

DICKENSON COUNTY SCHOOL BOARD
Regular School Board Meeting
July 26, 2017
5 p.m. – Central Office

PRESENT: Susan Mullins, Chairman; Rocky Barton, Vice-Chairman; Shanghai Nickles; Lurton Lyle; Rick Mullins; Reba McCowan, Clerk; and Haydee Robinson, Superintendent.

ROLL CALL AND MEETING CALLED TO ORDER BY CHAIRMAN, MRS. SUSAN MULLINS:

Chairman, Mrs. Susan Mullins: Good evening everybody. I would like to call this meeting to order and note that all members are present including our Superintendent, Mrs. Haydee Robinson and our Clerk, Mrs. Reba McCowan. You have the Agenda before you with one addition of J. Discussion of the SunTrust Contract. Do I hear a motion to approve the Agenda?

Mr. Shanghai Nickles: made the motion to approve the agenda. Dr. Lurton Lyle seconded the motion. All votes aye.

Chairman, Mrs. Susan Mullins: We will start the meeting with the Pledge of Allegiance and a moment of silence. Thank you. Please be seated.

PUBLIC COMMENT:

Chairman, Mrs. Susan Mullins: Item II. Is Public Comment. Has everyone who wants to speak signed up? Mr. Nickles, would you please read the Guidelines for Public Comment. (So Read) Thank you, Mr. Nickles. Mr. Setser will be keeping time. The first name on my list is Ms. Kathy Musick.

Superintendent Robinson: She called earlier, Madam Chair, and said she would be late.

Chairman, Mrs. Susan Mullins: We will go ahead with Ms. Phyllis Mullins with the DEA:

Superintendent Robinson: Ms. Mullins called me and asked me to share with the Board that her husband was in a horrific mining accident. It was very, very serious, and they are on their way now to the University of Kentucky. She asked me to please extend that to you and express her regret that she could not be here today.

Chairman, Mrs. Susan Mullins: Thank you. Is there anyone else from the DEA who would like to speak on behalf of the DEA? If not, I will move on to Mr. Matt Owens from Haysi Partners.

Mr. Matt Owens: My name is Matthew Owens, and I am with the Haysi Partners, and I was asked by the Haysi Partners to construct a letter with the input of several of our members.

This letter was generated, and they asked me to read it to you tonight. If that is okay, I would like to do that.

The Haysi Partners was formed in 2009 by interested members of the business community along with several private citizens to aid the town in efforts to restructure the local economy and to revitalize the downtown area. Working together as a not for profit group the Haysi Partners were also named the Downtown Revitalization Angel Team. In that capacity, the Partners assisted the town in making decisions in marketing and branding, street scape and other areas of need. Since the closing of Haysi High School in 2016, the Haysi Partners have noticed a steep gradual decline in a broad range of businesses in the Haysi area. This includes not only retail but other sections of local economy such as banking, food services, insurance and financial services, recreational tourism and many other types of support businesses that help and complement each other.

The Haysi community represents a population of 3,900 when paired with the Breaks, Virginia, and 70% of the households in the area have families with school aged children. With the possibility of losing yet another school, the Haysi Partners strongly urge the Dickenson County School Board to adhere to the original U.S. Army Corps of Engineers' plan. That plan was endorsed and agreed upon by all with the understanding that the new elementary school would be built in the Haysi area. Without a school in our town, the Haysi Partners fears a further decline of local business revenue along with the drop in property values. Those property values reduction alone would add to the reduced real estate collections and place a burden on the county which is already seeing too much decline in our revenue streams. A three-school model will retain the community identity and community pride. It will foster a better learning environment for young elementary children close to their homes while providing a safer and shorter commute to and from school.

Please consider the Haysi Partners your partner and allow us to continue to help make a better and stronger Dickenson County by building the proposed new elementary school in the Haysi area.

We just wanted to make a statement that we are here for after school programs. Our community has volunteers that do work on the rivers and do volunteer work and act as advocates for organizations all across the Commonwealth that strive to give a better community for our students and our citizens. We would just ask you to strongly consider those sites in keeping the three-model school system which would be in all of our best interests for the whole county to help the children learn. Thank you.

Chairman, Mrs. Susan Mullins: Ms. Musick, I don't mean to put you on the spot. You can take time to get acclimated if you need it.

Ms. Kathy Musick: I'm sorry to be late, but doctors' offices do not always cooperate. Good evening Mrs. Mullins, Mrs. Robinson and Members of the Board. It is my pleasure to be here tonight even though I am late. I am excited as you all start a brand-new school year with the successes of last year and all of the good things that will come from that. I want to

let you know that if there is anything that I can do as the VPE Representative or as a volunteer, I am your girl. I will be glad to help in any way. Thank you.

Chairman, Mrs. Susan Mullins: That concludes our Public Comment.

CONSENT AGENDA:

Chairman, Mrs. Susan Mullins: Okay, that brings us to Item III. Consent Agenda which includes the approval of the Minutes, Monthly Bills, School Activity Fund (which is informational) and Field Trips. Has everyone had an opportunity to review these? Are there any questions or concerns?

Mr. Rocky Barton: Are there three sets of Minutes?

Chairman, Mrs. Susan Mullins: Yes, there are three sets of Minutes

Mr. Rocky Barton: made the motion to approve the Consent Agenda. Mr. Rick Mullins seconded. All votes aye.

Approved:

❖ **Minutes:**

July 12 & 19, 2017 – Special Called Meeting

June 28, 2017 – Regular Meeting

❖ **Monthly Bills:**

School Operating Fund – July 26, 2017 – Bills

Check Nos. 877617 through 877680 ----- \$ 591,017.67

School Operating Fund – July 31, 2017 – Payroll for 12 Month Contracts

Check Nos. 388243 through 388264 ----- \$ 379,887.33

❖ **Field Trips:**

Ridgeview High School

Aug. 9th & 10th – Yearbook Conference Herff Jones – Salem, NC – 12th Grade

INFORMATIONAL ITEMS FOR THE BOARD:

Chairman, Mrs. Susan Mullins: Item IV. Informational Items for the Board. Mrs. Robinson:

Superintendent Robinson: Madam Chair and Board Members, I would just like to point you to a copy of the Revised Closeout Letter which was given to you today. We gave this to the Treasurer’s Office on Tuesday of this week. There is \$22.05 difference between the Closeout Letter that you had and the one that you received today. Our carryover Capital Outlay funds increased by \$6,290.42 over the amount listed on the closeout Letter presented at last month’s Board Meeting. This change is a result of an addition to revenues in the amount of \$5,890.42 received a reimbursement for our State Wellness Grant which came after the June Board Meeting. To the best of our knowledge, the Treasurer’s Office will not be com-

pleted with their work for Dickenson County Schools, so we hope that this is the last amended letter to you. If we need to change or revise that again, we certainly will bring that to you.

