



OPEN MINUTES –BOARD MEETING

Tuesday, December 20, 2004

Board Members Present	Staff Members Present	
<i>Susan Parry, Chair</i>	Superintendent McNeal	Donna Hargens
<i>Patti Head, Vice Chair</i>	Luther Cherry	Cindi Jolly
Beverley Clark	Don Haydon	
Carol Parker	Jo Baker	
Amy White	Del Burns	
Bill Fletcher	Janice Shearin	
Kathryn Watson Quigg	Toni Patterson	
Ron Margiotta	Linda Isley	
Rosa Gill	Michael Evans	
	Bev White	Attorney at Law
	Danny Barnes	Ann Majestic
	Mike Burriss	
	Jonibel Willis	

Susan Parry called the meeting to order at 4 p.m. Everyone recited the Pledge of Allegiance.

Chair's Comments

Chairwoman Parry reminded the board about the Joint Work Session with the county commissioners on Monday, January 10, 2005. This event will be held at the Harriett B. Webster Center at 8 a.m.

She also reminded the board that the next Board of Education meeting will be Tuesday, January 4, 2005, at 4 p.m. The breakfast with the Wake Delegation is on January 21 at Brentwood Elementary School.

She promised the board she would give them a synopsis of her visit to China in the coming months.

Amy White attended the DARE graduation. She also report that North Garner Middle School was getting a sizeable gift from the family of Virginia Mullis, a former teacher.

Superintendent's Report

Superintendent McNeal informed the board that the information for discussion at the Joint Work Session with the Board of Education and the County Commissioners is being prepared and will be sent to them by courier.

Mr. McNeal wished everyone a happy holiday.

RECOGNITION - HEERY INTERNATIONAL, P.C.

On January 14, 1986, Wake County Public Schools entered into a contract with Heery Program Management, Inc. for construction program management services. On December 31, 2004, Wake County Public Schools will conclude its program consultant services with Heery International, P.C. Wake County Public Schools extends its appreciation and thanks for exemplary professional services to address the doubling of enrollment from 57,268 students to 114,092 students. Fiscal Implications: None. Heery International, P.C. will continue to provide project specific professional consulting, architectural design, and engineering services for Wake County Public Schools similar to other professional services required by the building programs.

Four staff members of Heery International were present for the recognition and to receive the plaque. Along with the Superintendent, Board members Kathryn Watson Quigg and Beverley Clark thanked Heery for their dedication and hard work for the system.

PUBLIC COMMENT - None

APPROVAL OF MEETING AGENDA

- *Patti Head made a motion to **pull** from the Consent Agenda the Open Meeting minutes for October 19, 2004, and November 9, 2004.*
- *Patti Head made a motion to amend the closed session to establish, or instruct board's staff or negotiating agents concerning the position to be taken by or on behalf of the board in negotiation of (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. The property if acquired will be used for new public school facilities located on Pippin Road, Zebulon, N.C. and Forest Pines Drive, Raleigh, N.C. G.S.143-318.11 (a)(5).*
- *Beverley Clark made a motion to add to the Action Facilities Agenda, Design Consultant Agreement: E18 Elementary "Holly Springs High Site."*
- *Beverley Clark made a motion to include updated information on Action Facilities Item #2, Design Consultant Agreement: E15 Elementary (Area "F" Eastern Wake).*

Bill Fletcher made a motion to approve the amended meeting agenda, seconded by Amy White. The vote was unanimous.

CONSENT ITEMS

Bill Fletcher made a motion to approve the Consent Agenda, seconded by Patti Head. The vote was unanimous.

