

# Green Mountain Unified School District Board

## Regular Meeting Minutes

Thursday, February 20, 2020

CAES Library

6:00 p.m.

### I. ROLL CALL/CALL TO ORDER:

**Board:** Wayne Wheelock, Joe Fromberger, Michael Studin, Jeff Hance, Fred Marin, Lois Perlah, Doug McBride, Rick Alexander

**Staff:** Lauren Fierman, Deb Beaupre, Meg Powden, Cheryl Hammond,

**Student Reps:**

**Public:** Shawn Cunningham

Mr. Fromberger called the meeting to order at 6:00 p.m.

### II. APPROVE AGENDA:

A. Ms. Perlah **moved** to approve the agenda with the addition of an Executive Session for the discussion of V.S.A. Title 1 § 313 (a)(3) Appointment or employment or evaluation of a public officer or employee, and another executive session for confidential attorney-client communications made for the purpose of providing professional legal services to the body under V.S.A. Title 1 §313 (a)(1)(F). Mr. Marin seconded and the motion carried unanimously.

### III. APPROVE MINUTES:

#### A. January 14, 2020 Special Meeting

Mr. Marin **moved** to approve the minutes of the January 14, 2020 meeting. Mr. Alexander seconded. The motion carried unanimously.

#### B. January 16, 2020

Ms. Perlah **moved** to approve the minutes of the January 16, 2020 minutes with the correction of “gaveling” to “dabbling”. Mr. Marin seconded and the motion carried unanimously.

### IV. PUBLIC COMMENTS:

None.

### V. COMMUNICATIONS:

#### A. Student Representative

The student representatives were on school vacation and not in attendance.

#### B. Board Member Comments

None.

#### C. RVTC Update

Ms. Perlah reported they had a presentation by Cynthia Michelle, the special needs coordinator. The enrollment is up 20 students over last year, but they are still projecting a small deficit. VTVLC is trying to coordinate an adult education program into the existing tech programs at the school. The state is looking at block grant models for tech center funding so there is less pressure on the local school budgets to pay for tech centers. This would create more opportunities at the tech centers. There is no clear-cut answer at this time as it is still under discussion. There are

several students attending RVTC from Fall Mountain. They are currently not in attendance since there is a state conflict that is being worked on. The audit report showed no findings and is available on their website. The tech center has built a house and has visited the fire house for health careers. She discussed the house that the tech center builds and sells. She discussed Scott Farr, the tech center director, sharing information about his programs.

Mr. McBride questioned what percentage of the GMUSD students take classes at RVTC. Ms. Fierman advised that there are 56 students of the 300+ GM students taking courses at RVTC.

#### **D. TRSU Update**

Mr. Fromberger reported that the TRSU board met last week. The board set up a superintendent search committee that will begin meeting soon with the goal to have final candidates by March 8. Mr. Fromberger noted that this board should finalize its members of the search committee. Applications are being accepted until February 28. Ms. Lamphere and Mr. Studin offered to serve. He explained the committee structure-2 board members from LMH and GM, 1 principal from each district, 1 teacher from each district, 1 high school student from each district and 2 central office staff members. There was discussion about Ms. Lamphere rescinding her resignation from the final year of her term, so she will still be on the board for the remaining one year of her term.

Ms. Powden advised that Ms. Hammond and Mr. Eppolito will serve from the Central Office. The principals will be Ms. Beaupre and Mr. Hutt Vater. The teacher from GMUSD will be selected early next week. Ms. Powden advised that the TRSU board asked the principals to appoint the teachers, so this board does not need to vote on the teachers.

Mr. McBride questioned what the statute says about who hires the superintendent. The TRSU board hires the superintendent, but the search committee will vote on a recommendation to the TRSU board. There was discussion about the high school students being appointed by the Ms. Fierman and Ms. Trimboli. Mr. McBride supported the selection of Mr. Studin and Ms. Lamphere. Mr. Studin suggested that the LMH student be someone who is interested in attending GM so they have a vested interest in the superintendent selection. Ms. Mahusky suggested that they could ask for that, but couldn't force it.

Ms. Mahusky **moved** to appoint Mr. Studin and Ms. Lamphere represent the GMUSD board on the superintendent search committee. Ms. Perlah seconded. There was discussion about the other members being appointed by other entities. The motion carried unanimously. Ms. Fierman noted that she is not appointing the teacher, but the administrators will "put forward" a teacher for the committee. Mr. Fromberger noted that the TRSU board agreed to have co-chairs to share the work. There was discussion about not having alternates for continuity purposes.

Ms. Powden advised that LMHUUSD board has selected Ms. Tarbell and Mr. Buckley as their representatives to the committee.

