



## Regular Meeting of the Board of Trustees Minutes

7:00 P.M.

November 14, 2017

Minarets High School

45077 Road 200, O'Neals, CA 93645

### 1. CALL TO ORDER

The meeting was called to order at 7:00 PM by Board Vice President, Claudia Box.

### 2. PLEDGE OF ALLEGIANCE, ROLL CALL AND ESTABLISHMENT OF QUORUM

After the Pledge of Allegiance it was established that a quorum was established.

Members present: Claudia Box, Board Vice President; Seth Waltner, Clerk; Jim McDougald and Jessie Hutchens, members. Absent from meeting was Board President, Barbara Bigelow.

Others present: Darren Sylvia, Superintendent; Joannie Lumbrá, Business Manager; Melanie Burton, Administrative Assistant; Gayle Fain, Kelli Bryant, Jim Kilkowski, Byron King, Jessica Fairbanks and Jim McGrew.

### 3. ADOPTION OF AGENDA *(If the Board and/or Administration determine they wish to add to or delete from the agenda, this would be the appropriate time.)*

A motion was made by Seth Waltner to adopt the agenda adding Minarets High School to the Showcase instead of Spring Valley. The motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

### 4. PUBLIC HEARING, COMMENTS, PRESENTATIONS, COMMUNICATIONS AND REPORTS

A. (Bid Protest) Project #10 (12x40 Restroom Bldg. & Piggybackable DSA Portable Bldgs) Darren Sylvia reported that bids for Project #10 were open and analyzed on October 31, 2017. At that time looking at all of the documents it was determined the lowest bid was by Class Leasing. Silver Creek filed a bid protest. Representatives from Silver Creek were present, Mr. Schauer and Ms. Lopez, to challenge the potential award of the bid to Class Leasing. Some of the key points that Mr. Schauer presented were:

- That if you just took bid form 1 that Silver Creek had the lowest bid, at \$1.00.
- There is no language in invitation to the bidder that the award would not go to the lowest bidder that included all of the form 1 and bid form 2 documents
- There were several buildings on the forms, it was difficult to tell if the district is going to take one building or several
- They would like to submit that the bid was written wrong
- Did not indicate that bid form 2 would be combined with bid form 1 to decide the lowest responsible bidder
- Based on the base bid it should be given to Silver Creek.

Mr. Schauer said the district has a right to reject all bids and open it up again as an option if the award of the bid is not given to Silver Creek based on their \$1.00 bid. Jim Kilkowski, representative from Class Leasing was here to present their argument for the bid award. Some of Class Leasing key points were:

- It is a violation to sell product under cost
- Silver Creek is not in the leasing business, this should disqualify their bid
- Silver Creeks bid was absurd and illegal and non-responsible bid

Silver Creek suggested to the district to throw out all bids and start again. Class Leasing suggested against doing this. They are in the leasing business and fill they are the ones that put in the responsible bid. Class Leasing feels that there is confidential information that is now out that could be used against them in another bid. Class Leasing has done business with the District in the past and feels that Silver Creek's bid was illegal and not the lowest bid. Silver Creek feels like there was no violation of the law in terms of the amount that was bid. The basis of the bid award says nothing about putting the 2 bid documents together. This can be corrected by rejecting the bid and revising the bid and putting it back out to bid. Class Leasing feels they put in a responsible bid and should be awarded the bid. Seth Waltner asked if we are awarding the bid to the lowest responsible bidder, would you consider \$3.00 a responsible bid. Mr. Schauer for Silver Creek said "Yes".