Chairman, Mrs. Susan Mullins: So this is saying that we have \$332 that we did not spend. Is that correct? Are we carrying that over?

Mr. Larry Barton: Yes.

Chairman, Mrs. Susan Mullins: Are there any other questions?

Superintendent Robinson: Madam Chair, those funds are in specific categories such as GED testing, bus lease and Capital Outlay.

Chairman, Mrs. Susan Mullins: That's a good problem. Do we need to reapprove that, Mr. Mullins?

Mr. Scott Mullins: Yes, you do.

Chairman, Mrs. Susan Mullins: We need a motion.

Dr. Lurton Lyle: made the motion to approve the revised Close-out Letter for June 30, 2017. Mr. Rick Mullins seconded. All vote aye.

GOOD NEWS FROM OUR SCHOOLS:

Chairman, Mrs. Susan Mullins: That brings us to New Business with Good News from Our Schools. I will turn it over to Mrs. Robinson:

Superintendent Robinson: I was asked by Mr. Nickles that he wanted to share some Good News from Our Schools.

Mr. Shanghai Nickles: Most of you remember Tim Burge. I just found out from Tim today that he wanted me to tell the school system that his daughter just had their first grandchild. She was 7'8" and 25" long, and her name is Elizabeth Madison. He said that she was going to be an honorary Wolfpack. He did want me to pass that along, and he once again said that this was the best place he had ever worked.

DISCUSSION OF DCPS POLICY GBO—R: RETIREMENT INCENTIVES:

Chairman, Mrs. Susan Mullins: Next is Item F. Discussion of DCPS Policy GBO-R: Retirement Incentives. Mrs. Robinson:

Superintendent Robinson: Madam Chair, we have attached this Retirement Incentive for your information. As you know, this is the Retirement Incentive that our staff has which is 7 years of retirement healthcare. It has to be approved annually. We are recommending that the School Board approve the 2017-2018 school year Policy GBO.

Mr. Shanghai Nickles: Just one thing maybe for the public, the School Board does not have sole discretion and does not receive adequate funding for the payment from the Dickenson County Board of Supervisors. All rights and obligations of the School Board and participants shall be void and of no further effect.

Chairman, Mrs. Susan Mullins: Are there any concerns about funding this next year? If we promise them 7 years, what is the likelihood of that ending next year?

Superintendent Robinson: Since it is approved yearly, the Board will have this again next year. We feel that we are in a position to be able to fund the Retirement Incentive for the 2017-2018 school year. As you recall, the Board discussed this item when we were going through the budget. Several of our Board Members had some concerns about the Retirement Incentive and modifying that.

Chairman, Mrs. Susan Mullins: I know we don't have a crystal ball, but when people decide to take the 7 years, are they made aware that if they take the Incentive that it could end the next year. Have you had that discussion?

Superintendent Robinson: I looked toward our Board Clerk, and she nodded yes. If anyone looks at the Agenda, they will know that it is year by year. It is solely on funding, and it is something that since the Board cannot incur debt, it is something that is approved for next year only. It is for one year at a time. If something were to occur in the future with appropriations, we may be back having the same discussion that we had earlier this year about what to do with the staff members and their families who are already on the insurance.

Chairman, Mrs. Susan Mullins: That would be my concern that someone is retiring and we promised them something that we can't deliver.

Superintendent Robinson: I understand that. I think as one reasons, you can assume a lot of things, but since it is approved annually and based only on appropriations, it is only promised for the following year. I know in our discussions that it is never said that it is promised for 7 years. I know that we can all assume things, but the issue becomes how are we educating our children.

Mr. Scott Mullins: Madam Chair, I just want to point out one thing. Looking at the history of the policy, I think in 2010 we stopped because of difficult times. You, Rocky and probably Dr. Lyle also were on the Board then, but there was a big concern that we can't promise anything. We cannot incur debt or make long-term commitments. We don't have the statutory ability to do that. Let people know and get the word out that this is not a contractual commitment. We can just do the best that we can. In the policy we try to make it a budget priority, but ultimately you have to balance the budget. I have said all the time that 85% of your budget is for salaries and benefits. You have a very skinny margin on the remaining 15%.

Chairman, Mrs. Susan Mullins: That was the point of my question. I want to make sure that everyone is aware. We could maybe explore the idea that we send out something explaining this in greater detail in order to make sure that everybody understands.

Mr. Shanghai Nickles: When our new employees come in, they could be told that right up front.

Mrs. Reba McCowan: Typically, with new employees, you don't discuss retirement. But, yes, they are provided with the policy. As a matter of fact, today I actually prepared a letter that told them about the incentive, and it was subject to budgetary constraints.

Chairman, Mrs. Susan Mullins: Good. I just wanted to make sure that everyone was aware.

Superintendent Robinson: I guess my question, Madam Chair and Board Members, is if there is an additional email that the Board Members would like for all of our staff to receive? The Board Members has approved the GBO for the 2017-2018 school year which states that it is subject to appropriations. If you are on it or plan to be on it, it may not be for the entire 7 years.

Chairman, Mrs. Susan Mullins: I think that would be great.

Superintendent Robinson: We will draft a letter and send it to the Board for your approval, and then send it on to our staff members.

Chairman, Mrs. Susan Mullins: I do remember when we started voting on this annually. I just wanted to make sure that everyone at that age was made aware.

Superintendent Robinson: We will draft a letter and let the Board approve it and then send it out after school begins.

