

CUMBERLAND COUNTY BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 1, 2007

The Cumberland County Board of Education met in regular session on Thursday, February 1st, 2007, at the Central Office Board Room, where the meeting was called to order by Chairman Parris at the approximate hour of 6:00 p.m. She welcomed everyone to the meeting.

PRESENT: Parris, Davis, Hale
Houston, Schlafer, R. Smith
M. Smith, Randolph, Safdie
Sheila Rimmer, (CCEA Rep)
Cathy Camera (PTO/PTA Rep)
Bryant Davis (Student Rep)

ABSENT: None

COUNSEL: Mr. Earl Patton

MOMENT OF SILENCE

PLEDGE TO FLAG: Davis led the audience in the Pledge of Allegiance.

SPECIAL RECOGNITION:

A. TSBA School of the Year for Excellence in Architectural Design:

Chairman Parris introduced Mr. Charles Robinson, 2nd district school board member from DeKalb County and a director of TSBA who represents the Upper Cumberland Area. In turn, Mr. Robinson introduced his director, Mr. Mark Willoby, and Mr. Kenny Roby, third district school board member from DeKalb County. Mr. Robinson stated that in November 2006, TSBA judged SMHS as the first place winner in the competition for the School of the Year for Excellence in Architectural Design. After outlining the criteria for winning this award, he presented the plaque for this award to Chairman Parris and Mrs. VanWinkle. He also presented Mr. Kim Chamberlin a plaque as the architect for Upland Design Group. After this presentation, Chairman Parris presented the plaque to Mr. Eichelberger, principal of SMHS, to be displayed in his school. This is a very prestigious award.

B. Stone Elementary “Spotlight”:

Due to the inclement weather, Mrs. Suzanne Wilson, principal of Stone Elementary, stated that the students were not able to participate in the program tonight, but she presented a delightful display of art from the school. She, with the help of Mr. Threet, presented a slide show of activities at the school, which

included a picture of their first place winner in the Parade of Christmas Trees at First National Bank of Tennessee. Other slides were shown regarding their sports activities, including archery and orienteering.

APPROVAL OF MINUTES OF JANUARY 4, 2007: Hale made and Randolph seconded a motion to approve the January 4th, 2007 minutes with the following correction: **Page 4, Paragraph E, change “TSBA” to “State Board of Education”.**

VOICE VOTE: **Hale (mover-yes)**
 Randolph (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

APPROVAL OF AGENDA: (See Exhibit #1) Hale made and M. Smith seconded a motion to approve the Agenda as per Exhibit #1.

VOICE VOTE: **Hale (mover-yes)**
 M. Smith (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

COMMUNITY COMMENTS

A. Mayland Community Delegation: Mr. Pepe Perron, spokesman for the people of the Mayland Community, addressed the Board regarding the location of the new elementary school. Mr. Perron stated that if the school is built in Mayland, the community will support the school with their time, financial resources, and enthusiasm. The good-will offer of twenty-five acres of land if the sale of the Randolph farm goes through still stands. That land would have a value of between \$175,000 and \$200,000, and he asked the Board to wait to see if the offer develops. He also stated that if this offer does not go forward, there is another offer for the Board to consider which will include cash and in-kind construction services for a considerable amount, but that offer is too premature to discuss tonight.

ITEM #1: FACILITIES UPDATE

A. Phase I Update

1. CCHS Renovations: Mr. Chamberlin stated that the plans for the renovation were presented to the Education Committee at their meeting two weeks ago for their consideration of the project. It was passed from that committee to the Budget Committee; after that, it will be presented to the full County Commission. Ms. Randol stated that the minutes of that meeting are included in the FYI packet. Ms. Randol also stated that Mr. Nathan Brock has the specifications for some lighting that has already been budgeted for CCHS, but he wants

to wait until March to get more accurate pricing and get the bids back in so work can start immediately after school is out.

2. Specs for New Elementary: Chairman Parris asked Mr. Chamberlin about information that was given on the new elementary school at the County Education Committee meeting. He responded that he cannot give specific sizes or dollars, but he thinks it will be in the neighborhood of 80,000 square feet; with today's prices, that would be in the range of Ten Million Dollars for the new school. He emphasized that this will depend on land development costs, sewer work, etc.