APPROVAL OF MEETING MINUTES

October 13, 2004 – Community Relations Committee

November 3, 2004 – Board Work Session Meeting

INSTRUCTIONAL PROGRAMS

1. INFOHANDLER

Continuation of the contract with infoHandler.com was approved on June 15, 2004, for development of a database for Special Education Services, Counseling and Student Services, and Prevention Services. As development of the application has progressed, changes have been identified and approved to improve the final product. Change orders have reached the amount where additional board approval is required pursuant to Board Policy 8361.1. *Mr. Fletcher asked that staff give the Board a presentation on InfoHandler and NCWise and if one product compliments the other. Are the two products compatible and do they integrate with each other? The presentation will be made in January or February.*

2. GRANT PROPOSALS

The following grants: 1. Competitive (#910): NC Division of Child Development, Resource and Referral Council/Baileywick, Brentwood, Brooks, Combs, Conn, Dillard, Hilburn, Jeffreys Grove, Wildwood, and Poe Elementary Schools. 2. Competitive (#915): Staples Foundation/Weatherstone Elementary School. 3. Competitive (#916): North Carolina State Transition Council, Career Development/Apex High School. 4. Competitive (#917): Grammy Foundation/Wake Forest-Rolesville High School. 5. Entitlement (#919): U.S. Department of Education, Title VIII Impact Air Program/Central Office, Administrative Services. 6. Collaboration (#920): U.S. Department of Education, Institute of Education Sciences, Education Finance, Leadership, and Management Grants/Central Office with North Carolina State University being the fiscal agent. 7. Collaboration (#921): U.S. Department of Education, Institute of Education Sciences, Fields Initiated Evaluations of Education Innovations/Central Office with North Carolina State University being the fiscal agent. Board approval is requested.

FACILITIES

1. DEDICATION OF RIGHT OF WAY AND TRANSIT EASEMENT – MILLBROOK HIGH

: Renovation of Millbrook High requires the dedication to the City of Raleigh of 3,769 square feet of right of way along Dixie Forest Road and a new transit easement containing 300 square feet. Right of way and the transit easement will be conveyed by recorded plat.

Fiscal Implications: None Recommendation for Action: Staff requests Board approval to grant the City of Raleigh 3,769 square feet of right of way and a 300 square foot transit easement at Millbrook High.

2. RESOLUTION: RESCIND FUNDING APPROPRIATIONS FOR PLAN 2004 SCHOOL BUILDING PROGRAM

Resolution requests the rescinding of the PLAN 2004 School Building Program lump sum appropriation of Commissioning Funds, approved on December 2, 2003 by the Board. Staff will submit requests for commissioning funds on an as-needed basis after each project is bid and a determination is made as to whether additional funds are needed for commissioning functions. Fiscal Implications: Total of this appropriation request is \$838,117. The Board of Commissioners did not appropriate these funds. Recommendation for Action: Board approval is requested.

3. DESIGN CONSULTANT AGREEMENT: MODULAR BUILDINGS DESIGN AND PURCHASE PROJECT - PACKAGE A 2005

Negotiations have been completed with Gurel Architecture for the Modular Buildings Design and Purchase Project - Package A 2005, in the amount of \$136,449. The Board attorney has approved the form of agreement. Detailed scopes of work are listed in Exhibit A of the agreement. Fiscal Implications: The total project budget is \$31,100,000, of which \$25,203,000 is currently available through PLAN 2004 appropriations of \$9,800,000 to the PLAN 2004 Mobile Classrooms - Growth project, PLAN 2000 reallocations of \$6,856,251 to the PLAN 2000 Mobile Classroom project, and \$8,546,749 from PLAN 2004 Crowding Solution. Recommendation for Action: Board approval is requested.

4. DESIGN CONSULTANT AGREEMENT: MODULAR CLASSROOM - PACKAGE "C"

Negotiations have been completed with Brown and Jones Architects, Inc. for the Modular Classroom Package "C" in the amount of \$162,250. The Board attorney has approved the form of agreement. Detailed scopes of work are listed in Exhibit A of the agreement. Fiscal Implications: The total project budget is \$31,100,000 of which \$25,203,000 is currently available through PLAN 2004 appropriations of \$9,800,000 to the PLAN 2004 Mobile Classrooms – Growth project, PLAN 2000 reallocations of \$6,856,251 to the PLAN 2000 Mobile Classroom project, and \$8,546,749 from PLAN 2004 Crowding Solution. Recommendation for Action: Board approval is requested.