Chairman, Mrs. Susan Mullins: I need a motion to approve that policy.

Mr. Rick Mullins: made the motion to approve GBO-R Retirement Incentive for 2017-2018. Dr. Lurton Lyle seconded the motion. All votes aye.

CHILD NUTRITION ACT: PAID LUNCH EQUITY ADJUSTMENTS TO MEAL PRICES FOR 2017-2018:

Chairman, Mrs. Susan Mullins: Item G. Child Nutrition Act. Mrs. Robinson:

Superintendent Robinson: Last month the Board approved the participation of the Dickenson County Schools in the CPE program. Today for all of our elementary schools, we are asking the Board as mandated by the USDA Child Nutrition Act to analyze cafeteria prices. We are increasing lunches by \$.10. We hold the breakfast prices, but the lunch prices will increase.

For the 2017-2018 School Year:

- Elementary Lunch \$1.85
- Middle/High School Lunch \$2.10
- Student Breakfast \$1.15
- Adult Breakfast \$1.65
- Adult Lunch \$3.10

Reduced meal prices will remain at: Breakfast \$.30 and Lunch \$.40

This is a mandate by the USDA. Unfortunately, the Board has little option but to approve this since we are working with the USDA.

Chairman, Mrs. Susan Mullins: I need a motion to approve the new lunch prices.

Mr. Rocky Barton: made the motion to approve the mandated lunch increase as presented. Mr. Rick Mullins seconded. All votes aye.

Superintendent Robinson: Madam Chair, if I may, for just a moment. We have had a lot of questions from parents and staff at the middle school and at the high school. They want to know if the middle school and the high school can have the same plan as the elementary school. We hope to do that in the future. We do have to go through eligibility and certain criteria. The high school and middle school are not quite there but we will continue to monitor that. Hopefully by the next school year, 2018-2019, we will have all of our schools participating in this program. At this time, Ridgeview Middle School and Ridgeview High School are not eligible.

Mr. Shanghai Nickles: How close are we?

Superintendent Robinson: I would have to ask Ms. Compton.

Ms. Deborah Compton: We are a ways off. Every time we get close it will increase. By next April we are hoping that the CPE will meet that part. There are some other things that we can look at for the high school, and there are some other things that we can look at as well.

Chairman, Mrs. Susan Mullins: I know you sent out the schedule for the Open House. If you want a representative from our agency to come and discuss that application, we would be happy to do that.

Ms. Deborah Compton: That would be wonderful.

Superintendent Robinson: We are actively working toward that. Ms. Compton has looked at it several ways, and those two schools are not eligible yet.

DISCUSSION OF VSBA POLICIES:

Chairman, Mrs. Susan Mullins: Item H. Discussion of VSBA Policies. Mr. Setser has sent those out to us. Are there any questions, or would you like to make any comments?

Mr. Mike Setser: No Ma'am, unless there is a question from the Board.

Chairman, Mrs. Susan Mullins: Is there a motion to approve these VSBA Policies?

Mr. Shanghai Nickles: *made the motion to approve the VSBA policies as presented. Dr. Lurton Lyle seconded. All votes aye.*

DISCUSSION OF VISITORS RESTROOM AND INDOOR BATTING FACILITIES:

Superintendent Robinson: This item was placed on the Agenda by Mr. Shanghai Nickles. I am going to ask him to proceed.

Mr. Shanghai Nickles: The thing that we are looking at, and of course, we have some folks here from the communities of Haysi, Clintwood and Ervinton who have children that are participating at Ridgeview High School in sports. The first thing I would like to talk about is the restroom situation. We are entertaining teams throughout different areas. For someone to come to Ridgeview to watch a ballgame. If you are a father, and you have a son who is nine years old you will be walking 150 yards over and back. The big thing is that we need bathrooms for the handicapped. I'm telling you that I would not go to a sporting event unless it was handicapped accessible. I think it is very, very important.

Superintendent Robinson: Mr. Nickles, are you talking about the visitors' side?

Mr. Rocky Barton: At the football field?

Mr. Shanghai Nickles: Yes, at the football field or for anything that could be held at the school. I am a firm believer that people go where they are invited to go, but you have to treat them right when they get there in order to get them to come back. I am not so sure with the situation of our bathrooms for the elderly and handicapped people that we are putting our best foot forward. Of course, that is the aspect of talking about the bathrooms and the concession stands.

On the other side we have talked about the baseball and softball program. I think these programs are being handicapped. I think it is a real safety issue to send our kids from Ridgeview. Thank goodness we have a place at Haysi and at the damn for kids to practice. However, I don't want my child traveling 45 minutes from home in the winter to be able to practice a sport. Most people will tell you that if you play baseball or softball, the only two sports you can practice in the winter, we have been very successful with softball in our county. I see right now that we are at a major disadvantage especially in the baseball program. Softball is also a facility that could be fixed. I am assuming that you could probably even have golf practice in there. I don't know how people feel about this, but I don't want my 13 or 14-year-old daughter getting in a car with somebody and driving to Haysi or Clintwood. I think it adds extra time and money because if you put them on a bus, you have to pay for the bus. We are having children who are opting out of Dickenson County to go elsewhere. Alt-

hough we have a Rolls Royce out front, without the bathrooms and batting cages for these people, we still have a Chevette sitting on blocks back there. I think there is something that needs to be done. I think we have some people here who would like to speak, and they have a slide presentation. Mr. Mullins said it was quite alright to do this. I asked him before.