A motion was made by Jessie Hutchens at 7:15 PM to move to Closed Session to consult with Legal Counsel. The motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

A motion was made by Seth Waltner at 7:54 PM to reconvene to Open Session. The motion was seconded by Jim McDougald. Motion passed unanimously. No reportable action from Close session.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

- B. Showcase of Schools: ~~Jessica Fairbanks, Principal Spring Valley~~ Daniel Ching, Minarets High School, Daniel Ching reported that the Girls Varsity Volleyball Team made it to Division 3 Semi-Finals. Instructional intervention rounds have increased. Farm expansion is going great. The farrowing pen is near complete as well as the pole barn. The FFA Teams just got back from Nationals. Team members Garrett Alford and Benjamin Bellisario gave a presentation for their Marketing Plan Team. They were able to take a small business and come up with a marketing plan that included budgeting and advertising. They found out how a business could grow. They placed 3<sup>rd</sup> in the Nation. This experience has influenced them on what they want to do for their future. FFA chapter reporter, Kate Hough reported that Green Hand officers were newly elected. Some recent fundraisers included: trap shoot, drive through barbeque and pie sales.

- C. Single Plan for Student Achievement for Chawanakee Academy Charter, Minarets Charter High School, Minarets High School, North Fork School, Spring Valley School for 2017/2018 - Jessica Fairbanks

Jessica Fairbanks presented the Single Plans for Student Achievement. She said that Rhonda Corippo is working on the plans for Mountain Oaks High School as well as WASC for them as well. The achievement plan template will be different next year; it should align more with the LCFF Plan.

- D. Quarterly Report of Investments for 9/30/2017- Joannie Lumbra, Business Manager  
Joannie Lumbra presented all Chawanakee Unified School District funds are deposited in the Madera County Treasury. Chawanakee is included in the Madera County Comingled Investment Pool. This is the most recent investment report from the Madera County Treasurer's Office.
- E. Waiver for Allowance of ADA – Joannie Lumbra, Business Manager  
Joannie Lumbra submitted a waiver request to the California Department of Education. The attendance waiver is an effort to regain lost ADA due to the closure of schools due to the fires. The District is looking to recoup \$59,000. We just received the money from last year's waiver for emergency closure.
- F. Ponderosa Telephone Company Donation Agreement – Darren Sylvia, Superintendent  
Darren Sylvia reported that this resolution agreement provides direction to the Board of Trustees to use these donation funds toward the loan payoff on Minarets High School CTE Facility. The District will use these funds to pay off matching grant for the CTE Ag Facility as donor has requested.
- G. Project #10: 2017 District Wide Requirement for a 12' x 40' DSA Toilet Buildings & Piggybackable Work for DSA Approved Portable Buildings Including, Purchase, Lease, Relocation Dismantle & Removal Issued – Darren Sylvia, Superintendent  
Darren Sylvia stated the District received bids from Silver Creek and Class Leasing for the project listed above. The District reviewed both sets of bid materials and recommends awarding the bid to Class Leasing, LLC.
- H. Tree Removal Contract – Fred Faysal, MOT Director  
Fred Faysal reported that the bid for the removal for the tree mortality was awarded to Paul Vining for \$24,825. Some of this money will be recouped from matching funds and grants.
- I. Additional Classified Staff – Darren Sylvia, Superintendent  
The District is seeking Board approval to hire a 7 hour Bus Driver/Custodian for the additional portable buildings located at Minarets. As part of our growth model to increase our district wide enrollment for Chawanakee Academy Charter and offering Adult Education classes on site the additional classified personnel will be able to provide a clean and safe environment. The additional position will allow us to restructure our current personnel to provide a better coverage plan for seven days a week. These costs would be directly billed back to the Charter.
- J. Karl Studinger Inspections/DSA Contract/Hillside Elementary – Darren Sylvia, Superintendent  
CUSD is requesting Karl Studinger Inspection and Testing Services to provide DSA construction inspection for trusses at the new Hillside Elementary Site. The current

inspector is not capable of doing the inspections for the trusses at this time. Scope of service:

- Hourly rate is \$125
- Continuous inspection of all work, including and portion performed by assistant inspectors
- Proper oversight of all testing and inspection program
- Proper paperwork and notification of DSA and others as well as response to or appropriate action taken based on prior DSA communication
- Completeness of the project inspectors records as described in the job file

Jim McDougald asked if the current inspector can do the rest of the inspections. Darren Sylvia said they could.