5. DESIGN CONSULTANT AGREEMENT: MODULAR CLASSROOM - PACKAGE "E"

Negotiations have been completed with Cherry Huffman Architects, P. A. for the Modular Classroom - Package "E" on the Wendell site, in the amount of \$193,500. The Board attorney has approved the form of agreement. Detailed scopes of work are listed in Exhibit A of the agreement. Fiscal Implications: The total project budget is \$31,100,000, of which \$25,203,000 is currently available through PLAN 2004 appropriations of \$9,800,000 to the PLAN 2004 Mobile Classrooms - Growth project, PLAN 2000 reallocations of \$6,856,251 to the PLAN 2000 Mobile Classroom project, and \$8,546,749 from PLAN 2004 Crowding Solution. Recommendation for Action: Board approval is requested.

6. DESIGN CONSULTANT AGREEMENT: PROFESSIONAL SERVICES PACKAGE 04-B

Selections of professional service firms were approved by the Board on December 7, 2004. All selected firms shown on Attachment A will execute the appropriate form of agreement as approved by the Board's attorney. The contract duration is eighteen months beginning January 1, 2005. Services will be provided as needed in support of PLAN 2004 projects. Fiscal Implications: Negotiation for the actual fee will be done on an individual project basis and funded by the specific project. Recommendation for Action: Board approval is requested.

7. CHANGE ORDER NO. 1: DANIELS MIDDLE

On November 5, 2003 the board approved the design consultant agreement for Daniels Middle with Cline Design, P.A. The proposed compensation for the design consultant equaled \$959,745. Contracts were issued for the design phase only for \$623,834.25. With the approval of the PLAN 2004 School Building Program, Board approval is now requested for change order No. 1 to Cline Design, P.A. in the amount of \$335,910.75 for the construction administration phase of the basic contract. Approval of this change order will fully fund the design consultant agreement. Fiscal Implications: Funding is available from the total project budget of \$16,314,039, of which \$822,678 is from the PLAN 2000 School Building Program start-up funds and \$15,491,361 is from the PLAN 2004 School Building Program. Recommendation for Action: Board approval is requested.

8. CHANGE ORDER NO. 3: MARTIN MIDDLE

On October 8, 2003 the board approved the designer consultant agreement for Martin Middle School with Davis Kane Architects, P.A. The proposed compensation for the design consultant equaled \$1,380,000. Contracts were issued for the design phase only for \$897,000. With the approval of the PLAN 2004 School Building Program, Board approval is now requested for change order number 3 to Davis Kane Architects, P. A. in the amount of \$483,000 for the construction administration phase of the basic contract. Approval of this change order will fully fund the design consultant agreement. Fiscal Implications: Funding is available from the total project budget of \$22,404,567, of which \$1,157,258 is from the PLAN 2000 School Building Program, \$21,247,309 is from PLAN 2004 School Building Program. This project is currently estimated to be \$2,071,373 over budget. Future Board actions will be needed to reallocate required funding. Recommendation for Action: Board approval is requested.

FINANCE

1. REPORT OF ADMINISTRATION APPROVED CONTRACTS *(Exhibit A)*

The attached summaries are provided as information in accordance with Board Policy 8361. The summaries list all change orders, and contracts having a value greater than \$50,000 and not over \$100,000, and purchase orders in excess of \$250,000 for November 2004. Fiscal Implications: Not applicable.

2. GIFTS TO THE SYSTEM *(Exhibit B)*

Fifty-two gifts have been donated to the Wake County Public School System. The approximate value of the gifts is \$43,101.33. Fiscal Implications: Not applicable.

COMMITTEE CHAIRS' REPORTS

Policy Committee had its first meeting on Wednesday, December 14, 2004. They discussed the Character Education Policy and will share the policy with Board Advisory Councils before adoption.

The R & P on homework will come back to committee in March. In January, the committee will be looking at finance policies.

Facilities Committee was canceled last week; however, today, a lot of information was covered on construction cost escalation and how to fund the resource for these unexpected expenses.

