

WAKE COUNTY BOARD OF EDUCATION
OPEN MINUTES
April 23, 2001

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
Mike Burriss
Linda Isley
Cindi Jolly
Ray Massey
Toni Patterson
Janice Shearin
Walt Sherlin
Jonibel Willis

Board Attorneys Present:

Ann Majestic

Bill Fletcher called the meeting to order at 4:20 p.m. Everyone recited the Pledge of Allegiance.

INFORMATION

Chairman's Comments

Mr. Fletcher commented that the Wake Education Partnership hosted their Annual Summit recently, which was well attended by the community. He thanked the board for their participation and remarked on the positive tone of the sessions.

Superintendent's Report

Mr. McNeal reiterated that the Summit was another opportunity to hear first-hand about the community's feelings and thoughts on performance-based evaluation systems, as well as the budget recommendations.

RECOGNITION – 2001 Battle of the Books Competition

The 15th Annual Battle of the Books Competition was held on March 22, 2001, at Southeast Raleigh High School. The winning teams were Daniels Middle for sixth grade, Carnage Middle for seventh grade, and Ligon Middle for eighth grade.

APPROVAL OF MEETING AGENDA

Under Facilities, consent items #3, #5 and #9 were moved to action and item #13 was pulled from the agenda. The discussion entitled Review of Possible Redistricting Plans was also pulled.

With these revisions, Tom Oxholm made a motion, seconded by Susan Parry, to approve the agenda. The vote was unanimous.

PUBLIC HEARING FOR ITEMS ON THE AGENDA

Julie Nau, Wake NCAE President, spoke against including employee dental benefits as a service reduction item in the proposed budget. She compared surrounding counties and the teaching incentives they offer to attract and retain teachers.

Mary Gullledge, the parent of two children at Washington Elementary GT Magnet, voiced concern about the potential budget cuts regarding a full-time security guard at this and four other magnet schools.

Jim Lehrman, an ESL teacher at Combs Elementary, asked the Board to reconsider cutting employee dental benefits, and remarked that such a cut would make it more difficult to maintain a quality level of teaching and to reach Goal 2003.

Mark Savage, Assistant Principal of Wakefield High School, offered that a great deal of teachers, especially new staff, depend on dental benefits. He also asked on a personal note, for reconsideration from the Board.

COMMITTEE REPORTS

Beverley Clark, reported that the Facilities Committee met today at 2:00 p.m. in the Board Room to review consent and information items. As noted, three items were moved to action for further discussion, and one item was pulled to allow staff to get additional information.

Tom Oxholm noted that two work sessions were held April 5 at 10: a.m. and April 18 at 1:00 p.m. in the Board Room to review the Superintendents Budget Request. The Finance Committee would meet on April 24 at 3:30 p.m. in the Board Conference Room to continue discussions on the Arthur Andersen compensation study.

Susan Parry reported on the Policy Committee meeting held April 19 at noon in the Board Conference Room. Discussions continue on the role of Board Advisory Councils, with good progress and an impressive showing of attendance and input. The next meeting is scheduled for May 2 at noon in the Board Conference Room.

CONSENT ITEMS

Judy Hoffman made a motion to approve all the consent items. It was seconded by Tom Oxholm and the vote was unanimous.

APPROVAL OF MINUTES

March 19, 2001 Facilities Committee Meeting

March 19, 2001 Policy Committee Meeting

March 29, 2001 Finance Committee Meeting

April 2, 2001 Board Meeting

April 5, 2001 Budget Work Session

FINANCE

1. Authorization Forms

These authorization forms designate the persons authorized to sign vouchers for the payment of money on behalf of Millbrook Elementary. Fiscal Implications: These authorization forms are required for bank records.

2. Report of Administration Approved Contracts

The attached summaries are provided as information in accordance with Board Policy 8361. The summaries list all contracts and change orders for the second fiscal quarter 2000-2001, which were approved by the administration, having a value greater than \$50,000.00 and not over \$100,000.00. Fiscal Implication: Not Applicable

3. Gifts to the System

Twenty-five gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$21,648.37. Fiscal Implications: None

PROGRAM

1. State Waiver Request for School Improvement Plan

This is a state waiver that Sanderson High School is requesting for the years 2001-2003 of the School Improvement Plan. No fiscal implications at this time. Board approval is recommended for this waiver.

