



10850 East Woodmen Road • Falcon, CO 80831
Tele: 719-495-3601 • Fax: 719-495-0832 • E-mail: d49@d49.org

Mission Statement

Together we are committed to graduating and preparing all children for success in college and careers.

MINUTES
SPECIAL BOARD OF EDUCATION MEETING
July 16, 2009
Central Administration – Board Room

1.00 President Bartha called the meeting to order at 5:00 p.m.
Roll call was taken with the following members present: President Anna Bartha; Director Kent Clawson and Director Mark Shook. Director Dave Martin and Director Dave Stark were absent with prior notice.

2.00 Welcome and Pledge of Allegiance
President Bartha welcomed those in attendance and invited them to join the Board in the Pledge of Allegiance.

3.00 Approval of Agenda
President Bartha requested a motion to approve the agenda.

Director Shook moved to approve the agenda as presented. Director Clawson seconded the motion.

Vote: Bartha,aye; Clawson, aye; Shook, aye. Motion carried.

4.00 Open Forum
Jackie Vialpando, chairman of the Mill Levy Oversight Committee, she stated that the question says that the MLOC should review expenditures. She has concerns about using the mill levy funds to turf the football field at Vista Ridge High School without finishing the stadium and looking at the whole picture; there are many needs at VRHS. Is this being looked at as the best for the students or to their detriment? She also asked why this is being addressed in executive session instead of the open meeting.

Les Johnson, a member of the athletic staff at Vista Ridge, spoke about the fields at Vista Ridge High School. He does not believe the fields were installed correctly and that water or lack thereof is going to continue to be a real problem. Installing turf will be a real benefit to the physical education program along with the boys and girls soccer program as well as track and football. He does not believe that the expense and time of transporting students to Patriot Learning Center is acceptable. They will also not be able to use the equipment that has been purchased for VRHS. He believes that VRHS needs a home field to play and practice on. He believes that the lights and bleachers from Falcon Middle School should be moved to VRHS.

Carol McGraw, reporter for the Gazette, questioned the executive session 5.01 regarding the artificial turf stating that she does not believe that it qualifies as an executive session item.

Joel Perez, a parent and volunteer baseball coach representing Vista Ridge athletics, stated that the baseball coaches had not heard anything about the turf or how it benefits the baseball program. This disturbs him; the needs of the baseball program long with all the other sports need to be addressed. There is no baseball field at VRHS. He was very appreciative of being able to use the field at Patriot Learning Center even though it was very inconvenient; the coaches and players provided their own transportation. It disturbs him that upgrading a football field is being looked at before the completion of the baseball field takes place. He is asking for the basics in the completion of a baseball field so that they can train their players properly.

Director Shook reviewed how the Board began looking at this issue. Several months ago a proposal was brought to the board to replace the sod on the Vista Ridge High School football field at a cost of \$100,000; at that time the Board began asking questions to see if that was the best plan. That is how they began looking at that one field. The Board is in the process of doing its due diligence investigation and get the facts before they act; there has been no vote, just the question. As far as the mill levy the Board has to find out just what they can and cannot do; if they find out that they can use mill levy money they would consult the MLO committee. The Board also wants to contact the principal, the staff and athletic staff at VRHS. No decisions have been made the Board is still gathering facts.

By consensus the Board took a break at 5:17 p.m. coming back into regular session at 5:22 p.m.

5.00 Action Item

5.01 **Executive Session:** To receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. Regarding use of mill levy override funds for Vista Ridge Fields.

President Bartha asked for a motion for action item 5.01

Director Shook moved that we go into executive session To receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. Regarding use of mill levy override funds for Vista Ridge Fields. Director Clawson seconded the motion.

Director Shook asked Board legal counsel to explain the reason for this executive session.

Mr. Brad Miller, legal counsel for the Board, stated that he would not be involved in this matter but that the request has been made to find out the legality of whether the district can use mill levy funds in this instance. That is legal advice and it falls under the statute.

President Bartha asked if there was any further discussion; hearing none she called for a vote.

Vote: Bartha, aye; Clawson, no; Shook, aye. Motion carried.

The Board went into executive session at 5:29 p.m. with the following people present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, Acting Superintendent David Bond, Chief Financial Officer Joleen Schaake, Acting Chief Operations Officer Cindy Hardin, Facilities Manager Marian Nall, Project Manager Jim Walsh and Attorney Tom Weihe from Kutak Rock LLP.

President Bartha requested a motion to return to regular session.

Director Clawson moved to return to regular session. Director Shook seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The Board left the IT conference room at 6:24 p.m. to return to regular session at 6:27 p.m.

5.02 Approval of Artificial Turf Proposal

President Bartha asked for a motion on action item 5.02.

Director Clawson made a motion to approve ACC Academy as the contractor for construction of artificial turf for the soccer fields at Vista Ridge High School. Director Shook seconded the motion.

President Bartha asked if there was any discussion.

The board discussed the uses of the football field as a multipurpose field, whether a baseball field had been bid, the room for an additional field, the cost of transporting students to different fields, the options of using the current fields and also building a third field. The Board also discussed having a special BOE meeting July 23rd at 5:30 p.m. to receive information regarding funding options, timeframes etc.

Director Clawson withdrew his motion.

6.00 Other Business

6.01 **Executive Session:** to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Superintendent Search.

President Bartha requested a motion to go into executive session.

Director Clawson moved that we go into executive session to discuss a personnel matter, as authorized by section 24-6-402 (4) (f) (1) of the Colorado Revised Statute. – Superintendent search background Information review, determining positions relative to matters that may be subject to negotiations; develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes. – Superintendent Search. Director Clawson withdrew his motion

Director Clawson moved to go into executive session determining positions relative to matters that may be subject to negotiations: develop strategy for negotiations, and instructing negotiators, as authorized by section 24-6-402(e) and to receive legal advice from our attorney on specific legal questions as authorized by section 24-6-402 (4) (b) of the Colorado Revised Statutes – Superintendent Contract negotiations. Director Shook seconded the motion

Director Shook seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

By consensus the Board took a break at 7:12 p.m. before going into executive session.

The Board went into executive session at 7:45 p.m. with the following people present: President Anna Bartha, Director Kent Clawson, Director Mark Shook, and Board legal counsel Brad Miller.

President Bartha requested a motion to return to regular session.

Director Shook moved to return to regular session. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The Board returned to regular session at 8:38 p.m.

7.00 Adjournment

President Bartha requested a motion to adjourn.

Director Shook moved to return to adjourn. Director Clawson seconded the motion.

Vote: Bartha, aye; Clawson, aye; Shook, aye. Motion carried.

The meeting was adjourned at 8:39 p.m.

Anna Bartha, Board President

Kent Clawson, Board Secretary