

Board of Education
September 27, 2023 4:30 PM
Central Services Board Room

The Cumberland County Board of Education met in a special session on Wednesday, September 27, 2023, in the Central Services Board Room, where the meeting was called to order by Chairman Boston at the approximate hour of 4:31 pm. Boston welcomed everyone to the meeting and appreciated everyone for attending.

BOARD MEMBERS:

Teresa Boston:	Present
Mr. Nick Davis:	Present
Ms. Anita Hale:	Present
Mrs. Rebecca Hamby:	Present
Mr. Chris King:	Present
Ms. Sheri Nichols:	Present
Robert Safdie:	Present
Ms. Shannon Stout:	Present
Ms. Elizabeth Stull:	Present

1. Call to Order- Ms. Teresa Boston - (See above)

Others in Attendance:

Earl Patton, Attorney
Scott Humphreys - Media
Cheryl Duncan - Media

2. Moment of Silence/Pledge of Allegiance- Ms. Teresa Boston - Boston led the board members in a Moment of Silence. After a moment of silence, Boston led the audience in the Pledge of Allegiance.
3. Roll Call (See Above)
4. *Approval of Agenda (See Exhibit #1) Boston advised, next is the approval of the agenda. **(Motion #1)** Hamby advised, I make a motion we approve the agenda. Hale advised, second. Boston advised, okay so we have a first and second. All in favor say aye. (before a Voice Vote was finished) **(Motion #2)** King advised, I have a question. Stout replied, discussion. King continued, I would like to remove items 5 and 6 from the agenda. Boston asked, okay so where do we go from here, Mr. Parliamentarian? We've got a motion to accept as it is and you've made an amendment. Are you willing to amend your first? Hamby replied, no I am not. Boston asked Hale, are you willing to amend your second? Hale replied,

no. Stout asked, well that's not an amendment, right? You're moving. Boston replied, yes. Stout continued, so it requires a vote? Boston asked, the amendment requires a vote? Stout replied, the move requires a vote. Boston asked, from? Hamby replied, we made a motion and a second. He made an amendment. Stout replied, it's not an amendment, he's moving. Boston replied, Mr. King has moved, that items number 5 and 6 be removed from the agenda. Boston replied, I'm going to do a roll call (**Motion #2**). A Roll Call Vote was taken. (The motion failed.) Boston advised, so they will remain on the agenda. (**Motion #1**) All in favor of the agenda as published. A Voice Vote was taken. King requested a A Roll Call Vote be taken. (motion passed) Boston advised, so the agenda will stand as published.

Motion to approve the agenda as published. (Motion #1)

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Hale

Yes: 6, No: 3 Davis: No,
King: No, Stout: No

MOTION: Motion Carried

Motion to to remove items 5 and 6 from the agenda.

(Motion #2)

VOICE VOTE: (mover-yes) King

Yes: 4, No: 5 Davis:
Yes, King: Yes, Nichols:
Yes, Stout: Yes

MOTION: Motion Failed

5. Community Comments - Boston advised, next on the agenda is Community Comments. I think Mr. John Patterson, you signed up for Community Comments. Could please state your name, your address.

John Patterson (County Commissioner, 9TH District)

108 Walden Ridge Drive
Crossville, TN

Patterson advised, comments first. I'm glad to see I haven't commented on earlier, but the additional board that people can read for those people on that wall. Who couldn't see it here, could not see it. Secondly, that light fixture still needs to be fixed. I hope it doesn't fall in on Mr. King's head. Today I got it okay, we have a Special Called meeting, yet we don't know what the emergency. What's critical to be discussed is not mentioned here, but I imagine it has to do with the South renovations. You've provided a budget that was passed for 2.6 billion dollars for improvements. You wish to reallocate 2.2 million for this renovation. Renovations going through school with the declining student population. That would leave about four hundred thousand dollars to take care of a host of maintenance items. Some of which perhaps should be considered more critical. We have fire alarms and sprinkler systems that are prone to failure and need to be replaced. I think these safety items should take precedent over any attempt to add classrooms to school just because it's their turn. I think my time might be up, but I

thank you for your attention.

Linda Clark, President of the Cumberland County Tennessee Republican Womens Club

Clark advised, I want to talk to you about transparency. It is not achieved when meetings are called with 24 hours notice. It is not achieved when minutes from meetings conducted in May are not available for public view. Although the Board of Education has defined 24 hours as adequate notice. That doesn't make it so. 24 hours does not provide the public or even school board members with sufficient time to adjust their schedules, much less do research to be prepared for the meeting. Just because the TCA does not specifically define adequate for you does not preclude the use of common sense and courtesy to the public and to one another. Transparency builds trust. An informed public will be supportive of your efforts. Lack of transparency leads to suspicions such as why the heck was this meeting called only one day before a regular meeting is scheduled on an item that the agenda indicates was discussed for months, possibly years. Why the urgency of calling it the day before regular scheduled meeting. Since budget allocation is on the agenda, knowing what transpired in these meetings is relevant. Those missing minutes from the public view don't allow us to have a full view of what's going on here. There are serious statements assigning motivation in the documents that's not a named source on who's making those allegations. This requires you know again a lack of transparency and what is going on, but I caution you since you're going to talk about the evaluation of one another. That this body being able to work together to accomplish positive ends is not helped when there are assigned motivations that are not based on anything substantiated in what I have seen on those documents and I'm not mother to all of you, although I might be old enough to be a mother to some of you, but you know you need to keep in focused what is the mission and you need to strive for transparency that will help you with the public and with one another. So thank you.

Rebecca Stone (County Commissioner, 3rd District)
1013 Sawmill Road
Crossville, TN

Mrs. Stone advised, I just thought I would follow up since I spoke earlier this Spring when y'all were wanting to move money for the South school addition and it was all about Fund Balance then, as I understand the money is not coming from reallocations. It would be coming again, I think the proposal is from Fund Balance and what that would do to your Fund Balance. Your projected Fund Balance is 5.6 million. It was down from last year, down from the year before, and if you take 2.21 million out of it. Your balance will be 3.39 million. Now to do that it would do just like before. You would have to pass it. It would have to go to the Budget Committee. They would have to approve it. It would have to go to the full commission. They would have to approve it and even if it jumped all those hurdles, the State Comptroller would have to approve it. They just approved your budget and to come immediately with a proposal to reduce it to a skinny balance for an additional project. I don't think they'll approve it. I don't think any of the hurdles will be cleared. So I would urge you to wait, get your study on your renovations, build your Fund Balance, and then consider additional projects for the whole school system. Thank you.

6. *South Renovation 141 Budget Amendment (See Exhibit #2) Boston advised, next on the agenda is the South Renovation Resolution. It's a 141 budget amendment. I'll entertain a motion. **(Motion #1)** Hamby advised, I make a motion that we approve the amendment. Hale advised, second. Boston replied, so I have a first and a second for the approval of the resolution for South School Project. Any discussion? King asked, I have a question. This would be a line item transfer? Boston replied, yes. It would go from Fund Balance. King continued, so our Policy 2.201 says that, that comes from the Director of Schools. Did he ask for it? Boston replied, I don't think you did ask for it. Did you? Stepp replied, I did not ask

for it. King continued, so we're violating policy. Boston replied, okay let's pull up that policy. Could you Diane? Stout asked, Mr. Stepp this is not based on your recommendation? Stepp replied, no ma'am. Boston asked, so you do not recommend this resolution? Stepp replied, I did not ask for this resolution. I think you went to Mrs. Bray and had her do it and put it on the agenda right? Boston replied, no, but you and I talked about it last week. Stepp replied, I do not recommend this, no. Boston replied, okay. Well if it's a violation of policy and Mr. Stepp does not recommend it, then I think we'll have to go back and see where we are, 2.201. Is this a line item transfer, Mrs. Bray? Bray replied, yes. Boston asked, where would we put the money if we just transferred it to another line? Bray replied, in building construction? Boston asked, is that another line item transfer? Bray replied, it would be the same thing. I mean you're going to move it from Fund Balance to an expense account. Boston replied, okay. So in your; whether it's Mr. Stepp's recommendation or not. Where do you move this to where it has to be upon the recommendation of the Director? Bray replied, honestly that portion is just a template that all of them say okay and it was the one that I was left with. Boston replied, okay. Well I think that with that being said, then we're going to have to reboot and find out how this recommendation can come before the board without the Director's recommendation. Stout advised, I think based on this information, **(Motion #2)** I'd like to move that we go ahead and table this until we get the study that we've all approved that we're spending money on for our maintenance and our renovation needs for the entire district and then Mr. Stepp can come to us with his recommendations at that point. Boston asked, is that a motion? Stout replied, that's a motion. Stout continued, so to table it until we get the full study back on the entire district and then ask Mr. Stepp to come to us with his recommendations. Hamby asked, don't we have to remove our first and second before she can make a new motion? Stout advised, it's not a motion, it's a move. Hamby replied, yes I understand that. Boston replied, if we can't move forward on it and I apologize, because I miss this. Not considering this, because we had already visited this resolution and it was voided due to the time lapse of the budget committee tabling. Earl, if we've had this resolution before and it expired. Does it still have to be recommended by the Director? Patton replied, I believe it would under the policy as it's just been. Boston replied, okay. I will accept your opinion. So that is not a motion. You've got a motion that we've tabled this? Stout replied, well I'm moving that we table it based on this information. Boston replied, I don't think we can table something that was not recommended by the Director. Stout asked, so are we removing the motions? Boston replied, I think we have to. Stout continued, so another motion can be made? Boston replied, I think we have to. Hamby replied, yes. The motions and this is just for line item number 6. Boston replied, yes until we can go back and reconstruct. Stout replied, okay so I will make that move a motion now that the other motions have been removed. Boston replied, well I don't think you can make a motion on something's tabled. Hamby replied, it's just flat out tabled. Boston replied, that it's not recommended. Stout replied, okay, alright. So we're just going to have it on record that we're tabling it until. Boston replied, I don't think we can table something that was not recommended by the Director. Hamby replied, all we have to do is it's off the agenda. Stout replied, okay. Boston replied, I think we have to research and contact different individuals to find out how the board is still and research other policies, because I'm comfortable that this board is in charge and responsible for all finances. Stout replied, for approving. Boston continued, for bringing a resolution back before. Davis replied, if I could ask a question on Policy 1101. Boston asked, 1101, what's that? Davis replied, a role of the Board of Education. Boston replied, well you're gonna have to pull it up, 1101. Davis continued, under the fiscal column, number 3. Boston replied, yes. Well she's gonna have to bring it up first. Davis replied, so it says our role is to approve, adopt the budget, approved purchases outside the budget on case-by-case basis in accordance with board policy and then number 3 is to approve the budget transfers. So does that mean that we're enable? Boston replied, well that's why I think I did not look at 2.2 I looked at the rest of them, but did not look at that and since we are tasked with the budget and purchases outside by case-by-case basis, to approve budget transfers. I think that is just going to require some more research, because yes I think we can. We do it every month. We pass resolutions every month. They're just on the agenda. Davis replied, but that means that they've got to be; he's got to be directing them and we can't

propose them. Is that the way I understand it? Boston replied, that's what 2.201 is something. Hamby replied, and that's what we're going to have to look at, because this is contradictory, because this says we can approve budget transfers. The other one says we can't. Boston replied, and our Director does not recommend. Davis replied, I guess my point is that our goal is to approve not propose. Stout replied, right. Boston replied, but it doesn't matter. Stout replied, and this just says approve. Boston continued, in the position to propose as well. I mean if we don't approve it, we're to approve purchases. I don't think it matters who proposes them. Stout replied, Mr. Stepp is the Director is tasked with coming up with the budget and based on that the 2.201 he's also tasked with making the recommendations and then we approve based on that. Davis replied, I'm just trying to understand like we've defined our role of the Board of Education per our policy. At no point does it say in here that we're to propose the budget. Nichols replied, it all says approve. Davis continued, it says we're to approve. Boston replied, right and we do. Davis continued, approved purchases and approve which means that it never tells us to propose it. Boston replied, Earl. Patton replied, I'm listening and you know I don't receive these in advance you know. So I'm kind of researching in real time here. Your Policy 2.201 the only reference on that is an Attorney General's opinion that I'm reading and I don't see anything that specifically deals with the Director's authority to initially make that proposal and then for the board to approve it. So it is a little bit contradictory to your other policies and I do think that requires further research. Boston replied, I think you're right, because I can not imagine. Patton continued, but it's clearly a policy that the board has passed. Boston replied, at the moment. Stout replied, and TSBA does say in the Board's Role in School Finance, the board should not do the following, specifically write the budget, administer the budget, or micromanage the budget. Boston asked, where do you find that? Stout replied, Board's Role in School Finance TSBA. Boston asked, I mean is it, what is it? Hamby asked, is it a policy? Boston asked is it a policy? Stepp replied, that is from the professional development I did with the board on budget that was provided by TSBA. Stout replied, and also from the class that they do. Boston asked, and you would propose this resolution is what? Stout asked, what do you mean resolution? Boston replied, well read that statement again. Stout replied, the board should not do the following, specifically write the budget, administer the budget, or micromanage the budget. Boston replied, okay, I agree with that wholeheartedly. Stout continued, so that's why I guess the budget's all in the Director's purview to work with the CFO to create and then recommend and then we look at it for the district to determine whether we should approve the recommendations or not. Boston replied, and if we don't approve the recommendations. Stout replied, then we would send it back to him to come back to us again to make whatever changes. Boston replied, that's our purview. Hamby replied, and policy states that the Director and the chairman, which is the Executive Committee works together to build the budget. Boston replied, supposedly, yes. Davis asked, it says that? Hamby replied, yes it does. Stout replied, to do the budget. Boston replied, and that's actually statutory. That comes from TCA code. Davis replied, yeah. So to be identified how many times they're supposed to do that? Boston replied, no. Once you pass the budget, that's your budget for that year and I think that I'm comfortable with this being tabling. Until we are comfortable with how if it is not a recommendation of the Director, how does the board propose a line item transfer and I think the Comptroller's Office should be able to or TSBA should be able to answer that question for us. Davis replied, Mrs. Boston, can you help us understand why we're meeting especially today as opposed to tomorrow? Boston replied, absolutely, because we wanted a work session and we wanted to move forward with the South School Project and so that's why we are especially needing to approve this resolution, which has been nixed for the moment, and so we could go straight into a work session while we have everybody here. Davis asked, we couldn't have done that tomorrow? Boston replied, we can't do a work session when you've got a regular call meeting. Stout asked, are you asking about the work session Nick or are you asking about the resolution? Davis replied, I'm asking about the resolution. Boston replied, well I wanted to since they would be tied together. I wanted to do them both at once to conduct the business of the district. Davis asked, but what constituted it being special today versus the timing of tomorrow? The difference of 24 hours. What's

special today? Boston replied, for the work session. Davis asked, so if these items weren't addressed today, what would have been the worst case scenario that happened tomorrow? Boston replied, none. Hamby replied, we could not have done them tomorrow. Boston replied, we have been trying to set a work session for quite some time, but because of everyone's scheduling it has been impossible, but the meeting today. Davis replied, I was just asking about this Special Call Meeting. Boston replied, the Special Call was to address the resolution for South school project. Davis asked, and if voted for this to go through today, how would that have impacted tomorrow? Hamby and Boston replied, it would not have. Davis asked, then why didn't we just have the meeting tomorrow? Boston asked, you can't. Why would you have a Special Called in a Regular Meeting on the same day? Davis asked, why wouldn't this just been an agenda item? Boston replied, because of the work session Mr. Davis. Stout asked, would the work session stopped us from having this? Boston replied, we would go immediately into a work session and so to coordinate the two together you're going into a work session. I have been trying for a month to get schedules together to do a work session. Why not do both at once? I mean, do you have a problem with that? Davis replied, the Special Call Meetings I do, yeah. Boston asked, why? Davis replied, because they're inconveniently placed into schedules that people have set. Boston replied, I specifically called you to set. Davis replied, I agree. Boston continued, and said which day is best for you. So this meeting was called specifically on this day at this time so you could be here. Stout asked, did everybody get a call to check their availability? Boston replied, no they did not, because most of us are very readily available. Mr Davis has a little bit busier schedule than we do, because of his children. Stout replied, I think everybody's schedule is busy with different priorities. Hamby replied, I think we're getting off topic here and I think it is becoming an argument that doesn't need to happen. I think Mrs. Boston has answered the question of why a Special Call today. We still have items on the agenda to discuss. Boston replied, we do. Hamby continued, and I think we need to move forward. Davis replied, I appreciate that. I was just asking for clarity on what was the most specific thing, I guess. Boston replied, well the most specific thing was to move forward with the South School Project, which there are board members that highly, highly support that and very adamantly support that project. If we let it linger then it doesn't get done. So to address that, but apparently beforehand, we've got to address some legalities first and those legalities will be addressed and we'll move forward. I will make every attempt Mr. Davis not to call a Special Call Meeting. Davis replied, I appreciate it and I'm just; I mean you understand why. It's just more convenient if it's on the schedule and it can be an agenda item as opposed to separate meeting, for everybody to all the public comments that were made. For everybody that didn't get the phone call. For the Special Call Meeting that everybody that doesn't have knowledge of maybe the tribal knowledge that's internal to try to not. I've not been able to; this is the first Special Called Meeting I've been able to attend and I wish I could attend all of the meetings. Boston replied, well in all due respect, this was set so you could attend. So you could participate in the work session, because you have the most difficult schedule, because you have small children to attend to. Mrs. Stull so do you. Not undermining that, but you've seem to make those arrangements and Mr. Davis is in a difficult position. Davis replied, thank you for your answer. Boston replied, you're welcome, anytime.

Motion to approve the amendment. (motion was removed due to Policy 2.201)

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Hale

MOTION: Motion Withdrawn

7. South Renovation Discussion (See Exhibit #3) Boston advised, the next agenda item. These are the South discussion. The South Renovation Discussions. I'm going to make a motion that we move those to the work session and just go straight into the work session, because I think those documents can be discussed during our work session and have a little bit more open, because they require no vote. Hamby advised, and I will second that. A Roll Call Vote was taken. **(Motion Carried)** Boston continued, So those documents will be moved to the work session to be discussed. I apologize for not looking at my policy a little bit more clear. It was my understanding that the board had a little bit more leadway with their finances than we do. So we may want to since that policy is not guided by statutory authority. We may want to revisit that policy in October. So if you would be so kind if we don't find anything statutory, you would put that on a Policy Committee. Hamby replied, I sure will. Boston replied, thank you. Any further comments? No one responded.

Motion to move those to the work session and just go straight into the work session

VOICE VOTE: (mover-yes) Boston

(seconder-yes) Hamby

Yes: 7, No: 2 King: No,
Stout: No

MOTION: Motion Carried

8. Old Business - No Old Business was discussed.

9. Questions from Media - Boston asked if there were any questions from the media. No questions were asked.
10. Adjournment - Hamby made and Hale seconded a motion to adjourn at 4:58pm.

Motion to adjourn at 4:58pm.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Hale

Yes: 9, No: 0

MOTION: Motion Carried

William Stepp
Director of Schools

Teresa Boston

Chairperson of the Board

Comment I, Tabitha Webb hereby certify that I reported the foregoing minutes and that I delivered said minutes to the office of the Director of Schools on October 18, 2023.

Tabitha Webb
Board of Education Recorder

(* Indicates Board Approval Required

(*) Indicates Board Approval Required

September 27, 2023 at 4:30 PM - Board of Education Special Called Meeting

1. Call to Order

Speaker(s): - Ms. Teresa Boston

Agenda Item Type: Procedural Item

2. Moment of Silence/Pledge of Allegiance

Speaker(s): - Ms. Teresa Boston

Agenda Item Type: Procedural Item

3. Roll Call

Agenda Item Type: Procedural Item

4. *Approval of Agenda

Agenda Item Type: Action Item

Attachments: (1)

- [Agenda](#)

5. Community Comments

Agenda Item Type: Action Item

6. *South Renovation 141 Budget Amendment

Agenda Item Type: Action Item

Attachments: (1)

- [141 BA South Renovation](#)

7. South Renovation Discussion

Agenda Item Type: Action Item

Attachments: (1)

- [South Renovation Discussion](#)

8. Old Business

Agenda Item Type: Action Item

9. Questions from Media

Agenda Item Type: Information Item

10. Adjournment

Agenda Item Type: Action Item

Comments:

RESOLUTION # _____ -

Cumberland County, Tennessee
General Program School Fund

WHEREAS the General budget requires revision to reallocate funding to provide adequate appropriation to fund the South Cumberland Elementary Building Project.

THEREFORE, be it resolved, by the Cumberland County Board of Education meeting on this 27th

day of September 2023, that the following budget amendment be adopted:

General Budget Amendment

Decrease Fund Balance:

141-39000

Total Decrease in Fund
Balance

Fund Balance-Unassigned

\$2,210,000.00

\$2,210,000.00

Increase

Expenditures:

141-76100-706

Total Increase in
Expenditures

Building Construction

\$2,210,000.00

\$2,210,000.00

SPONSORED BY:

APPROVED BY:

BOE Member
ATTE
ST:

Chairman of the Board

Director of Schools

Ayes: ___ Nays: ___ Abstain: ___

Sponsor: _____
County Commissioner

Approval: _____
County Mayor

Attest: _____
County Clerk

Budget Committee Vote:
Ayes: ___ Nays: ___ Abstain: ___

2023-2024 Maintenance Budget Work Sheet

1 North -----	Renovation	750,000.00
2 Pleasant Hill -----	Campus Paving	200,000.00
3 North Elem -----	Flooring	50,000.00
4 Phoenix -----	Flooring	50,000.00
5 Pleasant Hill -----	Flooring	50,000.00
6 North -----	Environmental cleaning	20,000.00
7 Pleasant Hill -----	Parking lot lights	100,000.00
8 Crab Orchard -----	Bathroom Partitions	25,000.00
9 Homestead -----	Bathroom Partitions	25,000.00
10 North -----	Bathroom Partitions	25,000.00
11 Pine View -----	Bathroom Partitions	25,000.00
12 SMHS -----	Bathroom Partitions	25,000.00
13 Central -----	Bathroom Partitions	25,000.00
14 North -----	Door Replacement	85,000.00
15 North -----	Painting int/ext.	200,000.00
	Pleasant Hill -----	Gym floor Complete 50,000.00
	All schools Maintenance Repairs	\$180,000.00

Subtotal \$1,885,000.00

Maintenance Needs

1 Martin new music room	75,000.00	
2 CCHS new alarm system	300,000.00	Fire alarm - must be addressed 23-24.
3 Pine View Roof	150,000.00	Roof may not last through 23-24 budget year. DOS pulling together costs for alternative practice/play locations vs. immediate reconstruction 23-24.
4 SMHS tennis courts	450,000.00	Electrical upgrades must be started in 23-24, but can be in stages.
5 Martin Elec. Update	745,000.00	Both exit roads needed to eliminate the back up onto ma roadways during student drop off and pick up.
6 Stone Exit Road	30,000.00	
7 South Exit Road	30,000.00	
8 North new alarm system	350,000.00	Fire alarm - must be addressed 23-24.
9 Sidewalks	195,000.00	
10 Fence	395,000.00	Can be done in stages will need to be started in 23-24.
11 Martin (ceiling/vent sprinklers)	300,000.00	Fire sprinklers must be addressed 2-23

26 Subtotal \$3,020,000.00

Security

Total \$4,905,000.00

Dated 4-3-2023



Teresa Boston <teresa@bostonlaw.com>

Re:

1 message

John Patterson <johnpattersonjr@comcast.net>
To: Teresa Boston <teresa@bostonlaw.com>

Mon, Jun 19, 2023 at 1:01 PM

- 1. Yes, it was a BOE member.**
- 2. I have no idea why only two Commissioners received that information.**
- 3. I wonder why it is essential that you obtain that information. Surely the intent isn't to extract retribution. I see no reason why such notations and discussions of the BOE must be withheld from the public - - it certainly doesn't meet the parameters that would justify an executive session.**

On 06/19/2023 11:05 AM CDT Teresa Boston <teresa@bostonlaw.com> wrote:

John,

I understand you said that you did not want to betray a trust in revealing who sent you the maintenance worksheet with notations,
However, Can you tell me if it was a BOE member?

I really do not want to submit an open records report to obtain this information, but it is an avenue that is available.

It is essential that we obtain the information of who submitted this information to only 2 Commissioners.

Teresa Boston

4/5/2023	Motion to Accept bid for 2.2 million on South Renovation project	Passed 7 – 0 2 members were absent passed by full board present	Minutes attached
4/13/2023	Motion to Rebid the South project as recommended by Mr. Chamberlain	Passed 7-0 2 members were absent	Minutes attached
4/27/2023	Motion to Pass Resolution to Allocate funds from Fund Balance for the South Project	Passed 7 to 2	Stout and King voted no Minutes attached
	The BOE was required to transfer the money out of fund balance by Resolution in order to rebid the project in hopes of being financially responsible.		

HISTORY

South Renovation project was planned in 2021 along with CCHS Auditorium by and through ESSE funds

South was scheduled for the renovation in 2021 and this was postponed and their 750,000.00 was rolled back into fund balance during budget process.

During the 2022 budget process many discussions were held regarding the CCHS and SOUT building projects and rising costs for building. The Budget committee and the full BOE agreed to reserve a fund balance in excess of two million in order to assure ourselves that funds would be available to complete these projects if need be. Knowing that the bids could exceed the Esser funds reserved.

The CCHS bid for the auditorium used the Esser funds available. The CCHS project is equally important.

When the current BOE approved the resolution to transfer the funds for the South project by a majority the resolution then was forwarded to the County Finance Committee for approval in accordance with procedure.

When the Resolution came before the County Finance Committee, after some discussion, the Resolution was tabled.

Again, in June the matter came before the County Finance Committee to be approved in accordance with procedurally required.

Ms. Stout, Ms. Nichols, myself and Mr. Patton attended that meeting.

Mr. Patterson was informing the Finance Committee that the BOE had other projects that needed urgent attention and that the BOE needed to do a feasibility study to determine what was needed.

Ms. Stone, not only came to our budget committee meeting to suggest we need to allow the 2 million to roll over into our fund balance but there was so much confusion over the South renovation project. That we could revisit our maintenance that was needed. (minutes attached with Ms. Stone's statements at budget committee meeting)

During the County Finance Committee meeting I noticed that Mr. Patterson had a copy of the BC Maintenance sheet that was proposed with notations on the document. I told him that I had never seen the notations prior to that moment.

At the County Finance Committee meeting Ms. Sue York made the motion to table the resolution again stating "That there is just too much confusion" (I didn't understand the confusion until I saw what Mr. Patterson had received from a BOE member, now I do and agree with Ms. York.

The resolution was tabled for a second time.

The resolution would be null and void after June 30, 2023 because we started the 23-24 budget year.

After the resolution was tabled again, I asked Mr. Patterson for a copy of the document he had been referring to. Later that evening Mr. Patterson emailed the document to me. I had never seen the notations inserted on the document. Nor had the budget committee ever had discussions or considered these notations. I questioned Mr. Patterson who sent those to him and he confirmed that it was a BOE member in which sent him the document.

Mr. Stepp confirmed that neither he or his staff had anything to do with this document. (see email)

I confirmed with the remainder of the County Finance Committee members that were present at no one but Ms. Stone and Mr. Patterson had received the document and had no idea what Mr. Patterson and Ms. Stone were referring to during the discussion.

Mr. Stepp had removed the Maintenance Needs of \$3,020,000.00 from the Maintenance Worksheet so those were never considered by the budget committee or the full BOE during the budget process. His statement was that those are gone and he was taken at this word.

Ms. York was correct in that there was confusion among the BOE as to the referenced document

One BOE member decided to take it upon themselves and provide 2 members of the County Finance Committee with false information and information that the BOE member had not presented to the Budget committee or the full BOE during budget discussions. This act was done in order for two members of the funding body to convince the committee that the BOE was not acting in the best interest of the district.

This act alone gave the funding body the appearance that the BOE was careless and failed to act financially in the best interest of the district.

When in fact this is not the case at all, the budget committee nor the full BOE had this information to even consider or discuss.

One can only determine that the BOE member that took it upon themselves to provide this false information to the funding body did so with subterfuge intentions to destroy the South Renovative Project behind the back of the BOE members who acted in good faith and supported the majority vote of the BOE as required by our policy and through ethical actions and integrity.

			official meeting of the Board.
	Policy 1.106	Code of Ethics	Board members and school district employees may not accept, directly or indirectly, any gift money gratuity, consideration, or favor that a reasonable person would understand was intended to influence the vote, official action, or judgment of the board member, or employee in executing decisions affecting the school district.
	Cumberland County Schools-BOE Operating Principals		The entire document would apply to the action of the BOE member who provided the document with notations without it being presented to the BOE as a whole Violated every principal in this document.

	Policy .2021	Boardmansh of Conduct	Code #1 page 2 I will understand that the Board makes decisions as a team and that individual board members may not commit the Board to any action. #2, page 2 I will accept the will of the majority vote in all cases and give support to the resulting action.
	Policy 1.100	School District – School Board Legal Status and Authority	# 6 All powers of the Board lie in its action as a group; therefore, individual board members exercise their authority over school system affairs only as they vote to take action at an

Exhibits

1.	4/5/2023	Minutes reflecting South Bid was approved by the BOE Bid attached
2.	4/13/2023	Minutes reflecting Motion to Rebid was approved by the BOE
3.	4/27/2023	Minutes reflecting Resolution to move 2.2 million out of fund balance for the South Renovation Resolution attached
4.	2022 Budget	Reflecting the fund balance over and above reserving for the CCHS and South projects
5.	Budget meeting minutes	Reflecting Ms. Stone's comments that we should leave the money in fund balance
6.	Newspaper article from the County Finance Committee	Reflecting the discussion over the Document that Mr. Patterson and Ms. Stone used to argue that the BOE was not being financially responsible for district maintenance Based upon the information he was provided by a BOE member
7.	Maintenance Plan	Maintenance Plan discussed and considered by the budget committee and BOE during the budget process
8.	Maintenance Plan with notations	Reflecting what was forwarded to Mr. Patterson and Ms. Stone only On the County Finance Committee
9.	Mr. Patterson's email	Confirming that a BOE member emailed him the Maintenance sheet with notations
10.	Mr. Stepp's email	Reflecting that he nor his staff had not provided this information
11.	Policy 1.2021 1.100 1.106	Reelecting the expected behavior and standards of BOE members
12.	Cumberland County Schools BOE Operating Principles	Drafted but not approved by the BOE at this time.

Board of Education
April 5, 2023 5:15 PM
Central Services Board Room

The Cumberland County Board of Education met in a special session on Wednesday, April 5, 2023, in the Central Services Board Room, where the meeting was called to order by Chairman Boston at the approximate hour of 5:15 pm. Boston welcomed everyone to the meeting and appreciated everyone for attending.

BOARD MEMBERS:

Teresa Boston: Present
Mr. Nick Davis: Absent
Ms. Anita Hale: Absent
Mrs. Rebecca Hamby: Present
Mr. Chris King: Present
Ms. Sheri Nichols: Present
Robert Safdie: Present
Ms. Shannon Stout: Present
Ms. Elizabeth Stull: Present

Also in Attendance:

Earl Patton, Attorney
Moira "Mo" Cahmot, Media

1. Call to Order-Ms. Teresa Boston- Ms. Teresa Boston(See above)
2. Moment of Silence/Pledge of Allegiance-Ms. Teresa Boston- Ms. Teresa Boston - Boston led the board members in a Moment of Silence. After a moment of silence, Boston led the audience in the Pledge of Allegiance.
3. Roll Call (See Above)
4. *Approval of Agenda (See Exhibit #1) Boston advised, next is the Approval of the Agenda. I would entertain a motion for the Approval of the Agenda. Hamby advised, I make a motion to approve the agenda. Stull advised, second. Boston advised, okay I have a first and second. Any discussion? No one responded. A Voice Vote was taken.

Motion to approve the agenda as presented.

VOICE VOTE: (n...ver-yes) Hamby

(seconder-yes) Stull

Yes: 7, No: 0

MOTION: Motion Carried

5. *CCHS Auditorium Bids (See Exhibit #2) Boston advised, next on the agenda is the CCHS Auditorium Bids. Mr. Safdie, I'm going to ask this question. I'm gonna make a motion that we waive Robert's Rules of Order, so that we can discuss these prior to making a motion. Safdie replied, you would need a second. I will second that. Boston replied, okay. Safdie continued, and then you will need to vote from the board. Boston asked, any discussion? Nichols replied, tell me the benefit to that? Boston replied, we get to discuss it first before we vote. Before an official motion is made. Nichols replied, okay. Boston continued, and I think that in this particular situations that would be beneficial to us. So we have a motion on the floor to waive Robert's Rules of Order, so that we can discuss before a motion is made. I have a second. A Voice Vote was taken. **(1st Motion)**

Boston continued, thank you. Safdie advised, the eyes have it. Boston continued, the eyes have it. Let's open the floor for discussion on the auditorium bid. We've got 10, Kim I'm gonna lean on you a little bit, Kim Bray. We got 10.3 and some change in ESSER to start with. This bid is 10 8. Bray replied, right. Boston asked, we have how much of the indirect cost? I think it was over \$400. Bray replied, we dropped in \$465,140. Today we have spent of that \$465, \$57,640. Boston replied, so give me a number. Bray replied, so we've got right at \$405. Boston replied, okay. Bray continued, and I think Dr. Whittenbarger, you found approximately another? Whittenbarger replied, about a \$115,000. Boston asked, so you found another \$115,000. Whittenbarger replied, yes. Safdie advised, yeah but also Teresa, remember that \$10.2 bid and then the \$10,852, which was Lee Adcock's Construction bid quote. That did not include, as I understand Mr. Kim Chamberlin that 852 doesn't include your fee, your architectural fee? Chamberlin replied, that's correct. Safdie continued, so and your architecture fee was how much? Boston asked, doesn't that come out of another line? Whittenbarger replied, yes that comes out of another line. Boston asked, from ESSER funds? Whittenbarger replied, and that's budgeted. Safdie asked, and that's budgeted? Boston and Whittenbarger replied, yes. Safdie relied, okay so we don't have to worry about that. Boston advised, and also another thing to at least put out there. We don't like to touch it. We don't like to consider it, but we do have 500,000.00 in this particular bid as a contingency for extras, override, something we wanted to add, whatever. Is that correct? Chamberlin replied, within the \$10.8; yes ma'am. Boston continued, okay. Safdie advised, just imagine that as \$250,000. Boston replied, exactly. Safdie continued, so if that were \$250, then \$365,000 thousand dollars. Boston advised, so we need \$300. Kim how much exactly do we need from Fund Balance for the \$10,852,000? Bray asked, okay so we've got \$10.3 Justin? Whittenbarger replied, yes that is correct. Bray continued, well now we've got \$10.3 and then plus another \$100, plus \$400,000. I'm talking round numbers. Boston replied, that is correct, please. Bray continued, well we've got \$10.3 and if I put another \$100,000 from Justin and \$400,000, which is in the Fund Balance. Now we need to remember that. That puts us at \$10.8. Boston replied, okay. So the \$115, where is that coming, ESSER? Whittenbarger replied, yeah that was; with the architect line being separate and with South, you know ESSER is not funding South. The way it appears now. You know, because what we thought we're going to come in at. The money that was allocated for that, will be staying there. So there's a little bit of savings there in the architect line. So now that will all be covered and no further money would have to be put into that line. Safdie asked, Mr. Chamberlin, are we firm on this, was it 7% fee or was it 6% fee? Chamberlin replied, I think our fee on this was at 6%. What we agreed to do is cap our fee based

upon a \$10 million direct cost, but we're not going to invoice you on the additional eight. We are not going to invoice you on the additional \$800,000. Boston asked, so you're going to cap us at 6% at the \$10 million? Safdie replied, that's about a percentage, a little more than a percentage. Multiple board members replied, thank you. Chamberlin replied, it's my community too. Safdie asked, now that was already included in the estimate or the the sheet that was given to us the other day. Boston replied, yes. Safdie continued, so is that a firm architectural fee there? It was based on \$10 million okay. Boston replied, okay the way I've got it calculated if we've got \$115,000 from ESSER, we've got about \$405,000 from that indirect cost. That puts us short about \$32,000 and would we just need to say that needs to just come out of Fund Balance? Safdie asked, what's our Fund Balance? \$2 million 1 hundred thousand dollars? Boston replied, no that was what we had going in; our current Fund Balance is? Bray replied, I mean like today, if your talking about today, but I don't really like to do that. I like to talk about where we're going to end up at the end. Boston replied, okay tell me where we're going to end up. Bray replied, I think we're going to end up around 10 which is where we will start next year with. Safdie asked, \$10 million? Bray replied, \$10 million, but I'm predicting or what I'm forecasting for next year, our expenditures are going to be around \$74 million. So that will leave us with a Fund Balance of around \$2.7 million, which is still going to put us where we need to be as far as the 3% of expenditures, but it's going to be a lot closer than it's been in many, many months. Boston replied, we may have to reevaluate some of those expenditures. Bray replied, correct and we can do that. Bray replied, and we always do. Boston replied, and we always do. As long as we don't re-evaluate the salaries, in which we are required to do. Then the \$10 million we may not end up, we'll end up with more than \$2.7. Bray replied, correct. Bray replied, the salaries are, I mean like we've discussed previously. I have put in for certified, because of what the governor said 10% this year, I'm saying 10% next year and then 5% and that will get us to the \$50,000 starting salary. Safdie asked, what's the matter with 7, 7, and 7? Bray replied, I just like to front in load it. Safdie replied, I am sure teachers do too. Bray replied, I like to get it out of the way. I mean we kind of know now what the revenue is going to be. I like to have a little bit better feeling of the revenue, sales tax, things like that and just do a big chunk at a time. Get it over with, get it done. Safdie asked, at what point do we have to make that final decision? Bray replied, well he will put out his minimal salary, which they always do. Probably middle of May, but the minimum is going to be for this year. I mean there's a lot of talk that is going to be at least \$43.5 and this would put us above that, but it's probably middle of May when that's usually put out, because you know they had their benchmarks. Your starting salary I think it's year 5 and then year 11. Stepp replied, 6 and 11. Bray continued, yeah something like that. It's usually not until May, which makes it very inconvenient for us. Stepp replied, it's still in the legislature too, the \$50,000. Boston replied, yeah well, but if that is the only thing, I think that as an individual board member, that I wouldn't look at negotiating. I think everything else can be reassessed and there are things that we could cut in order to get where we need to be. Bray replied, correct. Boston replied, but if this motion were to be made that we accept the CCHS bid at \$10,852 and some change and using the ESSER. Does it need to be or we recommend to the County Finance. Bray replied, yes ma'am. Boston asked, how about that? Bray replied, we're recommending. Boston continued, we're recommending to the County Finance that we. Bray replied, would like to accept this bid. Boston continued, we'd like to accept this bid at the \$10,852,691. Bray replied, and we have adequate appropriations. Boston replied, and we have adequate appropriation in which to do this. Bray replied, correct. Boston asked, is that the only or do we need to spell out where the funding is coming from? Bray replied, as long as we have adequate appropriations and that is obvious. Safdie replied, that's a good question. Boston replied, I just want to make sure that this particular CCHS. We have adequate appropriation but we do not need to define exactly what nooks and crannies this money is deriving from. Bray replied, I was not told that we had to. We just need to be able to say that we have adequate appropriations when you folks make the recommendation one way or the other. Safdie asked, Teresa, can you go over again? So are we taking \$32,000 from our Fund Balance? Boston, replied, actually what we'll be doing is taking about \$552. Safdie replied, \$552. Stepp replied, this \$552 is actually new money. So this was sent over,

\$400 was in August when it was indirect funds moved from ESSER. For just the business side of running ESSER 2 our GP and the \$107 will be new money also. So it actually wasn't in the Fund Balance when y'all budgeted for this year. This 5-0, whatever she said is new money. Boston replied, it's actually the indirect cost that we moved what in November, December. Stepp replied, August was the \$468 and the \$107 will happen once we decide what we're doing with South. Boston asked, do you have to move it from the architect line? Can you keep it within the ESSER plan is what I'm asking or does it have to move to? Stepp replied, it will be moving to. Bray replied, it will be moving, but the rest of it is fine where it is. It is in Miscellaneous Refunds. Stepp replied, so it's all sitting in Fund Balance, but \$107 will be, because. Boston replied, moved into the Fund Balance. Stepp replied, correct and we haven't touched that \$468 except for your Salary Study and our NIET Strategic Plan. So that's why I kept it above the \$400. We did that on purpose. We were trying not to spend it. So that we add it for this occasion if this happened. Boston replied, okay, so we don't have say where the money's coming from. We just have to say that we have appropriate or adequate appropriation and we are comfortable with that. Bray replied, right. Boston asked, now when you present this to Finance, will you present it to Finance? Who presents it to Finance? Stepp replied, I will. Mrs. Kim goes with me. Boston replied, okay and they questioned you on where the money's coming from. Bray replied, I can do that. Boston continued, okay and we're comfortable. Bray replied, they're very aware of how much is in ESSER and they are aware, because I had to present that budget amendment when we took those indirect costs to them. In fact, they're going to be aware of all of this except this last \$100 thousand, because I had to present that to them. We got this money and they had to prove all that. That basically we got free money from ESSER. So they're aware of that. The only thing they're not aware of is \$100 thousand. King asked, will we need to do a budget resolution for that? Do we need to do that tonight? Stepp replied, my understanding was. Boston replied, we do it in April. We have time I think. Bray replied, but we'll need to present whatever you good folks decide will have to go to Finance and we'll have to ask for a Special Called Meeting. Boston asked, from Finance? Bray replied, yes; correct. Stepp replied, to accept the bids. Bray replied, to accept the bids. We only have until the 15th. Boston replied, the 15th on CCHS and the 22nd on. Chamberlin replied, more like the 14th as the absolute date, since there is 31 days in March. We don't want to wait. The 14th will be it. Bray replied, I think Mr. Brock would be conducive to that. Chamberlin replied, he's aware. We have discussed. Bray replied, he's aware of the situation. Stepp replied, everything has been very transparent. Stout asked, so just to recap. Can you all rattle the numbers off one more time regards to this is coming from here, this is coming from here? We're stop gapping this much and then we have to pull the remainder from here. Just so we're all completely clear. Bray replied, we've got \$10.3 currently in the ESSER, which is not in our Fund Balance. We have currently \$405,000 from indirect costs, which is included in our Fund Balance today. That's fitting up in Miscellaneous Revenues and then Dr. Whittenbarger has found us another \$115,000 that we will move, that will be available in ESSER also towards this project. Stout replied, okay so that gives us a total of \$520 basically. Bray replied, so 10.3 and then 4 and then 100. Stout replied, sorry to stop gap, because we have the 10.3 sitting aside already. So the stop gap money is what I was concerned about. Where that was going to be pulled from. Boston asked, so that only gives us 10 8 20. Bray replied, and the rest of it we will just get out of the Fund Balance. Safdie asked, where are we on the idea of the contingency funds and if there are contingency monies left over. Then we can spend it. It goes back to the general budget. Bray replied, we're just kind of front end loading. Stepp replied, while we're talking about the bid. The alternate one remember was the tile project. You want to remind them of what that is real quick. Chamberlin replied, we had some wall tile in the public bathrooms. It's something a little bit nicer upgrade than what we normally do in schools, because this is so public oriented. That is something we can add on very late in the project. Obviously that doesn't get done for 10 or 11 months down the road. So we haven't touched a half a million contingency funds and that's something we wanted to do. We could add it back in easily and then alternate number two was for the tennis courts. That we've discussed, but that's something we again we couldn't do that for 18 months anyway, because you're going to be using the ground. We're going to be using that for lay down area.

Boston asked, is there all tile something that you can come before the board and say you know look. We're ready for the tile. We've got \$382,000 in the contingency. I mean would you need our approval to use it for that or could we just do it? Chamberlin replied I don't think so. You've already, we keep a log of any of this happen money we happen to spend. We log it. You're always able to see it. I share with Mrs. Kington. It's always there. This isn't something we do, you know behind anybody's back. So I'm not saying I would give you a report to tell you hey it looks like we're in good shape. This is a voluntary thing we don't have to do it. You know I'll come and give you monthly updates. So somewhere 6-8 months down the road. We could come and say hey we've got this funds left. If you'd like to do this. Now's the time to do it okay. We want to do it before we paint walls, obviously. You know so we maybe get a little bit of money back it. won't be much. It should be a decent number to come back at some point. Stull advised, well I was just going to say if we could vote on it now as far as accepting that. If there is money in that contingency still left. So that you don't have to come back. We can just do it if it's if the money is there. Boston replied, I think that's what he intended. Chamberlin replied, one of the reasons we do this. We know there's going to be little things as we move forward through the project and I hate to have to come back in front of you every now and then, say we need \$500 for this. Can you give us a change order to do this? This lets the money already be there, so it sometimes a contractor will call me and say hey I've got an issue here. I need an answer today and we're able do that. So that we don't hold up a project. So it's just cleaner, but again we log all of it. It's all there. So at the right time, as a courtesy I would just come and say hey we've got this much left. Do you want to do the tile? Boston replied, you did the same thing with Crab Orchard. Chamberlin replied, yes we did the very same thing. Hamby replied, you kept us very well informed. Boston continued, you watch the contingency fund and thank you for, I mean it is there. So I'm comfortable. Chamberlin replied, and I would be shocked if we're not bringing the vast majority of it back to you. Boston replied, don't make promises you can't keep. Chamberlin replied, I said I would be surprised. I didn't promise. Boston replied, okay. Any discussion? **(2nd motion)** Safdie replied, I'd like to move that we accept the \$10,852,691 bid from Lee Adcock Construction. Boston replied, and that we recommend to County Financed and that we have appropriate or we have adequate appropriations. Safdie replied, that's a wonderful amendment. Boston replied, we just have to use that wording. Hamby replied, I would second that. Boston asked, any further discussion? No one responded. A Roll Call Vote was taken.

Motion to waive Roberts Rules of Order to allow discussion before a motion is made.

VOICE VOTE: (mover-yes) Boston

(seconder-yes) Safdie

Yes: 7, No: 0

MOTION: Motion Carried

Motion to accept the \$10,852,691 bid from Lee Adcock Construction and that we recommend to County Finance and that we have we have adequate appropriations.

VOICE VOTE: (mover-yes) Safdie

(seconder-yes) Hamby

Yes: 7, No: 0

6. *South Elementary Renovation Bids (See Exhibit #3) Boston advised, next is the South Elementary Renovation Bid for our classrooms. Again, we get to discuss this prior to making any decisions on this. I'll open the floor for discussions. Safdie asked, all right, so where's the money going to come from? Boston replied, well tell me again Kim. You said we were going to end up closer if all your predictions are correct and we're going to give you a little latitude on that, because you never know. But \$10 million is what you think we will end up. Bray replied, this year. Boston continued, and that's what. Bray replied, we'll start next year with. Boston asked, and that is what the County Finance looks at. Right? Bray nodded, yes. Boston continued, so I know that during budget last year we left; Chris was it 2.1 or 2.4? King replied, I think 2.4. Boston continued, in the Fund Balance for this very reason. We said, you know we don't know what's coming up. It's better safe than sorry. So we had 2.4 of that, that we're going to end up is what we allotted or allowed, saved, whatever you want to call it. For the CCHS and South project last year. I don't like to backtrack. I would like to see us do those South classrooms. Now we don't have to do the flooring. Even though it would save, we've got some contingency funds. I think \$200 in that one. Don't we? Chamberlin replied, we do and again that would be work that could be done at the very end if we don't go through that contingency fund and we get down to play in the project. That's work that needs to be done over a summer. Obviously, it wouldn't happen this summer, but that's where it could be next summer, but the only time I want to do it. So again, if the funds are there, that would be an easy thing to add back in. Boston replied, I know that if we take this out of our Fund Balance, that means that this year going into the budget season that there are a lot of things that are going to have to be reassessed. Bray replied, correct. I guess I didn't understand we'd save that money. Of course, I wasn't in this position last year, so I may have missed that. Boston replied, well Chris will tell you how much we argued about that. Stout replied, I watched it. I wasn't on the board yet, but I watched it. I mean it was quite lengthy discussions and conversations over you know, we don't know where we're going to be and we prefer having the 2.4 in Fund Balance for this very reason, because if the high school had come in at \$12 million, you know, we'd be talking about the very same thing just a different project. But if we saved for that and we set aside for that. I would really like to see those classrooms added. Hamby replied, I agree. Bray replied, we would have to take money from somewhere else. Boston replied, it would have to be the Fund Balance? Bray replied, no I mean we don't have it in the Fund Balance. I mean what I did, what I said. I didn't realize that I was supposed to set aside that 2.4. So I just used the 10 that were used we're going to end with and started with this year and then I built the budget based around the departmental budgets and based on that using what you know those funds we would only have \$2.777 left in Fund Balance next year. Stepp replied, and we would need 2.2 for the 3% by law, 2.2 and change. Boston asked, but that is if, are you looking Kim at the 23-24 budget that you've created? Bray replied, correct. Boston replied, okay so that can be. Bray replied, it will have to be. Boston replied, reassess. Bray replied, right and like I said, that's my mistake. I didn't realize I was supposed to save 2.4 out of the 10. Boston replied, it wasn't like we had a savings account. That was just kind of like the purpose behind doing that. Bray replied, yes. We will have to reassess. Safdie replied, we'll have to reassess and there are two components in that. 1 is that 3% was held back and then in addition to that 3% the 2.4 million dollars was held back. So that we could spend it on emergency projects. Stout replied, and also not knowing TISA. Boston replied, exactly. The other discussion and we also have the million in the other line item, that we kind of fund ESSER. Bray

replied, correct. Boston continued, in and out. We pay and then they reimburse use. Safdie replied, ESSER is not paid for any of this? Boston replied, it would not be paying for any of this. We would have to bite the bullet and reassess. I guess and fortunately for us we've not done the 23-24 budget. So we wouldn't have to reevaluate salaries. We can reevaluate other things I mean like, you had proposed to almost a 5 million dollar maintenance budget. Bray replied, correct. Boston replied, well I mean we could reassess that and use part of that and we would have the money and get those classrooms. Hamby replied, I'd like to see those classrooms completed. Boston continued, well I mean I think the money is there. We just have to make it, be there. I mean we'll have to reassess and maybe back off a little bit of the \$5 million dollar maintenance. Safdie replied, there's one other thing that I was curious about and Kim you can answer this. When in 2023-24 in August. How long do we have to wait before we get reimbursed from the state for a portion? When does that state money, the first check from the state come? Bray replied, I guess with TISA it will be the same as the BEP. Safdie asked, September or October? Boston replied, yeah. Safdie continued, oh I know it's one month. We have to have enough money in our till to cover salaries. Boston replied, the expenses. Safdie continued, right expenses for that month. Do you see a problem with that? Bray replied, not at this point, no. Stepp replied, and we don't get a BEP drop in May, correct? Maybe June is the next one. Bray replied, June. Boston replied, we don't get one in May but we get one in June. Stepp replied, correct. Stepp advised, so some of the fund balance will take care of May expenses. Safdie asked, so if I'm understanding correctly then, what we, from where our money from the board's perspective. If we made a motion or move to approve this bid, then that for all practical purposes would have to come from our Fund Balance? Bray replied, right and one thing to keep in mind. This is food for thought, One of the big reasons that the Fund Balance is going to be where it is at the end of this year is because we had several unfilled positions. Multiple, so that is probably what's put; because we had originally projected the Fund Balance at the end of this year would be like 7.6 and basically the difference is these unfunded are these unfilled positions. Which are positions we still need. Safdie replied, yeah but with TISA hopefully that would provide us with the necessary funds to fill those positions. Boston replied, well you're also looking at, we're going from a \$58 million dollar budget to roughly you said? Bray replied, 64. With ESSER we're going to get 64 total. Boston replied, from TISA. Bray continued, from TISA and local together. Boston asked, that includes the local match? Bray replied, correct. That's what the last estimate that I have said. Safdie replied, okay so the local doesn't. Boston replied, so the local is included in the TISA. It's not added too. Bray replied, it is not. Stepp replied, they decided, they predicted what the local contribution should be, but they don't nail that down until May. Boston replied, okay I still think that a \$5 million dollar maintenance projected expense is pretty aggressive. Bray replied, well in some of these items up here are very high ticket. I mean the Martin electric alone \$745,000. Some of those projects are smaller, but they're what the principals requested on their wish list. So we try to respect that and get quotes. Mary has been working like a little demon getting all of these quotes for concrete and gravel and electric and alarm systems. Boston replied, well I mean we may just have to, you know to reassess until we find out where we're going to be. Safdie asked, if there are any, if this board approves any; give and take this maintenance budget. I think it really needs to be made clear that the board; it's not Mary's fault. They don't need to be coming out and cussing at her. Boston replied, and I don't think anybody does. We do the best that we can with the funds that we have and I think we do a very good job. I would really like to see those classrooms. This project has been in the making for 2 1/2 years - 3 years. I'd like to see it through. We may have to scrench just a little bit, but we've screnched before. Stout asked, how would we, at this point how do we perceive if we were to pull that money? It impacting what we would need to import towards learning. So we need tutoring, because I know ESSER funds are coming soon. So towards learning or towards security, which was the topic at the last meeting including Homestead. Boston replied, we would have to reassess once all the numbers are there, but we don't have the luxury of having that time. We've either got to accept the bid or we don't. Stout replied, so we've been making the commitment to the money now, but not really knowing how we're going to work out making sure we've got that minimum 3%. Boston replied, well I think the plan has always

been; once the ESSER funds are ended. There's no way we can maintain. We just can't do it. I don't think any system could do that. Each and every year. We may have to reassess how much we're putting into tutoring. How much we're putting into or how much can we? But I don't think you can. I mean we can't pick up ESSER Funds and those expenditures. Hamby replied, there's no way. Stout replied, making sure that we're not taking away from #1 purpose of the learning. Botson replied, well if you add that thought to the mix is if you put a child in a classroom, they're learning. So those classrooms are important. Now we've got other important areas that we've got to look at and I understand that, but you also have to look, at you know where we put these kids. How many teachers do we have sharing one classroom? South is not the only one that needs classrooms and we're going to have to look at that as well. Stout replied, so I guess from the flip side of it then if we didn't approve it then what would we be doing. What would we be able to do at South to make sure we accommodate the CTE and the classrooms that are needed. Nichols asked, so have we done a study to see how many kids aren't getting a classroom and how many teachers are sharing the classrooms out there. I mean have we done that? Boston replied, this was done, this proposal was done. Stepp replied, two years ago. Boston continued, yeah two years ago, two and a half years ago and it was a need then. It's not that need has not gone away. Nichols asked, so there was like a study that was done? Boston replied, well they apparently the powers that be, thought this was the best use of the money. Hamby replied, and it will get rid of the portables right? Boston asked, Dawn are you still using one? Hall replied, I'm still using one portable. Nichols replied, one portable at South. Boston replied, and that will get rid of that. Which has been a goal for the last seven years just to get rid of all of our portables and we're still working on it. Stepp replied, well what I'm working on now and I've asked the principals for future. When we're talking about these types of projects, I've asked to create a capacity chart that shows every school's attendance, classrooms, what their actual capacity is and that kind of stuff. So I'm developing some of those parts that would help us make those decisions in the future. Stout asked, so based on the information we have now capacity wise itself. Stepp replied, we're still collecting and trying to get all that together. If you look at it and you just put them by room and all that you know, South's capacity isn't maxed out, but if you look at programs and Dawn has a good plan on what programs are going to be where. In those rooms will be used, but I don't have cleared data yet, because you got Pre-K numbers and then you got K-2 numbers and so on. The different grade bands require different numbers of kids in classroom. I don't have an exact look, but from what I have capacity wise, I don't think any of our schools are close to being maxed out yet. Boston replied, but facilities is ever changing. I don't care which school you go to, it's ever changing. Stepp replied, but if you do it by the direct numbers or just classroom. This amount of students, then it comes out to be you know whatever percentage 70-80% whatever. You have to look at starting adding programs. Then you're looking well we need; we're adding CTE this and STEM that and all this. Then you're looking at having to plan out actually using the rooms. Stout asked, so if we didn't add the rooms. Stepp replied, I think North is using two portables right now. Is that correct? Boston and Hamby replied, yes. Stepp continued, one for CTE. I think maybe. Something like that. Stout asked, and those are the only two schools using portables that are left right now. Boston replied, I think. Hamby replied, they are on list for next year renovation. Stout asked, so if we weren't able to figure out how to do the classrooms this year, would it compromise the CTE program over there? Would we not be able to develop it out or would we be able to have a workaround for it. That would be talking to Mrs. Hall and we just see what what's there and who has to move. You'd have to move a lot of stuff around and probably RTI in a closet or something. I don't know. Hamby replied, and then we lose this bid and it's going to come up higher yeah. Safdie asked, Mrs. Hall why do we need those classrooms? Hall replied, so I currently have four classrooms that are being shared by multiple occupants. I've have three teachers in one classroom. I have my RTI room houses four individuals all day long with upwards of 10 to 15 kids. I'm still using one portable for one of my CTE classes. I have some people in this room. It's used part of the day for this. For this part of the day for this. So currently we do not have space for every single person in capacity as far as the programs that he's offering. We are able to offer RTI for our children, SPED services for our children. You're looking at speech and

occupational therapy. They're doing those in hallways currently because I do not have a space to do them. So you know when you look at the numbers like you said, as we add more programs and more resources for our children. When I have someone come, when my safe schools counselors come, I have them in a closet counseling. When I have you know different people that come in to do testing for kids, we don't have a place that is quiet. We're moving them here to here. I think most schools are going to be somewhat in that range. At one time South had a 1,000 kids and had multiple classrooms that way and we had seven portables, but Mary has worked very hard, because they're weren't in good condition. We have one that's still being used for students and I I doubled up. When I started I had all of them being used when I had 5 there. Safdie asked, how's your Art Program? Hall replied, so I have a room for art. I do have a room for art. I have a room for music. All my special areas have rooms. My CTE rooms are shared part of the day. They might be, but next year they'll be full-time with the grant that we're receiving. So then my problem becomes the people that I was using those rooms in the afternoon. I don't have a spot for. So I'm thinking you know. We're going to have school and we're going to teach children. We're going to love them and we're going to be able to do, but the classrooms would be an added bonus for us. Safdie replied, I'm sure that most of you all are aware that over the past since 2004 the Board of Education has made one of its significant priorities to get rid of portables. So I'm glad you're down to one. Let's get rid of that one. Stepp replied, you do great job Mrs. Hall. Boston replied, I think it would, it would be a pinch. I think we're going to pinch ourselves, but. Nichols asked, does Kim think we can pinch ourselves. Bray replied, as long as I don't blame Mary and I. Safdie replied, blame it on me. Boston replied, we will send out nice cards explaining. You know we've got to start somewhere and you know I don't think this board has enough money. That's okay, you're getting bathroom partitions this year and you're getting a paved; I mean we're doing the best we can do and still taking care of our facilities and if I have a child that needs braces, you know. I've got a child that needs braces and the other one gets flip-flops. I'm sorry it's just the way it is. It's the need at the time. Nichols replied, we'll get caught up. Boston replied, we will and with such an aggressive maintenance, I don't think anybody's gonna blame you and Mary. If anybody bullies you, let me know, but I think now is the opportunity in which to get this done. We had this in mind last year when did the budget and I hate to see us go backwards. So now's the time if someone would like to make a motion that we recommend to the County Finance to accept the 2.2 bid and we have the adequate appropriation. Safdie replied, I move that we accept the \$2,210,000.00 bid from FTM Contracting and. Boston replied, and we have adequate appropriation. Safdie continued, and we have adequate appropriations. Hamby replied, I'll second. Nichols replied, we won't blame Kim and Mary. Boston asked, any more discussion? Stout replied, just one quick question. We're doing this just with the base bid and we're going to handle the alternate one like we were for the tiles? Boston replied, for the contingency, we can do the flooring if it's not. Stout continued, just the base bid that we're recommending. Boston replied, and we've got 200 in this particular project. A Roll Call Vote was taken.

Boston advised, we have voted to accept that and move forward with that project. Stepp advised, I'd like to thank you guys for being patient with me learning how this works. We've had several other people give us some good advice and that's why I filled out that whole Google Doc. That's just all stuff for you guys, but thanks for your patience. Boston replied, I will say this that Mrs. Bray and Mr. Stepp both have been tremendous working through. They knew their information and it's been helpful very, very helpful. Nichols replied, we appreciate you, both of you. Boston continued, I know that we don't have a full board here tonight, but I think I'm gonna throw this out, but we are going to have to seriously start looking at Homestead. Nichols replied, the safety of that concerns me greatly. Safdie asked, do you want to have Mr. Stepp explain? Stepp replied, this came on my mind after last week, but the safest way for Homestead is to be a single-entry facility. I thought about it a lot and I've mentioned it to some of you guys. I would think coming up with a wing for the, I think it's Pre-K through 3rd grade is in the new construction part. Everybody else is spread out in the different buildings, which creates a safety concern. I know all of our partners in law enforcement agree with us. That it's a huge,

huge undertaking to figure out a safety way for that. So by adding a wing there to cover the other classes that are in these cottages that's connected to the new part would make it a single entry facility and that's just my thinking, initial thinking the past week and a half here. Safdie asked, Teresa where would you like to go with this, at this point? Boston replied, I just wanted to make every okay; okay we've gotten past the CCHS Auditorium and South classrooms, but Homestead is a security issue, a safety issue. So I think as everything develops and Mr. Stepp further develops this idea. Then we're already one step closer and we've been made aware that it's coming. Stepp replied, Mr. Chamberlin and I, we talked about possibly meeting in the next week or two and go out there and look at that and then give you options, report on kind of what we talked about and stuff maybe for the next board meeting. If that would satisfy. Hamby replied, that would be great. Boston replied, y'all can be ready to bring up the discussion. Safdie replied, in discussion there's lots of ways in doing that. There's significant public awareness that has to take place in the Homestead Community to guarantee that the school will maintain its historic value, but also its use. So that it the little classrooms don't deteriorate. Stepp replied, and that was my discussion with Mr. Chamberlin. We talked about placement of a new wing that would allow the historical integrity to stay intact. I've just thought out loud what some of you just thinking about we have system services that could occupy those different pods. So that would have to be maintained. We'd have somebody in those every day. So there's different options and we're growing also as a system. So our services are growing and departments are growing to match those needs. So it would be used. They wouldn't be just left there. Safdie replied, there wouldn't be really any cost savings, because the utilities would be the same. Plus more, because of that. Boston replied, it's almost like repeating the Justice Center. Chamberlin replied, been there, haven't we? Safdie continued, been to Homestead, haven't we Mr. Chamberlin? Chamberlin replied, a couple of times. Boston replied, okay I just wanted to put that out there so everybody could kind of start thinking about that.

Motion to accept the \$2,210,000.00 bid from FTM Contracting and we have adequate appropriation.

VOICE VOTE: (mover-yes) Safdie

(seconder-yes) Hamby

Yes: 7, No: 0

MOTION: Motion Carried

7. Old Business - Boston replied, is there any old business that needs to be discussed? Safdie replied, yes. Boston replied, I am so sorry. The Crossville Chronicle produces a Cumberland Now Magazine. This last month was on some of our students. If you have not seen this, it's incredible. It highlights some of our students and it's wonderful. Stepp replied, they did a great job. Boston replied, she did a great job, plus you were kind enough to go get all the board members a copy. That we are sending home so that we can have and thank you and if you would tell Heather Mullinix we said thank you. She did a great job and we appreciate that.
8. Questions from Media - Boston asked if there were any questions from the media. No questions were asked.
9. Adjournment - Boston replied, if no questions from the media, I'll entertain a motion to adjourn. Hamby replied, I make a motion to adjourn. Stull replied, second. The meeting adjourned at 6:06pm.

Motion to adjourn at 6.06 p.m.

Bid Tab

Page 1 of 2

Pursuant to the Invitation to Bid extended for
South Cumberland Elementary School
Additions and Renovations
Crossville, TN

bids and modifications must have been received here by
Wednesday, March 22, 2023 at 2:00 PM CT
 I, thus declare the bidding closed.

Signature required only by Presiding Official.
 Others can be printed or typed.

Presiding
 Official

Architect
 represented by

Owner
 represented by

Mallan Brock
Ki-Hye Choi

Bids opened in
Crossville, TN

How many
 addenda issued: **3**

Contract Time
365 Days

Liquidated Damages
\$500 per day

Bidders (name, city, license number)	Adju Ach	Bid Security	Base Bid	Alternate #1 Add Floor Finish	Regulated Subcontractors
Name FTM Contracting City Cookeville, TN License Number 37040 ✓	✓	✓	\$ 2,210,000.00	\$ 32,500.00	Plumbing - Stone Service HVAC - Stone Service Electrical - Cherry Creek Masonry - Josh Tollett Geothermal - N/A
Name J.A. Sergio & Sons City Sparta, TN License Number 27823			NO Bid		Plumbing - HVAC - Electrical - Masonry - Geothermal - N/A
Name Lee Adcock Construction City Shelbyville, TN License Number 27767 ✓	✓	✓	\$ 2,310,431.00	\$ 59,000.00	Plumbing - Stone Services HVAC - Stone Services Electrical - Cherry Creek Masonry - MTT Masonry Geothermal - N/A
Name Mid-State Construction City Livingston, TN License Number 17381 ✓	✓	✓	\$ 2,298,000.00	\$ 66,000.00	Plumbing - Stone Services HVAC - Stone Services Electrical - Cherry Creek Masonry - Josh Tollett Geothermal - N/A
Name Path Construction City Arlington Heights, IL License Number 72457 ✓	✓	✓	\$ 2,453,000.00	\$ 53,000.00	Plumbing - Stone Services HVAC - Stone Services Electrical - Cherry Creek Masonry - Josh Tollett Geothermal - N/A
Name Stubbs Construction City Crossville, TN License Number 72311			NO Bid		Plumbing - HVAC - Electrical - Masonry - Geothermal - N/A

Board of Education
April 13, 2023 5:00 PM
Central Services Board Room

The Cumberland County Board of Education met in a special session on Thursday, April 13, 2023, in the Central Services Board Room, where the meeting was called to order by Chairman Boston at the approximate hour of 5:00 pm. Boston welcomed everyone to the meeting and appreciated everyone for attending.

BOARD MEMBERS:

Teresa Boston:	Present
Mr. Nick Davis:	Absent
Ms. Anita Hale:	Present
Mrs. Rebecca Hamby:	Present
Mr. Chris King:	Present
Ms. Sheri Nichols:	Present
Robert Safdie:	Absent
Ms. Shannon Stout:	Present
Ms. Elizabeth Stull:	Present

Also in Attendance:

Earl Patton, Attorney
Moira "Mo" Cahrnot, Media

1. Call to Order- Ms. Teresa Boston (See above)
2. Moment of Silence/Pledge of Allegiance- Ms. Teresa Boston- Boston led the board members in a Moment of Silence. After a moment of silence, Boston led the audience in the Pledge of Allegiance.
3. Roll Call (See Above)
4. *Approval of Agenda (See Exhibit #1) Boston advised, next is the Approval of the Agenda. Hamby advised, I make a motion to approve the agenda. Hale advised, second. Boston advised, okay I have a first and second to approve the agenda. A Voice Vote was taken.

Motion to approve the agenda.

VOICE VOTE: (er-yes) Hamby

(seconder-yes) Hale

Yes: 7, No: 0

MOTION: Motion Carried

5. *South Cumberland Elementary Renovation and New Construction Re-Bid - Boston advised, next on the agenda is the South Cumberland Elementary Renovation Rebid. We're going to let Mr. Stepp kind of take us up to where we need to be on this. Stepp replied, so after the original recommendation was approved, Mrs. Bray and Mr. Chamberlin talked about it not being Federal money anymore, funding this project and with that being the case, then Federal regulations and requirements aren't needed for this. Which would be possible to save this one we think up to 10%. Is that right Mr. Chamberlin? Chamberlin replied, 0 to 10. Something like that. Chamberlin replied, I've talked with some different people about it and we've heard numbers somewhere between 5 and 10%. Kind of the guesses that some contractors have given me. The contractor that was low, I did ask them to go back to their subcontractors and say what can you save. They came back with a response of \$25,000. Which is about 1%. It's a little bit of a guess on our part, but we think it should be more than that and, again, I think the only way we know we're getting fair dollars would be to put it back out to bid. So therefore, that was my recommendation and I think the Finance Department would probably have pushed us in that direction a little bit too. When you know you're already asking people for credits and the fairness of whether you're getting dollar for dollar. Stepp replied, so, with that being said, that's when I sent the information email out to everyone to explain. Just that, so that we knew it would be a savings. So if this is something that we want to do, there's a couple of steps in place. So there'd have to be a motion to rescind our recommendation and then a motion to rebid. Chamberlin replied, so basically we just need you to have a motion to reject all bids. You can go back and just say you want to rescind your original motion and you want to reject the bids and put it back out to bid again. Boston asked, if we put it back out to bid again, are the materials and supplies going to be even an increase to where? Chamberlin replied, we've not seen anything that's made us think that the prices are escalating at the moment. It's certainly always a yes, Mrs. Boston, but we do our best. But I'm not aware of anything that would make me think that we would see a big jump in prices. There's always a little risk when you put anything back out to bid. It's rare that they go down in price, but this is so clean when it comes to the wage rates. For instance, Sheet Metal Workers, when you have wage rates involved. They're rates are \$47 an hour for Cumberland County. That's probably double what's normally paid. It's a big impact. Stout asked, so Mr. Chamberlin when you said that the lowest bidder came back at \$25,000 less. That was the FTM Contracting, which was the one that we had made the recommendation for? Chamberlin replied, yes ma'am. Stout continued, okay, so hearing the 5 to 10% savings. Is that what you're kind of hearing the range from the other three bids from? Chamberlin replied, I've just made some calls to contractors that we work with and just said hey if you look at the difference between a project with wage rates and without. What do you see in labor rates and that's basically what they said. They think labor rates generally increase between 5 and 10% for a project. So if you figured labor would be roughly half of a project cost. That would be say a million dollars on this project, give or take. If you're looking at 5% I mean that's \$50,000 if you get 10% on it you're looking at a \$100,000 worth of savings. So it's a little bit of a risk certainly. The prices could go up in materials, but we can do this in about three weeks time. I just need enough time to get it in the paper and meet the requirements from the Finance Department to advertise it, but since everybody's already looked at it and priced it, we can turn it around. I think in about three weeks time. Boston asked, would it be your recommendation to rebid? Chamberlin replied, it's my recommendation. Hamby advised, Mrs. Boston, I'd like to make a motion that we rescind and

reject the bid that we previously had. Boston replied, we would only rescind our recommendation. We can't reject. Chamberlin replied, you went to then reject the bid and that's your prerogative at any time. You know, projects you can reject any and all bids, for any reason you want, at any time prior to signing a contract, obviously. Boston replied, we've already got a motion approved that we make the recommendation to the County Finance. Hamby replied, I make a motion to withdraw and reject that bid. Boston replied, okay. Stout replied, second. Boston replied, okay, so we have a first and a second to rescind and reject our recommendation to the County Finance and the County Commission for the bid on South. **(1st motion)** Any discussion. No one responded. A Roll Call Vote was taken.

Hamby advised, I would like to make a motion that we allow this South project to be rebid. Boston advised, I'll second that. **(2nd motion)** Any discussion? Hale asked, I wondered where are we getting the money for the South project now? Boston replied, it's coming out of our general fund. Hale asked, and about how much is it? Boston replied, well the first bid was \$2.2 million. Hamby advised, and we had done that in the last special called. Hale replied, yeah, which I couldn't be. Stout replied, the nice thing is, we have a little more time with this now, because we were under time constraints previously. So now we have time to get into the budget and really dig in and look and make sure we're good before accepting anything else when it comes back in. Boston replied, well we've got some time. It's not Federal Funds, it's our money and so that loosens the constraints. Nichols advised, it keeps a little bit more in our rainy day, if we can. Hamby advised, and South needs this completed. When you hear about things happening and counseling going on in closets and students having to meet out in the hallways and classrooms. We need this. Boston advised, well and let me just throw this out there. This is not pertinent, but South was due a renovation of \$750,000 two years ago. We did not do that. This is in fact part of their renovation and so they've kind of been anxiously waiting for this. Hamby advised, I did the motion and you did the I second. Boston advised, I did the second. Any further discussion? Boston asked, does everybody understand the motion? Everyone replied, yes. A Roll Call Vote was taken.

Boston advised, the motion passes. Mr. Stepp you are to. Stepp replied, I'll get with Mr. Chamberlin and Mr. Brock and we'll follow that process. Chamberlin replied, we'll get it out as fast as we can. We should be able to get the advertisement written in the morning. Boston asked, and you feel very; I guess I'm making myself feel better. Just to support that. Chamberlin replied, don't hang me. Boston replied, but this is your business. Chamberlin replied, I think it's the right thing to do even if it comes back at the same price. It's still the right thing to do, to know that you're looking out for the taxpayers money. Nichols advised, yeah we're using our money wisely. Being good stewards. Boston replied, I don't think we ever do, to do that, but I just want to make myself feel warm and fuzzy. That we're doing the right thing. Chamberlin replied, and I did talk to the other bidder, that was second. Just to say, you know, will you rebid this if we put back out and I did get a yes. Well, I would think at least the low bidder and the second would definitely look at it if not more. Boston replied, okay so you think we will? Chamberlin replied, yes we should have two or three back I would think anyway. Boston replied, perfect. Nichols replied, maybe somebody new. Chamberlin replied, stranger things have happened.

Motion to rescind and reject our recommendation to the County Finance and the County Commission for the bid on South.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stout

MOTION: Motion Carried

Motion to allow this South project to be rebid.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Boston

Yes: 7, No: 0

MOTION: Motion Carried

6. Old Business - Boston asked, any old business to discuss? No one responded.
7. Adjournment - Boston continued, if not I'll entertain a motion to adjourn. Hamby advised, I'll make a motion to adjourn. Stout replied, second. The meeting adjourned at 5:10pm.

Motion to adjourn at 5:10 p.m.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stout

Yes: 7, No: 0

MOTION: Motion Carried

William Stepp
Director of Schools

Teresa Boston
Chairperson of the Board

Comment I, Tabitha Webb hereby certify that I reported the foregoing minutes and that I delivered said

Board of Education
April 27, 2023 6:00 PM
Central Services Board Room

The Cumberland County Board of Education met in a regular session on Thursday, April 27, 2023, in the Central Services Board Room, where the meeting was called to order by Chairman Boston at the approximate hour of 6:00 pm. Boston welcomed everyone to the meeting and appreciated everyone for attending.

BOARD MEMBERS:

Teresa Boston: Present
Mr. Nick Davis: Present
Ms. Anita Hale: Present
Mrs. Rebecca Hamby: Present
Mr. Chris King: Present
Ms. Sheri Nichols: Present
Robert Safdie: Present
Ms. Shannon Stout: Present
Ms. Elizabeth Stull: Present

Others in Attendance:

Earl Patton, Attorney
Neil Perak, Stone Memorial High School
Elijah Vandever, The Phoenix School

1. Call to Order- Ms. Teresa Boston (See above)
2. Moment of Silence/Pledge of Allegiance
Hallie Evans-CCHS
Kylie Tanner-CCHS- Ms. Teresa Boston
- Boston led the board members in a Moment of Silence. After a moment of silence, Hallie Evans and Kylie Tanner from Cumberland County High School led the audience in the Pledge of Allegiance. Hallie and Kylie were awarded a certificate of appreciation for their participation in tonight's meeting.
3. Welcome to Visitors - Ms. Teresa Boston - Boston advised, I'd like to say a very special welcome to all of our visitors. Thank you for being with us tonight and showing interest in our children in our school district. We appreciate that more than you know.
4. Special Recognition
-TSBA SCOPE Student Recognition

made the motion to it, so then I guess we have to vote or move to postpone the motion until South rebid's received and we have progressed further with the 23-24 budget process. We have more information. What's it going to cost and what our budgets going to look like. Boston advised, we need a second. King advised, second. Stout continued, what's going to cost and what our budget's going to look like. Boston replied, we are doing a roll call vote on Mrs. Stout's move that we postpone this resolution. Mrs. Nichols advised, I'm really confused. Discussion was made explaining the motion by multiple board members. Stout replied, so my motion was to move to postpone the motion that was made until South rebid is received and we have progressed further with the 23-24 budget process. So we get the rebid back and see what the cost is before we pull money out and reallocate it for it and we wait until we get a little further along in the budget planning process. So we know what it's going to look like with TISA next year. It's so I'm making the movement to postpone the motion to approve. Nichols asked, so what is the benefit? I mean where do we differ on your motion and her motion? Boston replied, she (Hamby) made a motion to approve the resolution. She (Stout) made a motion or she moved to postpone. Hamby replied, I'm making a motion to go ahead and move the money and it allocates it and it's there. She has made the motion to postpone. Nichols replied, and don't put the money in there. Stout replied, so until we get the rebid, so we know what it's going to cost and go to a little further into the budget planning process. Hale asked, we've not voted on the first motion? Hamby replied, we don't have to since she moved or made a motion to postpone it and we have a no and a no and we're waiting on Sheri. Nichols replied, Sheri's still confused. Safdie replied, either way it will work out, because either way the board is going to have to look at the bids and then decide whether to go on with the project or not or whether to fund it or how much to fund it depending on what the bids are. So either way it's going to work out. Shannon's motion is cautionary, saying why make it move now, because we don't have the bids in and Mrs. Hamby's motion is to go ahead and get this over with and just move the money. So when the bids come in, we don't have that step to have to go through. Boston replied, this encumbers the funds for that specific project. Stout replied, reserves them. Hamby replied, for the South Project. Multiple board members spoke at the same time (audio) After additional clarification, Boston continued with the Roll Call Vote. Boston replied, so the move fails. We're going back to the motion to go ahead and move these funds and Kim we had to show that we have the money. Bray replied adequate appropriation. Boston replied, we have adequate appropriation in the line and we're genning to use it. Okay so the motion that we are currently bidding on is to approve this resolution. We have a first and a second. A Roll Call Vote was taken. Boston replied, so the resolution passes.

Bray continued. okay this next one is a grant for North Kids Club. We got the exact same grant last year. This just allows that program to purchase things that benefit that program. Two of our employees is part of the grant. They get a bonus and then the rest is used for things for that particular program. They bought the program equipment and a lot of new things for the program there at North. This is the after-school program. Hamby advised, move to approve. Hale advised, second. **(Motion #6)** Boston advised, okay so the motion is to approve the North Kids Club Grant Resolution for \$57,095.58. Any discussion? No one responded. A Voice Vote was taken.

Bray continued, I believe the next one is a General Budget Cleanup. A Special Education Department, some of it's budget cleanup and then Cassie wrote me a note that this allowed them to purchase for the CDC department at Martin a washing machine. Safdie advised, move to approve. Hamby advised, second. **(Motion #7)** Boston replied, so we have a motion to approve and a second on the resolution for \$14,574.10. A Roll Call Vote was taken.

Bray continued, this is the one we've all been waiting for. This is our Innovative School Model Grant for 6.2 million dollars. Hamby advised, I make a motion that we approve. Stout

advised, second (Motion #8) Boston replied, so we have first and a second on the Innovative School Grant Models Grant. Any discussion? No one responded. A Roll Call Vote was taken.

Motion to approve the 141 Budget Amendment General Budget Reallocation to BOE Construction Account as presented.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) King

Yes: 9, No: 0

MOTION: Motion Carried

Motion to approve the 141 Budget Amendment General Budget Reallocation for CCHS Auditorium as presented.

VOICE VOTE: (mover-yes) Stout

(seconder-yes) King

Yes: 9, No: 0

MOTION: Motion Carried

Motion to approve the 141 Budget Amendment General Fund Reallocation as presented.

VOICE VOTE: (mover-yes) Stout

(seconder-yes) Davis

Yes: 9, No: 0

MOTION: Motion Carried

Motion to postpone the approval of the 141 Budget Amendment General Fund Reallocation South Bldg Project.

VOICE VOTE: (mover-yes) Stout

(seconder-yes) King

Yes: 2, No: 7 Boston: No,
Davis: No, Hale: No, Hamby:
No, Nichols: No, Safdie: No,
Stull: No

MOTION: Motion Carried

Motion to approve the 141 Budget Amendment General Fund Reallocation South Bldg Project as presented.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Safdie

Yes: 7, No: 2 King: No,
Stout: No

MOTION: Motion Carried

North Kids Club as presented.

Motion to approve the 141 Budget Amendment

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Hale

Yes: 9, No: 0

MOTION: Motion Carried

Motion to approve the 141 General Fund Budget Amendment as presented.

VOICE VOTE: (mover-yes) Safdie

(seconder-yes) Hamby

Yes: 9, No: 0

MOTION: Motion Carried

Motion to approve the 141 Innovative School Model Grant Budget Amendment as presented.

VOICE VOTE: (mover-yes) Hamby

(seconder-yes) Stout

RESOLUTION # _____ -

Cumberland County, Tennessee
General Program School Fund

WHEREAS the General budget requires revision to reallocate funding to provide adequate appropriation to fund the South Cumberland Elementary Building Project.

THEREFORE, be it resolved, by the Cumberland County Board of Education meeting on this
27th

day of April 2023, that the following budget amendment be adopted:

General Budget Amendment

Decrease Fund Balance:

141-

39000

Total Decrease in Fund
Balance

Fund Balance-Unassigned

\$2,210,000.00

\$2,210,000.00

Increase

Expenditures:

141-76100-706

Total Increase in
Expenditures

Building Construction

\$2,210,000.00

\$2,210,000.00

SPONSORED BY:

APPROVED BY:

BOE Member

Chairman of the Board

ATTE

ST:

Ayes: ___ Nays: ___ Abstain: ___

Director of Schools

Sponsor: _____

County Commissioner

Approval: _____

County Mayor

Attest: _____

County Clerk

Budget Committee Vote:

Ayes: ___ Nays: ___ Abstain: ___

Budget Committee Meeting May 15, 2023

Central Services Board Room

The Budget Committee met on Monday, May 15, 2023, in the Central Services Board Room where Ms. Teresa Boston called the meeting to order at the approximate hour of 4:36 p.m. She welcomed everyone to the meeting and appreciated everyone for attending.

PRESENT:

Mr. William Stepp, DOS	Robert Safdie, District 2
Ms. Teresa Boston, District 8, Committee Chair	Sheri Nichols, District 3
Mr. Chris King, District 6	Shannon Stout, District 9
Kim Bray, COO	Rebecca Stone, County Commissioner
Anita Hale, District 4	

Absent:

Call to Order – Ms. Teresa Boston

Moment of Silence/Pledge of Allegiance – Ms. Teresa Boston

Proposed '23-'24 Budget

Boston: Thank you, ladies and gentlemen. For all that are here. Before we get started finalizing, I'm going to turn the meeting over to Mr. Stepp. We got a highlighted sheet so he can explain those.

Stepp: So, we started out with a lot shorter list than this and I added stuff we had talked about at the last meeting and there was one other thing I need to add. I forgot to add, but I'm going to add it. #1 raise the certified pay minimum to \$50,000. It's in green because that's addressed in this budget currently. Below that green is just a suggestion that was made by one of the board members to include just to look at, to see if that is a possibility. Also with pay...

Boston: Which Board member?

Stepp: Mr. King and I talked about that. And also after the meeting last week, I had a Community member asked me about classified pay. Why we were just doing 4%? What would it look like if it was five or six or seven or eight? So I meant to add that on #1 and I forgot. So that was a question proposed to me after the meeting. We are addressing raising the bus drivers pay so #2-it's in the budget to raise this to average really close to a \$100 a day. We still have the scale from \$72 to \$120 ish that we talked about last time, so we are addressing that. Everything is a green light on auditorium. So #3, South Cumberland is on its way, and then Homestead, and I put Homestead, what Kim Chamberlin suggested down on this table, so if anybody wants to look at it. Ms. Boston

Boston-Is that the \$235,000?

Bray-That's the \$24,000.

Boston-Oh, I'm sorry.

Bray-Principal on the debt, like I said, that's one payment that's \$24,328. The interest on that is \$61.00 for a total debt service of \$24,389 and we're done.

Boston-Who monitors our HVAC?

Bray: We do.

Boston-And we're OK with that?

Bray-We're installing the new Pelican controllers, through federal programs and ESSER and I really feel like it's going to be much more user friendly because they are not nearly as proprietary as the TRANE systems. We're working our way through that in so many units as well.

Boston-How long did we have- was it a 10-year contract?

Bray: It was.

Boston-That's what I thought.

R. Stone-I just want to ask one more question if I can, because it looks like you're showing in this year's budget, and I know y'all requested-y'all approved and requested money for the South Cumberland project.

Bray-Correct.

Stone-And I know that the Commission didn't vote on it because it am I correct, it puts you too close to your fund balance? And I think adding it this year may put us in trouble with it. Because the accounting is going to look like y'all have overspent. And if you move it to this year's then I think-I mean if that's your priority for this year, then it should be in that proposed '23-'24.

Boston-We moved it in this year's budget and it's not going to affect our numbers.

Stone-It's not going to affect your numbers but it won't make this year's accounting follow the state guidelines.

Boston: Yes it will.

Stone-In other words, if we approve it then we've approved putting you potentially over your fund balance.

Boston-Is that the case, Kim?

Bray-No. We will be within the minimum this year, if we leave it in this year. But yeah, you are correct, it was not approved, initially when I presented it last month, this month.

Stone-It would be better if it went into next year's budget. And it's not going to change your outcome, but it's just going to show that you have spent the 3.8 million...

Boston-No disrespect, but the board approved that resolution, and we sent it forward for your approval. It does not do anything to our budget as far as putting us too close or putting us...

Bray-No. I mean, we are still within....

Boston-We're still within it.

Bray-It's just we will present again in June.

Stone-Right. But again to have something to be official in the budget, with that kind of transfer, it has to have Commission approval as well.

Boston-Right. And it's in your hands right now to either approve or deny.

Stout-When we include it in the budget, the next time we present it to them.

Boston-No, it's...

Stone-If it's not approved, it can just be in next year's budget.

Boston-It's in this, it's in our current year's budget. And we that's why we had to do a resolution.

Stone-Right. But that was the resolution wasn't approved to move it in this year's budget. I'm just saying, why not put it in next year's budget and present it, and then it'll be through?

Boston-Kim was the resolution to put it in this year's budget?

Stone-Yes.

Bray-Yes. I mean that was what we took was to put it in this year budget.

Boston-I thought it was....

Bray-We had to move adequate appropriations and that was the way we had to do it. But I had to put it in this year.

Boston-In the current year, not the projected budget.

Bray-No, no, ma'am, no.

Boston: That's what I thought.

Stone-It's the budget that was passed last fall that you're actually trying to add to.

Boston-We're just moving it.

Bray-From fund balance to building improvement.

Stone-But to move two point something million dollars you have to have the Commissioner approval and I think if you just put it in this year's budget, then you set your priorities. Versus putting it in this year's budget when it wasn't approved, I don't see the difference in putting this year's or next year's budget.

Boston-Because this Board has already approved it, and if we transfer it from General Fund balance to building projects, there's no difference.

Stone-I just hope you all understand what I'm saying.

Boston-We do, we do, we completely do. Go ahead, Ms. Bray.

Bray-That's pretty much it. And then we get to our grand total expenditures, which is \$69,878,000 which gives us the difference in revenues and expenditures of \$1.246.

Boston-Go back up to 590, and explain that to some of our new members-what that might be.

Bray-Well, basically this year we loaned to 142, which is federal programs, we've sort of advanced them some money. Most of those things that they do is on a reimbursement basis. So, we had to front them some money so they could pay some bills and then get reimbursed. We're basically kind of like their banker. Now you're going to ask me because I asked Nathan the same question, we're never going to have 10 million dollars to give to them for CCHS auditorium, and he said in that particular instance, basically, the Comptroller's office realizes that, and they're kind of going to turn their heads, so to speak, for that particular project.

Boston-Because we could have a bill for well over \$1,000,000 at any given time, how do we pay that?

Bray-I mean, they'll allow it to be paid and then they'll get reimbursed for it.

Boston: The county?

Bray-Yes. That is the only way we can do that because all federal is done on the reimbursement basis. But that's what we did was to help them out. We basically gave them \$1,000,000 out of the general fund that sits in 142 to give them some working cash.

Boston-So we end up with the fund balance of 6.9 million? Is that what you said?

Bray-No, our fund balance at the end of '23-'24 would be \$3,919,130.

DRAFT

Harris		Actual	Actual	Actual	Actual	Budget	Projected	Proposed	Difference of Budget	
76000	CAPITAL OUTLAY	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2021-2022	2022-2023	21-22 to 22-23	76000
76100	REGULAR CAPITAL OUTLAY									76100
307	Communications								-	307
321	Engineering Services	14,616	13,140	20,000	62,000	30,000	15,000	80,000	50,000	district engineering
331	Legal Services								-	331
706	Building Construction		15,209	150,000	82,000	130,000	130,000	10,000	(120,000)	Transition Academy, finish and furnish
707	Building Improvements			540,001					-	CO furnishings in 18-19, OCR updates in 19-20 @
715	Land								-	113,000 plus 390,001.08 in audit adjustments from
724	Site Development								-	18-19
799	Other Capital Outlay	125,167	75,159	150,000	150,000	150,000	150,000	150,000	-	School and department needs \$10,000 per school,
										and \$30,000 for district use
	Total Capital Outlay	139,783	103,508	860,001	294,000	310,000	295,000	240,000	(70,000)	
82130	DEBT SERVICE									82130
620	Principal on Debt	322,806	260,984	267,552	274,350	281,256	281,256	288,372	7,116	Principal on debt, moved here from 72610.699 in
82230	DEBT SERVICE									August, 2017
620	Interest on Debt	41,514	31,944	25,344	18,580	11,640	11,640	4,524	(7,116)	Interest on debt, moved here from 72610.699 in
										August, 2017
	Total Debt Service	364,320	292,928	292,896	292,930	292,896	292,896	292,896	-	
99100	TRANSFERS									
590	Transfers Out	200,000	767,331					1,000,000	1,000,000	Transfer to 142 for cash flow balance
	Total Transfers Out	200,000	767,331					1,000,000	1,000,000	
	GRAND TOTAL EXPENDITURES	52,661,541	53,967,593	56,095,320	54,262,318	59,882,274	56,725,066	65,663,881	5,781,607	
		Actual	Actual	Actual	Actual	Budget	Projected	Proposed	Difference of Budget	
		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2021-2022	2022-2023	20-21 to 21-22	
	Difference in Revenues and Expenditures	815,584.18	1,256,024	(36,159)	4,134,063	(3,239,862)	556,373	(7,569,794)	(4,329,932)	
	Fund Balance	Actual	Actual	Actual	Actual	Budget	Projected	Proposed	Difference of Budget	
		2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2021-2022	2022-2023	21-22 to 22-23	
	Excess of Revenues and Other Sources									
	Over (Under) Expenditures and Other Uses	815,584	1,256,024	(36,159)	4,134,063	(3,239,862)	556,373	(7,569,794)	(4,329,932)	
	Beginning Fund Balance	Audited	Audited	Audited	Audited					Required To Leave 3% Fund Balance Reserve
		4,921,616	5,811,770	7,393,966	7,358,707	7,438,295	11,804,806	12,361,179	4,922,884	1,969,916
	Ending Fund Balance/Reserves	Audited	Audited	Audited						Overage or (Shortfall)
		5,811,770	7,393,966	7,358,707	11,804,806	4,198,433	12,361,179	4,791,385	592,952	2,821,469

2023-2024 Maintenance Budget Work Sheet

1 North -----	Renovation	750,000.00
2 Pleasant Hill -----	Campus Paving	200,000.00
3 North Elem -----	Flooring	50,000.00
4 Phoenix -----	Flooring	50,000.00
5 Pleasant Hill -----	Flooring	50,000.00
6 North -----	Environmental cleaning	20,000.00
7 Pleasant Hill -----	Parking lot lights	100,000.00
8 Crab Orchard -----	Bathroom Partitions	25,000.00
9 Homestead -----	Bathroom Partitions	25,000.00
10 North -----	Bathroom Partitions	25,000.00
11 Pine View -----	Bathroom Partitions	25,000.00
12 SMHS -----	Bathroom Partitions	25,000.00
13 Central -----	Bathroom Partitions	25,000.00
14 North -----	Door Replacement	85,000.00
15 North -----	Painting int/ext.	200,000.00
Pleasant Hill -----	Gym floor Complete	50,000.00
All schools Maintenance Repairs		\$180,000.00

Subtotal \$1,885,000.00

Panel questions South renovation, fund balance

By Heather Mullinix | Editor
hmullinix@crossville-chronicle.com

Cumberland County Board of Education Chairperson Teresa Boston wants to move forward with rebidding a renovation project at South Cumberland Elementary.

Boston said the project has not yet been rebid because funding has not been allocated. The county budget committee took no action on the budget amendment in May. It's set to consider it again Tuesday night.

"We made a commitment to build the Cumberland County High School auditorium and we made the commitment to add these South classrooms," Boston said during the June 1 meeting of the County Commission's budget committee, which was reviewing the school system's budget. "We decided 2 1/2 years ago that South was needed. And the board has voted unanimously to do that. The board supports that 100%. We want to see this project through."

The panel is set to meet again Tuesday at 4:30 p.m. where it will again consider the budget amendment.

The renovation will add six classrooms to the school, four for the upper grades and two for the lower grades. It will eliminate use of a portable classroom currently used for part of the school day for career and technical education or

tutoring programs.

It was set to be built using federal COVID-19 relief funds and was bid at \$2.2 million. Those bids were rejected when the school system decided to use local funding for the project, which changes some of the required items of the bid, like a federal wage scale. The board hoped to rebid the project at a lower cost.

But members of the county's budget committee questioned approving the budget amendment, citing questions on the need for the renovation and the impact on the school system's fund balance.

"I'm not second-guessing anything," said Rebecca Stone, 3rd District commissioner. "We've seen the decrease in the fund balance. Do we think it prudent to take another \$2.2 million out?"

The 2016-'17 budget fund balance approved was about \$1.8 million. The 2017-'18 budget approved by the county anticipated a fund balance of \$1.9 million, about \$257,000 over the required 3% reserve. The proposed 2018-'19 budget put the fund balance at exactly the required 3% reserve.

But revenues were good that year. The projected starting fund balance increased to \$5.8 million thanks to robust sales tax collections. The actual ending fund balance for the 2018-'19 budget was \$7.3 million and, by the end of the 2020-'21 fiscal year, \$12.3 million.

Last year, the budget used \$7.5

million to balance the budget.

That budget included several new positions, a district-wide upgrade in wireless internet connectivity, three buses, and about \$2 million in maintenance projects.

The proposed school system budget for 2022-'23 includes an 8% raise for certified personnel, 4% for non-certified personnel, additional new buses and \$2.4 million in maintenance projects

"[W]e still have a \$1.3 million fund balance," Boston said. "We've never had that."

She added the board has set a goal of building up its reserve fund.

"The last two years, we've had an excellent fund balance. The discussions were, let's keep this until we see what the CCHS auditorium and South additions look like. If we don't need it, it's there.

"It just so happened that we didn't have enough [federal] money to do CCHS ... if you approve that resolution, where does that leave South?"

Boston questioned why the committee would want to stop a project approved by the board to increase the fund balance.

"The committee has approved \$386,000 as a fund balance. We're a million over that," she said. "We've been very cautious on our expenditures. We've been very dedicated to our expenditures."

Darrell Threet, 3rd District commissioner, said, "If they've got

the fund balance they're supposed to have by law, leave them alone."

Stone countered the commission had responsibility to approve or reject any inter-fund transfers.

Threet previously served as principal at South Cumberland. The school was built in 1980 and has never had a renovation or addition. The renovation was part of a school system maintenance plan intended to update key parts of school facilities, like restrooms. Prior renovations under the plan addressed needs at CCHS and Martin Elementary.

"Fair is fair. If it's their turn, it's their turn," Threet said.

The school had been slated for a renovation of about \$750,000, but that project was put on hold as the school system grappled with the COVID-19 emergency and found it may qualify for federal funding to add new classrooms to the school.

South Principal Dawn Hall told the school board four classrooms are currently being shared by multiple occupants, with three teachers using one classroom.

Special education classes, response to intervention and instruction and counselors use hallways and closets to meet with students. Director of Schools William Stepp noted that many schools are using "every nook and cranny" of facilities to provide tutoring and other academic interventions.

"The one thing I see that was

not approved was a feasibility study, one that would determine the priorities, the needs, etc," John Patterson, 9th District commissioner, said. "Without the study, we can't do renovations, we can't do renovations simply because 'it's our turn.' We need to do it on a priority basis."

Patterson said Homestead Elementary, with multiple small buildings on the campus, may need renovations due to safety concerns.

He said a study could evaluate student growth trends and areas where population may be increasing in the coming years.

"That is a crucial point that should be undertaken," Patterson said.

Boston said the budget includes \$1.1 million for a renovation at North Cumberland, as part of the maintenance plan. The board is considering a feasibility study for its facilities, but that has not come before the board yet.

"We are working in that direction," Boston said. "But the renovation at South has been approved by the board three, four times."

Threet said, "I don't feel like the county commission needs to micromanage the school board. There's a lot of stuff the school board does that I don't necessarily agree with, but I'm not on the school board.

"If they want to do this, they need to do this."

UPCOMING CLOSING

Monday



Teresa Boston <teresa@bostonslaw.com>

Re: 2023-2024 Maintenance Budget Work Sheet

1 message

William Stepp <steppw@ccschools.k12tn.net>

Thu, Jun 8, 2023 at 6:01 PM

To: Teresa Boston <teresa@bostonslaw.com>

Cc: Earl Patton <epatton@pattonhyderlaw.com>, BOE Members <BOEMEMBERS@ccschools.k12tn.net>

Mrs. Boston,

That form/paper with additional notes did not come from me or my staff.

With Kind Regards,

William G. Stepp
Director of Schools
Cumberland County School System
368 4th Street
Crossville, TN 38555



Phone: 931-484-6135

Fax: 931-484-6491

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipients and may contain confidential and privileged information or be otherwise protected by law. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

On Thu, Jun 8, 2023 at 9:37 AM Teresa Boston <teresa@bostonslaw.com> wrote:

Mr. Stepp,

Do you have any information on where these notations on this document that Mr. Patterson referred to at the meeting on Tuesday came from? Also do you have any ideas as to where he might have obtained this document?

As I said in the meeting the Boe has never received any of this information much less on the Maintenance Work Sheet.

Thank you

Teresa Boston

----- Forwarded message -----

From: **John Patterson** <johnpattersonjr@comcast.net>

Date: Tue, Jun 6, 2023 at 9:35 PM

Subject: Fwd: 2023-2024 Maintenance Budget Work Sheet

To: Teresa@BostonsLaw.com <Teresa@bostonslaw.com>

I've attached a scan of the subject document as you requested..**Perhaps you may understand my concerns regarding priorities, especially when you've learned that the fire alarms at CCHS were inoperative for weeks.**

Cumberland County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: Boardmanship Code of Conduct	Descriptor Code: 1.2021	Issued Date: 01/23/20
		Rescinds: 1.1061	Issued: 09/28/17

1 The Board adopts these standards as recommended by the Tennessee School Boards Association as a
2 guide to its members as they provide educational leadership for the youth of our state.

3 **MY RELATIONS TO THE CHILDREN**

- 4 1. I will at all times think in terms of “children first,” always determining how my actions and
5 decisions will affect the education and training of children.
6
7 2. I will seek to provide equal educational opportunities for all children.
8

9 **MY RELATIONS TO MY COMMUNITY**

- 10
11 1. I will endeavor to appraise fairly both the present and future educational needs of the
12 community and to support improvements as finances permit.
13
14 2. I will represent at all times the entire school community and refuse to represent special interests
15 or partisan politics.
16
17 3. I will endeavor to keep the community informed about the progress and needs of the schools.
18
19 4. I will represent the Board and the school district to the public in such a way as to promote both
20 interest and support.
21
22 5. I will refer to other board members, staff, students and the public with respect when using
23 social media.

24 **MY RELATIONS TO TEACHERS AND PERSONNEL**

- 25 1. I will support the employment of those persons best qualified to serve as employees and insist
26 on a regular and impartial evaluation of all staff.
27
28 2. I will support and protect personnel in performance of their duties.
29
30 3. I will not criticize employees publicly but will express any relevant concerns to the Director of
31 Schools for investigation and action if necessary.
32
33

1 MY RELATIONS WITH OTHER BOARD MEMBERS

- 2 1. I will understand that the Board makes decisions as a team and that individual board members
3 may not commit the Board to any action.
4
- 5 2. I will accept the will of the majority vote in all cases and give support to the resulting action.
6
- 7 3. I will work harmoniously with other board members without trying to dominate the Board or
8 neglect my share of the work.
9
- 10 4. I will refuse to make promises as to how I will vote on a matter that will come before the Board
11 .
12
- 13 5. I will make decisions only after a complete discussion of items at a Board meeting.

13 MY RELATIONS WITH THE DIRECTOR OF SCHOOLS

- 14 1. I will support the full administrative authority and responsibility of the Director of Schools to
15 properly discharge all professional duties.
16
- 17 2. I will hold the Director of Schools accountable for working with staff and requiring them to
18 work within the framework of policies set up by the Board.
19
- 20 3. I understand that the Board sets the standards for the school district through policy.
21
- 22 4. I will refer complaints and concerns to the Director of Schools when appropriate.
23

24 MY RELATIONS TO MYSELF

- 25 1. I will uphold the integrity and independence of the position.
26
- 27 2. I will become familiar with federal and state education laws and school board policies.
28
- 29 3. I will educate myself regarding my duties and responsibilities and current educational issues by
30 individual study and through participation in programs providing needed information.
31
- 32 4. I will continually advocate for the goals of the school district.
33
- 34 5. I will vote and act impartially for the good of the school district.
35
- 36 6. I will avoid conflicts of interest, and will refrain from using my position on the Board for
37 personal or partisan gain.
38
- 39 7. I will strive to attend all board meetings and become informed concerning the issues to be
40 considered at those meetings.
41
- 42 8. I will model civility to students, employees, and all elements of the community by encouraging
43 the free expression of opinion by all board members and engaging in respectful dialogue with
44 fellow board members on matters being considered by the Board.

Cumberland County Board of Education			
Monitoring: Review: Annually, in September	Descriptor Term: Code of Ethics	Descriptor Code: 1.106	Issued Date: 04/27/23
		Rescinds: 1.106	Issued: 08/28/08

**CODE OF ETHICS
CUMBERLAND COUNTY**

General¹

Board members and school district employees may not accept, directly or indirectly, any gift, money, gratuity, consideration, or favor that a reasonable person would understand was intended to influence the vote, official action, or judgment of the board member or employee in executing decisions affecting the school district. It is also prohibited for a board member's or an employee's spouse or child living in the same household to accept such items.

Disclosure of personal interest in voting matters.

A Board member or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the Board member or employee's vote on the measure. In addition, the Board member or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in voting matters.

A Board member or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's Board member or employee's vote on the measure. In addition, the Board member or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 4. Acceptance of gifts and other things of value. A Board member or employee, or Board member or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district that a reasonable person would understand was intended to influence the vote, official action or judgment of the official or employee in executing decision-making authority affecting the school district.

It shall not be considered a violation of this policy for a Board member or employee to receive entertainment, food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in connection with a conference sponsored by an established or recognized statewide association of school Board officials or by an umbrella or affiliate organization of such statewide association of school Board officials.

1 Section 5. Ethics Complaints.

2 The Board may create a School District Ethics Committee (the “Ethics Committee”)
3 consisting of three (3) members who will be appointed to one-year terms by the Chairman of the Board
4 of Education with confirmation by the Board . At least two (2) members of the committee shall be
5 members of the Board. The Ethics Committee shall convene as soon as practicable after its
6 appointment and elect a Chair and a Secretary. The records of the Ethics Committee shall be
7 maintained by the Secretary and shall be filed in the Director of schools’ office, where they shall be
8 open to public inspection.

9 Questions and complaints regarding violations of this Code of Ethics governing ethical conduct should
10 be directed to the Chair of the Ethics Committee. Complaints shall be in writing and signed by the
11 person making the complaint, and shall include details as to the facts surrounding the complaint.

12 The Ethics Committee may investigate, an ethical complaint received against a Board member or
13 employee and make recommendations for to cease any activity that, in the Ethics Committee’s
14 judgment, constitutes a violation of this Code of Ethics. If a member of the Ethics Committee is the
15 subject of a complaint, such member shall recuse himself/herself from all proceedings involving such
16 complaint.

17 The Ethics Committee may:

18 (1) Refer the matter to the Board Attorney

19
20 (2) In the case of a Board member, refer the matter to the school Board of Education for possible
21 public censure if warranted;

22
23 (3) In the case of an employee refer the matter to the Director of Schools/designee for possible
24 disciplinary action if warranted.

25
26 (4) In a case involving possible violation of state statutes, refer the matter to the District Attorney for
27 possible ouster or criminal prosecution.

28 The interpretation that a reasonable person in the circumstances would apply shall be used in
29 interpreting and enforcing this Code of Ethics. When a violation of this Code of Ethics also
30 constitutes a violation of a personnel policy or a civil service policy, the violation shall be dealt with
31 as a violation of the personnel or civil service provisions rather than as a violation of this Code of
32 Ethics.

33 Section 6. Definitions:

34 (1) “School district” means Cumberland County School District, which was duly created by a public
35 or private act of the General Assembly; and which includes all boards, committees, commissions,
36 authorities, corporations, or other instrumentalities appointed or created by the school district of an
37 official of the school district.

38
39 (2) Board members and employees” means and includes any Board member, whether

1 elected or appointed, officer, employee or servant, or any member of any Board, agency, commission,
2 authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of
3 the school district.

4
5 (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance
6 with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the
7 Board member or employee's spouse or child living in the same household, in the matter to be voted
8 upon, regulated, supervised, or otherwise acted upon in an official capacity.

Legal References

1. TCA 8-17-103

Cumberland County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: School District – School Board Legal Status and Authority	Descriptor Code: 1.100	Issued Date: 07/27/17
		Rescinds: 1.100	Issued: 12/18/08

- 1 The legal basis for education in Tennessee is expressed in the state Constitution and state statutes, as
2 interpreted by the courts. Boards are instruments of the state, and members of the Board are state officers
3 representing local citizens and the state in the management of the public schools.¹
- 4 The governing body shall be the Board of Education, serving residents within the boundaries of the
5 school system and non-residents under conditions specified by state law and the Board.²
- 6 All powers of the Board lie in its action as a group; therefore, individual board members exercise their
7 authority over school system affairs only as they vote to take action at an official meeting of the Board.
- 8 Board actions, decisions, and policies are official only when approved by the majority of the membership
9 of the Board at a legally constituted meeting of the Board and recorded in the official minutes of the
10 Board.³
- 11 In other instances, an individual board member, including the chairman, shall have power only when
12 specified by state law or when the Board, by vote, has delegated authority to him/her.

Legal References

1. TCA 49-1-101; TCA 49-1-102 (c)
2. TCA 49-6-3104
3. TCA 49-2-202



Board of Education

The following document reflects the focus of our purpose, operating principles, working agreements, and action steps of our school system in order to achieve our outcomes for the 2022-2023 school year.

PURPOSE

Cumberland County School Board's purpose is to provide the best support systems for the Director of Schools, so the DOS will be able to engage every employee and student in innovative teaching and learning experiences. Therefore, empowering students to be entrepreneurial with the skills and knowledge to become productive citizens.

OUTCOME

CCS Board of Education will strive to increase student academic achievement and growth with the goal of CCS becoming an Exemplary designated school district.

CCS BOE:

Action: Optimizing the success of Cumberland County Schools through excellence in budget planning, policy development, and positive promotion of the school system.

AGREED UPON PROCESSES

Operating Principles: Operating principles are defined as the "Agreed Upon Processes" providing governance and guidance for the foundation of what a Purposeful Community is trying to accomplish ~ the Outcome.

Working Agreement: Working agreements are defined as the contextual behavioral expectations of the adults that align to the Operating Principles.

I. Operating Principle: Integrity

Definition: Our team strives for excellence in Boardmanship through integrity, honesty, transparency, humility, and teamwork. We will work in unity as a board to provide the best outcomes for the school system's stakeholders.

Working Agreement: Integrity requires us to:

- Effectively communicate
- Honor our agreements about work, processes, and rules.
- Maintain transparency with all stakeholders.
- Protect the board and school district reputation.

II. Operating Principle: Responsibility

Definition: Our team will operate for the public good and is accountable for our work, the way in which we conduct ourselves and interact.

Working Agreement: Responsibility requires us to:

- Keep students at the forefront of our decision making process.
- Adhere to the moral and ethical obligations as defined in our Boardmanship Code of Conduct.
- Identify issues and needs, and respond in a timely manner with an acknowledgement and/or support within our purview.

III. Operating Principle: Excellence

Definition: Our team strives for excellence by regularly monitoring the growth and progress of all aspects of the school system, and support improvements that lead to student success.

Working Agreement: Excellence require us to:

- Establish specific, measurable, attainable, realistic, and timely (SMART) goals and monitor data to assess our progress toward goals.
- The board will engage in the TSBA Self-Evaluation process bi-annually and adjust processes accordingly.
- The board will engage the DOS in the evaluation process bi-annually and provide feedback and support accordingly.

TSBA CODE OF ETHICS PLEDGE

- I will at all times think in terms of "children first." always determining other important things according to how they affect education and training of children.
- I will seek to provide equal education opportunities for all children regardless of ability, race, color, sex, creed or location of residence.
- I will endeavor to appraise fairly both the present and future educational needs of the community and to support improvements as finances permit.
- I will represent at all times the entire school community and refuse to represent special interests or partisan policies.
- I will endeavor to keep the community informed about the progress and needs of the schools.
- I will support the employment of those persons best qualified to serve as employees and insist on a regular and impartial evaluation of all staff.
- I will support and protect personnel in performance of their duties.
- I will not criticize employees publicly but will make such criticism to the Director of Schools for investigation and action necessary.
- I will recognize that authority rests only with the Board in official meetings and that the individual member has no legal status outside of such meetings.
- I will refuse to make promises as to how I will vote on a matter, which should properly come before the Board as a whole.
- I will make decisions only after full discussion of matters at a board meeting.
- I will respect the opinion of other board members and will accept the principle of the "majority rule."
- I will support full administrative authority as well as responsibility for the Director of Schools to properly discharge all professional duties.
- I will support Director of Schools' accountability for working and requiring staff to work within the framework or policies set up by the Board.
- I will refer all complaints and concerns to the Director of Schools.
- I will inform myself about my duties and responsibilities and current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards association.
- I will avoid being placed in a position of conflict of interest and will refrain from using my board position for personal or partisan gain.

CUMBERLAND COUNTY BOARD OF EDUCATION

District #1 _____ District
#2 _____

District #3 _____ District #4

District #5 _____ District #6

District #7 _____ District #8

District #9 _____