

**MINUTES OF THE REGULAR MEETING OF THE
JEFFERSON COUNTY BOARD OF SCHOOL COMMISSIONERS
MARCH 26, 2015 – 6:30 P.M.
JCHS MEDIA CENTER**

CALL TO ORDER

The meeting was called to order by Chairman Bill Jarnigan who then asked everyone to stand for a moment of silence. Board members present were Chairman Jarnigan, Judy Cavanah, Anne Marie Potts, Ralph Lowery, and Jonathan Rogers. Board members absent were Vice Chairman Jim Vines and Randall Bradley. Dr. Charles Edmonds, Director of Schools and Secretary to the Board, was also present.

PLEDGE OF ALLEGIANCE

Alex Toms from Boy Scout Troop 76 in Jefferson City led the audience in the Pledge of Allegiance.

SPECIAL FOCUS

Dr. Edmonds introduced Lani O'Connor, JCHS Service Learning Teacher, who shared with the board what the Service Learning program was about. She then introduced JCHS students Sydney Raines and Kelsey Haun who gave an overview of the program. Sydney pointed out that the Service Learning class was requesting to build an outdoor classroom pavilion. She stated that they had been selected to receive a Lowe's Toolbox for Education grant in the amount of \$5,000 for the outdoor classroom in addition to a \$700 mini grant from the Tennessee STEM Leadership Academy. She pointed out that the total cost for the project would be \$4,600. She asked for the board's approval and support.

John Cagle, JCHS Assistant Principal, introduced students Olivia Byrd, Kaylin Webster, Sterling Evon, and Harper Lang who attended the Student Congress on Policies in Education (SCOPE) conference in Murfreesboro, TN on March 9, 2015. The purpose of SCOPE is to bring together students from across the state to discuss current topics in education. Each student gave a brief report of their experience.

Greg Jones, JCHS Band Director, addressed the board regarding the recent awards that the band had won while competing in the WorldStrides Heritage Performance Festival in New York City on March 19-22, 2015. Awards included the Gold Award which was the highest award offered for garnering a score of 93 out of 100 in which they received an invitation to the highest tier level of the WorldStrides Festivals of Gold. Mr. Jones pointed out that there were only four of those in the nation. They also received the judges award which recognized the JCHS students above all the other competitors, as well as the Spirit of New York Award from the

Special Focus – continued

event staff. Mr. Jones stated that the students had represented Jefferson County High School very well.

Chairman Jarnigan commended the students for all their hard work and dedication.

APPROVAL OF AGENDA

Board member Cavanah requested that kindergarten registration and the Rush Strong sewer issue be added to the agenda.

Upon motion by Judy Cavanah and second by Ralph Lowery, the board voted 5-0 to approve the agenda with the additions above and the addition of Federal Budget Amendment #11. (see attached)

CONSENT AGENDA ITEMS

Board member Potts requested that the minutes of the March 9, 2015 called meeting reflect more detail of Mr. Phagan's comments regarding the Rush Strong sewer issue.

Upon motion by Anne Marie Potts and second by Jonathan Rogers, the board voted 5-0 to approve the consent agenda items along with the request to reflect more detail regarding the Rush Strong sewer issue from the March 9, 2015 meeting.

ITEMS FOR DISCUSSION

Charles Moore, concerned parent and citizen, addressed the board regarding confiscating cell phones from students for 30 days for violation of the cell phone policy. He stated that his son had violated the policy but the issue he had was his phone had been taken up and he could not get it back for 30 days. In his opinion, he thought this could be a legal issue by keeping the phone that long. He stated that he was concerned about his son not having a phone in order to keep in touch with him when he had to go out of town. He pointed out that he was a single dad. He asked that the board reconsider the policy.