## **VI. COMMITTEE REPORTS:**

### **A. Facilities**

Ms. Fogg advised that she has shared the safety audit with Mr. Alexander. There was discussion about the items pointed out in the safety audit. The asbestos audit was held today and the energy audit has begun. The new gym lighting has been installed. The original plan was to get them repaired, but for a \$480 difference, the lighting was replaced at a considerable wattage savings. The safety audit was free. Ms. Hammond advised that she had asked them a question and the insurance company sent someone to the high school for the weight room and they then visited the

other schools. Ms. Beaupre noted that their safety audit was conducted and some of the things recommended were suggested to be shared in private. Ms. Fierman advised that these same audits are in the works for them as well.

**B. Audit Committee**

Mr. McBride noted that the audit was conducted without audit committee participation. He had spoken with the auditor and advised him that there was a committee. He had asked to see the draft audit and meet with him before the final audit with the intention to ask questions. Last year he was told they couldn't ask questions because that audit was complete. He felt that the SU has opted to not have the audit committee participate in the audits. He noted that Susan Holson from the VSBA advised them that this is *their* audit to own. He suggested that if the board doesn't want to own their audit, the committee should disband, but if this board wants to own their finances, they should demand that the SU allow them to participate in the audit.

Mr. Alexander noted that all the board members were part of the finance committee and that is how they were owning the finances. He felt that there should be more communication.

Mr. McBride **moved** to disband the audit committee. Mr. Fromberger noted that this action wasn't warned and suggested withdrawing that motion until the agenda contains that item for discussion. There was no second to Mr. McBride's motion. Mr. McBride suggested that the next meeting have that discussion. Ms. Mahusky asked to find out what role the audit committee takes in this situation. She felt that the board owns their finances, but wasn't sure that an audit committee facilitates that. Mr. Studin questioned why there was no communication with the committee.

Mr. Fromberger questioned what the requirements are for the audit. Ms. Hammond questioned what the charge is of the audit committee—she advised that there is no definition of what the expectation is between the SU and the audit committee. She advised that she has had 4 drafts on the TRSU audit before it was complete. She advised that the auditor works for the SU. Mr. McBride noted that an email was sent to the central office last year about what the expectations were for the audit committee, calling it “audit committee light”, explaining what they wanted to accomplish. His concern was that they didn't receive a draft of the audit before it was finalized. He cited a Wall Street Journal article indicating that most audit committee problems are with lack of information and understanding of the audit committee.

There was discussion about the committee not having a charge and Ms. Hammond not recalling having received the email that Mr. McBride referred to. Mr. Fromberger advised the board members to address him, not each other. Mr. Fromberger advised that further discussion of the audit committee will be deferred until a later meeting when he has a request to add it to the agenda with subject information.

**C. Policy Committee**

The policy committee met in late January, but since there was no quorum of the committee, the meeting was informational only.

**D. Negotiations Committee**

The board discussed that they would have an update on the negotiations in executive session later in the meeting.

**VII. ADMINISTRATOR REPORTS:**

**A. Superintendent Report**

Ms. Powden reported that she and her colleagues have met with Massachusetts' superintendents and discussed the idea of collaboratives to address student needs, particularly in regards to out of district placement. They are grant funded, and locally funded. They work together to meet the needs of the students without putting undue burden on any district. They will now be adding the directors of student services to the conversation to begin implementation on a small scale.

Ms. Powden advised that they recently have received notices from the town for a public hearing on March 9<sup>th</sup> at 5:30 regarding the use of the old bank building as a dental office, because the school is an abutting neighbor. Ms. Mahusky noted that the school is operated by the board, therefore the board should have been notified, not the school. She suggested that this wasn't a legal notice. Mr. Cunningham suggested that perhaps the ownership status hasn't been changed in the town records. Ms. Mahusky suggested that the central office should follow up with the towns to be sure that the proper title transfers have happened and that the districts own the school buildings.

Ms. Fogg added that Mr. Hutchins has resigned as one of the evening custodians. They are in the process of filling that position.

Ms. Fierman advised that she has received notice from the town about the gravel pit. The school is an abutting neighbor. She advised that David Pisha approached her and she suggested that he speak with the actual owners of the building. Tomorrow at 2:30, Ms. Hance and Mr. Pisha will meet with her and Mr. Parah about the abutting property. She suggested that they need to speak with the board. She suggested that a board member or more attend the meeting and reiterate that the GMUSD board owns that property. Ms. Mahusky advised that the former GMUHS board objected to the prior proposal for the private gravel pit. The town now owns the property and they want to operate the gravel pit for the town on a small scale. She advised that the town needs to give the board a proposal about what is planned before they can make a decision. They need to understand the impact to their students and staff, including the truck impact, blasting impact, noise impact, etc. Ms. Mahusky suggested that the board requested that the superintendent write a letter to the town requesting a formal meeting to tell the board what is planned so the board can make a decision about whether or not to oppose the action.