Mr. Chris Mullins: Thank you very much Madam Chairman, Members of the Board and Mrs. Robinson. My name is Chris Mullins. A lot of time when you see me it is business related. This evening I am here as a parent, citizen and spokesman for the baseball and softball programs at Ridgeview High School and Ridgeview Middle School. First of all, I would like to thank each and every one of you for serving on the Board. You have a lot of decisions to make. You have a lot of unhappy folks and happy folks. I have four people living in my house and I can't make all of them happy. You have about 16,000 to try to please. We do appreciate your service. As Mr. Nickles alluded to earlier, first of all we have state-of-the art facilities. We are very proud of the facilities that we have, and people drive from all over the State to see our facilities. I am not here to down our facilities or talk about the oversights from the planning of the facilities. That is not what we are here for. We are here to talk about a proposed project which would include an indoor batting facility. I would like to make a few points to the Board as you put this into consideration: (Presentation)

Attachment A: Ridgeview High/Middle School Indoor Batting Facility

Mr. Shanghai Nickles: I noticed on there that you had two heaters. I talked to Coach Rick Mullins, and there is a heater up there in the washer/dryer room. The only problem is there is no electricity to it that allows it to be turned on and off. It could be one of our heaters. We have lost two young men to other programs due to the fact they had to travel back and forth at nighttime. We get what \$7,000 per child? That would pay for the waterline plus the stone. The other child would pay for the indoor/outdoor carpet. It just puts our kids at a big disadvantage. This is not to come out of this school year's budget. This is what we are trying to get through with David Moore. Mrs. Robinson would you like to elaborate on that?

Superintendent Robinson: Chris, thank you so much. I think we have met with Coach Counts and Coach Vanover since probably the first year about the need for the indoor facility. I think we all realize that we need an indoor facility. You were talking about the restroom and concession stands earlier. I know that you had conversations with Mr. Moore regarding this. You might want to elaborate more about your discussions with him. I wasn't privy to those. I know that Mr. Barton and Mr. Setser have attended those. If you would, just please share those conversations with us.

Mr. Shanghai Nickles: Basically, Mr. Moore told us at a meeting at Ridgeview that they had dropped the ball. He was referring to the fact that we were going to have batting cages out there, and then they decided to put them in the gym so they could use them year-round. That didn't happen. Monies were spent, and we didn't have the money for the indoor batting cages. Larry, would you like to comment.

Superintendent Robinson: I think the issue was that we didn't receive the appropriations and funding, and unfortunately, something had to be eliminated. So, the indoor batting facilities along with other things were eliminated.

Mr. Shanghai Nickles: Bathrooms are the big thing. Even though I think the batting cages are great, I would like to see the bathrooms in the batting cages. I think bathrooms are a must for the visitors' side. If you are of age and have children, you cannot be running 150 to 200 yards to use the bathroom.

Superintendent Robinson: Unless I am mistaken, Mr. Nickles, in your discussions with Mr. Moore and what has been reported to me is that the Dickenson County construction fund is waiting for an appropriation from the U.S. Corps of Engineers. I just received an email today regarding that. We are hoping to get reimbursement for the demolition of the buildings. That has been 3 1/2 months. I think we started working on that in March. It was a little more hopeful today in the email that I forwarded to a group of five. I think what Mr. Moore talked to Mr. Nickles and several of the coaches is that when this funding becomes available, and we hope it is as soon as possible, the indoor batting facility will be built along with the restrooms. I remember having a discussion with the coaches. We were talking about having the batting facility added to the restrooms and concession stands on the visitors' side. The coaches said they would do whatever, but they would rather have it closer to the field, and we understood that. So that kind of set us back just a little bit. What has really kind of stalled this project is that we have not received the funding from the Corps of Engineers as a reimbursement to begin this facility. That is the first issue. Mr. Nickles, is that what Mr. Moore has shared with you?

Mr. Shanghai Nickles: Basically, that is what he said. The big thing is that I know that this kind of got left behind. I just feel as though our coaches and kids were kind of lied to by people who said it was going to happen, and it didn't happen. I feel for those kids and coaches. I guess my thing is that something has to be done before some kid gets killed or hurt traveling back and forth to Haysi in order to practice off campus. Larry or Mike do you have anything to add?

Mr. Larry Barton: I think you covered everything that was mentioned in the meeting.

Mr. Mike Setser: I think you and Mrs. Robinson covered everything very well. I think the money needs to be prioritized where it needs to be spent.

Chairman, Mrs. Susan Mullins: So if I understand correctly, we had money in the budget for this. Was there a cash flow issue?

Superintendent Robinson: There was never funding for this particular indoor batting cage. There was funding early on in the project for the visitors' restrooms and concession stands and dressing rooms on the visitors' side. When we started looking at the project and what we could actually afford, it was a recommendation that the Board voted on to eliminate those items. The indoor batting cage, to the best of my memory, was never funded. Now, I think what Mr. Moore is saying is that with the reimbursement that we are getting for the demoli-

tion that a certain percentage of that will be prioritized for the indoor batting facility and also for the restrooms on the visitors' side. I know, Mr. Nickles that I have been one of the ones who said even to Coach Counts and Coach Vanover that we are going to try to get this. I would say as soon as possible. During all of that it could be said that I have not told the truth, but the point is that we have not had the funding. As soon as we get the funding, I think it is going to be a priority. I think Mr. Moore has made it a priority, and I think it is a priority for you. I want to extend my apologies if I misled anyone. It was not my intention. It was just that the funding has not been there.

Mr. Shanghai Nickles: I don't think Mrs. Robinson has misled us at all. I think the architect, Mr. Rife, certainly did because if I am not mistaken, he told some people that on the map this is where it will be, and then all of a sudden you end up nowhere. I just say this. If we are able to build a new school, I will vote against Mr. Rife and his associates doing anything in Dickenson County. Because to me, the guy lied to us and to our kids. I specifically asked him to show me what you are going to do. If you are not going to do what you say, I feel as though the money was there but for some odd reason, we got shot out of the saddle.

Superintendent Robinson: Just to move forward with this and anticipating reimbursements for that there are certain procedures that the School Board will need to follow as you all know. First there is a request for a proposal. There are certain criteria for procurement that school division has to follow. I would like to ask Mr. Mullins to explain that and perhaps what the Board can begin to do is go ahead and do a request for Proposal for the visitors' restrooms and indoor batting facility contingent on the funding received from the Corps of Engineers.

Chairman, Mrs. Susan Mullins: I see the projected cost for the batting cage, but do you have any idea about the cost for the bathrooms?

Superintendent Robinson: No, I do not.

