction and Approval of Bid, Proposed Contract, and a Revision to the BG-1 Project Application for the Lafayette High School Stadium Replacement Project BG 09-087

Mary Wright:

- Venture One Construction notified us they wished to withdraw their bid
- Bid to now go to Judy Construction
- All documents are ready to go to KDE
- Stadium will be open next season

Mike Woolum, Strand Engineers:

- Strand Engineers are in contact with Judy Construction
- Info from Judy Construction will be submitted to KDE tomorrow if Board approval is granted
- Judy Construction has indicated that the project can be completed in the same amount of days, which would make the completion date approximately 30 days past the original completion date of June 15, 2010
- Feel positive regarding Judy Construction
- Judy Construction has a good reputation

Becky Sagan:

- FCPS has had a good faith effort to move forward with the project and the company backed out - correct?

Mike Woolum:

- Absolutely.

Stu Silberman:

- Was there anything that FCPS could have done to prevent this?

Mike Woolum:

- Everything was done by the book. Meetings were held and everything made clear to the bidders.

Stu Silberman:

- Looking at a completion date of July 15,2010

Melissa Bacon:

- Board members are watching the project and ready for it to move forward

A motion was made by Melissa Bacon and seconded by Amanda Ferguson, to rescind the previous Board approval of the bid of Venture One Construction in the amount of \$4,100,000 (Four Million One Hundred Thousand Dollars) approved on July 27, 2009, and accept the base bid as submitted by Judy Construction, approve the proposed contract in the amount of \$4,333,000.00 (Four Million Three Hundred Thirty-three Thousand Dollars), and approve a revision to the BG-1 Project Application for a total of \$4,899,578 (Four Million Eight Hundred Ninety-nine Thousand Five Hundred Seventy-eight dollars), for the stadium replacement at Lafayette High School, subject to the approval of the Kentucky Department of Education, Division of Facilities Management, per the provisions of 702 KAR 4:160. The motion carried with a vote of 5 to 0.

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L. Informational Items

1. Personnel Changes – No discussion

M. Oral Communications

1. **Public Comments** – Janet Bowman signed up to speak, but was asked by the attorney to end her comments because they involved personnel.

2. **Board Requests** – None

3. **Other Business**

- a. **Board**

- Discussion of Board Work**

- John Price** - Thanked all the volunteers who worked with the Back to School Rallies, with landscaping and anything else with the opening of school. Also, thanks to the teachers, students and staff for a great start to school.

- Becky Sagan** – Thanks for a great school opening.

- a. **Staff**

N. Motion Making Agenda Part of the Official Board Minutes

A motion was made by John Price and seconded by Kirk Tinsley, to make the agenda dated August 24, 2009, which action has been taken at this meeting, a part of the minutes as if copied in the minutes verbatim. The motion carried with a vote of 5 to 0.

Closed Session

A motion was made by Kirk Tinsley and seconded by Melissa Bacon, to go into closed session at 7:37 p.m. to discuss acquisition or sale of real property pursuant to KRS 61.810(1)(b) and to discuss proposed or pending litigation pursuant to KRS 61.810(1)(c). The motion carried with a vote of 5 to 0.

Open Session

A motion was made by John Price and seconded by Melissa Bacon, to reconvene in open session. The motion carried with a vote of 5 to 0.

Adjournment

A motion was made by John Price and seconded by Amanda Ferguson to adjourn the meeting at 8:26 p.m. The motion carried with a vote of 5 to 0.

CHAIR

SECRETARY