Dr. Edmonds stated that he had talked to Mr. Moore by phone to discuss the policy. He pointed out that the board policy is upheld in each school's handbook and it was consistent at all schools. Dr. Edmonds referred to litigation regarding confiscating cell phones for violation of the policy for 30 days. He commented on the following cases regarding confiscating cell phones. The U.S. Court of Appeals upheld a case from Tennessee where a cell phone was

Items for Discussion - continued

confiscated from an 8th grader for 30 days (Laney v. Farley, 501 F. 3d 577 (6th Circuit 2007)). The Arkansas Supreme Court in 2010 upheld a school confiscating a cell phone for two weeks. (Koch v. Adams 361 S.W. 3d 817 ARK, 2010) and the New York Supreme Court, Appellate Division in Price v. New York City Board of Education, 51 A.D. 3d 277, 855 H.Y. S. 2d 530, in 2008 ruled that there was “no constitutional right to bear cell phones” and that it was not unreasonable for the school system to ban cell phones.

ITEMS FOR INFORMATION – DIRECTOR OF SCHOOLS

1. Don McFarland, from McFarland and Gann, update the board on the school system audit report ending June 2014. He reported that there were no deficient balances at any of the schools and no major findings.
2. Dr. Edmonds reported on the cost to of turn lanes at Patriot Academy. He stated that it would cost approximately \$6,000 for paving and \$3,000 for curbing. He pointed out that there was \$117,000 left in the Patriot Academy account. He stated that he would like to see the board at a work session discuss what to do with the remaining balance of \$108,000. Langdon Potts, County Finance Director, verified the balance as \$117,000.
3. Each board member received a copy of Scott Bennett’s and Melinda Jacob’s attorney contract. He pointed out that they had been cleared by the County Finance Office.
4. Each board member received the first draft of non-salaried budget information for the 2015-2016 school year. Dr. Edmonds went over each department’s budget and answered questions from the board. Board member Potts pointed out that under 72310 audit services the fee for the services had increased from \$13,000 in the current budget to \$16,000 for the 2015-2016 budget. Dr. Edmonds stated that it would be changed. Dr. Edmonds referred to a technology report when going over the technical services budget 72810. He pointed out that the report showed the progress the technology department had made. Chairman Jarnigan requested that the report be placed on the April 7th meeting for further discussion and review. Board member Potts requested that a detailed breakdown of the \$521,000 in the technology budget showing specifically where the money would be spent at which school and on what type of equipment. There was some discussion on what was grant money in the budget. Dr. Edmonds stated that he would be sending out a report to the board listing all the grant money, where they came from and how much there was.

Board member Potts commented that she would like to see a balanced budget again this year and not show any increases. Dr. Edmonds responded that it was still early and they didn’t know what the balances would be at this time. He stated that he didn’t know how soon

Items for Information – Budget - continued

they would know balances that would be left in the accounts. He also pointed out that they did not know BEP funding as this time. He pointed out that this was only the first draft of the budget and he was open to any suggestions the board had.

5. Michael Phagan updated the board on the Rush Strong sewer issues which mainly are due to high levels of ammonia. Mr. Phagan stated that he had been meeting with the Tennessee Department of Environment and Conservation (TDEC) on a proposed alternative approach to a drip field. He pointed out that a drip field was not possible because they did not have suitable soil for a drip field. TDEC requested that they try to get the numbers down before they could make a determination to proceed with more updates to the plant or the alternative engineered soil. Mr. Phagan pointed out that he is staying in constant communication with TDEC and that he is continuing to do what TDEC is requesting. Board member Cavanah asked how the situation got so bad. Mr. Phagan responded that they started having problems with the plant in March 2011. He pointed out that a report is done regularly and improvements have been made to the plant by replacing pumps, doing electrical work and looking for ways to improve the plant's efficiency. He mentioned that it would take some time to determine if changes are making a positive impact. Board member Potts asked where the funding for the work was coming from. Mr. Phagan responded that it was coming from maintenance funds. Ms. Potts asked Mr. Phagan if he anticipated having the work done in this year's budget. Mr. Phagan responded, "yes, as far as the improvements to the existing plant".

NEW BUSINESS

1. Approval – General Budget Amendment #10 and #11, Federal Budget Amendment #10 and #11, Food Service Budget Amendment #3

Board member Potts requested that General Budget Amendment #11 be voted on separately.

Langdon Potts, County Finance Director, went over the budget amendments and answered any questions from the board.