ACTION ITEMS

FACILITIES

1. DESIGN CONSULTANT AGREEMENT: E14 ELEMENTARY (ROLESVILLE)

The approved PLAN 2004 School Building Program includes a new elementary school. Negotiations have been completed with Boney, PLLC Architects for the reuse of the prototype used at Brier Creek Elementary. This is the third reuse of this prototype. The form of agreement is the standard form approved by the board attorney. Fiscal Implications: Funding is available from the total project budget of \$13,890,416 as provided in the PLAN 2004 School Building Program. The total project budget includes proposed compensation for the design consultant of \$626,848. Recommendation for Action: Board approval is requested.

Bill Fletcher made a motion to approve, seconded by Kathryn Watson Quigg. The vote was unanimous. Mike Burriss gave the Board an explanation as to how reuse of prototypes helps to cut costs of new schools.

2. DESIGN CONSULTANT AGREEMENT: E15 (AREA "F" EASTERN WAKE)

The approved PLAN 2004 School Building Program includes a new Elementary School. Negotiations have been completed with Cherry Huffman Architects, P.A. for the design of this project. The form of agreement is the standard form approved by the Board's attorney. The original prototype for the existing Holly Springs Elementary School has been revised to effectively incorporate the 2002 International Building Code and refined to fit smaller sites, resulting in a new prototype design. Fiscal Implications: Funding is available from the total project budget of \$15,033,140, as provided in the PLAN 2004 School Building Program. The total project budget includes proposed compensation for the design consultant. The amount will be presented at the Board meeting. Recommendation for Action-Board approval is requested.

Bill Fletcher made a motion to approve, seconded by Kathryn Watson Quigg. The vote was unanimous.

3. CONSTRUCTION DOCUMENTS: HARRIS CREEK ELEMENTARY (E11)

Staff has reviewed the construction documents and requests Board approval, and authorization to advertise for the construction of Harris Creek Elementary (E11). Fiscal Implications: Funding is available from the total project budget of \$14,766,821, of which \$13,433,884 is from the PLAN 2004 School Building Program and \$1,082,937 is the cost to increase the capacity of the school from 677 to 792 and \$250,000 is from Wake County Parks and Recreation for a joint-use playfield. The \$1,082,937 was reallocated from E17, which was originally designated as 792 capacity, but which will be reduced to 677. This project is currently estimated to be \$1,266,109 over budget. Future Board actions will be needed to reallocate required funding. Recommendation for Action: Board approval is requested.

Bill Fletcher made a motion to approve, seconded by Carol Parker. The vote was unanimous.

4. CONSTRUCTION DOCUMENTS: DANIELS MIDDLE

Staff has reviewed the construction documents and requests Board approval and authorization to advertise for the construction of Daniels Middle School Renovations. Fiscal Implications: Funding is available from the total project budget of \$16,314,039, of which \$822,678 is from the PLAN 2000 School Building Program start-up funds and \$15,491,361 is from the PLAN 2004 School Building Program. This project is currently estimated to be \$349,111 over budget. Future Board actions will be needed to reallocate required funding. Recommendation for Action: Board approval is requested.

Beverley Clark made a motion to approve, seconded by Bill Fletcher. The vote was unanimous.

5. CONSTRUCTION DOCUMENTS: MARTIN MIDDLE

Staff has reviewed the construction documents, and requests Board approval and authorization to advertise for the construction of Martin Middle School Renovation. Fiscal Implications: Funding is available from the total project budget of \$22,404,567, of which \$1,157,258 is from the PLAN 2000 School Building Program Start Up, and \$21,247,309 is from the PLAN 2004 School Building Program. This project is currently estimated to be \$2,071,373 over budget. Future Board actions will be needed to reallocate required funding. Recommendation for Action: Board approval is requested.

Patti Head made a motion to approve, seconded by Carol Parker. The vote was unanimous.

6. CONSTRUCTION DOCUMENTS: CARY HIGH RENOVATIONS

Staff has reviewed the construction documents and requests Board approval and authorization to advertise for the construction of the Cary High School Renovations and Additions. Fiscal Implications: Funding is available from the total project budget of \$20,993,486, of which \$1,276,290 is from the PLAN 2000 School Building Program Start Up funds, and \$19,717,196 is from the PLAN 2004 School Building Program. This project is currently estimated to be \$1,963,594 over budget. Future Board actions will be needed to reallocate required funding. Recommendation for Action: Board approval is requested.

