

Minutes

5:00 p.m., March 21, 2023, Regular Monthly Meeting

Lancaster County School District Board of Trustees Regular Monthly Meeting

In attendance

Board members present-

Eddie Boykin, Casey Cato, Courtney Green, Tyrom Faulkner (Secretary), Margaret Gamble, Brad Small (Chair), and Melvin Stroble (Vice-Chair)

Board members absent-

None

District personnel-

Linda Blackwell (Elementary Director), Rachel Bradley (Superintendent's Assistant), Michelle Craig (Communications Specialist), Alex Dabney (District Athletic Director), Mary Faile (Finance Director), Trevor Hammond (Procurement Director), Melanie Hollis (MGE Principal), Cory Hyslop (EES Principal), Brad Johnson (ILIS Principal), Lindsey Marino (Student Services Director), Keishea Mickles (NES Principal), Angela McCrorey (Food Service Director), Jill Nelson (BES Principal), Jatana Norris (Chief Financial Officer), Kelli Overcash (KES Principal), Jonathan Phipps (Superintendent), Lydia Quinn (COO), Ray Sapp (Security Guard), David Small (Facilities Director), Quinton Thomas (LearnTV), Bryan Vaughn (Safety & Communications Director)

Guests-

Alex Sherard (White & Story, LLC), Emily Sobczak (Green, Finney, Cauley, LLP), Francenia B. Heizer (Burr & Forman LLP),

Press-

Haley Jones (The Lancaster News)

Citizens-

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Open session

Call to order and invocation-

At 5:00 p.m., Chairman Small called the meeting to order and gave the INVOCATION.

Notice to media- BCBB

In accordance with the SC Code of Laws, 1976, Section 30-4-80(d), as amended, Cable 2, The Herald, the Kershaw News Era, The Lancaster News, WBTW, WRHM and WSOC were notified of the time, date, place and agenda of this meeting.

Executive session

Executive session-

BCBK, GBC/D, GBO, GBN, DFN, FGB

Chairman Small announced the purpose for executive session was to receive resignations/retirements/terminations, 2023-2024 administrative employment recommendations, 2022-2023 certified employment recommendations, 2023-2024 certified employment recommendations, 2022-2023 non-certified employment recommendations, student transfers, discussion of contractual negotiations for matters pertaining to proposed contract extensions for Moving Services, Inspect/Clean Hoods & Fire Extinguishers, Online Internet Auction, Lease of Modular Classrooms, proposed contractual matters pertaining to procurement code exemptions for Wastewater Treatment Plant Testing, Elevator Maintenance & Repair Services, Worker's Compensation & Property and Casualty Insurance, Criminal Background Check Services, Financial Services Related to Bond Issues, Emergency Communication Services, Legal Services, discussion of proposed

Open session

Welcome & Pledge of Allegiance -

Approval of meeting agenda-

Executive session action-

BCBK

contractual negotiations for Partners for Youth, and receipt of legal advice subject to the attorney-client privilege. The **MOTION** to enter executive session was made by Mr. Stroble and seconded by Ms. Gamble. The motion **PASSED** unanimously (6-0). Mr. Faulkner was absent.

At 7:00 p.m., the chair welcomed the public on behalf of the board.

Chairman Small called for approval of the agenda as emailed. In open session, a **MOTION** was made by Mr. Stroble and seconded by Mr. Faulkner to amend the agenda to include that the board will return to Executive Session after the completion of Section K.

The motion **PASSED** unanimously (6-0).

Mr. Boykin was absent.

In open session, a **MOTION** was made by Mr. Stroble and seconded by Ms. Cato approve the agenda as amended.

The motion **PASSED** unanimously (6-0).

Mr. Boykin was absent.

Chairman Small noted that the board held an executive session at 5:03 p.m.