Mr. Fromberger noted that abutting land owners are invited and advised and if they choose not to participate then they can move forward. Mr. Wheelock advised that the newspapers advised that all landowner/abutters can participate. Mr. Fromberger will ask how the meetings were warned. Ms. Mahusky requested that the chair or the superintendent be directed to contact the town to request a formal meeting with the town so that the board can be formally advised of their plan. There was discussion about whether or not the school district received proper notice, particularly since the former board opposed the prior action. There was discussion about inviting the town to a special meeting. Mr. Fromberger will make room on the March agenda. Mr. Alexander requested that the board be sent a scope of work ahead of that meeting so they can be prepared with questions and concerns. Ms. Fierman again advised that if any board member wants to attend tomorrow's meeting, they are welcome to.

Ms. Powden reported that she and Ms. Hammond recorded a session on Okemo Valley TV promoting their budgets. They will share the video with SAPA as well. She heard from a community member about a bus concern and Ms. Fierman and Mr. Parah have followed up on it.

Ms. Powden advised that the legislature is looking at ending the moratorium on state construction aid. She also noted that there are universal after school program, breakfast/lunch, and education of homeless children bills.

## **VIII. OLD BUSINESS:**

### **A. Limited School Choice**

Ms. Powden advised that this program is funded by half the yield per student shared between the school districts. There was discussion about this program being the same as it has been. Ms. Powden advised that there are 6 GMUSD students (from Cavendish) attending LES, and 3 CAES students attending CTES (but this doesn't result in funds moving since they are both GMUSD schools. LMH is sending one student to GMUSD. This is approximately \$26,000 from GMUSD to LMHUUSD. There was discussion about the reason that students participate in school choice. There was discussion about the number of BRHS students choosing to attend GM.

Ms. Mahusky **moved** to approve the Limited School Transfer program as presented and authorize the chair to sign on behalf of the GMUSD. Mr. Marin seconded. Mr. McBride questioned the applications being available by 3/2, and due by 4/17. He questioned what happens if a parent finds out about the program after 4/17 and there is room would they be allowed. Ms. Powden advised that there is an appeal process. Mr. Studin questioned if the board doesn't authorize the motion are there still options to students who need to change schools due to bullying. The motion carried with Mr. Alexander, Mr. McBride and Mr. Studin in opposition.

Mr. Fromberger advised that when that annual meeting was set, they decided on holding it in the auditorium, but during the discussion there was a suggestion to move it to the library since it is better for the presentation on the budget. The board consensus was to move it to the library. Mr. Fromberger advised that they send out an email and will post a sign on the auditorium door advising people of the venue change.

## **IX. NEW BUSINESS:**

### **A. Policies First Read F32**

Mr. Marin summarized the policy. He advised that this policy aims to extend the same rights and protections available to cis-gendered individuals to gender nonconforming and transgender students. He advised that this is a required policy. It has been reviewed by the administrations and student groups who deal with LGBTQ issues and rights.

Mr. McBride questioned where the policies are coming from. Mr. Marin advised that the VSBA has a policy framework, but the initiation of the framework comes from the AOE. The VSBA drafts a model policy. There was discussion about what the AOE gives for direction and how the VSBA then drafts the model policies. Mr. Marin shared information about the AOE's website's list of best practices for this policy.

Mr. McBride questioned the issue that was raised at GMUHS a few years ago and the solution that was determined. The board noted that the former board's policies were rescinded and therefore don't still apply to this board. Ms. Powden advised that the issue that was raised happened just before she started. Though there were several changes at the school, she didn't believe that there was anything written as a solution.

Mr. Fromberger questioned the final paragraph noting that there could be a concern with someone competing as a female who is biologically a male even though they consistently assert that they are female. There was discussion about this as a national topic, particularly with professional and Olympic women's sports. The board discussed taking direction from the VPA.

Mr. Studin requested that someone ask Ms. O'Neil about the formerly approved actions regarding transgender students. Ms. Fierman will follow up with Ms. O'Neil.

