

CHURCHILL COUNTY BOARD OF SCHOOL TRUSTEES

Fallon, Nevada

REGULAR MEETING

April 1, 2015

CALL TO ORDER

President Evans called to order the regular meeting of the Churchill County School District Board of Trustees at 7:00 p.m. at the Churchill County School District Administration Office, 690 South Maine Street, Fallon, Nevada.

PLEDGE OF ALLEGIANCE

President Evans led the Pledge of Allegiance.

VERIFICATION OF POSTING OF AGENDA

President Evans confirmed the posting of the agenda.

ROLL CALL

Trustees Present

President Ron Evans
Vice President Clay Hendrix
Trustee Matt Hyde
Trustee Rich Gent
Trustee Carmen Schank
Trustee Greg Koenig
[Vacant Board Position]

Others Present

Dr. Sandra Sheldon
Phyllis Dowd, Director of Business Services
Sharla Hales, Legal Counsel

Debra Shyne, Secretary
(Interested Staff/Community Members per Attached List)

REVIEW AND ADOPTION OF AGENDA

The agenda was adopted under unanimous consent.

PUBLIC COMMENT

There was no public comment.

SUPERINTENDENT'S UPDATE

A. Presentation by Churchill County Coalition regarding the Suicide Prevention Program.

Dr. Sheldon read a letter from County Commissioner Bus Scharmann regarding the Suicide Prevention Program. Andrea Zeller, Executive Director of the Community Coalition, presented a PowerPoint presentation to the Board and discussed the youth survey for at-risk behavior. A representative from the Nevada Division of Health discussed a suicide prevention program for middle and high schools. Dr. Sheldon stated that due to the timeline, the middle school would be the focus this school year. Dr. Sheldon asked for Board support for providing the seminar to parents, students and teachers. Next year the

focus will be on the high school and then the middle school. Dr. Sheldon will proceed with this training.

B. Discussion regarding District-related issues.

There were no additional items discussed.

UPCOMING BOARD EVENTS

- A. April 10-11, Friday-Saturday, Nevada Association of School Boards School Board Member Orientation, Part II (location to be determined).
- A. May 21, Thursday, 7:00 p.m., Adult Education Graduation, Churchill County High School Auditorium.
- B. May 29, Friday, 7:00 p.m., High School Graduation, Ed Arcinega Stadium, Churchill County High School.

CONSENT AGENDA

- A. Approval of Recommended Personnel Action (Attachment A).
- B. Approval of Vouchers.

Trustee Gent made a motion, seconded by Trustee Schank, **to approve consent agenda Item A and B**. There was no public comment. The motion passed unanimously.

REPORTS BY BOARD MEMBERS

President Evans stated that the Board needed to assign a board member to be the NASB Director. Trustee Koenig commented that Trustee Schank is the alternate Director. Trustee Schank agreed to be the Director.

NEW BUSINESS

- A. **For Discussion and Possible Action: The Board will discuss all aspects of the 2015-2016 Budget and set budget priorities in an effort to provide direction to the Budget Committee and Staff so that items to be reduced can be explored and quantified. Staff will provide information to the Board for review. Any and every line item in the budget may be discussed and acted on for possible reduction or increase.**

There was no action taken.

- B. **For Discussion and Possible Action: Approve award of a construction contract for the Churchill County High School 2015 HVAC Replacement Project.**

Paul Eskeldson, Parsons, provided background on the project.

Trustee Hyde asked if the Board had to accept the lowest bid. His concern is that the bids are close, within \$19,000 of each other. Mr. Eskeldson stated that his understanding of NRS is that unless you advertise other conditions that are being considered as part of the bid, you are required to take the lowest qualifying bidder who is responsive and responsible.

Ms. Hales stated that NRS 332.065 provides the framework of the local government purchasing act. When you go out for bid there are a number of factors that you base the decision on. NRS states that the governing body must award the contract to the lowest

responsive and responsible bidder. The lowest responsive and responsible bidder may be judged on the basis of: price, conformance to specifications, qualifications, past performance, performance or delivery date, quality and utility of services, supplies, materials or equipment offered, the best interests of the public, and such other criteria as may be set forth by the governing body or its authorized representative. Each of those is a different piece of the consideration of who is the lowest responsive and responsible bidder. The question came up this afternoon, given it is a close bid, how much leeway does the District have. Ms. Hales stated that she hasn't analyzed this closely, but the one piece that gives the best leeway is what is in the best interest of the public, but that has to be taken in light of all of the other considerations with the overarching piece being the lowest responsive and responsible bidder. In the best interest of the public can be argued both ways. Someone could say taking the low bid is in the best interest of the public because you are saving taxpayers' dollars, and someone else might say the highest bid is in the best interest of the public because they are local. It is not defined in Nevada law what the best interest of the public is. Given all of those thoughts, unless the District knows of something that makes the lowest bidder unqualified based on performance or specifications, the safest least risky approach is to go with the lowest responsive and responsible bidder.

Mr. Eskeldson stated that the District risks a protest from the company and it might shoot down this project for this summer, as the District cannot award a contract under protest. The District would likely not have enough time to get the equipment ordered and move forward for this summer.

Trustee Hyde read from the bidder qualifications: "The right is reserved by the owner to reject any or all bids or to accept the bid deemed best for the interest of Churchill County School District."

Trustee Hendrix asked if the District had any past performance with Mt. Rose Heating and Air. Mr. Eskeldson stated that two summers ago they worked on two projects, Lahontan and the round building E.C. Best. Ferguson Construction has completed quite a few projects for the District as well. Mr. Eskeldson stated that he would not have a problem with either one of these companies doing the project based on past performance for the District.

Trustee Hendrix asked if Mt. Rose Heating and Air would make local hires for this contract. Mr. Eskeldson stated that he did not know.

Trustee Hendrix made a motion, seconded by Trustee Hyde, ***to approve Ferguson Construction's bid for Heating and Air contract that is in BoardBook.***

Public comments: Deby Smotherman, taxpayer, stated that she felt the best interest was to hire Ferguson as they are local and have provided some of the fastest work in the school district, and the taxpayer money would remain in Fallon.

Trustee Gent stated that the air conditioners are old. If this project doesn't move forward, how much longer would the air conditioners last? Mr. Byrd stated that they are 27 years old and maintenance costs would be significant if delayed, but maintenance can continue to maintain the units.

Becky Dodd asked if the bid would still be valid in one year, or would it have to be rebid. Mr. Eskeldson stated that under the terms of the bid documents the bid is good for ninety days, so the project would have to be rebid.

The motion passed 5:1 with Trustee Gent opposed.

C. For Discussion and Possible Action: Approval of the Tentative Budget for year-ending June 30, 2016.

Phyllis Dowd explained the tentative budget. Property taxes had a slight decrease of \$62,000, which affects the DSA (DSA went up and property tax went down). That is the last projection that the Department of Taxation is expected to release for Fiscal Year 16. Ms. Dowd stated that the budget had \$40,000 in donations. This year there was a large donation for playground equipment for Northside, so she adjusted the \$40,000 down to \$15,000, which is more realistic for most years. The donations are typically provided by parent organizations. The fund balance has increased slightly. The reorganization savings, the first positions identified for reduction, and the eleven additional positions are included in the budget. We still do not know what funding the District will receive from the legislature. Ms. Dowd voiced concern that if the legislature doesn't maintain status quo, the District will have to cut again. Ms. Dowd stated that the ending fund balance has an additional \$120,000, which is a plus. The tentative budget is due on the 15th of April. If approved tonight, the next meeting for the budget would be at the public hearing on the budget on May 20th.

Trustee Koenig made a motion, seconded by Trustee Hyde, ***to approve the tentative budget for year-ending June 30, 2016.*** There was no public comment. The motion passed unanimously.

D. For Discussion and Possible Action: Approval of updated Capital Improvement Plan.

Phyllis Dowd stated that she included numbers in the column for 15-16 in the tentative budget, and if the Board makes changes, it can be adjusted in the final budget. Mr. Byrd explained the Capital Improvement Plan.

Trustee Schank made a motion, seconded by Trustee Gent, ***to approve the updated Capital Improvement Plan.*** There was no public comment. The motion passed unanimously.

E. For Discussion and Possible Action: Approval to purchase a New Backup Server with Bond Funds, not to exceed \$50,000.

Dan Slentz, Oasis Online, explained the purpose for purchasing a tape backup server. Dr. Sheldon stated that the larger bid of \$44,000 is for the backup server and the additional \$10,000 is for the redundancy system. The server would be housed in the District's server room and the off-site backup would be housed off-site.

Trustee Gent asked if the backup of the backup would be on the cloud. Mr. Slentz stated that essentially that is what they would be doing; the data would be stored on the cloud.

Trustee Evans asked about delivery and installation time if approved. Mr. Slentz stated that it would probably ship within two weeks and Oasis Online would install immediately.

Trustee Hendrix stated that these backup systems are becoming archaic. There are services that backup to the cloud (Microsoft 360 and Google). Trustee Hendrix suggested the District find out more about these services and migrating to Microsoft 365.

Mr. Slentz stated that the cost for Microsoft 365 locally on the computers is \$2.50 per student per month, based on the total number of students, whether they use the software or not. Mr. Slentz stated that the backup system would backup the mail server, the files, PowerSchool; essentially every piece of data in the school district. This is not archaic; this is top of the line. Google is backing up on a system exactly like this; the difference is that the District would be maintaining the backups within the District.

After discussion, it was the decision of the Board to have staff research this issue in more depth and bring this agenda item back on April 23rd.

POLICIES

A. For Discussion and Possible Action: SECOND READING: Proposed changes to Policy 5410 – Bullying, Cyber-bullying, Harassment, Intimidation, and Violence are Prohibited in Public Schools.

Trustee Gent made a motion, seconded by Trustee Hendrix, *to approve Policy 5410 Bullying, Cyber-bullying, Harassment, Intimidation, and Violence are Prohibited in Public Schools.* There were no comments. The motion passed unanimously.

B. For Discussion Only: FIRST READING: Review of new policy – Policy 1510 – Public Records Policy.

Ms. Hales stated that the District does not have a policy regarding records. The new policy includes what is in the law currently and allows for the charging for public records. Dr. Sheldon stated that the District and other school districts received a large public records request a few weeks ago. Once the requestor was told how much effort would go into gathering the information, they withdrew their request. If the Board adopts this policy, the District could charge for copies, not labor.

C. For Discussion Only: FIRST READING: Proposed changes to Policy 5601 – Participation of Charter/Private/Home School Students in Churchill County School District Classes and Activities.

Ms. Hales stated that she was asked to make some revisions to this policy and associated regulation. The reporting requirements are more than administrators have time to do, so Ms. Hales removed that aspect. This policy is in line with NRS currently, and it can be changed if the legislature makes changes this session. The Board can choose to be more inclusive, but NRS does not require the Board to do so.

Ms. Dodd voiced concern by her membership that Mr. Hendrix and Mr. Hyde might have a conflict as they have students at the Charter school. Mr. Hendrix stated that his children attend the Churchill County High School. Ms. Hales indicated that on quick analysis there might be a conflict for Mr. Hyde. Ms. Hales will contact Mr. Hyde and discuss the potential conflict.

The consensus of the Board was to move forward with this policy and return it on April 23rd for a second reading.

1. **For Review Only: Regulation 5601 – Participation of Charter/Private/Home School Students in Churchill County School District Classes and Activities**

PUBLIC COMMENT

There was no public comment.

DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE AGENDA ITEMS AS REQUESTED BY THE BOARD OF TRUSTEES AND CLARIFICATION OF REQUESTED AGENDA ITEMS

There were no additional items placed on the list.

ADJOURNMENT

Trustee Schank made a motion, seconded by Trustee Hyde, to adjourn the meeting at approximately 8:15 p.m. The motion passed unanimously.

Carmen, Schank, Clerk of the Board

Prepared by Debra Shyne