Upon motion by Judy Cavanah and second by Ralph Lowery, the board voted 5-0 to approve General Budget Amendment #10, Federal Budget Amendment #10 and #11 and food service budget amendment #3 as presented. (see attached)

Board member Potts commented that she was not in support of using fund balance to cover the expense in General Purpose Fund 141 Budget Amendment #11 totaling \$78,685.00.

New Business – Budget Amendments - continued

She commented that she would like to see if funds could be found in the current budget instead of taking it out of fund balance.

Dr. Edmonds pointed out that it was a concern to him that they did not know the amount of money to roll over into fund balance at this time.

Chairman Jarnigan requested that Dr. Edmonds and his staff look at the current budget to determine if funds could be found for this budget amendment. He asked, with the board's consent, that the item be placed on the called meeting/work session agenda scheduled for April 7th.

2. 2015-2016 School Calendar

Sherry Finchum, Chairman of the Calendar Committee, went over the proposed 2015-2016 school calendar and answered any questions from the board.

Board member Potts requested that the calendar be postponed and placed back on the April 7th agenda so that board member Bradley could be present to discuss the testing dates.

3. Resolutions –

- (a) Resolution #2015-24 – Declare Surplus Property – Talbott Elementary School Items
- (b) Resolution #2015-25 – Declare Surplus Property – Technology Items

There was some discussion regarding the Talbott Elementary School items being listed on the surplus list as, "in good shape, just not used". Dr. Edmonds commented that some of those items could be used at other schools. Board member Potts pointed out that if that was the case it really should not have been listed as surplus. Dr. Edmonds recommended that the Talbott resolution be taken up at a later date when they could check on those items.

Upon motion by Jonathan Rogers, and second by Anne Marie Potts, the board voted 5-0 to approve Resolution #2015-25 declaring the technology items submitted as surplus property.

4. TSBA 2016 Membership Dues - \$7,482

Upon motion by Ralph Lowery, and second by Jonathan Rogers, the board voted 5-0 to approve expenditures for the TSBA 2016 membership dues totaling \$7,481.

5. Jefferson County Chamber of Commerce Sponsorship (3/1/15 to 2/29/15) - \$200

Upon motion by Jonathan Rogers, and second by Ralph Lowery, the board voted 4-0 to approve expenditures for the Jefferson County Chamber of Commerce Sponsorship from March 1, 2015 to February 29, 2015 in the amount of \$200. Board member Potts abstained.

6. Proposed Improvement to School Property

- (a) New Market Elementary – Installation of New Playground Structure
- (b) JCHS – Outdoor Classroom

Upon motion by Judy Cavanah, and second by Jonathan Rogers, the board voted 5-0 to approve the installation of a new playground structure at New Market Elementary funded by the PTO. Dr. Edmonds stated that he would like for the maintenance department to inspect the structure in order to make sure it is installed properly.

Upon motion by Jonathan Rogers, and second by Ralph Lowery, the board voted 5-0 to approve the request from the Jefferson County High School Service Learning Class for construction of an outdoor classroom with the understanding that the maintenance department inspect the structure. Funding will be provided by the Lowe's Community Toolbox Grant in the amount of \$5,000 and a mini grant in the amount of \$700 from the Tennessee STEM Leadership Academy.

7. Board member Cavanah was concerned about calls she had received from kindergarten parents and the registration information not being on the county website. Kevin Cline, County Web Master, pointed out where the information was listed on the website but commented that he would place it on the front page.

8. Chairman Jarnigan reminded board members of the DARE graduation at Rush Strong School on Friday, March 27th at 6:00 p.m.

9. Board member Potts requested that the owner's and contractor's contingencies be added to the April 7th agenda. She requested a copy of the change order on the \$350,000 reduction in the contractor's contingency.

10. Board member Cavanah requested that White Pine School be added to the April 7th agenda.

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ADJOURN

With no further business, the meeting was adjourned at 8:15 p.m.

Bill Jarnigan, Chairman

Dr. Charles Edmonds, Director of Schools &
Secretary to the Board

Date

Date