- In open session, a **MOTION** was made by Ms. Gamble and seconded by Mr. Faulkner to accept the superintendent's recommendations for resignations/retirements/terminations. The motion **PASSED** unanimously (5-0). Mr. Boykin was absent. Mr. Stroble abstained.
- In open session, a **MOTION** was made by Ms. Cato and seconded by Ms. Green to accept the superintendent's 2022-23 certified employment recommendations. The motion **PASSED** unanimously (5-0). Mr. Boykin was absent. Mr. Stroble abstained.
- In open session, a **MOTION** was made by Ms. Green and seconded by Ms. Cato to accept the superintendent's 2023-24 Administrative employment recommendations. The motion **PASSED** unanimously (5-0). Mr. Boykin was absent. Mr. Stroble abstained.
- In open session, a **MOTION** was made by Ms. Cato and seconded by Mr. Faulkner to accept the superintendent's 2023-24 certified employment recommendations. The motion **PASSED** unanimously (5-0). Mr. Boykin was absent. Mr. Stroble abstained.
- In open session, a **MOTION** was made by Ms. Cato and seconded by Mr. Faulkner to accept the superintendent's student transfer recommendations. The motion **PASSED** unanimously (6-0). Mr. Boykin was absent.

- In open session, a **MOTION** was made by Mr. Faulkner and seconded by Mr. Stroble to accept the superintendent's recommendation to extend the contract for the 2023-24 fiscal year for the following vendor:
 - **Moving Services**
Modern Day Movers
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Ms. Cato and seconded by Mr. Stroble to accept the superintendent's recommendation to extend the contract for the 2023-24 fiscal year for the following vendor:
 - **Inspect/Clean Hood & Fire Extinguishers**
Camden Fire Extinguishers
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Mr. Faulkner and seconded by Ms. Cato to accept the superintendent's recommendation to extend the contract for the 2023-24 fiscal year for the following vendor:
 - **Online Internet Auction**
GovDeals
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Mr. Stroble and seconded by Ms. Green to accept the superintendent's recommendation to extend the contract for the 2023-24 fiscal year for the following vendor:
 - **Lease of Modular Classrooms**
Boxx Modular
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Mr. Faulkner and seconded by Ms. Gamble to accept the superintendent's recommendation to approve the Procurement Code Exemption for the following vendor:
 - **Legal Services**
(Bond monitoring and reporting services)
Burr & Forman, LLP
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Ms. Cato and seconded by Mr. Stroble to accept the superintendent's recommendation for the following services to be exempt from the competitive bid process for the FY 2023-2024:
 - **Wastewater Treatment Plant Testing**
JG Environmental
(Wastewater Treatment Plant at Buford High School)
The motion **PASSED** unanimously (6-0).
Mr. Boykin was absent.
- In open session, a **MOTION** was made by Mr. Stroble and seconded by Ms. Cato to accept the superintendent's recommendation for the following services to be exempt

from the competitive bid process for the FY 2023-2024:
– **Elevator Maintenance & Repair Services**
Thyssenkrupp Elevator Service
(Elevators at Clinton & Lancaster High School)
The motion **PASSED** unanimously (6-0).

Mr. Boykin was absent.

- In open session, a **MOTION** was made by Ms. Gamble and seconded by Mr. Faulkner to accept the superintendent’s recommendation for the following services to be exempt from the competitive bid process for the FY 2023-2024:

– **Worker’s Compensation & Property and Casualty Insurance**

SCSBIT (South Carolina School Boards Insurance Trust)

The motion **PASSED** unanimously (6-0).

Mr. Boykin was absent.

- In open session, a **MOTION** was made by Mr. Stroble and seconded by Mr. Faulkner to accept the superintendent’s recommendation for the following services to be exempt from the competitive bid process for the FY 2023-2024:

– **Criminal Background Check Services**

Chapman Corporation

The motion **PASSED** unanimously (7-0).