## **B. Limited High School Choice**

Ms. Powden advised that this is the annual decision about how many students can come in for school choice and how many can go out. She explained how the numbers are determined. They have to set a minimum of 10 students each direction. There was discussion about how many students have taken advantage of this. Ms. Fierman felt that there are about 15 students taking advantage of leaving. They usually have around 25 students coming in, but some of those are from LMH. Ms. Powden advised that they will be welcoming around 40 new students this next year, and may want to limit the school choice option for this next year, but they would not come under school choice, but rather under tuition. There was discussion about the reasons for limiting these numbers. There was also discussion about there not being financial aspects with the school choice. There was discussion about capping the limit where they are now. Ms. Fierman suggested setting the limit at 16-17 coming in exclusive of the LMH students or other tuition students. Ms. Fierman suggested that they don't want to turn away anyone currently there.

Mr. McBride suggested that their number one priority is to deliver good education, and there could be many reasons that the student wants to attend GMUSD. He is confident that the school could accommodate 5-10-15 additional students. He felt that they should set the limit at 25-30 students to accommodate students who want a great education. He felt that the school was designed for 700 students. Ms. Fierman noted that there are 25 students coming in, but some of that 25 are from LMH and will bring tuition next year, the other 17ish students will not. Ms. Fierman advised that they try never to say no to anyone proposing to attend GM. She felt that the numbers are such that they have been able to allow students to come in even after the deadline in the past.

Mr. Fromberger advised that the school has traditionally set the limit at 20. Mr. Studin questioned if students are considered beyond the cap. Ms. Fierman advised that they generally are. This board can also make that decision. There was discussion about the sending school keeping the ADM for these students.

Ms. Mahusky **moved** to cap the high school choice at 20 students coming in. Mr. Hance seconded. The motion failed with a vote of 4-4. Ms. Powden advised that they are under a timeline and requested the board to continue to deliberate. There was discussion about the value of more students, but there could be a financial impact of having more students that bring no money. There was discussion about the limits being a minimum of 10 students. Historically the GM board set the limit at about 20.

Mr. Studin **moved** to cap the high school choice at 15 students coming in. Mr. Alexander seconded. Ms. Mahusky suggested that she would support 15 student cap provided they agree to not exclude any students currently in attendance. The board consensus was to agree to that stipulation. The motion carried with Mr. Wheelock opposed.

Ms. Fierman noted that the limit for outgoing students is currently 20. Mr. Studin **moved** to set the high school choice at 15 students leaving GM. Mr. Alexander seconded and the motion carried unanimously.

## **C. FY 19 Audit**

Ms. Hammond advised that the board received an electronic copy of the audit but she would give anyone who wanted a paper copy. Ms. Hammond advised that she begins review of the audit with the schedules. She looks at the general fund because it has the largest dollar amount. She noted that the numbers are consolidated by function code. The end of the audit is the non-major special

revenue funds, such as scholarships, trust funds, etc. She noted that the audit looks at the districts' liabilities and what the responsibilities would be if the doors closed tomorrow. A large portion of the audit discusses the teachers' pension plans. It also looks at the balance sheet. She advised that this sheet shows all the balances in each account. The audit looks at fixed assets, bonds and loans.

Ms. Hammond shared the management letter. The auditor did a deep dive into the financials of the fresh fruits and vegetables program as a federal program. The letter includes some suggestions about how to improve their handling of funds. They have already addressed these concerns. Another issue is the problem with student activity funds. There are non-student activity funds with those funds. They are working toward moving those funds to the SU. Only student raised funds can be in the student activities funds. There was discussion about having a special meeting or meet in April with the auditor.

Mr. McBride questioned what materiality the auditor uses to look at. Ms. Hammond didn't know what their level was. He explained what this materiality level is. He questioned if the auditor disclosed any of the litigations. He questioned if the auditor suggested setting up litigation reserve funds. Ms. Hammond advised that he did not.

Mr. McBride discussed the tax anticipation note. He advised that they authorized \$1.8 million in tax anticipation. Ms. Hammond advised that the line of credit was \$2million for this audit year and they used \$1.4million. Mr. McBride questioned how much money was drawn down before the receipt of tax money. Ms. Hammond advised that they receive tax money in 3 sessions. He questioned who signs the draw down certificates to get the money. He noted that the note is anticipated to pay back the money after receipt of taxes. Ms. Hammond advised that the payback was on November 7. Ms. Mahusky suggested that Mr. McBride could meet with Ms. Hammond to get the answers to his questions and then share those with the board. Mr. Studin noted that this would have been a job for the audit committee. Mr. McBride questioned if there is still debt carried from 2018. Mr. McBride questioned when the deficits are paid off. The FY18 deficit is built into the FY20 budget and the FY19 deficit is built into the FY21 budget. Mr. Fromberger advised that this is a statutory requirement. He questioned how the central office is funding the deficit. Ms. Hammond advised that the tax anticipation notes are paid back when the district has the stable cash flow to pay them back (December this year, November last year). Ms. Hammond advised that the revenues and expenses that result in a deficit are not always the same as the cash flow, meaning they are effectively borrowing from the next year's money. Ms. Hammond advised that they do cut off spending, but there are expenses that they are required to still pay even if they are over budget. She advised that in April they reconcile and freeze spending.