Mr. Scott Mullins: I have just a couple of miscellaneous thoughts to add to the discussion. First and foremost, anything that we have typically approached which involved five or six figures, we have given to Skanska to make sure they are ahead of it. I think they are aware of it, but I would want to make sure that they understand that this is going to be a deduction, and that they are okay with it. I don't want it to be a surprise to them. Shanghai has talked about Tim Burge. They are certainly team players, and they will do everything that they can. Skanska is a big part of this success, and I want to make sure they are following that lead.

The next thing I want to talk about is how we go about procuring this. Procurement laws are real, and we can't ignore them. We can do certain things to approach them differently. We can procure bathrooms on the side of the football field, and we can set a project to procure the batting cage. What we want to do is to be streamlined and efficient and get the best bang for our buck for our efforts here. A long time ago when we were bouncing around with budgetary concerns, there was a discussion about the career/technical school building modular homes that we couldn't seem to sell. There was a discussion about going out and putting a concrete pad and hire someone to erect some steel and make it a project of our ca-

reer/technical students to go out and work on it. It could be a terrible idea or a useful idea. There was a discussion that if we had students build things there would be more ownership and pride in it. Clearly you want to get it done quicker and maybe better if you get it done by professionals. That was a discussion that went on for a while.

Mr. Shanghai Nickles: Mr. Setser and Mr. Barton discussed that in the meeting that day about the procurement and how it might be done. If you guys want to elaborate on that.

Mr. Mike Setser: I think what we discussed was the total package and then what Mr. Mullins said about procuring them separately.

Superintendent Robinson: Mr. McFall is here, and we are very thankful for him. The batting cage that is out there now came from the conversation that we needed a batting cage. You kindly worked through that and donated your time to that. That did not have to go through the procurement and those kinds of things with the outdoor batting cage that we have now. I'm sure that helped some. I know that the group is totally committed to the indoor batting facility and the restrooms. We know the need for them. While I have not talked to the Board about this, I know that you are in support of that. That is why Mr. Nickles has met with Mr. Moore. Mr. Barton and Mr. Setser have attended those meetings. I guess the question now is what should be our next step.

Mr. Scott Mullins: We have a very liberal small purchases policy, and I think it is \$100,000.

Chairman, Mrs. Susan Mullins: Excuse me, Mr. Mullins. Mr. Nickles can't hear what you are saying.

Mr. Scott Mullins: They were telling me earlier that I need to do something about the acoustics back here. Anyway, this is my point. We have \$100,000 in the Small Purchases policy. It is hard for me to say small purchases and \$100,000 in the same sentence. Doing this in the Small Purchases give us much more flexibility and streamlining. If we go over that, we need to put out a package that has some specifications that bidders can look at and everybody that bids on it would be bidding apples to apples. They would know if there were more than one entity. They can look at it, and it would be uniformity along with two or three bidders. I'm not saying that we don't put it together as a package. I'm just saying that there might be different ways of looking at it.

Mr. Rocky Barton: The funding that you are talking about is that the Contingency Fund?

Mr. Scott Mullins: I'm not certain, but I believe it is the demolition money.

Superintendent Robinson: When Ervinton, Clinchco and the buildings beside Haysi were demolished. We are in negotiations with the Corps of Engineers right now. We submitted bills for that, and we have been waiting for approval for reimbursement.

Mr. Rocky Barton: Early on we talked about the Contingency Fund.

Superintendent Robinson: It isn't the Contingency Fund.

Mr. Scott Mullins: The Contingency Fund has some money in it, but it isn't that much.

Mr. Rocky Barton: We need to be clear because the newspaper, DEA and everybody else will start talking about us having this money.

Mr. Scott Mullins: You have a very good point. Let me just back up and explain this. The money we are talking about cannot be put to payment of salaries, school busses or those things. This is Corps of Engineers encumbered money. It can be used for educational facilities and nothing more. Ridgeview and batting cages are considered educational facilities. The second thing is we have often talked about it, and I know the Board understands it. We did these projects with the Corps of Engineers in a lump sum project. Fortunately, we were able to have demolition done for less than what was in the lump sum. So that gives us money left over. This money left over can appropriately be placed into this kind of construction. You are right. These are things that the public needs to understand. Once you get beyond that, you can say we have satisfied the Corps of Engineers, now we have to satisfy State Law. State Law wants to make sure that we use the taxpayers' money in a way that we receive the best bang for the buck through competition. We have various ways that we can go about procuring various things depending how much it costs and what they are. Right now I am not going to tell Option A, B and C; I would certainly be willing to pitch in and to pull my share in order to make this thing work because I know that it is important to all of you and the community. This is very manageable, but it is a process. You don't want to drive too fast down the interstate and get into trouble, and you don't want to drive too slow. We have people from Ridgeview and a couple of contractors here tonight, and we need to seize the day and get it done.

Mr. Rocky Barton: At one time we talked about the Contingency Fund, and if there was enough left over, we could use it for any problems that came up in the building. At that time there was a pretty good amount. So I thought that might be a funding option for us.

Superintendent Robinson: I'm not certain of the amount of that. We have had some things that have had to be repaired and those kinds of things at Ridgeview with Skanska and Branch, but Mr. Mullins reminded me that when we did the demolition it would be less than what the estimate was so that is what we are waiting on, to look at the other priorities. I think Mr. Moore has made a point to Mr. Nickles and to the folks that he has met with that the indoor batting facility and the restrooms are a priority. I am not certain if this will need to go through the Board of Supervisors and the IDA before any funding was spent. I don't see any issues there. I just want to make sure that we know what our next steps are, so if and when the funding becomes available, we will be ready if that is the way the Board wants to proceed with it.

Chairman, Mrs. Susan Mullins: So for us to be ready would it be feasible to go ahead and get some bids?

Mr. Scott Mullins: I think it is very feasible to start putting together whatever package, small or large, we need to procure this. I think every procurement that we have ever done at the very end says the School Board reserves the right to reject any and all bids. If these folks are willing to bid and move forward, we don't want to deceive anyone. We fully anticipate that we are going to receive the money, and when we do, we will be moving forward. But it will be subject to our right to reject any bid.

Chairman, Mrs. Susan Mullins: Do we want to adopt a Resolution?