- In open session, a **MOTION** was made by Mr. Faulkner and seconded by Mr. Stroble to accept the superintendent’s recommendation for the following services to be exempt from the competitive bid process for the FY 2023-2024:

– **Financial Services Related to Bond Issues**

Compass Municipal Advisors

The motion **PASSED** unanimously (7-0).

- In open session, a **MOTION** was made by Ms. Cato and seconded by Mr. Stroble to accept the superintendent’s recommendation for the following services to be exempt from the competitive bid process for the FY 2023-2024:

– **Emergency Communications Services**

Remind Communication System

The motion **PASSED** unanimously (7-0).

Chairman Small reported that the board had not completed its executive session business and would return to executive session after completing Section K on the agenda.

Trustee Awards-

- **Perfect Score on 2022 State Testing**

Indian Land Intermediate

Jacob Bettinger (SC Ready Math)

Holden Brightbill (SC Ready ELA)

Hayden Finnigan (SC Ready Math)

Max Gonzalez (SC Ready Math)

Vanessa Gonzalez (SC Ready Math)

Reid Heritage (SC Ready Math)

Rayan Jafri (SCPASS)

Sebastian Muriel Garcia (SC Ready Math)

Mark Prosanov (SCPASS)

Cooper Theberge (SC Ready Math)

Cole Thompson (SCPASS)

Van Wyck Elementary School

Judah Chamberlain (SCPASS)
Ritesh Dhokte (SC Ready Math)
Logan Quick (SC Ready Math)
Lianna Tedesco (SC Ready Math)

North Elementary School

Heng Li (SC Ready Math)
Salinger Price (SC Ready Math)

McDonald Green Elementary School

Landen Smith (SC Ready Math)

Kershaw Elementary School

Grayson Ghent (SC Ready Math)

Public forum -

BCBI

Chairman Small outlined the procedures for addressing the board and invited any member of the audience to come forward. seventeen members of the public came forward.

Ms. Erin Patel, Ms. Natalie Lesnefsky, Miss Sophia Lesnefsky, Miss Sienna Lesnefsky, Ms. Jan Caron, Mr. Ben Lesnefsky, Ms. Danielle Bolick, and Ms. Demetra Cornwell came forward to speak about their concerns regarding student safety and district threat protocols. Ms. Sandy McGarry, Ms. Charlene Hunter, Ms. Yvonne Johnson, and Ms. Tonya Ross came forward to speak about their concerns regarding a possible bond referendum. Ms. Linda Blackmon-Brace came forward and spoke about her concerns for the school district. Ms. Melissa Jones-Horton and Ms. Kayla Medlin came forward to speak in support of the school district starting a barbering program at the LCSD Career Center. Mr. Revery Johnson came forward to speak about his concerns regarding the school district's state report card and the restated audit report. Ms. Cathey Massey came forward and spoke about her concerns for the school district.

Approval of consent action items -

Chairman Small called for approval of consent action items below.

- Approval of minutes of **Feb.21** regular meeting
- Recommendation to approve Early Head Start monthly financial **report**
- Recommendation to approve Head Start monthly financial **report**
- Recommendation to approve submittal of Early Head Start/ Head Start COLA & Quality Improvement grant **applications**
- Recommendation to approve submittal of Early Head Start continuation grant **application**
- Recommendation to approve submittal of Head Start continuation grant **application** for the five year period 2024-2029

**Recommendation to approve
2021-2022 Procurement
Audit -**

A **MOTION** to approve the consent action items was made by Ms. Gamble and seconded by Ms. Cato. The motion **PASSED** unanimously (6-0). Ms. Green was absent.

**Receipt of Regular monthly
financial reports -**

A **MOTION** to approve the 2021-2022 Procurement Audit was made by Mr. Faulkner and seconded by Ms. Cato. The motion **PASSED** unanimously (6-0). Mr. Boykin abstained.

Dr. Phipps referred board members to appropriate agenda pages and recognized Ms. Faile and Ms. Norris. Ms. Faile reviewed the monthly financial reports with the board. She stated everything looks to be in line as the district nears the end of this fiscal year. Ms. Faile also went over the **ESSER funds** expenditures through February 28th.