K. Board Policies – Darren Sylvia, Superintendent

|          |                  |                           |
|----------|------------------|---------------------------|
| BP0000   | BP0100           | E0420.41                  |
| BP2140   | AR4112.2         | AR4112.61/4212.61/4312.61 |
| BP6161.1 | E6161.1          | BP7212                    |
| BB9121   | BB9220           | BB9230                    |
| BP0400   | BP0460           | AR0460                    |
| BP1113   | AR1113           | BP3513.4                  |
| AR3515.6 | BP4140/4240/4340 | BP5113.1                  |
| AR5113.1 | BP5113.12        | AR5113.12                 |
| BP5117   | AR5117           | AR5125.2                  |
| BP5131.6 | BP6020           | AR6020                    |
| AR6112   | BP6153           | BP6170.1                  |
| AR6173.1 | BP6173.2         | AR6173.2                  |

These are the current policy updates and revisions.

**5. VISITORS**

*(Members of the audience are welcome to address the Board at this time regarding items not listed on the agenda. The Trustees may ask questions for clarity, but cannot discuss or take action on these matters, if desired, until such matters are appropriately placed on a future agenda. Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in accessible format, etc.) should contact the Superintendent or designee at least two days before the meeting date.)*

No visitors at this time.

**6. CONSENT AGENDA**

A motion was made by Seth Waltner to adopt the Consent Agenda. The motion was seconded by Jessie Hutchens. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

A. Consideration of Minutes:

1. October 10, 2017, Regular Meeting

B. Consideration of Payroll:

1. October 31, 2017, Regular Payroll
2. November 6, 2017, Supplemental Payroll

C. Consideration of Warrants:



1. Register #10/10/2017
2. Register #10/17/2017
3. Register #11/02/2017

D. Consideration of Employment Staffing List:

1. Personnel #4-2017/2018

E. Consideration and Acceptance of Donations – Gayle Fain, Principal

1. North Fork Friendship Circle, Grace Community Church
  - \$250: 7<sup>th</sup> Grade Science Camp
  - \$250: 6<sup>th</sup> Grade Science Camp
  - \$250: Track & Field Program
  - \$350: Music Program
2. Oakhurst Sierra Sunrise Rotary Club
  - \$5,900: School Garden

**7. DISCUSSION AND ACTION ITEMS**

A. Consideration and Approval of Single Plan for Student Achievement for: Chawanakee Academy Charter, Minarets Charter High School, Minarets High School, North Fork School, Spring Valley School for 2017/2018

A motion was made by Jim McDougald to approve. Motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

B. Consideration and Approval of Quarterly Report of Investments for 9/30/2017

A motion was made by Jessie Hutchens to approve. Motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

C. Consideration and Approval of Waiver for Allowance of ADA due to emergency conditions

A motion was made by Seth Waltner to approve with adding more information about the air quality to the submission. Motion was seconded by Jessie Hutchens. Seth Waltner asked if just saying smoky air was enough on the application. Joannie Lumbrá stated that there was more documentation that was turned in. Jim McDougald suggested getting the documentation from the San Joaquin Valley Air. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

D. Consideration and Approval of Resolution No. 7-2017/18 In the Matter of Ponderosa Telephone Donation Agreement

A motion was made by Jessie Hutchens to approve. Motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None  
Abstentions: None  
Absent: B. Bigelow

E. Consideration and Approval of Project #10: 2017 District Wide Requirement for a 12' x 40' DSA Toilet Buildings & Piggybackable Work for DSA Approved Portable Buildings Including, Purchase, Lease, Relocation Dismantle & Removal Issued  
Jim McDougald moved to table this item.