Bill Fletcher made a motion to approve, seconded by Beverley Clark. The vote was unanimous.

7. DESIGN CONSULTANT AGREEMENT: E18 "HOLLY SPRINGS HIGH SITE"

The approved PLAN 2004 School Building Program includes a new elementary school. Negotiations are in progress with Cherry Huffman Architects, P.A. for the reuse of the prototypes used at E15. The form of agreement is the standard form approved by the Board's attorney. Fiscal Implications: Funding is available from the total project budget of \$15,033,140, as provided in the PLAN 2004 Scholl Building Program. The total project budget includes proposed compensation for the design consultant of \$443,723. Recommendation for Action-Board approval is requested.

Bill Fletcher made a motion to approve, seconded by Carol Parker. The vote was unanimous.

LEGISLATIVE

1. 2005 LEGISLATIVE AGENDA

The 2005 Legislative Agenda has been reviewed by the Legislative Committee and is being presented for information. Fiscal Implications-Undetermined at this time. Recommendation for Action-Information at this time.

Carol Parker asked for clarification on the school calendar issue. Ms. Parker wanted to know if the Board planned to pursue returning flexibility to LEAs on determining school calendars.

Bill Fletcher made a motion to approve, seconded by Beverley Clark. The vote was unanimous.

CLOSED SESSION

- *Bill Fletcher made a motion to go into closed session at 3:20 p.m. to consider confidential student information protected under the Family Rights and Privacy Act (FERPA) and G.S. 115C-402; to consider confidential personnel information protected under G.S.115C-319; to establish, or instruct board's staff or negotiating agents concerning the position to be taken by or on behalf of the board in negotiation of (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract. The property if acquired will be used for new public school facilities located on Pippin Road, Zebulon, N.C., and Forest Pines Drive, Raleigh, N.C. G.S.143-318.11 (a)(5). Seconded by Patti Head. The vote was unanimous.*

[RECONVEND AT 5:06 p.m.](#)

ACTION ITEMS (cond't.)

HUMAN RESOURCES

1. Recommendations for Administrative Appointments

A motion was made by Bill Fletcher, seconded by Ron Margiotta to approve the following administrative appointments. The vote was unanimous.

- *Elaine Dillahun, teacher at Phillips High School to assistant principal at Phillips High School, effective December 21, 2004.*
- *Larry Jewell, curriculum integration coordinator at Carroll Middle School to assistant principal at Southeast Raleigh High School, effective January 2, 2005.*
- *Jeremy Parrish, teacher at Athens Drive High School to 50% assistant principal at Athens Drive High School, effective January 1, 2005.*

2. Recommendation for Career Status

A motion was made by Patti Head, seconded by Rosa Gill to approve the following Career Status. The vote to approve was unanimous.

- *Ms. Melissa Dettman, Wakefield High School.*

Bill Fletcher made a motion to amend the Action Agenda to add the following items, second by Amy White.

1. OFFER TO PURCHASE AND CONTRACT - ZEBULON AREA ELEMENTARY

Terms and conditions of an Offer to Purchase and Contract have been reached with MacGregor Development Company to acquire approximately 33 acres of land on Highway 96 and Pippin Road, Zebulon for a new elementary school facility. Ten acres will be provided at no cost with 23 acres provided at the owner's cost. Utilities will be delivered to the property at no cost to the Board. Fiscal Implications-Land cost-23 acres at \$23,000 per acre-total \$529,000.00. Recommendation for Action – Staff requests Board approval of an Offer to Purchase and Contract with MacGregor Development Company to acquire 33 acres of land at a cost of \$529,000.00.

Motion to approve by Bill Fletcher, seconded by Patti Head. The motion passed with Kathryn Watson Quigg and Beverley Clark voting "no." Ms. Quigg is not opposed to the purchase of the land because she feels the area will need two elementary schools, but she is opposed to purchasing this land and designating it for E-15. She feels this is the wrong location for E-15. Ms. Clark feels this parcel of land is too large.