Mr. Scott Mullins: Let me make a suggestion that you direct the Superintendent and me to consult with the IDA and the Board of Supervisors to make sure because we have a facilities development agreement that deals with the Corps money. It does require us as a county to come together in support. I am sure that it will receive unanimous support, but what we should be directed to do is make sure that we have the support of those Boards, make sure that we inform Skanska and direct me to prepare a document that applies to the procurement.

Chairman, Mrs. Susan Mullins: Could I have that in the form of a motion?

Mr. Rocky Barton: made the motion to direct the Superintendent and Mr. Mullins to consult with the IDA and Board of Supervisors to move forward with a facilities development agreement. Mr. Rick Mullins seconded. All votes aye.

Mr. Chris Mullins: Thank you very much for allowing me to present this, and if you have any questions, Mrs. Robinson knows how to get in touch with me.

Superintendent Robinson: Thank you very much. I also want to thank several of the supporters here, and I certainly appreciate them coming tonight.

DISCUSSION OF THE SUNTRUST CONTRACT AND THE DCPS:

Chairman, Mrs. Susan Mullins: We will move on to Item J. a Discussion of the SunTrust Contract.

Superintendent Robinson: As you all know, the school division has been in negotiations with SunTrust probably since this time last year regarding payment to them. I know that this has kind of taken a life of its own in Social Media, Letters to the Editor and our employees received at the end of the school year confidential emails anonymously. They received confidential emails from our Board and the Board of Supervisors on this very topic. I am glad to share with you that we have reached a point where we have negotiated with SunTrust, and they have been wonderful to work with; just knowing that we have been able to reduce that payment from \$263,000 to something manageable has just been wonderful. Since we are there, and the Board is going to be asked to approve that agreement, I am going to ask Mr. Mullins to come up and share with us or walk us through the SunTrust contract especially since there has been a lot of discussion about this in the community and perhaps among our staff when they received these emails.

Chairman, Mrs. Susan Mullins: Do we have a copy of this?

Mr. Scott Mullins: Yes. We just got it together and approved by the attorney recently from SunTrust. It is short and sweet. I learned a long time ago not to give people pieces of paper if I wanted them to listen to me so I will wait until you look at that. I will be quiet until one of you tells me to talk about it.

Chairman, Mrs. Susan Mullins: What I want to know is, aren't we already beyond July 25th?

Mr. Scott Mullins: We have already paid it. So I will go over this so you will know what has happened. A long time ago in October of 2007 we entered into an Energy Upgrade contract. It was for a lot of money. We paid \$1,897,533.60 toward that contract, and it was for energy upgrades for schools that we had closed. We continued to owe, when we started this discussion last year, \$1,840,470. Again, we paid a lot of money, and we owed a lot of money. Earlier in the meeting we were talking about how we can't incur debt. We talked about telling the employees that you are going to have these retirement benefits. As a School Board, we can't levy taxes. Because we can't incur debt then every contract that you do with the School Board has to have what people refer to as an Escape Clause. If you do not receive adequate appropriations then you are not required to pay that obligation. That is not a tricky legal concept in my world. That is something that is very fundamental in governmental law. If you look at our Corps of Engineers contract, in probably at least ten places it says the Corps' obligation to pay is subject to appropriations. Every time the project managers came here they told us they were going to pay, but it was subject to appropriations. They never faulted on the contract, but it was subject to appropriations. Our obligation to pay under this Performance Contract was subject to us receiving adequate appropriations. The basic concept is that our fundamental purpose is to educate kids. Whenever you get to the point that your appropriations are so low that you are laying off people, you are not providing programs, there are questions about your ability to make the payroll and you are concerned about whether you can put fuel in the buses and what happens if the price of fuel goes back up. If you get to that point then the people who deal with us over a long term, they take that commitment subject to that provision. Whenever we saw the situation we were in, we went to SunTrust, and we told them that here is the contract, and here is where we are. We provided them regional and local newspaper articles. We gave them our financial data and budgets. We showed them the honest truth that we were in obvious dire circumstances. We dealt with competent people who were reasonable. They looked at this and basically said okay, we will work with you. And so last year our payments were \$263,000, and they agreed to reduce it to \$150,000. This year it was again \$263,000, and they agreed to reduce it to \$100,000.

By negotiating with SunTrust over the two years we saved Dickenson County \$275,848.60. I am actually very pleased with that result. The other thing that we did was to let the people at SunTrust see that we are really trying to do our best. I believe that there is a relationship with those folks, and they will know who we are next year and will expect us to do right by them, and we will expect them to do right by us. Like every other negotiation, we both started far apart. Their attorney said that we owe them everything. We said we didn't owe them

anything. You start from those two extremes and you work to the middle. It was a collegial, professional negotiation. So that is the two-page document you have in front of you.

One thing that has been widely stated is that we somehow defaulted on this agreement. You cannot default on an agreement if you comply with its terms. The Escape Clause that we mentioned essentially says that if you get to the point that you cannot achieve your core mission of educating children, then this obligation with SunTrust is essentially void. That is all there was to it. We invoked the provision of the contract, but we honored the contract. You will note on your amendment to the contract, paragraph three on Terms and Conditions that it specifically says that modifications are not acts of default.

I am pleased with the results. I think there are a lot of things to learn about what we went through to get there but that is another day. Ultimately, I think that if we had not had those monies, and I watched you all struggle to try to balance the budget. I think the people who criticized what we did here should come back and try to do your job and try to balance this budget. I am pleased to report this result. It is a compromise, and nothing has changed. That is the thing that they understand and you need to understand. If the coal mines are rolling next year, and we have sufficient appropriations and things are getting better then I will be here advocating that we pay SunTrust what we owe them. If we are having the same difficulties that we are having now, I will be advocating that we follow this contract. I think it is a compromise for both sides to reach this contract.

Chairman, Mrs. Susan Mullins: Next year how much will we owe?

Mr. Scott Mullins: I believe it will be the same amount.

Chairman, Mrs. Susan Mullins: Will we have to enter into another negotiation with them next year?

Mr. Scott Mullins: My suggestion is that next year you will have to see where you are. I don't want to negotiate with anyone in good faith if we don't really know where we are. If we come back and are in the same difficult situation that we are in now, I think it is a moving target based on what we can convince SunTrust is fair.