B. Pine View Drainage Work: Mr. Chamberlin stated that the bid for this work was done last week, but the reports were not in when the packets went out. He stated that the three bids that he is presenting tonight are for improving the drainage work at the front door by installing a trench drain all along the front where the canopy is and tie that into the existing storm system that is in front of the gymnasium. In addition, he identified another small problem that needs to be fixed at the same time. The old gym downspouts are dumping on the ground and going into the crawl space underneath the gym. The following bid numbers include the work to correct that problem, as well: \$62,000.00 with a deduction for the other work of \$10,000.00; the base bid would be \$52,000.00; the second lowest bid was \$62,480.00 with a deduction for the other work of \$12,000.00, with a base bid of \$50,480.00; the third bid was \$70,255.00 with a deduction of \$12,125.00 for the other work, with a base bid of \$58,130.00. After discussion, Schlafer made and Randolph seconded a motion to do all the work, accepting the low bid of \$62,000.00, with the funds to come out of Capital Outlay and Site Development. (The company that will be awarded the bid is a local company.)

ROLL CALL VOTE: **Schlafer (mover-yes)**
 Randolph (seconder-yes)
 Safdie (yes), Davis (yes)
 Hale (yes), Houston (yes)
 R. Smith (yes), M. Smith (yes)
 Chairman Parris (yes)
MOTION: **Carried unanimously**

Mr. Chamberlin stated that he will work with Dr. Brooker to keep disruption down as much as possible. Mrs. VanWinkle asked that this be presented to the Finance Committee this month to expedite the work.

C. Site for New Elementary School: (See Exhibit#2) Mrs. VanWinkle stated that at this time, it is not known what part of the Bakers Crossroads property is being offered for sale to the Board, but she has provided board members with the information that has been provided by Crossville Realty. In discussion, Mr. Chamberlin stated that the Randolph property has also been looked at. He stated that studies would have to be done on the Randolph property, just as they have been done on the Bakers property. The cost difference in using a site where a septic system is used versus a site where sewer availability already exists can be dependent on the site, but the costs would probably be within the range of \$200,000 to \$300,000 for a self-contained system. It is always Mr. Chamberlin's recommendation to get a site into a

municipal system and let them deal with it.

D. Pleasant Hill: (See Exhibit #10, FYI Folder, Page 1) Mrs. VanWinkle stated that Mayor Hill called her a few weeks ago and said that the county had contracted with Mr. Sparkman to look at the old primary building (1950's wing) at the Pleasant Hill School to decide if the building is worth saving. (The building has been approved for storage and has been used for that purpose for the past five years.) Mrs. VanWinkle stated that the renovations of that building would, in no way, affect the building of a new school at Pleasant Hill; those six classrooms would just give them space for music, band, art, and the Pre-K program. The use of the renovated old building would take the place of three portables that will have to be purchased until the new school is built. Davis stated that due to the fact that most old buildings have superior structural qualities, it would be feasible to study this extensively, since its renovation would also be preserving history. After further discussion, R. Smith made and Safdie seconded a motion to have Mr. Chamberlin inspect the building and bring back a report to the Board. (Mr. Chamberlin stated that he doesn't think a cursory inspection will cost anything.)

VOICE VOTE: **R. Smith (mover-yes)**
 Safdie (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

ITEM #2: SCHOOL BOARD REPORTS

A. TLN Report: (None)

ITEM #3: LEGAL REPORT

A. Pilot Oil: Mr. Patton reported that he wrote a letter on January 29th, to Brad Butcher, the real estate manager for Pilot Oil. The sale has not actually closed yet, but the travel center is planned for that area near Genesis Road and SMHS. He understands that Pilot Oil has a projected completion date for the travel center before the end of the summer. Mr. Patton also spoke with the City of Crossville, and Ms. Oglesby informed him that the City is doing everything it can to expedite the work with TDOT, but the long process of red tape has to be gone through. He will continue to keep abreast of the situation, and if there is anything the Board can do to help, he will see that it is done. The City has agreed to cooperate in any way they can by providing officers to direct school traffic. After further discussion, Hale made and M. Smith seconded a motion to have Mr. Patton and Mrs. VanWinkle meet with the City Manager and the County Mayor to see what can be done about fixing the entire traffic situation in that location.

VOICE VOTE: **Hale (mover-yes)**
 M. Smith (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

B. Crab Orchard Property: Mr. Patton stated that after research of the Crab Orchard property, his opinion is that if the Board wants to dispose of the property, it can be declared as surplus. If this is the avenue taken, the responsibility of disposing of it becomes that of the Cumberland County Department of Finance Director, Mr. Nathan Brock (under the Local Option Financial Management Act). The option of an Internet auction only applies to houses that have been built by a vocational trades school. In answer to Hale's question about whether the money will go back into the County's General Fund, Mr. Patton stated that his legal opinion is that it should come back to the Department of Education. He will look further into that issue.