2. FUNDING AND ACQUISITION RESOLUTION - PIPPIN ROAD, ZEBULON PROPERTY

Terms and conditions of an Offer to Purchase and Contract have been reached with MacGregor Development Company to acquire approximately 33 acres on Pippin Road, Zebulon, for a new elementary facility. Ten acres will be provided at no cost to the Board of Education. A resolution to the Wake County Board of Commissioners is required to approve of the acquisition and funding. Fiscal Implications-Estimated land cost of 23 acres at \$23,000 per acre \$529,000.00. Recommendation for Action-Staff request Board approval of a Resolution to the Wake County Board of Commissioners to approve of the acquisition and funding for approximately 33 acres on Pippin Road, Zebulon.

Motion to approve by Rosa Gill, seconded by Ron Margiotta. The motion passed with Kathryn Watson Quigg and Beverley Clark voting "no." Ms. Quigg and Ms. Clark voiced the same opposition as stated in the vote on the aforementioned item.

3. OFFER TO PURCHASE AND CONTRACT - E9

Terms and conditions of an Offer to Purchase and Contract have been reached with Wakefield Commercial, L.L.C. to acquire approximately 20 acres of land of Forest Pines Drive representing a

portion of the Wakefield Park mixed use development. The property will be developed for a new elementary facility to open in 2007. Fiscal Implication-Estimated land cost-20 acres (approximately) at \$80,000.00 per acre estimated cost \$1,600,000.00. Recommendation for Action-Staff requests Board approval of an Offer to Purchase and Contract with Wakefield Commercial, L.L.C. to acquire approximately 20 acres at an estimated cost of \$1,600,000.00.

Motion to approve by Bill Fletcher by amending the Precis to read, "Offer to Purchase and Contract - E9 and an Additional Potential School Site." Motion seconded by Carol Parker. The vote was unanimous.

4. FUNDING AND ACQUISITION RESOLUTION - NORTH RALEIGH AREA D ELEMENTARY (E-9)

Terms and conditions of an Offer to Purchase and Contract have been reached with Wakefield Commercial, L.L.C. to acquire approximately 20 acres on Forest Pines Drive, Raleigh, for a new elementary facility. A resolution to the Wake County Board of Commissioners is required to approve of the acquisition and funding. Fiscal Implications-Estimated land cost at \$80,000 per acre \$1,600,000.00. Recommendation for Action- Staff requests Board approval of a Resolution to the Wake County Board of Commissioners to approve of the acquisition and funding for approximately 20 acres of Forest Pines Drive, Raleigh.

Motion to approve as amended to state "North Raleigh Area D elementary (E-9) and an additional potential school site." Seconded by Patti Head. The vote was unanimous.

5. LEASE OF LAND AND GYMNASIUM FROM NATIONAL DUBOIS ALUMNI ASSOCIATION

Previously the Board authorized staff to negotiate a lease with the National DuBois Alumni Association for land to be used for construction of a modular elementary school, for an annual amount up to \$40,000. Staff proposed a lease for land; only, in the amount of \$30,000 per year, but the Association declined that offer. Subsequently, staff negotiated a three-year lease in the amount of \$43,400 per year for the 6.5 acres of land, plus use of the association's existing gymnasium. The lease amount for optional years will be increased 5% per year about the base amount. Fiscal Implications-Three year lease at \$43,400 per year, with option to renew for an additional 1-3 years. The first \$26,000 of each year's lease payment will be credited against to the Association's Note Deed of Trust Payment. Recommendation for Action-Staff recommend approval of the terms of the lease.

Bill Fletcher made a motion to approve staff's recommendation to pursue the lease with Dubois as stated above, seconded by Rosa Gill. The motion passed with Patti Head and Amy White voting "no."

ADJOURNMENT

There being no further business before the board, a motion to adjourn was made by Amy White. The vote was unanimous. The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Elwanda K. Farrow, Recording Secretary

Bill McNeal, Superintendent, WCPSS

Susan Parry, Chair, Wake County Board Of Education