Mr. Shanghai Nickles: Do we still have to back up and make up the difference in the payment?

Mr. Scott Mullins: No. The balance goes down by \$275,848.60.

Chairman, Mrs. Susan Mullins: When is our next payment? When are we going to know that we are in a situation and know in time to negotiate with them prior to making a payment?

Mr. Scott Mullins: I would hope that by next July 25th we will have started receiving the sums of where we are. I truly believe that if we call the SunTrust attorney and their representatives they would say okay we will talk about it. As long as we are honest with them,

they will honor this contract and work with us. I don't want to tell them anything that is not real. I don't want to create snake oil or use smoke and mirrors. We take what we honestly have, and if we can make the payment, we ought to try to make it. If we can't, we need to tell them why. We will then negotiate for something that is fair.

Superintendent Robinson: Mrs. Mullins, to answer your question, we will know in June what our funding is for the following year. What happened to us last year was that as you recall, we had a budget deficit that we had to address which is why we eliminated the positions that we had to eliminate. There were programs that we had to eliminate and raise insurance rates. It was dire. When school started, we were very concerned, and we had the loss of enrollment. The \$150,000 that the school division paid for SunTrust last year came from a small General Assembly one-time payment because of loss of enrollment.

Mr. Larry Barton: It was \$147,963.

Superintendent Robinson: That is how we paid by adding \$3,000 more to SunTrust.

Mr. Scott Mullins: I showed that to SunTrust and told them but for the General Assembly payment and the work of the Central Office Staff that started right here in Dickenson County to get the public and the region aware of what we were going through that we got that one-time payment of \$147,963 and paid them \$150,000.

Chairman, Mrs. Susan Mullins: It seems to be pretty soon after we know our budget to try to negotiate the terms by July 25th. Is it possible to get the date adjusted to no later than September 30th so we will have an idea of what our school enrollment is going to be?

Mr. Scott Mullins: It is, but I want to give you a different perspective. If the Board of Supervisors will work with us, SunTrust is never going to want to fight with this because there is a solid legal argument to be made that we owe them \$0. As long as we are working with them, they will work with us. I don't want to take advantage of that. I want to be fair, and I know that you all do too. I hear what you are saying, but I can assure you that if on July 10th, we call up SunTrust and ask them to work this out, they are not going to be suing us. When we say to them that we are having trouble achieving our core mission of educating children with this upcoming year's budget what they and their attorneys will reasonably hear is that we can evoke the Escape Clause and walk away. There is lots of room for us to work with each other. I hear what you are saying, and as soon as we do see the sign, we will need to start talking with them.

Chairman, Mrs. Susan Mullins: If we see that we can't make the payment, I think we need to tell them that we are not going to make this payment and won't know until September 30th. Is it possible for us to wait until then to see what our enrollment is? Will it not be considered default or whatever?

Mr. Scott Mullins: I will assure you that as soon as the budget procedure starts, I will be talking with their attorney. I will keep those lines of discussion open.

Superintendent Robinson: I think the point is that the School Board was never in default. Those discussions that Mr. Barton and I in early July started contacting SunTrust and told them we were going to have a difficult time paying this this year. It has taken us until now, and all of you know that journey to get to this point. I just again want to thank SunTrust, our attorney, Mr. Barton and everyone. Knowing that we have a little breathing room, the loss of enrollment and whatever the issues are, we are not in the position that we were last year as we started school.

Chairman, Mrs. Susan Mullins: I appreciate it too.

Mr. Scott Mullins: To be real honest SunTrust were really good to work with because they can read the press and see that we are really struggling. It wasn't like we were trying to sell something that wasn't real. We approached them reasonably. I appreciate you all supporting us in our effort to make this happen. I think \$175,000 is a pretty good savings. I am sorry that I didn't make it clear that we don't have to make this up on the backside. It doesn't sound as good if you think you have to pay it later. Thank you.

Superintendent Robinson: Are there any questions or comments for Mr. Mullins, Mr. Barton or myself regarding this information?

BOARD COMMENT:

Chairman, Mrs. Susan Mullins: That brings us to Board Comment. Rick, I am going to start with you tonight.

Mr. Rick Mullins: I want to thank Chris for his wonderful presentation, and I want to thank you for what you have done for our school. Maybe in the future when we get everything straightened out, we will see that accomplished up there.

Chairman, Mrs. Susan Mullins: I want to go next because I always go last, and they steal my words. I agree that one of the greatest things about living in Dickenson County is our people. They are the greatest asset that we have. The fact that the room is full of people who care about their kids is a rare ability to do well and to succeed because I think this will impact their ability to succeed. I appreciate that, and it is one of the things I appreciate about being here. Mr. McFall, I didn't realize that you had donated so much, but I do appreciate that. I am sorry I didn't know to thank you sooner. That is all I have to say. I appreciate this staff for working with everyone. I know that we all want to do the right thing, but sometimes we are limited by money. We are going to start this process and make this happen. I truly believe it will happen.

Dr. Lurton Lyle: I would like to thank Mr. Mullins, Mr. Barton and Mrs. Robinson for helping us with this SunTrust agreement. I am also looking forward to the coming school year and the challenges we will be facing with some hesitation on the challenges which should have been opportunities. (Ha, ha!)

Mr. Shanghai Nickles: I appreciate Matt and the Haysi Partners for their willingness to work with our kids after school. It means a lot to have people care for your kids. We don't

get enough of that. Once again, I appreciate the people who showed up here tonight. It isn't just about the batting cage but making facilities that are handicapped accessible for the visitors who come to Ridgeview High School.