* **Mayland Property:** In order for the Mayland delegation to leave the meeting if they desire, Chairman Parris stated that no decision will be made about the location of the new elementary school until the Mayland property has been studied. Also, Mr. McAnally will be reporting on where the students are actually located.

C. Resolution: Pledge to America's School Children: (See Exhibit #3)

D. Resolution: Request for Competitive Sources of Policy Maintenance & Updates: (See Exhibit #4)

Hale made and M. Smith seconded a motion to approve the Resolutions as per Exhibits # 3 and #4, with board members to go by the Central Office to sign clean copies. In regard to Item #3-C (Exhibit #3), Schlafer stated that in a telephone conversation this afternoon with Anne Bryant, Executive Director of the National School Boards Association, she asked him to thank the Board for being the first Board of Education in the United States of America to take this action by resolution.

VOICE VOTE: **Hale (mover-yes)**
 M. Smith (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

E. Funding Avenues:

1. Lottery Money: Mr. Patton stated that he and Mrs. VanWinkle are studying funding sources for school construction for the Board. There could be some lottery money available for construction at a later date, but this has not become law as of this date.

2. House Bill "The County Powers Relief Act": Mr. Patton stated that this law authorizes county legislative bodies to levy a privilege tax on people engaged in residential development, tying that tax directly to the construction of schools. This has not been adopted by Cumberland County, and Mr. Patton has drafted a resolution, asking the County to enact that tax. (This will be discussed under the DOS report).

ITEM #4: APPROVAL OF CONTRACT FOR DIRECTOR OF SCHOOLS: (See Exhibit #5) Davis made and M. Smith seconded a motion to approve the Director’s contract as per Exhibit #2, filling in the blank lines with “The period of employment shall commence on January 5th, 2007, and shall continue until June 30th, 2010”, and set the beginning salary at \$90,000.00 per year.

In discussion, Hale stated: “This, in reality, is not an issue about Mrs. VanWinkle; it’s an issue of fiscal responsibility with regard to the taxpayers of Cumberland County by the Cumberland County Board of Education. Members of this Board have, on two separate occasions in less than six years, proven that the only two appointed Directors of Schools in the history of Cumberland County... This Board has chosen to revoke their contracts before their expiration at a tremendous expense to the taxpayers of Cumberland County. This was a flagrant waste of taxpayers’ money in both situations. We couldn’t afford it then; we can’t afford it now; and we can’t afford it in the future. Based on the history of this Board, with no reflection whatsoever on Mrs. VanWinkle – because she has done a good job so far and I sincerely expect her to continue to do a good job – I think that for us to do anything other than a one-year contract, renewing it in one-year increments as we do for our principals, is a slap in the face to the taxpayers of this county. I support her, and I think she’s going to do a great job, but I mean, we’ve already seen how this Board, on two separate occasions, has wasted a lot of taxpayers’ money, and I just don’t think it is fair for us to continue in this manner.”

In discussion, Chairman Parris expressed the opinion that good candidates would not come forward for a one-year contract. Safdie stated that this contract is being issued to Mrs. VanWinkle, honoring her tenure, which was not done with the other two appointed directors. Davis was of the opinion that tenure cannot be taken away from Mrs. VanWinkle if she is appointed to the DOS position, but Sadie stated that it can be taken away, due to Mrs. VanWinkle having to resign from her principal and/or teaching positions. Mr. Patton stated that the retention of tenure can be included in the contract. Davis took issue with the fact that the Board can expect a competent person to come in and work year-by-year as a Director, due to the political atmosphere surrounding this matter.

Randolph made and R. Smith seconded a motion to end the debate and vote on the main motion. Further discussion was had.

VOICE VOTE: **Randolph (mover-yes)**
 R. Smith (seconder-yes)
 8-ayes, Schlafer-no
MOTION: **Carried (8-yes, 1-no)**

After his “no” vote, Schlafer stated that he would like to have an opportunity to sit down with his fellow board members and work out all the issues regarding this contract. He stated that Mrs. VanWinkle is doing and will be doing an outstanding job, but there are some professionally accepted across-the-board standards that are out there. He wants Mrs. VanWinkle to have all the security that can be had as Director of Schools.

In further discussion, Davis asked board members to look back at the previous board and how those board members voted to recommend an extension to the previous Director's contract before her three years were up, and then decide if it is fair to Mrs. VanWinkle to ask her to accept a one-year contract. Hale stated that he voted against the previous Director for the same reasons; he thought then that a three-year contract was too long. Further discussion was had.