A **MOTION** to approve the monthly financial report and ESSER update was made by Mr. Stroble and seconded by Ms. Cato. The motion **PASSED** unanimously (7-0).

Ms. Norris recognized the Finance and Procurement department members for their hard work on collaborating and completing bookkeeper training for bookkeepers across the district. Ms. Norris informed the board that the question from last month's board meeting regarding Object 339, Other District Transportation, is where expenditures for bus permits for field trips are located. Ms. Norris also clarified another question from last month's board meeting regarding impact fees. Ms. Norris stated that the County collects the impact fees for the district and as of February the amount is \$289,323. Mr. Stroble asked what type of accounts the impact fees are in and if they are earning interest. Chairman Small asked if the district gets the interest that is accrued on the impact fees. Ms. Norris stated that she would contact the County and get those answers for the board. Mr. Stroble asked if the original FY 2021-2022 audit report was posted to the district's website and that it be taken off and only have the cover stating that it has been recalled. Mr. Stroble also asked if the restated audit report was posted on the website. Ms. Norris explained that the original audit report was posted but will be taken down and only the cover will be shown with the notification that it has been recalled. Ms. Norris also explained that the restated audit report is posted on the district's website.

Fiscal Watch Update -

Chairman Small recognized Ms. Norris who informed the board that the Fiscal Watch Recovery Plan and cover letter were completed and ready to be submitted to the SCDE. Ms. Norris also explained to the board that the information received in February that the district was not allowed to appeal the Fiscal Watch Continuation was incorrect. Ms. Norris clarified that SCDE were supposed to email or call the district and LCSD should have had a chance to discuss the continuation with the Fiscal Practices committee but the district was not afforded that opportunity. Ms. Norris explained that the district contacted the SCDE and confirmed this, and on March 20th SCDE informed the district that since there should have been an opportunity to

Recommendation to approve the SCAGO Bond Resolution -

appeal, they are giving LCSD nine days to appeal the Fiscal Watch Continuation. Ms. Norris reiterated the findings from the FY 2021-2022 audit report and stated that these findings have essentially no impact on the district's financial position so there should be no reason for SCDE to declare a Fiscal Watch continuation.

A **MOTION** to appeal the February 3, 2023 Fiscal Watch Continuation declaration by SCDE and direct the district's attorneys at White & Story, LLC to represent Lancaster County School District in the appeal process was made by Mr. Stroble and seconded by Ms. Gamble.

The motion **PASSED** unanimously (7-0).

A **MOTION** to have the board respond to the February 3, 2023 Fiscal Watch Continuation letter from SCDE by submitting the district's Fiscal Watch Recovery plan by the April 3, 2023 deadline was made by Mr. Stroble and seconded by Ms. Cato. The motion **PASSED** unanimously (7-0).

Chairman Small recognized Ms. Norris and she introduced Ms. Heizer who gave a presentation on the SCAGO Bond Resolution that would authorize the school district to issue general obligation bonds not exceeding \$25 million through the SCAGO program. This resolution allows the district to issue the Spring and Fall debt from the annual bonds through the SCAGO program. If approved, the bond resolution would be part of a larger group of bonds consisting of 20 or 30 other school districts that is put out to the public market for sale and this larger transaction gives the district lower interest rate and a credit rating of AA. Once the debt is sold and closing documents are signed, the money goes to the county treasurer to be used for the spring payment on the district's installment purchase revenue bond and to be used for capital projects for the district. Issuing general obligation bonds through the SCAGO program saves time and money for the school district.

A **MOTION** to amend the SCAGO Bond Resolution to include that the specific dollar amounts for the bonds be brought to the board for approval prior to issuance in the Spring and Fall was made by Mr. Stroble and seconded by Ms. Green.

The motion **PASSED** unanimously (6-0).