2. Grant Proposals

Entitlement (#540): IDEA Title VI-B Preschool Handicapped (PRC 049) - \$536,000 est.; Entitlement (#541): IDEA Title VI-B Handicapped (PRC 060) – \$8,360,000 est.; Entitlement (#542): IDEA Title VI-B Capacity Building (PRC 044) - \$360,000 est.; Entitlement (#543): Title IX Indian Education Act (PRC 076) - \$26,500 est.; Entitlement (#544): Title VI Class Size Reduction Act (PRC 085) - \$1,400,000 est.; Entitlement (#545): Title VI Elementary and Secondary Act Formula (PRC 059) - \$550,000 est. Allocations for each of the entitlement programs are expected to be approximately the same as in the 2000-01 school year. Recommended that the board approve the applications.

FACILITIES

1. Bids: 2001 Relocation of Mobile Classrooms – Package “B”

Three bids were received on March 27, 2001, after re-advertisement for the 2001 relocation of mobile classrooms – Package ‘B’. Staff and H. S. Annis Architect, AIA recommend award of a single-prime contract to Recon Corporation, in the amount of \$368,400. Fiscal Implications - Funds are available from the board-approved 2000-2001 Capital Outlay budget of \$1,300,000. The general unit price for adding all work required under the Contract Documents for transferring one (1) mobile classroom unit and hook-up is \$12,700 per unit. Recommendation for Action - Board approval is requested.

2. Bids: Roof Replacement – East Wake High

Bids for the roof replacement at East Wake High were received on March 8, 2001. Staff and CTL Engineering, Inc. recommend award of the contract to Quality Roofers, Inc. in the amount of \$798,302. Fiscal Implications - Funds are available from the total project budget of \$1,207,000. The total project budget consists of \$1,207,000 from the deferred maintenance component of the Phase IIIB long-range building program. Recommendation for Action - Board approval is requested.

3. Bids: Morrisville Elementary - Site Improvements (moved to Action)

4. Right-Of-Way Dedication – Mount Vernon/Redirection Facility

The City of Raleigh requires the school system to make road improvements to Mount Vernon Vernon Redirection/Bridges facility. To construct the improvements, the city also requires 0.8085 acres of right-of-way along Mount Vernon Road and 0.6067 acres along Chapel Hill Road. Fiscal Implications - None. Recommendation for Action - Staff requests that the board grant the required right-of-way to the City of Raleigh.

5. Bids: Mount Vernon Redirection - Road Widening (moved to Action)

6. Option and Easement Agreement: BellSouth Telecommunications, Inc.

BellSouth requests an easement area of approximately 900 square feet adjacent to an existing BellSouth easement just off Leesville Road on the high school campus. The easement will allow for the installation of additional communications equipment. An option is requested to allow for

a formal survey of the easement area. Fiscal Implications - Board will receive \$4,000 for the option and easement. Recommendation for Action - Staff requests board approval of the option and easement.

7. Lease Agreement: Former Cardinal Gibbons High Facility

Staff requests board approval of a one-year lease with the Catholic Diocese of Raleigh for the former Cardinal Gibbons High School facility, consisting of approximately 18 acres of site and all building improvements located off Western Boulevard near Avent Ferry Road. The site will be used to house students and staff during renovation of Underwood Elementary School. The lease period begins July 1, 2001 and ends June 30, 2002. Fiscal Implications - Lease cost for one year is \$450,000. Recommendation for Action - Staff recommends board approval of the one-year lease.

8. Resolution: Site Acquisition Refund – Holly Ridge Middle and Elementary

In May 1999, the Board of Education acquired approximately 36 acres of land on Holly Springs Road at a contract price of \$771,390. Wake County contributed \$190,000 towards the total purchase price. The site was to contain a middle school and community park. It has now been determined that the site will be used for a middle and elementary school, and that no land will be made available for a community park. Wake County has requested a refund of the \$190,000 contribution made towards the land purchase of approximately 36 acres. Fiscal Implications Funding in the amount of \$190,000.00 is available in the board-approved land acquisition component of PLAN 2000. Recommendation for Action - Staff requests board approval of a resolution to the Wake County Commissioners allocating \$190,000 to Wake County from the board-approved PLAN 2000 land acquisition funds.

9. Change Order No. G-14: Carnage Middle (moved to Action)

10. Construction Documents: Athens Drive Renovations

Construction documents for Athens Drive High PLAN 2000 renovations, designed by Boney, PLLC, will be presented for board approval. During the design of this project, numerous code-related items and ADA improvements were identified, requiring additional work. Extensive improvements to the HVAC system are the major contributor to the expanded scope of the project. Staff recommends increasing the project budget in the amount of \$2,000,000 to fund the additional work. Fiscal Implications - The total project budget will increase to \$12,482,584, which consists of \$6,827,930 from the PLAN 2000 project budget; \$1,300,000 from the code compliance component of PLAN 2000; \$700,000 from the environmental compliance component of PLAN 2000; \$992,054 from the modernization component of PLAN 2000; \$2,400,000 from the deferred maintenance component of PLAN 2000; and \$262,600 from the board-approved 1996 State Bond Program budget. Recommendation for Action - Board approval is requested.

11. Design Phase Change Order No. 3: Combs Elementary Addition and Renovations

Board approval is requested for Design Phase Change Order No. 3 to the design consultant, Skinner, Lamm & Highsmith, P.A., Architects, for the PLAN 2000 addition and renovations to Combs Elementary. This design phase change order, in the amount of \$122,900, (5.5% of CCAP) is for the design required to expand the Phase IIIB project scope to include the improvements included in PLAN 2000. Fiscal Implications - Funds are available from the board-approved PLAN 2000 budget of \$2,935,975. Recommendation for Action - Board approval is requested.

12. Design Consultant Agreement: Leesville Campus Addition and Renovations

Negotiations have been completed with The Freelon Group for the design of the PLAN 2000 addition and renovations at Leesville High and Middle Schools. The form of agreement is the standard form approved by the board attorney. Fiscal Implications - The total project budget in PLAN 2000 is \$16,349,949. The total project budget includes proposed compensation for the design consultant of \$819,000. Recommendation for Action - Board approval is requested.

13. Resolution: Designer Selection – West Cary Middle (pulled from the Agenda)

The attached resolution is presented to request a waiver of the traditional designer selection process and to recommend the selection of Jerry Turner & Associates, Inc. for the design of West Cary Middle PLAN 2000 track and field improvements. This request is in accordance with NCGS 143-64.32, which allows the exemption of the statutory designer selection process. The specific reason for this exemption is that Jerry Turner & Associates, Inc. provided the design for the last large site work modification on this campus and has worked on the track and field location in conjunction with the adjacent Town of Cary greenway. This will shorten design time, reduce costs, and help expedite the project. Staff recommends proceeding with the negotiation of a design contract with Jerry Turner & Associates, Inc. Fiscal Implications - None at this time. Recommendation for Action - Board approval of the designer selection waiver resolution is requested.

14. Resolution: Long-Range Building Program Funding Reallocation

Resolution requests reallocation of funds from complete or nearly complete Phase IIIB projects to other Phase IIIB addition and renovation projects. Total reallocation amount is \$783,926. Fiscal Implications - No additional appropriation of funding is necessary. Recommendation for Action Board approval is requested.

15. Designer Selection: Design Package 01-A

In accordance with the designer selection procedures adopted by the Wake County Board of Education, the pre-selection committee will present recommendations for the board to select an architectural firm for the following PLAN 2000 building and campus improvement projects: Fuquay Varina Middle Additions and Renovations, Garner Sr. High Additions and Renovations and Northwoods Elementary Additions and Renovations. Fiscal Implications - Design fees will be negotiated in accordance with designer selection procedures. Recommendation for Action - Board approval is requested.

16. Designer Selection: Design Package 01-B

In accordance with the designer selection procedures adopted by the Wake County Board of Education, the pre-selection committee recommends the board select the following three engineering firms for design of PLAN 2000 HVAC System Improvement Projects with project budgets less than \$1,000,000: Padia Consulting, Inc., Lanna Dunlap Spriggs, and Atlantec. The projects will be allocated to the three firms based upon workload and scheduling requirements, and contingent upon successful fee negotiations. Fiscal Implications - Design fees will be negotiated in accordance with designer selection procedures. Design contracts that include total compensation over \$100,000 will require board approval. Design contracts that include total compensation between \$50,000-\$100,000 will be reported to the board in accordance with board policy. Recommendation for Action - Board approval is requested.

17. Designer Selection: Design Package 01-C

In accordance with the designer selection procedures adopted by the Wake County Board of Education, the pre-selection committee recommends the board select the following three landscape/site design firms for PLAN 2000 Landscape/Site Upgrade Projects with project budgets up to \$1,000,000: Mark Robinson & Associates, PA, McNeely Associates, PA, and CLH Design, PA. The projects will be allocated to the three firms based upon workload and scheduling requirements, and will be contingent upon successful fee negotiations. Fiscal Implications - Design fees will be negotiated in accordance with designer selection procedures. Design contracts that include total compensation over \$100,000 will require board approval. Design contracts that include total compensation between \$50,000-\$100,000 will be reported to the board in accordance with board policy. Recommendation for Action - Board approval is requested.

18. Designer Selection: Design Package 01-D

In accordance with the designer selection procedures adopted by the Wake County Board of Education, the pre-selection committee recommends the board select the following three registered roof consultant firms for design of PLAN 2000 Roof Replacement projects with

project budgets up to \$1,000,000: Roof Engineering, Inc., Robert M. Stafford, Inc., and Rooftop Systems Engineers. The projects will be allocated to the three firms based upon workload and scheduling requirements, and will be contingent upon successful fee negotiations. Fiscal Implications - Design fees will be negotiated in accordance with designer selection procedures. Design contracts that include total compensation over \$100,000 will require board approval. Design contracts that include total compensation between \$50,000-\$100,000 will be reported to the board in accordance with board policy. Recommendation for Action - Board approval is requested.

ACTION ITEMS

FINANCE

1. Non-Certified Employee Salary Recommendations

Mr. Oxholm gave a brief background on how the Finance Committee has been reviewing several issues related to the Arthur Andersen Compensation Management Study, and has made the following two recommendations. He asked that they be voted on separately.

1) The Compensation Classification Committee should designate chronically unfilled positions on “emergency status” subject to board approval and renewal on an annual basis. Currently, some trade and technology positions might be considered to have emergency status. Emergency status would permit human resources to increase salary schedules beyond 120% of the midpoint range; recognize prior work related service other than with the state; eliminate chronically unfilled jobs to increase salaries of current employees; and take other actions necessary to recruit and retain high quality personnel. This recommendation assumes that any action taken would result in long-term savings for the school system. *In discussion, Beverley Clark asked whether this included all difficult-to-fill positions in the summary list, and Mr. Oxholm remarked that the summary list showed representative examples of chronically high vacancies. Ms. Quigg commented that in two years, some teaching positions may be considered emergency status. Ms. Gill wanted clarification about where the additional dollars came from and was told that funding was from contracted services revenue.*

Tom Oxholm made a motion to grant Human Resources and administration/the Superintendent the ability to label certain positions as emergency status, with board approval, allowing them to go outside the normal hiring compensation rules -- and that the board would review that designation annually. It was seconded by J.C. O’Neal and the vote was unanimous.

2) The board should add to the legislative agenda a request for increased flexibility in employee compensation funding, similar to the block type funding that charter schools receive to improve recruitment and retention of high quality employees. Fiscal Implications: Salaries and benefits for related positions. *In discussion, Mr. Oxholm clarified that this request was for state allocations in dollar amounts rather than in personnel positions, and applied to both certified and non-certified personnel.*

Tom Oxholm made a motion to approve, seconded by Judy Hoffman. The vote was unanimous.

2. Approval of Board of Education’s Budget Request, 2001-2002

To approve the Board of Education’s Budget Request for 2001-2002. This document establishes the Board of Education’s budget request for fiscal year 2001-2002. The Board of Education’s budget request will be delivered to the County Commissioner’s prior to May 15, 2001.