ROLL CALL VOTE: **Davis (mover-yes)**
 M. Smith (seconder-yes)
 Schlafer (pass), Randolph (yes)
 Safdie (pass), R. Smith (yes)
 Hale (no), Houston (yes)
 Chairman Parris (yes)
 (Safdie changed his "pass" vote to a "yes" vote)
 (Schlafer changed his "pass" vote to a "yes" vote)
 (Houston declared a conflict, even though he is
 not an immediate family member of Mrs.
 VanWinkle)

MOTION: **Carried (8-yes, 1-no)**

Mr. Patton was instructed to fill in the blank regarding "Renewal of Employment Contract" on Page #3 of the Contract with "the 15th day of January, 2010."

ITEM #5: DIRECTOR OF SCHOOLS REPORT

A. Discussion of Impact Law: (See Exhibit #6) Mr. Patton reiterated that this law allows the County Commission to enact a tax on those people who develop residential property, with that tax being earmarked for funding for public schools. He read to the Board the Resolution that he has written, asking the County Commission to enact this law in Cumberland County. R. Smith made and Houston seconded a motion to approve the Resolution as read by Mr. Patton to be sent to the County Commission. After discussion, Houston withdrew his second to the motion. After further discussion, Davis seconded the motion. Mr. Wendell Wilson, County Commissioner, spoke briefly, expressing the opinion that this tax should be based on the square footage of a new home versus a flat fee. Further discussion was had.

ROLL CALL VOTE: **R. Smith (mover-yes)**
 Davis (seconder-yes)
 Houston (no), Safdie (no)
 Randolph (yes), Schlafer (no)
 Hale (no), M. Smith (yes)
 Chairman Parris (yes)

MOTION: **Carried (5-yes, 4-no)**

B. Proposed Bill for Lottery Funds for Education Facilities: (See Exhibit #7) Mr. Patton stated that this bill is not a law, but it is in the discussion phase in the State Legislature. The law, if enacted, would allow excess lottery funds to be used for

construction of schools, Pre-K programs, and make it possible for students with lower academic grades to attend college. Mr. Patton will contact Representative Joe Fowlkes, the person who requested the opinion from the Attorney General, and our local state officials and get their opinions on the subject.

C. Plato Survey: (See Exhibit #8) Mr. Steve Threet reported on the survey that he sent to the principals regarding their usage of Plato. He stated that Stone Elementary, Brown Elementary, Homestead Elementary and South Elementary were using Plato on an infrequent basis, ranging from daily to monthly use, focusing on Grades 4 through 8 in the areas of reading and math. There have been no usage problems reported this year. The free technical support is coming to an end, based on the agreement with Plato. If the Board opts to end the contract, the software is still owned by the system, but technical support and up-upgrades will not be forthcoming. Mr. Threet announced that all of our literacy leaders have gone to training for a program called Nettekker, which is a program that was bought by the State of Tennessee for every school in the state. The program tells the schools which programs are the most appropriate for use in the classroom. This is a free service paid for by the State, but “if you don’t use it, you lose it.” Schlafer read from a report that he had, which showed different numbers than Mr. Threet’s report, but the ending date of the report was different. He is of the opinion that the reason there are no problems reported is because the system is not being used. Mrs. VanWinkle has recommended that the contract with Plato not be renewed.

D. Internet Network Status: (See Exhibit #9) Mr. Threet reported that e-Rate is a federal program that contributes to the State’s costs of getting internet services to classrooms; this program supplies discounted services that are based on your free-and-reduced rate. Everyone in the country funds this through the part of their phone bill that is labeled “Universal Services.” If it weren’t for the e-Rate program, there would be no wide-area internet network for our schools. If the school system had to pay for the level of service that we now have without these e-Rate services, the cost would be \$396,933.00. (Through e-Rate, the services cost between \$21,000.00 and \$25,000.00.) If the State awards the contract to Bell South, they will be paying only for basic service (T-1 line). We now have T-2 and T-3 lines at all schools. Mr. Threet stated that we can go with Bell South or we can stay with our present internet provider, ENA through the Greenville contract. There are now over one hundred school systems that have elected to go with ENA with a one-year contract, renewable for five years. After further discussion, Hale made and R. Smith seconded a motion to have Mrs. VanWinkle look into the ENA contract, bring her findings back to Mr. Patton for his approval, and if approved by Mr. Patton, to go ahead with the contract since it has to be in by February 7th, 2007.

ROLL CALL VOTE: **Hale (mover-yes)**
 R. Smith (seconder-yes)
 M. Smith (yes), Houston (yes)
 Safdie (yes), Davis (yes)
 Randolph (yes), Schlafer (yes)
 Chairman Parris (yes)

MOTION: **Carried unanimously**

E. FYI Folder: (See Exhibit #10) Mrs. VanWinkle asked board

members to pay special attention to the results of the faculty/staff survey regarding the school calendar and the Six-Month Agenda, both of which are included in Exhibit #10.

ITEM #6: SCHOOL BOARD COMMITTEES

A. Committee Reports

1. School Safety Committee: Hale reported that this committee is still waiting for in-put from the Crossville Police Department and the Sheriff's Department. He asked Mrs. VanWinkle to contact these entities and try to get their responses.

2. At-Risk Team Committee: Randolph reported that Coach Zazzaro has stated that a new Alternative School will have to be considered in the near future. Mrs. VanWinkle stated that Mr. Zazzaro will be making a presentation regarding alternative education in a work session before the next board meeting. After a report that the Alternative School Department has virtually no heat, a lengthy discussion was had concerning the heating conditions of our schools. Thirty-two units are down at this time, with only one person to try to get them going. Mrs. VanWinkle stated that this Line Item is over-budget, but the bidding process has been by-passed to allow for new units to be purchased. The problem is being worked through, with the hope of getting part-time help for the maintenance work.

ITEM #7: APPROVAL OF 1ST READING ON POLICIES:

A. Expenses and Reimbursements (2.804): (See Exhibit #11) Hale made and M. Smith seconded a motion to approve, on the 1st reading, the Expenses and Reimbursements Policy as per Exhibit #11.

VOICE VOTE: **Hale (mover-yes)**
 M. Smith (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

ITEM #8: CONSENT AGENDA

A. Approval of Volunteers: (See Exhibit #12)

- 1. South Cumberland Elementary**
- 2. Pleasant Hill Elementary**
- 3. Brown Elementary**

B. Approval of Fundraisers: (See Exhibit #13)

- 1. Stone Elementary**

C. Approval of Field Trips: (See Exhibit #14)

1. Pine View Elementary
2. CCHS Interact Club
3. SMHS Interact Club
4. North Cumberland Elementary
5. CCHS Band
6. SMHS Band
7. South Cumberland Elementary Cheerleading Squad
8. SMHS Bowling Team

D. Approval of Grant Proposals: (See Exhibit #15)

1. Stone Elementary

E. Approval of Bid Specifications: (See Exhibit #16)

1. North Cumberland and Homestead Fencing
2. Pleasant Hill Sewage Disposal System

F. Approval of Disposal of Surplus Property: (See Exhibit #17)

1. CCHS
2. Pine View

G. Approval of County-Wide Elementary Baseball:
(See Exhibit #18)

Schlafer made and M. Smith seconded a motion to approve Item #8, Consent Agenda, A through G, as per Exhibits #12 through #18.

VOICE VOTE: **Schlafer (mover-yes)**
 M. Smith (seconder-yes)
 All ayes

MOTION: **Carried unanimously**

ITEM #9: OTHER OLD BUSINESS

A. Business Manager's Report: Schlafer requested that the Board be supplied with a report from the Business Manager so that questions, if any, can be asked.

B. Block versus Flex Scheduling: Mrs. VanWinkle stated that this matter will be put on the agenda for a work session.

C. Policy Maintenance for one year: Mrs. VanWinkle reported that this has to be a three-year contract. Information is in the FYI Folder, Exhibit #10, Page 2.

D. Homestead Wish List to TDOT: Mrs. VanWinkle stated that the three items are listed in the FYI Folder, Exhibit #10, Page 3. She has had no response from Mr. Walker.

(A work session was set for Thursday, February 22nd, 2007 at 4:30 p.m.)

QUESTIONS FROM MEDIA: (None)

(Three (3) tapes dated 02/01/07 are marked as Exhibit #19)

ADJOURNMENT: Hale made and Randolph seconded a motion to adjourn.

VOICE VOTE: All ayes

MOTION: Carried unanimously

(WHEREUPON, the meeting was adjourned
at the approximate hour of 8:30 p.m.)

Mrs. Aarona VanWinkle
Director of Schools

Ms. Shirley Parris
Chairman

(Continued on Page 12)

(Minutes of 02/01/07 continued from Page 11)

I, Virgie Lotze, do hereby certify that I reported the foregoing minutes and that I delivered said minutes to the office of the Director of Schools on February 9th, 2007.

Virgie Lotze
Court Reporter and Notary Public
at Large for the State of Tennessee

(My Commission expires 5/29/07)