Mr. Boykin abstained.

A **MOTION** to approve the amended SCAGO Bond Resolution was made by Mr. Stroble and seconded by Mr. Boykin

The motion **PASSED** unanimously (7-0).

Recommendation to approve second reading of Board Policy KHA - Student/Employee Board Recognition and Memo

Chairman Small recognized Ms. Quinn who explained that Board Policy KHA - *Student/Employee Board Recognition* needs second reading approval by the board. This policy was brought to the board last month as a procedure and the board agreed that it should be reinstated as a board policy. The policy provides guidelines for how the board recognizes student and employee achievements.

A **MOTION** to approve the second reading Board Policy KHA - *Student/Employee Board Recognition* and memo was made by Ms. Cato and seconded by Mr. Stroble.

Recomendation to approve first reading of Board Policy GBD - Unencumbered Time and Memo

The motion PASSED unanimously (7-0).

Chairman Small recognized Ms. Quinn who reminded the board that the state legislature passed a 30 minute unencumbered time statute for full-time teachers in grades K-5 and full-time teachers who instruct special education students at least 20% of the school day in elementary, middle, and high schools. The deadline to have this policy in place is April 17, 2023.

A MOTION to approve the second reading of Board Policy GBD - *Unencumbered Time* was made by Mr. Faulkner and seconded by Mr. Stroble.

The motion PASSED unanimously (7-0).

Receipt of consent information items -

The Board agreed to receive without discussion the reports below as consent information items. The reports were emailed to board members before the meeting.

- 2023 summer **schedule**
- National Purchasing Month - **March**
- Early Head Start/Head Start director's monthly **report**
- Early Head Start/Head Start monthly Policy Council **minutes**
- Early Head Start/Head Start monthly federal progress **summary**
- Early Head Start/Head Start monthly enrollment & **attendance**

Board Chair closing remarks -

Chairman Small addressed the public and emphasized the importance of attending the parent/teacher conferences that teachers work hard to prepare for and set up. Chairman Small stated that these conferences are important for parents and students as well.

**Executive session-
BCBK, GBC/D, GBO, GBN, DFN, FGB**

Chairman Small called for a motion to enter into executive session.

The MOTION to enter executive session was made by Mr. Stroble and seconded by Mr. Boykin.

The motion PASSED unanimously (7-0).

Open session-

Chairman Small called for a motion to exit executive session. The MOTION to exit executive session was made by Mr. Stroble and seconded by Ms. Cato.

The motion PASSED unanimously (7-0).

Executive session items-

A MOTION to terminate, by mutual consent, its current memorandum of understanding with Lancaster County Partners for Youth for payroll and personel services, direct the Board Chair to execute the termination agreement on behalf of the board, and the changes forwarded to the attorney to be included in the final agreement was made by Mr. Stroble and seconded by Mr. Boykin.

The motion PASSED unanimously (7-0).

Chairman Small read a letter from Superintendent Dr. Jonathan Phipps. The letter stated that Dr. Phipps plans to retire June

30, 2024 instead of at the end of his contract in 2026. He is notifying the board early in hopes of a smooth transition. Dr. Phipps is requesting that when he retires his accrued leave be paid out and receive a six month severance.

A MOTION to accept Superintendent Dr. Jonathan Phipps's letter of retirement, his accrued leave to the paid out, and a six month severance was made by Mr. Faulkner and seconded by Ms. Gamble.

The motion PASSED unanimously (7-0).

A MOTION to have White & Story, LLC work up a final agreement in reference to the Board's acceptance of Dr. Phipps's letter of retirement was made by Mr. Stroble and seconded by Ms. Green.

The motion PASSED unanimously (6-0).

Ms. Gamble abstained.

Adjournment-

With no other business before the board, Chairman Small adjourned the meeting at 11:01 p.m.

Respectfully submitted,

Tyrom Faulkner, Secretary

Approved: _____

Brad Small, Chair