In opening comments, Mr. Oxholm said that he appreciated all public comments and was still concerned that there may be misinformation in the community, since it is a challenge to communicate with 600-plus thousand citizens/taxpayers as well as over 12,000 WCPSS employees. He briefly described the funding request process the school system undertakes yearly with the County Commissioners, and the rationale behind dollar amounts requested for over the

next three years. To open the discussion, Mr. Oxholm made a motion to approve the Superintendent's budget request as written. It was seconded by Judy Hoffman. During discussions, board members debated over if dental benefits should be included on the service reduction list, what alternatives could replace that particular item, how the service reduction items were ranked, and if dollar amounts should be listed with each item. Costs and possible repercussions associated with eliminating all middle and high school athletics (Exhibit A), all arts programs for non-magnet schools (Exhibit B), and restricting heating and air conditioning to certain times of the year were also reviewed. Mr. Oxholm reiterated that if no tax increase was approved, approximately \$10.6 million would have to be cut. Board members would still have the flexibility afterwards to determine from which specific areas, despite the prioritized service reduction list in the budget request. However, since a comfort level could not be reached with how the service reduction list was currently presented, the following expanded revisions were recommended by Mr. Oxholm: On pages 81 through 84 of the Superintendent's Budget Request, under the category of Service Reduction Items, the numerical listing would be removed, and the items would be listed alphabetically. Wording would be added to state "Service reduction items listed alphabetically to include some or all of the following:" All the previous items would remain, and additional items would include all middle and high school athletics, all arts programs for non-magnet schools, and air conditioning before May 15 and after September 15 - all with correlating numerical amounts. Wording would also be added to state "From the above listing, a total of \$10,595,919 dollars will be cut."

Ms. Kimzey suggested that the service reduction section be combined with the base budget items. It could then be stated that if the Board does not get the funding levels requested, it would impact the base budget, which would then have to be reduced by approximately \$10.6 million, without being specific about which items. To more clearly indicate which things are potentially at-risk, Ms. Parry suggested that a supplemental list (not quantitative) of items being considered for elimination be added. Ms. Kimzey recommended that this supplemental list be incorporated in the transmittal letter from Mr. Fletcher to the County Commissioners, or in the Superintendent's Budget Message. **To clarify, Mr. Oxholm made a motion to approve the Superintendent's Budget Request, as the Board's Budget Request, with a friendly amendment that says the layout of the document will be changed in the following ways: the service reduction items listed 1-50 would be included as part of the base budget, acknowledging in the Superintendent's Budget Message as well as in the transmittal letter from the Chairman, that if there is no additional funding above what the Board has been told to expect, there will need to be \$10.6 million in cuts which will come from a list of more than 50 item including arts, utilities, athletics previously discussed.**

Ms. Hoffman again seconded the motion, and the vote was unanimous.

A televised joint meeting with the Board and County Commissioners is tentatively planned for May 14th to discuss any questions/concerns about the Board's operating budget request. A decision about funding will be voted on by the County Commissioners on June 18, 2001.

The Board took a short break at 6:25 and moved back into open session at 6:30 p.m. for Spotlight on Children.

SPOTLIGHT ON STUDENTS

Fifteen students were recognized as Spotlight on Students award winners: Michi Nair, Apex High; Ethan Thomas Pond, Cary Elementary; DeMonta McEachin, Davis Drive Elementary; Jennifer M. Miller, Davis Drive Middle; Matthew John Vepraskas, Enloe High; Heather Irvin, Fuquay-Varina Middle; Jamie Nicole Herring, Garner High; Vy Thuy Tran, North Ridge Elementary; Frank Salgado, Root Elementary; Michelle Lewis, Salem Elementary; Carly Wisse,

Stough Elementary; John David Crouse, Vance Elementary; Glenn McLaurin, Vandora Springs Elementary; Erica Swaim, Wakefield Middle; and Bridget Hopkins, Wendell Elementary.