Mr. Rocky Barton: The most important thing is it looks like there will be funding for the batting cage and restrooms coming from the Corps. I didn't want anyone to think it was coming out of our budget. It doesn't look too good when people read in the paper that teachers aren't getting a raise, but we are going to build batting cages. I just wanted to make sure they know that. One thing I wanted to mention is to thank Matt because I do know the Haysi Partners do a great work for our community. I appreciate what they have done for our town and our community. I get constant comments on the Haysi Elementary School and what is going on with that. It seems like some people are a little mixed up. I had a lady from town who was talking about building the school, and she said you know they are never going to bring Clintwood kids to Haysi? I think when they read the paper, they see different sides. Are we consolidating at Haysi, or consolidating at Ridgeview or are we consolidating at Clinchco? I think it has some people mixed up, and it makes me wonder if maybe we kind of got the cart before the horse in our discussions. The big discussion is that a site should not dictate whether we consolidate an elementary school. If it costs less to build the school at Ridgeview than at Haysi, then are we going to consolidate elementary schools. If the Board is pro consolidation, that is a discussion that we need to start having. I think everyone knows that I am not for consolidating the elementary schools. Instead of worrying about the site, are we at the point that we want to consolidate the elementary schools. I think we need to put that on the Agenda to see some studies on consolidating elementary schools. I hear constantly the consolidated elementary school at Riverview in Grundy and all of the turmoil that they had. To be honest, that is how we gained 40-50 kids because they were so dissatisfied. It opened with about 1,100 kids. That is something for us to think about.

Superintendent Robinson: Mr. Barton, just to be clear you would like to place that on the Agenda as soon as we can?

Mr. Rocky Barton: We need to see if our community is for consolidating elementary schools. I don't think our community is for it. I talked to a lady the other day who has three kids in the Dickenson County School System. She lives at Duty, which is on Indian Creek which is about a mile from where I was born. She has an 8th Grader at Ridgeview. She has a 6th Grader at Ridgeview and one in Kindergarten at Sandlick. Last year he got on the bus about 6:15 in the morning, and it took him 43 minutes to get to Sandlick. Her concern is are you going to send him on to Ridgeview which would be another 30 minutes? He still sucks his thumb. That is how little he is. He was just under four when he went to school. She said that her kids loved sports so much was the reason that she sent them on to Dickenson County. She lives just over the line. She said if we move the school, she would have no other option than to send them to Council. She said she couldn't fight that fight. I think we need to look at that. Are we at the point that we are ready to consolidate?

CLOSED SESSION:

Chairman Susan Mullins: Pursuant to Section 2.2-3711, Paragraph A of the Code of Virginia, I move that the board convene a closed session for the purpose of discussing: 1.) Employment issues relating to resignations, retirement and consider of hiring staff for 2017-2018 and substitutes pursuant to VA Code 2.23711 A (1) and to consult with legal counsel pursuant to Virginia Code section 2.23711 A (7). Mr. Rock Barton seconded the motion. All votes aye.

OUT OF CLOSED SESSION:

Chairman Susan Mullins: I now entertain a motion to go out of Closed Session. Dr. Lurton Lyle made the motion and Mr. Rocky Barton seconded. All votes aye. Chairman Susan Mullins stated; pursuant to Section 2.2-3711(A) of the Code of Virginia, I move to certify that during the closed meeting just concluded the Dickenson County School Board discussed only matters lawfully exempt from the open meeting requirements under Section 2.2-3711 of the Code and identified in the motion convening the closed meeting. Dr. Lurton Lyle, Mr. Rick Mullins, Mr. Rocky Barton, Mr. Shanghai Nickles and Chairman Susan Mullins; all certified true.

BOARD ACTIONS:

Mr. Rocky Barton: made the motion to approve the Energy Performance Contract Amendment with SunTrust Bank. Dr. Lurton Lyle seconded the motion. All votes aye.

Chairman Mrs. Susan Mullins: I make the motion we approve the resignations and retirement as requested. Dr. Lurton Lyle seconded the motion. All votes aye.

Resignations/Retirement:

- Lisa Davis, Teacher, RHS – Resignation
- Jason Edwards, Teacher, RHS – Resignation
- Janet Hayes, Teacher, RMS – Resignation
- Wanda Perry, Teacher, CES - Retirement

Mrs. Susan Mullins: I make the motion we approve the transfer/employment recommendations as presented. Mr. Shanghai Nickles seconded the motion. All votes aye.

Employment/Transfer:

- Sydney Compton, SES – Early Childhood Special Ed. Teacher
- Kristen Ramey, SES – PK-6 Teacher
- Malory Vance, EES – PK-6 Teacher
- Sharon Hall, RMS – 6th Grade Science
- Dusti OQuinn, CES – PK-6 Teacher
- Leighetta Fuller, CES – PK-6 Teacher
- Maranda Knepp, RHS – Theatre Arts Teacher
- Rozina Branham, RMS – Part-time Special Ed. Teacher
- Diana Smith, RMS – Part-time Business Teacher
- James Allison, RMS – Custodian

- Dwight Davis, Clintwood Area – Bus Driver
- Cody Hall, Haysi Area – Bus Driver
- Anna Lester, RHS – Part-time Attendance Clerk
- Holly Lee, RHS/RMS – Part-time Attendance Clerk
- Deborah Mullins, CES – Part-time Teacher Aide
- Jennifer Mullins, SES – Part-time Teacher Aide
- Hollie Arrington, SES – Part-time Teacher Aide
- Amanda Powers, SES – Part-time Teacher Aide
- Kristen Bostic, SES – Part-time Teacher Aide
- Brandon Mullins – transfer from RMS 6th Grade History to RHS PE/History
- Porchia Fletcher – transfer from SES PK-6 Teacher to RMS 6th Grade History

Mrs. Susan Mullins: I make the motion we approve the substitute applicants contingent upon any background checks or requirements. Dr. Lurton Lyle seconded the motion. All votes aye.

Substitutes:

- Anthony Adkins, Janitor
- Kristen Bostic, Teacher
- Angela Boyd, Nurse
- Nicole Deel, Teacher
- Heather Erickson-Wallace, Teacher
- Marlana Ireson, Teacher
- Alesha Moore, Teacher
- Amanda Rasnake, Teacher
- Ronnie Rasnake, Teacher/Janitor
- Wayne Rogers, Teacher
- Angel Staley, Teacher/Cook/Janitor

ADJOURNMENT:

Mrs. Susan Mullins: I make the motion we adjourn. Dr. Lurton seconded the motion. All votes aye.

Adjourned: 8:05 p.m.

Susan Mullins

CHAIRMAN

Approved: August 30, 2017

Reba McCowan

CLERK