F. Consideration and Approval of Awarding of Tree Removal Contract  
A motion was made by Seth Waltner to approve. Motion was seconded by Jessie Hutchens. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None  
Abstentions: None  
Absent: B. Bigelow

G. Consideration and Approval of Additional Classified Staff

A motion was made by Seth Waltner to approve. Motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None  
Abstentions: None  
Absent: B. Bigelow

H. Consideration and Approval of Karl Studinger Inspections/DSA Contract/Hillside Elementary

A motion was made by Jim McDougald to approve. Motion was seconded by Jessie Hutchens. Seth Waltner asked if the agreement with Krazen was hourly. Darren Sylvia said that it is a monthly flat fee.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None  
Abstentions: None  
Absent: B. Bigelow

I. Consideration and Approval of Board Policies First and/or Second Reading:

|          |                  |                           |
|----------|------------------|---------------------------|
| BP0000   | BP0100           | E0420.41                  |
| BP2140   | AR4112.2         | AR4112.61/4212.61/4312.61 |
| BP6161.1 | E6161.1          | BP7212                    |
| BB9121   | BB9220           | BB9230                    |
| BP0400   | BP0460           | AR0460                    |
| BP1113   | AR1113           | BP3513.4                  |
| AR3515.6 | BP4140/4240/4340 | BP5113.1                  |
| AR5113.1 | BP5113.12        | AR5113.12                 |
| BP5117   | AR5117           | AR5125.2                  |
| BP5131.6 | BP6020           | AR6020                    |
| AR6112   | BP6153           | BP6170.1                  |
| AR6173.1 | BP6173.2         | AR6173.2                  |

A motion was made by Jessie Hutchens to approve. Motion was seconded by Seth Waltner. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

8. **INFORMATION AND REPORTS** - Superintendent's Report – Mr. Sylvia/Principals  
No formal reports at this time.

9. **BOARD MEMBER SUGGESTIONS & COMMENTS**

Seth Waltner wanted to thank the Oakhurst Rotary Club for their donation to the North Fork School Garden.

10. **ADVANCE PLANNING**

**Board Meeting Dates:**

|                   |         |                                    |
|-------------------|---------|------------------------------------|
| December 12, 2017 | 6:30 pm | North Fork School (Organizational) |
| December 12, 2017 | 7:00 pm | North Fork School                  |

11. **PUBLIC COMMENT RE: CLOSED SESSION ITEMS** (*General Public may comment on any Closed Session item that will be heard. The Board may limit comments to no more than 5 minutes pursuant to Board policy. Please refer to items listed below.*)

A motion was made by Seth Waltner to move to Closed Session with a five minute break at 8:30 PM. Motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

12. **CLOSED SESSION** (*Note: A Closed or Executive Session of the Board of Trustees may be held when legal and the need requires. Items to be discussed will be announced before the Board moves into Closed Session. Items can include personnel matters, student personnel matters, negotiations, and legal counsel regarding pending litigation and protection of records exempt from public disclosure.*)

A. Government Code Section 54957 – Public Employee: Personnel/Staffing/Discipline/Dismissal/Release

B. Government Code Section 54956.9 – Pending Litigation

A motion was made by Seth Waltner at 9:16 PM to reconvene to Open Session. Motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

13. **RECONVENE TO OPEN SESSION AND REPORT OF CLOSED SESSION ACTION**

Claudia reported out from Closed Session:

A Motion made by Jim McDougald to approve Resolution No. 6-2017/2018 In the Matter of Placement of Classified Employee on Reemployment List Following Exhaustion of All Available Leaves of Absence. The motion was seconded by Jessie Hutchens. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Page 8

Board Meeting Minutes

November 14, 2017

Abstentions: None

Absent: B. Bigelow

**14. ADJOURNMENT**

A motion was made by Jessie Hutchens at 9:17 PM to adjourn the meeting. The motion was seconded by Jim McDougald. Motion passed unanimously.

Ayes: C. Box; S. Waltner; J. McDougald; J. Hutchens

Noes: None

Abstentions: None

Absent: B. Bigelow

Respectfully submitted by: Melanie Burton, Administrative Assistant



\_\_\_\_\_  
Seth Waltner, Clerk



\_\_\_\_\_  
Date