

**REGULAR MEETING  
NORTHAMPTON COUNTY BOARD OF EDUCATION  
Monday, March 4, 2013**

**Members Present:** Kelvin Edwards, Chair; Erica Smith-Ingram, Vice Chair; Donald Johnson, Marjorie Edwards, Rhonda Taylor, Phil Matthews, Clinton Williams, Dr. Eric Bracy, ex officio  
**Others Present:** Administration, press and interested parties

The Northampton County Board of Education held its regular meeting on March 4, 2013 in the Board Room of the Northampton County Schools administrative building. Chair Kelvin Edwards called the meeting to order at 5:05 p.m.

**Closed Session**

On a MOTION by Mr. Johnson, SECONDED by Mr. Matthews and APPROVED, the Board convened closed session at approximately 5:10 p.m. pursuant to General Statute: 143-318.11(a)(1) to prevent the disclosure of confidential personnel files under G.S. 115C-321 or other information that is privileged or confidential pursuant to state or federal law, or not considered a public record; and pursuant to General Statute: 143-318.11(a)(3) to consult with the Board's attorney in order to preserve the attorney-client privilege and pursuant to General Statute: 143-318.11(a)(6) to consider matters relating to initial employment of an individual employee or a complaint, charge, or grievance by or against an individual employee. The motion passed by a vote of 5-0. Ms. Erica Smith-Ingram and Ms. Marjorie Edwards were not present for the vote.

**Open Session**

On a MOTION by Mr. Johnson, SECONDED by Ms. M. Edwards, the Board adjourned closed session. The motion passed by a vote of 7-0. The Board's closed session ended at approximately 6:35 p.m.

**Mission Statement**

Chair Kelvin Edwards read the Northampton County Schools' Mission Statement to the audience as follows: To provide each student the opportunity to gain skills, knowledge, and values necessary to function effectively in society through a cooperative effort of school, family, and community in a safe and nurturing environment.

**Pledge of Allegiance**

Mr. Donald Johnson led the Board and audience in the Pledge of Allegiance.

**Approval of Board Agenda**

On a MOTION by Ms. M. Edwards, SECONDED by Mr. Matthews, the Board unanimously APPROVED the agenda. On a MOTION by Ms. Smith-Ingram, SECONDED by Mr. Johnson, the Board unanimously APPROVED to amend the agenda to add the item Disposition of Garysburg Elementary School under item #12.04 – Business Before the Board for Approval, as recommended by the Superintendent. The motion passed by a vote of 7-0. On a MOTION by Ms. Smith-Ingram, SECONDED by Ms. M. Edwards, the Board unanimously APPROVED to amend the agenda to add the item Modification of the Alternative Learning Program under item

#12.05 – Business Before the Board for Approval, as recommended by the Superintendent. The motion passed by a vote of 7-0. On a MOTION by Mr. Williams, SECONDED by Ms. M. Edwards, the Board unanimously APPROVED to amend the agenda to add the item Update of New High School Project Update under #11.04 Business Before the Board for Information, as recommended by the Superintendent. The motion passed by a vote of 7-0. On a MOTION by Ms. Smith-Ingram, SECONDED by Ms. M. Edwards, the Board unanimously APPROVED the agenda as modified and recommended by the Superintendent. The motion passed by a vote of 7-0.

### **Shining Star Character Education**

Mr. Hans Lassiter announced that we will recognize the Shining Star Education Trait recipients first tonight. Mr. Lassiter along with Dr. Eric Bracy and Chair Kelvin Edwards recognized and presented the following students with **Shining Star Award Certificates** for demonstrating the focus of “Good Judgment” for the month of February:

Samuel Angel Alex Hernandez, Central Elementary School

Dylan Edwards, Conway Middle School

Khadijah Kerns, Gaston Elementary School

Brandon Barnes, Gaston Middle School

Turmori Earqhart, Northampton County Alternative School

Christopher Tann, Northampton County High School

Amaya Owens, Squire Elementary School

Rakiyah Cumbo, Willis Hare Elementary School

### **Good News Award**

Mr. Hans Lassiter along with Dr. Eric Bracy and Chair Kelvin Edwards recognized the **Northampton County High School Men’s Varsity Basketball Team**. Mr. Lassiter announced to the Board and audience that the Northampton County High School Men’s Varsity Basketball Team finished their season with an unblemished conference record of 10-0 and they also won the Conference Tournament Championship unblemished! Also, the report that I have received states that the Northampton Jaguars has the Tar Roanoke Athletic Conference Player of the Year, the Tar Roanoke Conference Tournament Most Valuable Player came from our high school and the Coach of the Year came from our high school! If I can recall that of all of the sports that we have had this year, we have had the Coach of the Year in football, in volleyball and now men’s basketball. That is not a bad year if I must say. Mr. Lassiter stated that he would like to call upon Jonathan White, Coach of the Year, to introduce his varsity and junior varsity Basketball Players at this time.

Coach Jonathan White addressed the Board and audience as follows: “Good evening everyone. I wish to ask Coach Jarrette Pittman to introduce the JV players first.”

Coach Pittman: “Our JV Basketball Team finished with an 8-2 season in 1<sup>st</sup> place! We fell short in the tournament and finished 2<sup>nd</sup> place, but they still did a good job. Our JV players are: Caleb Moses, Marquise Artis, Tyrick Barkley, Jaquan Jordan, Cody Howell, Daliean Thornton, DeAngelo Rooks, Arcielous Valentine, Hakeem Jones, Emonte Mabane, Chris Jenkins, Jeremy Motler, Jamal Deloatch, Travon Davis and Dominic Thompson.”

Coach White: We had a great year, but the year didn’t start off well. We played one of the toughest schedules in the state. We turned it around during the Christmas Tournament and that was the turning point of the season. I knew we would get it together, but they just had to

buy into the program. I believe Andre Evans made All Tournament Player during the Tournament. I will introduce our varsity players at this time: Keon Crossen, Tyrone Fields, Barkim Moses (sophomore), Player of the Year; Travis Wiggins, Most Valuable Player of the Tournament; Diaz Banks, Monte Williams, Montrae High, Katrell Miles, Desmond Howell, Daquan Latham, Tim Squire, Andre Evans and Shyhiem Walker. We had four players to make All Conference: Barkim Moses, Andre Evans, Keion Crossen and Montrae High. We are looking for great things from Barkim, Tyrone and all of the underclassman next year. I have really enjoyed this season and it was fun. Next year, we will be playing some of the top teams in the state and we are going to play anyone who wants to play us. I want to thank the seniors for putting up with me, but I really appreciate them and I love them all. Hopefully, they will do well when they get out of school. Thank you very much.

### **CTE Banquet Recognition**

Mr. Lassiter stated that at this time I am going to bring forth Ms. Angie Jenkins, CTE Coordinator at the high school. I have received another encouraging report with regards to the academic performance at Northampton County High School in Career Technical Education. We are going to highlight some teachers and their students.

Ms. Angie Jenkins addressed the Board and audience as follows: Good evening. We had the distinct pleasure last week of having a Career Technical Education (CTE) Banquet. The teachers that we will be recognizing tonight are CTE teachers along with their students. I will call upon the teachers and they will introduce their students to you. Ms. Jenkins introduced the teachers as follows:

Family & Consumer Science Teachers: Ms. Amy Bass and Ms. Brenda Wilkins

Ms. Amy Bass: I have two students who presented at the CTE Banquet and they are Jeanann Woodard and Elizabeth Vann. They are both Early Childhood Education students and 2<sup>nd</sup> year students. Upon completion of this course, they will have their credentials to work and teach in a daycare.

Business Education Teachers: Ms. Diane Hersberger and Ms. Diane Jordan

Ms. Jenkins informed the Board and audience that these two teachers, Ms. Hersberger and Ms. Jordan are part of a new venture that we have taken on this year called Microsoft IT Academy. Within that academy, they are teaching the students to use Microsoft products. When they pass the test, these students will be certified users of Microsoft products, such Word, Powerpoint and Publisher and also Excel and Access. When they leave with that credential, they will be able to go into the workforce and say, "I am certified to be proficient in these areas".

Ms. Diane Hersberger introduced two of her students who presented at the CTE Banquet, Naquasia Carr and Jasman Peele. She stated that Naquasia and Jasman are in Ms. Eley's Microsoft Word, Powerpoint and Publisher class.

Consumer Science Teacher: Ms. Ellie Garner-Rhodes

Ms. Garner-Rose introduced students, Ciarra Deloatch, Raven Deloatch, Brianna Boyce and Unique Jackson (absent). She announced the students' future plans as follows:

Ciarra Deloatch – (has been accepted to attend UNC-G and aspires to be a pediatrician)

Raven Deloatch – (aspires to be a pediatric nurse)

Unique Jackson – (has been accepted to attend ECU, will enroll in medical school, and aspires to become a cardiologist)

Ms. Garner-Rhodes further stated that she is extremely proud of her students and she knows she has put a lot on them.

Middle School CTE: Ms. Patrice Watford

Furniture & Cabinetmaking Teacher: Mr. Bobby Warren

Ms. Jenkins stated that Mr. Warren could not be with us tonight, but I wish to introduce his student who presented at the CTE Banquet, Carlton Pugh.

Mr. Lassiter: At this time I would like to acknowledge, thank and congratulate our Child Nutrition Department headed by Ms. Carolyn Williams for catering the CTE affair! Ms. Williams, we want to thank you and your staff for all that you do to feed the young people every day, as well as the adults.

### **Introduction of New Personnel**

Mr. Hans Lassiter introduced the following Northampton County Schools' new personnel to the Board and audience:

Tosca Townes, Tutor, Gaston Elementary School

Col. (Retired) Jonathan Robinson, JROTC Instructor, Northampton County High School

Dr. Bader Abid, Math Teacher, Northampton County High School

April Archer, English Teacher, Northampton County High School

Leon Eason, Health & P.E., Conway Middle School

### **Public Comments**

Ms. Susan Fields was not present to address the Board during Public Comments.

### **Break**

The Board recessed in a five-minute break at 7:15 p.m.

### **Consent Agenda**

On a MOTION by Ms. Taylor, SECONDED by Mr. Williams, the Board unanimously APPROVED the consent agenda consisting of the following items, as recommended by the Superintendent. The motion passed by a vote of 7-0.

Board Minutes – Closed Session – February 4, 2013

Regular Meeting – February 4, 2013

Overnight Field Trip Request

The Northampton County High School Marching Jaguars “Institution of Sound” will travel to Orlando, Florida on March 27-29, 2013 to participate in the 2013 Disney Band Event.

Request for Fund Raisers

Northampton County High School – JROTC – Fan Cloth-Clothing/Fan Gear – March 5-19, 2013

### **Business Before the Board for Information**

**Validation Review of Child Nutrition Program Letter** – Mr. Joe Holloway presented to the Board the on-site validation review of the Child Nutrition Program. The letter included in your agenda confirms that the School Food Authority (SFA) is in compliance with the requirements of performance-based reimbursement as prescribed in the *Healthy, Hunger-Free Kids Act of 2010* and all requirements for earning and maintaining the additional performance-based reimbursement have been achieved.

**Certification for Performance Based Reimbursement Letter** – Mr. Holloway also presented to the Board the Child Nutrition Program’s successful completion certification for performance-based reimbursement as prescribed in the *Healthy, Hunger-Free Kids Act of 2010*. The Child Nutrition Program has earned additional funds to support meal service under the National School Lunch Program. The additional six cents (\$.06) will be provided to the SFA for each reimbursable lunch served to eligible students that was effective December 1, 2012.

Mr. Matthews: These are excellent reports and excellent accolades for the Child Nutrition Department, namely Ms. Carolyn Williams, Ms. Sarah Bell, Ms. Joann Cox, as well as individuals in the schools. I know that these reports have not always come back this positive so this is quite an accomplishment. My hat is off to your whole department!

Chair K. Edwards: Ms. Williams, that is why I am wearing my breakfast T-Shirt this evening and this, is the week to wear it. The job that you and your staff do here in Northampton County we certainly appreciate it!

**Directors’ Updates** - Mr. Holloway also shared the Directors’ Updates with the Board for the month of February 2013.

Mr. Williams: In regards to the Directors’ Updates, it would be nice to get some outcomes for some of the activities. Is that possible, because in most of the updates there are activities taking place, but no outcomes?

Dr. Bracy: Mr. Williams, please give me an example of how you want that and we will make sure it is done.

**New High School Update** – Dr. Bracy informed the audience that the Board met here in January in a Joint Meeting with the Northampton Board of County Commissioners. At the meeting, they gave us a timeline and we thought it was a very productive meeting. We agreed that our goal is to construct a new centrally located high school with little to no increase in taxes to Northampton County taxpayers, and to accomplish the construction of the new school as soon as it is economically feasible. There are several action items on the timeline that the Commissioners and Mr. Jenkins presented to us. Since the January meeting, we have been following the steps of the protocol and we are going back to the drawing board and looking at the needs of the high school, such as the size, square footage, number of classrooms, etc. Since we had that meeting, several architects have contacted us and we have had informal conversations with them. That is where we are, but we have not hired an architect. We are not at that point yet. When we do that we will have interviews. The last time we interviewed architects was approximately four years ago. Several architectural firms want to do business with the Northampton County Board of Education.

Ms. Smith-Ingram: There are other items on that ten-point plan that was presented to us that we adopted from the County Commissioners. There are some steps that we need to give some weight to. Part of this whole new schools project was to consider a community survey of how we are using our current facilities. I am only mentioning this Dr. Bracy, because we need to keep this before the body and before the public. There are so many changing dynamics that are going on right now, especially when we look at our national perspective, sequestration, cuts to Title I, other things coming down the pipeline, charter schools that are opening or standing in our area and what impact that will have. We just want to keep it before this body and keep it above board in everything that we do and let the community know that one of things that I am especially interest in is that it may not be a new high school. It may be new middle school or a new elementary school, but whatever is going to fit our current situation as well as get us projected through the next 10 to 20 years. I refuse to go to taxpayers and we all took that Oath

and we said we were not going to go to taxpayers and ask them to fund this project without looking at a long-term view so that we will not have to come back five years from now and ask for more money. We want them to know that we are approaching this from the most fiscal integrity and looking at what is best for our children and best for this community. I want to make sure we are addressing those other two bullets and one of them was a facility survey. If we could just not say a new high school and actually call it a school project or a facilities project.

Ms. M. Edwards: Dr. Bracy will be looking into that and getting back with us prior to April.

Dr. Bracy: Ms. Ingram, I am glad to hear you say that and we have done magnificent financially for the last four and a half years and we will continue to be frugal and very strategic about how we spend taxpayers' dollars. I am so proud of the work that we have done during that time with our finances and we are going to continue to do that.

Ms. Smith-Ingram: At the Work Session last week, we formed a site selection committee to look at the various aspects, but we do need to complete those other items.

Dr. Bracy: At the Work Session, I believe you said the entire Board would serve as the site selection committee.

Ms. Smith-Ingram: We did agree on that, but I am talking about in terms of doing a facility survey.

Dr. Bracy: A Facilities Committee Meeting has not been called to my knowledge.

Mr. Johnson: No it has not.

Mr. Williams: There was some discussion that when you meet with the architects that you would look at the possibility of some of the existing school sites as well to look at what we might be able to do on some of our current school sites.

Dr. Bracy: I don't believe that at any of our current school sites we could locate a high school facility.

Mr. Williams: There was some discussion about the possibility of adding to a school or combining schools.

Dr. Bracy: We have had those discussions and that is part of the facilities study that I will do. We need to keep in mind the acreage that is recommended for a high school. In April we will discuss the entire plan. If there are any specific questions, additions or information that you want just send Ms. Harris or myself an email and let me know what you want included. I know that things come up at the last minute that you didn't brainstorm, but if you have something on your mind send it to me.

Ms. M. Edwards: All of that came up at the Work Session and was on the table.

Ms. Taylor: I missed the Work Session and the last thing I heard was we had agreed on a centrally located high school.

Ms. M. Edwards: It may not be a high school, because we were looking at the numbers on both ends of the county and trying to see what we could do as far as to construct the school that we need and what is best for the county. Dr. Bracy is going to look at all of the numbers and be ready when we talk to the architects. Maybe it is not a high school that we need, because we are looking at a long-range of ten years.

Ms. Smith-Ingram: Mr. Chair, at the end of this meeting where we set our upcoming meetings can we schedule a Facilities Meeting within the next two weeks? A lot of this information Dr. Bracy, and I appreciate you asking for it; will need to be shared with the people that we are meeting with. We are going to take a visionary approach to this. We have gone through great lengths, we have had a retreat and we were at that retreat for some 8 hours. There will be a whole lot of things we will have to pull together. Within the next week, the Facilities Committee

needs to convene to do the facilities survey and get that information into the hands of Dr. Bracy to be shared with the architects. We have to be global and look 10 to 20 years down the road, because our dynamics in Northampton County are changing. We need to put that in touch with everything else that is going on around us, not just in Northampton County, but also in North Carolina and in North America.

Ms. M. Edwards: Part of that whole thing is to try to make ourselves more attractive and more user friendly. All of that came as a part of what our whole scope should look like for years to come.

### **Business Before the Board for Approval**

Attorney Rod Malone addressed the Board regarding the Resolution in Opposition to School Property Transfer from Local School Boards to County commissioners as follows: The Wake County Commissioners made a part of their platform to locate, build and own schools for the Board of Education. The concern at the North Carolina School Boards Association is that this is infringing upon the Boards of Education's statutory duty to make certain decisions about what size school to build or where to locate the schools. There is a concern that as that authority continues that the next thing you know student assignment and other issues will fall into the hands of the Commissioners. They will continue to pick away at your statutory authority. This resolution is designed to speed up the specific language in the Legislature. We have heard enough from the County Commissioners' Association to know that they are turning it into a significant power grab on the school systems' authority and there is a big push to fight back. I hope I have made it clear, if you agree that this is not something you wish to go forth.

Ms. M. Edwards: Seeing that this is a new resolution Attorney Malone, does this mean now that if we have property that the School Board deems not to use, we won't have to offer it to the County Commissioners, but do what we want to do with it?

Attorney Rod Malone: The resolution does not really address that issue. What the County Commissioners are really looking to do is basically every site that you now own would be owned by the County the day after the legislation passes it. Then you would own no real school property. They are trying to be able to come in and say all school sites in Northampton County are now owned by the County Commissioners. We and other school boards across the state are trying to say we oppose County Commissioners taking over their buildings. Like in Bertie County, it is one thing for the Board of Education and County Commissioners to work together to build a high school and it is another thing for the County Commissioners go buy a site and build a school and say here it is. The unilateral authority is what we are fighting.

Mr. Williams: In my opinion, the Board of Education is the steward of the school district and we should know what our school district needs and therefore I think that would be appropriate for us to agree upon this resolution.

On a MOTION by Mr. Matthews, SECONDED by Ms. Smith-Ingram, the Board unanimously APPROVED the Resolution in Opposition to School Property Transfer from Local School Boards to County Commissioners as presented and as recommended the Superintendent. The motion passed by a vote of 7-0.

On a MOTION by Ms. M. Edwards, SECONDED by Mr. Johnson, the Board unanimously APPROVED the Proposed 2013-2014 School Calendar, as recommended the Superintendent. The motion passed by a vote of 7-0. This calendar provides a list of all calendar dates including those for professional development, all district assessments, and the issuance of report cards and progress reports.

On a MOTION by Mr. Matthews, SECONDED by Mr. Johnson, the Board unanimously APPROVED the personnel list below as presented and recommended by the Superintendent. The motion passed by a vote of 6-0. Ms. Erica Smith-Ingram abstained.

**Personnel**

**Certified Recommendations:**

Aaron Palmer, Physical Education Teacher, Gaston Elementary School, 3/5/13

Tabitha Kielhack, Middle School Math Teacher, Northampton Alternative School, 3/18/13

**Classified Recommendations:**

Johnnie Rawles, Tutor, Central Elementary School, 3/5/13

Katherine Ammann, Tutor, Gaston Middle School, 3/5/13

Brigina Green, Teacher Assistant, Central Elementary School, 3/18/13

Velesia Hendricks, Bus Driver, Northampton County High School, 2/16/13

Latrese Huff, Bus Driver, Northampton County High School, 2/16/13

Robin Hickerson, Career Development Tutor & Youth Mentor, Rich Square –W.S. Creecy Training Community Center, 3/5/13 through 6/30/13

**Resignations:**

Franklin D. Williams, Jr., School Counselor, Northampton County High School, 3/8/13

Jaime Cannon, Science Teacher, Gaston Middle School, 6/14/13

Lauren Paul, Math Teacher, Gaston Middle School, 6/14/13

**Leave of Absence:**

Passion Harris, Administrative Assistant/Curriculum & Instruction, Central Services, 2/6/13 through 7/1/13

Wanda Briggs-Trevino, Principal, Willis Hare Elementary School, 2/7/13 through 3/25/13

**For Information**

Melinda Flythe, School Nurse, Northampton County High School/NCS, (change in retirement date from 6/1/13 to 7/1/13)

**Transfers:**

Lillie Clemons, EC Teacher Assistant from Northampton County High School to Gaston Middle School, 3/1/13

Connie Haskins, EC Teacher Assistant, Central Elementary School from EC Teacher Assistant to Pre-K Teacher Assistant, 2/12/13

**Disposition of Garysburg Elementary School**

Ms. Smith-Ingram: The reason I suggested bringing this item up is because I have had conversations with the Attorney, with the Chair and another Board Member. I want to press it with the dynamics of what is going on in the world. As you all know that with the sequestration that there are going to be down the line cuts, some cuts to Title I, other cuts in education, cuts in teachers and there are going to be cuts in services for our children who most need the services. I almost have heartburn with some of the processes that we have to go through to meet our statutory requirements as a Board. I do realize that taxpayers have provided the funds to build these buildings and I fully support a community entity taking hold of buildings that we are no longer using so that they can keep them running and provide services for our children and our citizens before the taxpayers who invested in those buildings. With that being said, I move that we offer the Garysburg Elementary School to the Town of Garysburg with the agreed upon terms and the said amount as well as the term of payment. Ms. Taylor seconded the motion.

Attorney Rod Malone: The motion needs to say what the terms were.



Ms. Smith-Ingram: To restate the motion, I move that we sell the Garysburg Elementary School to the Town of Garysburg for \$75,000.00 payable in a 20-year term. Ms. M. Edwards seconded the motion.

Mr. Johnson: According to all of the information I have received from our attorney and correspondence from the Town of Garysburg attorney that there was a procedure of an upset bid in that process.

Attorney Rod Malone: The conversations between the lawyers was that their offer stood and that the Board would more than likely decline the upset bid process in order to ensure that the Board was getting a fair price for the property and to meet the Board's constitutional obligations to get fair market value for the property.

Mr. Johnson: Does that mean that it should be included in the motion?

Attorney Rod Malone: I would say yes it should be included if that is the desire of the Board in order to ensure that the Board is meeting its constitutional obligations as it relates to the property.

Ms. Smith-Ingram: I do not want to support an upset bid process for two reasons. First, it is in preference to my motion that the Garysburg Town is an entity and they are an entity that is there for the community. They want statutory requirements and guidelines that govern their use of the facility that they provide for the community. If we go through an upset bid process, we run the risk of another entity, another organization, another educational organization coming in establishing and purchasing the building in the upset process and they will be competing with them. Although, we have sat around this Board table and we have discussed problems with that. Secondly, you could get a business and we do want to be business friendly. We do want people to come into Northampton County and develop us economically. But, what if that company wants to come in and buy that as its training facility. Then, how are we going to serve our children and the elderly? The librarian at the facility already has volunteer librarians who were media specialist hired in Northampton County. St. Augustine College donated a whole lot of equipment. They are prepared to set up a library in our community and if we don't realize now the importance of getting education to our children, teenagers, and young adults when will we. We have got to set aside a place in the community where people can come together and better themselves. Who better to do that than the Town of Garysburg who is already committed to doing so? I do not support an upset bid process and I believe that there are other Board Members who join me in not supporting that at this time. I do realize though our statutory requirements and we do not have to use an upset bid and if we do an upset bid according to some conversations I have had, if some other agency comes in, we do not have to sell it to them. To me, that is playing a game and I don't want to come back after the fact and someone has won on the bid and not honor our agreement to sell the property. Just to keep it clean, I would like for us to sell upon the negotiated terms without an upset bid process. Ms. M. Edwards seconded the motion.

Attorney Rod Malone: I think it would be a problem for the Board and you have the constitutional obligation to get fair market value for the site and it would raise a question about whether you have the authority to sell it for \$75,000.00 unless you take steps to get some evaluation of the property to show that the \$75,000.00 is close to a reasonable price. As I have discussed with the Vice Chair, there are some options that we may be able to discuss with the Town of Garysburg that would allow this process to proceed. As it has been presented to you, there is a serious constitutional question about whether the Board has the authority to sell it for \$75,000.00.

Ms. Smith-Ingram: In doing things above board, every program that I have seen come out of Garysburg since they have been leasing has benefited the residence of this county and I would say almost 75% of our children. I asked the attorney about taking other things into consideration in this legal agreement that we are entering into. Dr. Bracy, maybe there are some partnering that would give the school system some long-term partnering relationships with the Town of Garysburg that they can continue to serve our children. I would like to take action on this tonight, but if we have to table this so that we can, Attorney Malone, talk about ways that we can work this so that it satisfies our statutory requirements. I am still leery about holding this up at any point, because they have been waiting so patiently and they have had to forego grants that they could have applied for that they would have been in line to receive had they owned the property and not just leasing the property over those long-term lease agreements. I am really torn. It would be the pleasure of and the will of this Board, but I do believe that contingent upon our contract to sell that we can negotiate that and I would think that we could.

Mr. Williams: We have talked about this issue for a long time and sitting around this table are seven Board Members. We have all said to our community we are interested in helping to educate our children the best way possible and providing whatever opportunities we can provide. Garysburg Elementary School offers a very important opportunity to the children in this county. As we know, this is a poor county and many of the people are not able to ride down to the facility here in Jackson so that will offer an opportunity closer to the children and families on the western end of the county. The Town of Garysburg has already invested a lot of money in that facility. They have lost out on a lot of money that they could invest in the facility. We have already received at least one report of a major project that has to be done to that school and Garysburg had an opportunity to get a grant in order to take care of that problem, but they had to forego that because they were not in the right opportunity to receive the grant. I think that we would certainly incur the credit for them missing out on a lot of that money. That is not to point fingers, but to say we are holding up a process that could offer a lot of opportunities to the children in this county. The citizens have already paid for the building once. Garysburg Elementary School is an icon in Garysburg. I attended elementary school there; middle school there and I know a lot of other people have as well. It would really be unfortunate for us to take this process to an upset bid and allow a company to come in, because everyone wants property. I don't know that the Town of Garysburg is in position to compete with a fortune 500 company. I just don't think that is feasible otherwise you would be going back and forth about this cost. I think this is a reasonable purchase price for what we are going to get. