

WAKE COUNTY BOARD OF EDUCATION  
OPEN MINUTES  
February 26, 2001

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Board Members Present:

Bill Fletcher, Chair  
Beverley Clark  
Rosa Gill  
Judy Hoffman  
J.C. O'Neal  
Tom Oxholm  
Susan Parry  
Kathryn Quigg

Staff Members Present:

Karen Banks  
Jo Baker  
Danny Barnes  
Del Burns  
Mike Burriss  
Linda Isley  
Cindi Jolly  
Ray Massey  
Toni Patterson  
Janice Shearin  
Walt Sherlin  
Jonibel Willis

Board Attorneys Present:

Ann Majestic

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Bill Fletcher called the meeting to order at 4:10 p.m. Everyone recited the Pledge of Allegiance.

**INFORMATION**

**Comments from the Chairman**

Mr. Fletcher reviewed the process for replacing a Board member mid-term, according to the North Carolina School Boards Association recommendations. **(Exhibit A)** Board members discussed the pros and cons of how and when to select a replacement in lieu of the redistricting of District 8; and agreed that where candidates reside should not influence how lines are established. Potential candidate applicants should be directed to the Superintendent's Office, and interviews will be in public. The wording of an ad seeking potential candidates will address that district lines are changing. No specific date has been set to place this advertising, however a parallel process of seeking candidates and gathering census data will move ahead. Further legal clarification on the replacement process will be obtained from Attorney Michael Crowell.

### **Superintendent's Report**

Mr. McNeal read a point-of-view article that was sent to the *News & Observer* in response to the series entitled The New Segregation that appeared February 18<sup>th</sup> through February 21<sup>st</sup>, and the February 22<sup>nd</sup> editorial on Wake County's African American student performance composite. **(Exhibit B)** In his article, Mr. McNeal encouraged readers to contact the school system for a recent report that more accurately reflects student achievement in Wake County.

Beverley Clark added that she and Ms. Gill attended the NCSBA President's Invitational Conference in Greensboro, in which a publication on the achievement gap also verified Wake County's student achievement numbers as accurate.

Mr. McNeal also shared results from the Academic Decathlon that took place at Carroll Middle School on February 23-24. Wake County is the only school system in North Carolina that participated in the contest, and Enloe High School will represent the state in national competition held in Anchorage, Alaska on April 18-21. Participating schools were Broughton, Enloe, Garner, Green Hope, Fuquay-Varina and Sanderson High Schools, with category winners from all schools.

### **APPROVAL OF MEETING AGENDA**

Under Facilities, Consent items #5 (Bids: Construction of Reedy Creek Middle) and #6 (Termination of General Contract: Wake Forest-Rolesville High Addition and Renovation) were moved to Action. The Precis for item #5 was revised by staff and distributed. Under Finance, Consent items #1 (Exclusive Vending Beverage Contract), and #2 (Exclusive Beverage Vending Agreement Revenue Distribution Plan) were moved to Action.

***With these changes, Judy Hoffman made a motion to amend the agenda. It was seconded by Kathryn Quigg and the vote was unanimous.***

### **PUBLIC HEARING FOR ITEMS ON THE AGENDA**

None

### **COMMITTEE REPORTS**

Tom Oxholm reported that the Finance Committee met on February 15 at 4:00 p.m. in the Board Conference Room. Minutes were then distributed electronically that listed questions to be addressed at the next meeting on Thursday, March 1 at 3:30 p.m. in the Board Conference Room. He encouraged the Board to review these questions and participate in the discussion by attending.

### **CONSENT ITEMS**

***Kathryn Quigg made a motion to approve all the consent items. It was seconded by Tom Oxholm, and the vote was unanimous.***

### **APPROVAL OF MINUTES**

**January 25, 2001 Finance Committee Meeting**

**February 5 Program Committee Meeting**

**February 12, 2001 Board Meeting**

## **PROGRAM**

### **1. Broughton High School Field Trip to Villafranca, Spain**

Students participating will be representative of grades 9-12. Approximately 6 students will participate and 2 chaperones. Students will depart from Raleigh on Wednesday, March 28, and return on Monday, April 16, 2001. Purpose of the field trip is to participate in the Spanish Exchange Program. This is the third year participating in this exchange. Cost per student will be approximately \$1,500. The total cost will be approximately \$9,000. Funding will be provided by various fund raising events and parents.

## **FACILITIES**

### **1. Easement and Right-of-Way Plats – Middle Creek High and West Lake Elementary**

The Town of Cary requires 1.77 acres of temporary construction easement, 0.23 acres of permanent drainage easement, and 0.05 acres of additional right-of-way to complete road improvements and to install a traffic signal at the intersection of West Lake and Optimist Farm Roads. These improvements will serve the new Middle Creek High School and the existing West Lake Elementary School. Fiscal Implications – None. Recommendation for Action - Staff recommended the board grant the easements and right-of-way.

### **2. Construction Documents: Morrisville Elementary Site Improvements**

Staff presented construction documents prepared by CLH Design, P.A. for Morrisville Elementary site improvements. The project scope of work includes retaining walls, site drainage and grading designed to correct severe erosion and safety issues. Board approval was requested. Fiscal Implications - Funds are available from the total project budget of \$303,500, which includes \$75,000 from the PLAN 2000 deferred maintenance budget and \$228,500 from the Phase IIIB deferred maintenance budget. Recommendation for Action - Staff recommended board approval of the construction documents.

### **3. Design Consultant Agreement: Heritage Elementary (E-2)**

Negotiations have been completed with Pearce, Brinkley, Cease & Lee, PA for the design of Heritage Elementary (E2). The form of agreement is the standard form approved by the board attorneys. Board approval is requested. Fiscal Implications - Funding is available from the total project budget is \$10,662,555. The total project budget consists of \$10,662,555 from the PLAN 2000 School Building Program budget. The project budget includes proposed compensation for the design consultant of \$436,900. Recommendation for Action - Board approval was requested.

### **4. Ballentine Elementary (E-1) – Sunset Lake Road Improvements**

Board approval was requested to pay First American Land (PS/SE Ballentine Farms, LLC) \$121,499.44 for road improvements along Sunset Lake Road for the Ballentine Elementary (E1) site. The road improvements were identified as part of the initial purchase agreement with First American Land (PS/SE Ballentine Farms, LLC). First American Land (PS/SE Ballentine Farms, LLC), as part of a project that provided water, sewer, and road improvements for the school and the adjacent subdivision, has accomplished the road improvements. Board approval is requested. Fiscal Implications - Funding is available from the total project budget of \$10,244,233. The total project budget consists of \$10,194,233 from the PLAN 2000 School Building Program and \$50,000 from Phase IIIB funds.

*(Items #5 and #6 were moved to Action)*

## **7. Release of Claims: Southern Bank & Trust Company**

In closing out the recent Daniels Middle School renovation project, final payment to Four Seasons Heating & Cooling Co., in the amount of \$29,903.32, should have been made payable to the contractor's surety company. In error, this payment was made jointly to Four Seasons Heating & Cooling Co. and to Southern Bank & Trust Company. Southern Bank & Trust has reimbursed the school system \$25,000, contingent upon board of education approval of a Release of All Claims. The remaining \$4,903.32 was paid to an attorney representing the contractor. Recovery of this final portion of the total payment is underway. Fiscal Implications - Board approval assures reimbursement of \$25,000. Recommendation for Action - Staff and board attorney recommended approval of the Release of All Claims.

## **ACTION ITEMS**

### **FINANCE**

#### **1. Exclusive Beverage Vending Contract**

The contract between WCPSS and Pepsi Bottling Ventures provides an exclusive beverage vending agreement for a period of five years. Fiscal Implications: \$1,000,000 in marketing fees and 42% commission on sales are generated in the first year. High schools will each receive \$12,000 in marketing fees annually. All schools will receive commissions on sales. \$1,000,000 was budgeted as Other Local Revenue in the current budget. This contract provides \$820,000 of that amount plus commissions generated from non-school vending in WCPSS. \$525,000 in marketing fees and commissions are generated in subsequent years with schools receiving marketing fees and commission revenue as in year one. Exhibit C)

*Susan Parry asked Mr. Burns to review the payment figures over a five-year period, and commented that the gain was approximately 2.2 million dollars over and above what WCPSS was already earning over a five-year period. She also noted that the contract was revised to include that there will be very detailed reporting of both the amount and types of products that are sold per school every year, as well as whatever advertising is placed in schools by location every year. This will be a viable source of review when the contract expires.*

*Mr. Oxholm noted that if the Board decided not to approve the exclusive beverage vending contract, a motion should be made to immediately remove all vending machines. If the school system can't get the most from these machines while they're in place, then the alternative is not to turn down exclusivity, but to remove them altogether. The impact of removing the machines from the high schools over the same five-year period would be a deficit of 2.2 million. The schools depend on that revenue for uniforms and a variety of necessary materials.*

*Ms. Parry agreed but added that there is an entire new level of commercialism when a countywide exclusive vending contract exists. Ms. Quigg commented that each high school already had exclusive contracts per location prior to this contract.*

***Tom Oxholm made a motion to approve, seconded by J.C. O'Neal. The vote carried with Susan Parry voting No.***

#### **2. Exclusive Beverage Vending Agreement Revenue Distribution Plan**

The recommended plan provides at least the current level of revenue generated from existing beverage vending agreements for schools. Inclusion of new schools is also addressed. Fiscal Implications: \$1,000,000 in marketing fees and commissions are generated in the first year. High schools will each receive \$12,000 in marketing fees annually. All schools will receive commissions on sales. \$1,000,000 was budgeted as Other Local Revenue in the current budget.

This plan provides \$820,000 of that amount plus commissions generated from non-school vending in WCPSS.

*Mr. Oxholm noted that every school will continue to receive what it is already getting or more. He also commented that he hoped financially the school system would be in a position where the Board would not have to look at this as a revenue source, but could review it on its health merits. Tom Oxholm made a motion to approve, seconded by Rosa Gill. The vote carried with Susan Parry voting No.*

## **FACILITIES**

### **5. Bids: Reedy Creek Middle**

Bids for the PLAN 2000 construction of Reedy Creek Middle were received on February 20, 2001. Staff and Cherry Huffman Architects, PA recommended award of the single prime general contract to O'Connor & Taylor of the Carolinas, Inc. in the amount of \$15,651,500. The total low multi-prime bid amount was \$15,737,157. Fiscal implications – Funding is available from the total project budget of \$21,152,754, of which \$700,000 is from state bond and \$20,452,754 is from PLAN 2000.

*J.C. O'Neal made a motion to approve, seconded by Rosa Gill. The vote was unanimous.*

### **6. Termination of General Contract: Wake Forest-Rolesville High Addition and Renovations**

After consulting with the board attorney, Stredvey Construction Company, Inc. was notified of the school system's intent to terminate their contract on the project at Wake Forest-Rolesville High. This was due to their failure to provide adequate resources to complete the project. The board approved a termination of this contract on January 24, 2000. The contract was not terminated at that time due to certain assurances being received from the contractor at that time. Staff now believes this contractor is not capable of completing this project. Board approval was requested to grant the superintendent, or his designee, the right to execute the termination of the contract with Stredvey Construction Company effective February 26, 2001 and to negotiate a takeover agreement with the surety. The takeover agreement will be brought back to the Board for information. Fiscal Implications – No additional cost is anticipated at this time.

Recommendation for Action - Board approval was requested. *In discussion it was noted that the takeover agreement will cut down the lengthy investigation and bidding process, helping to ensure completion over the summer.*

*Beverley Clark made a motion to approve, seconded by Kathryn Quigg. The vote was unanimous.*

## **FACILITIES - INFORMATION**

### **1. UNDERWOOD ELEMENTARY FEASIBILITY REPORTS**

The Board asked staff to perform an evaluation of the facility needs and deficiencies to support the existing magnet program at Myrtle Underwood Elementary. Two architectural firms, Kurt Eichenburger/architect AIA and HagerSmith Design, PA responded with feasibility reports on the building. Both reports cite the ability to renovate and add to the existing building, but require extensive renovation to address structural deficiencies, masonry problems, roofing, electrical, mechanical and plumbing system replacements. Fiscal Implications - Funding is available from the total project budget which consists of \$7,000,000 from the PLAN 2000 School Building Program, and a current project balance of \$1,119,297 of which \$583,925 is left in Phase IIIB

funds and \$535,372 left in State Bond funds. Recommendation for Action- For information and discussion at this time.

*In discussion, Ms. Hoffman relayed that the history on whether to build new or renovate Underwood has been lengthy and controversial. The value of extensively renovating an older school, as well as the small class sizes, had been debated in the past; and the issue of mold and mildew in older buildings may be a more recent concern. The cost analysis submitted to the Board was approximately \$6.2 to \$6.6 million for complete renovation, with the new construction option at \$7.25 million. It was explained that two years prior, staff had recommended tearing down the building and replacing the school on the same site. This recommendation met with opposition from the Board and the community. Since the passage of the bond, two architectural firms did feasibility studies on renovations for Underwood, staff reevaluated those options and agree that renovation is the best value. They also recommend relocating the entire school body to Cardinal Gibbons for the next two years, which means extending the Cardinal Gibbons lease. As a result, staff will have to reconsider the relocation of children from Longview during its renovation. The Board gave consensus for staff to continue negotiations on extending the Cardinal Gibbons lease. Discussion of Underwood facility and program issues was planned to continue during a Facilities Committee meeting on Monday, March 5 at 2:30 p.m. with all Board members invited.*

## **CLOSED SESSION**

*At 5:55 p.m., Kathryn Quigg made a motion to move into closed session:*

**To consider confidential personnel file information under G.S. 115C-319, and**

**To consider confidential student information protected under the Family Educational Rights and Privacy Act (FERPA) and G.S. 115C-402.**

*Judy Hoffman seconded the motion, and the vote was unanimous.*

## **RECOGNITION – 6:30 p.m.**

### **1. Talton and Goodmon Dedication**

Mr. McNeal and Mr. Fletcher recognized Jim Talton and Barbara Goodman, co-chairs of the Friends of Wake County, for their long hours of work toward the successful passage of the school bond. In their honor, two schools will be selected by their choice to receive five computers each. The computers will have dedication nameplates on them recognizing these community leaders.

## **SPOTLIGHT ON STUDENTS**

Fifteen students were recognized as Spotlight on Students awards winners: Lauren Powell, Adams Elementary; Stephen Newton, Baileywick Elementary; Amy Katherine Gwynn, Brooks Elementary; Roshad C. Williams, Broughton High; Kendra Mayfield, Carver Elementary; Milton Sestito, Centennial Middle; Monica Lerew, Fox Road Elementary; Helen Danielle Byrd, Fuller Elementary; John Tyler Evans, Green Hope High; David Matthew Strube, Hilburn Elementary; Travon D. Bridges, Martin Middle; Wesley Martinez, Middle Creek Elementary; Tyler Forsythe, Oak Grove Elementary; Cherish Alissa Connelly, Rolesville Elementary; and Mary Elizabeth Poole, Wakefield High.

## **RECOGNITIONS continued**

### **1. Coach of the Year**

**Vickie Peoples**, Enloe High School Swimming and Diving Coach, was selected by the National Federation of High School Athletics as “Coach of the Year” for the Southern Region of the U.S. Coach Peoples started the swimming program at Enloe 19 years ago.

### **3. NCSU Mathematics Competition Winners**

The NCSU Excellence in Mathematics Award was presented to the Leesville Road High School Mathematics Team for their first place finish in the NCSU Mathematics Competition. A monetary award was presented to the first four individual winners for their finish in the NCSU Mathematics Competition.

## **ACTION continued**

### **PERSONNEL**

#### **1. Recommendation for Administrative Appointments**

Douglas C. Thilman, teacher and administrative intern at Southeast Raleigh High School, to assistant principal at Millbrook High School effective date February 27, 2001.

*J.C. O’Neal made a motion to approve, seconded by Susan Parry. The vote was unanimous.*

## **INFORMATION ITEMS**

### **PERSONNEL**

#### **2. Recommendation for Administrative Transfer**

Daniel Burch, assistant principal at Southeast Raleigh High School to assistant principal at East Cary Middle School, effective date March 3, 2001.

### **PROGRAM**

#### **1. Proposed Makeup Day for Day Missed for Schools on Modified Calendar**

Southeast Raleigh High School and Centennial Campus Middle School will hold their makeup day on Monday, March 5, 2001. Partnership Elementary will hold its makeup day on Friday, June 1, 2001. Carver Elementary will hold its makeup day on Monday, March 12, 2001.

#### **2. Student Reassignment Plan**

The Board discussed with staff the Student Reassignment Plan with attention given to input received at the public hearing. Dr. Beavers noted that no additional changes or recommendations were made at this point to the reassignment plan, but that staff would entertain recommendations for modification from the Board.

*In discussion, Ms. Gill questioned the move from Wiley Elementary, a magnet school, to Leesville Elementary, a non-magnet school. Dr. Beavers explained that the movement was done for three distinct reasons: students would be going to where there is a lower concentration of high needs children; the feeder pattern would already be in place for middle and high school; and the crowding was not as extensive. Staff did not look at the possibility of having to reassign students to Moore Square as a definite contributing factor.*

*Beverley Clark made a motion to amend the agenda to move forward with the Public Hearing for Items Not on the Agenda, before continuing the discussion on Student Assignment. It was seconded by Kathryn Quigg and the vote was unanimous.*

## **PUBLIC HEARING FOR ITEMS NOT ON THE AGENDA**

**Larry Dickens** requested that the Board change all the asphalt track surfaces at the schools to rubberized track surfaces for the added safety of the students. He asked that these changes be converted by the end of the year.

### **Student Assignment Plan continued**

*The Board continued discussions with Dr. Beavers. Ms. Hoffman noted that this is not the first time a base was moved from a magnet to non-magnet school, noting Washington Elementary. Mr. Oxholm asked Mr. Beavers if he felt that staff had clear enough guidelines from the Board in determining how every school can best share the challenge. Mr. Beavers commented that past instructions and clarity from the Board have varied, and staff has taken a compilation of those instructions, mixed with professional opinion, concern for children and concern for the good of the district - and blended all that information into reassignment plans that attempt to best meet all those objectives. Staff has a better understanding today of what policy guidelines the Board has set with reference to sharing the challenge, travel time, over- and under-utilization of buildings, stability, and how often families are moved.*

*Conversation continued on Wiley's reassignment. Wiley's capacity is presently at 185%, and the school is not conducive to construction or mobile units. Mr. Fletcher asked why, since Wiley is moving closer to the goal, its base would be moved. Mr. Beavers commented that the driving factor is a crowded, over-capacity school. Ms. Quigg asked whether specific follow-up reports were ever done to show how students perform when moved far distances. Staff replied that no reports on turbulence have been done. Ms. Parry asked the Board to keep in mind that there is wear and tear on staff over time when students are constantly being moved. Mr. O'Neal reminded the public that there is an appeal process for those families with specific problems with reassignment. Mr. Oxholm asked whether the base students at Wiley could be grandfathered out of the magnet program in a similar way the Apex base students will be grandfathered as the program is phased out. Ms. Gill commented that the base children at Wiley accepted the magnet program assigned to them; and now it seems unfair that the choice is being taken away from them. Ms. Quigg added that the Board needed to look at the mix of turbulence, stability, student achievement and F&R numbers, and how nothing is done in isolation. Children at Wiley who are doing well shouldn't be moved because they're doing well. Ms. Clark noted that part of the attraction with magnet seats is that they are not reassigned. The Board has to be aware of how one move effects all other moves. Mr. Fletcher challenged the Board and staff to rethink how parents could be given more of a choice of keeping their children at the school they are presently attending or sending them to the school recommended in reassignment. Mr. Oxholm agreed that Wiley's reassigned students, for example, should have the right to reapply and stay in their magnet program as long as desired. Ms. Parry commented that if the Board decides to talk about grandfathering in base students at magnet schools, that discussion should take place on a policy level, not on an individual assignment basis which would have far reaching implications.*

*On a different issue of capping, Mr. O'Neal expressed that seats should not be saved for children that haven't arrived in neighborhoods yet. If the cap comes off Davis Drive, some students will have to leave to go to under-enrolled Weatherstone, rather than newly arriving students. Mr. Beavers explained that the area around Weatherstone is almost fully developed, so the surrounding contiguous areas were looked at for reassignment.*

*Ms. Gill asked staff about the fact that when Olds moves back into its facility, it will be under-capacity. Staff projections are about 100 magnet seats at Olds, however there will not be 100 magnet applicants there. She suggested that the Board consider requesting that Partnership and Olds Elementary be given a base. Mr. Beavers said that Olds or Partnership could accommodate a node from somewhere else if the Board requested. Superintendent McNeal noted that Partnership was not recommended for a base at this time because it is working toward 18% F&R lunch, with a goal over the next three years of 22 percent. Olds was not recommended for a base because they were moving back into the school, their program was changing and staff wasn't sure how viable the applicant pool was going to be. Ms. Gill also had a concern about schools going out into a community and recruiting a few specific students. She felt this isolated selection may alienate children while in the process of meeting program guidelines.*

*Mr. Beavers gave an update on managing node criteria, reporting that staff looked at all nodes with a student population (K-12) greater than 300 students. These nodes with greater than 300 were subdivided without changing the outside boundaries, with the goal of not having more than 125 children per node.*

*The Program Committee agreed to meet on Monday, March 5 to continue this discussion, and the Board agreed to adopt a Student Reassignment Plan by the March 12 Board meeting.*

## **SUMMARY**

In reference to appointing a replacement to fill a vacated Board seat, Ms. Majestic commented on the local statute that created a consolidated school district. She clarified specific local legislation indicates that vacancies are filled for the remainder of the term, (not until the next election as indicated on the materials given to the Board at the beginning of the meeting). With reference to adjusting boundaries of an electoral district, local legislation states that the commissioners may by resolution adjust the boundaries of an electoral district according to precincts, but no such change shall effect the right of an incumbent to complete a term. Further clarification would be made by Attorney Michael Crowell from Tharrington Smith.

## **ADJOURNMENT**

There being no further business, Bill Fletcher adjourned the meeting at 9:00 p.m.

Respectfully submitted,

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Annette Marett, Recording Secretary

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Bill McNeal, Secretary

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Bill Fletcher, Chairman