Mr. Studin questioned the inability to provide procurement documentation for certain items. Ms. Hammond advised that they are having a procurement audit that is separate from this. She advised that in the food service, they are part of a buying group that allows them to get the best prices. Ms. Hammond advised that part of the problem is that Reinhart and Black River produce are part of the procurement group. However, the food service will buy from Lisai's or Singleton's if they run out of food for that day's lunch. There was discussion about getting these stores into the procurement group. There is the ability to do micro-purchases. Ms. Hammond advised they do have receipts.

Mr. McBride questioned if the auditor suggested she needed to change the drawdown procedure. He also asked if she is the sole person to get the drawdown. Ms. Hammond advised that Ms. Martel is the person who requests the drawdown, but only after having a conversation with Ms. Hammond regarding needs. There was discussion about the business office being able to draw down those funds without board approval. There was discussion about the warrant signer and

treasurer reviewing the expenditures. Mr. McBride suggested that this board discuss in the future the procedures for drawing down funds on the tax anticipation loan. Mr. Fromberger suggested that Mr. McBride make a recommendation. Mr. McBride questioned if the auditor addresses accounting and control weaknesses.

Ms. Powden advised that the business office brings the line of credit to the board for approval. Mr. McBride noted his concern was the drawdown. There was discussion about the business office giving a report of what they have done to address the concerns listed in the audit.

**D. FY20 Financials**

Ms. Hammond shared the information about the special revenue funds. She also noted that there are \$50,000 in transportation reserve funds going to the budget. Ms. Hammond advised that this year the line of credit rate is 2.6% this year and 1.95% last year. She does shop around for the best interest rate, but usually only their regular bank provides a bid.

**X. PUBLIC COMMENTS:**

None.

**XI. EXECUTIVE SESSION:**

**A. V.S.A. Title 1 § 313 (a)(1)(B)**

Ms. Mahusky **moved** to find that discussion of the labor relations agreements with employees in open session would place the board at a substantial disadvantage. Mr. Studin seconded. The motion carried unanimously.

Ms. Mahusky **moved** to enter executive session at 8:07 p.m. to discuss labor relations agreements with employees under V.S.A. Title 1 § 313 (a)(1)(B) and invite Ms. Hammond and Ms. Powden. Mr. Studin seconded.

Mr. Cunningham suggested that before they vote, the board recognize that this is Ms. Mahusky's and Mr. Marin's last meeting. The board recognized them and thanked them for serving.

The motion carried unanimously.

The board returned from executive session at \_\_\_\_\_ p.m. [action taken]

**B. V.S.A. Title 1 § 313(a)(1)(F) Confidential attorney-client communications made for the purpose of providing professional legal services to the body.**

\_\_\_\_\_ **moved** to find that discussion of confidential attorney-client communications made for the purpose of providing professional legal services to the body in open session would place the board at a substantial disadvantage. \_\_\_\_\_ seconded and the motion carried unanimously.

\_\_\_\_\_ **moved** to enter executive session at \_\_\_\_\_ p.m. to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body under V.S.A. Title 1 § (a)(1)(F) inviting \_\_\_\_\_. \_\_\_\_\_ seconded and the motion carried unanimously.

The board returned from executive session at \_\_\_\_\_ p.m. [action taken]

**C. V.S.A. Title 1 § 313 (3) Appointment or employment or evaluation of a public officer or employee.**



\_\_\_\_\_ **moved** to enter executive session at \_\_\_\_\_ p.m. for the purpose of discussing an employee evaluation under the provisions of V.S.A. Title 1 § 313 (3) Appointment or employment or evaluation of a public officer or employee. \_\_\_\_\_ seconded and the motion carried unanimously.

The board returned from executive session at \_\_\_\_\_ p.m. [action taken]

**XII. NEXT MEETING AND AGENDA ITEMS:**

The next regular meeting will be Thursday, March 19, 2020 at CTES at 6:00 p.m.

**XIII. ADJOURNMENT:**

\_\_\_\_\_ **moved** to adjourn at \_\_\_\_\_ p.m. \_\_\_\_\_ seconded and the motion carried unanimously.

Respectfully Submitted,

Amber Wilson  
Board Recording Secretary