ACTION ITEMS CONTINUED

FACILITIES

3. Bids: Morrisville Elementary - Site Improvements

At the March 19, 2001 meeting, the board pre-approved issuance of notice of intent to award the contract and notice to proceed for the site improvements at Morrisville Elementary, provided the bids received were within the Construction Contract Award Price of \$253,000. Bids were received on March 22, 2001. Staff and CLH Design, P.A. recommended award of the contract to Construct, L.L.C. in the amount of \$234,000. Fiscal Implications - Funding is available from the total project budget of \$303,500. The total project budget consists of \$228,500 from Phase IIIB deferred maintenance and \$75,000 from PLAN 2000 deferred maintenance. *In discussion, it was noted that during the Facilities Committee meeting earlier in the day, it was agreed to put the \$19,000 that came in under budget back into the deferred maintenance account from which it came, rather than contingency.*

Beverley Clark made a motion to approve, seconded by Rosa Gill. The vote was unanimous.

5. Bids: Mount Vernon Redirection - Road Widening

A revised Precis stated the following: Bids for the road widening project at Mount Vernon Redirection were received on April 17, 2001. Bids received are over-budget. Staff recommended increasing the project budget with Phase IIIB modernization funds in the amount of \$66,304. Staff and Barbara H. Mulkey Engineering, Inc. recommended award of the contract to Thompson Contracting, Inc. in the amount of \$170,547. Fiscal implications – The total project budget would increase to \$232,874, of which \$166,570 is from the Phase IIIB Project Budget (includes \$150,070 to be allocated to the budget from project savings presented to the school board during this meeting) and \$66,304 is from Phase IIIB modernization funds.

Beverley Clark made a motion to approve, seconded by Susan Parry. The vote was unanimous.

9. Change Order No. G-14: Carnage Middle

Change Order G-14 deducts Bid Alternates 2, 5 and 6, which were originally accepted. This is a total credit of \$315,593, of which \$143,307 is for Alternate 2; \$84,796 for Alternate 5; and \$87,490 for Alternate 6. Alternate 2 included paving of the track and upper parking lot, Alternate 5 was for replacing the gym bleachers and student lockers, and Alternate 6 was for replacing casework in the art room and classrooms. Staff recommends approval of Change Order G-14 to the general contract and the resulting reduction in the scope of the project to bring it within the board-approved total project budget. Fiscal Implications - Acceptance of Change Order G-14 will allow the project costs to remain within the board-approved Phase IIIB total project budget of \$12,230,777; of which \$10,954,729 is from Phase IIIB, \$585,000 is from Phase IIIB deferred maintenance, \$591,048 is from the 1996 State Bond Project Budget, and \$100,000 is from the ADA component of the 1996 state bond.

Beverley Clark made a motion to approve, seconded by Judy Hoffman. During discussion, it was noted that this motion was to reconcile the contract/documentation to reflect the work actually done. Ms. Clark added that while other schools are requesting that tracks be put in, the board needs to prioritize needs before making decisions about funding any tracks. The vote carried with Beverley Clark voting No.

INFORMATION ITEMS

FACILITIES

1. Plan 2000 Program Management Services

Christina Lighthall, Senior Director of Facility Planning & Construction, presented the process and schedule for review and selection of program management services to augment staff resources while implementing PLAN 2000. This process allows for an evaluation of current services, a review of the Heery International, PC current contract, and a Request for Proposal selection process. Fiscal Implications - Funding is included in the Program Management component of PLAN 2000. Recommendation for Action - None at this time.

2. AHERA Compliance Inspection – January 16-19 and February 13, 2001

(Presented during the Facilities Committee Meeting at 2:00 p.m.)

On February 13, 2001, the North Carolina Health Hazards Control Unit completed a random Asbestos Hazard Emergency Response Act (AHERA) compliance inspection of the Wake County Public School System. As noted a attached summary report, the program was found to be satisfactory and in full compliance with the law. We were complimented for the expert manner in which we administer AHERA for the Wake County Public School System. Fiscal Implications - None.

PUBLIC HEARING FOR ITEMS NOT ON THE AGENDA

None

CLOSED SESSION

At 7:20 p.m., Judy Hoffman made a motion, seconded by Rosa Gill, to move into closed session:

To consult with an attorney employed or retained by the board in order to preserve the attorney-client privilege between the attorney and the board. G.S. 143-318.11 (a)(3).

ADJOURNMENT

There being no further business, Bill Fletcher adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Annette Marett, Recording Secretary

Bill McNeal, Secretary

Bill Fletcher, Chairman

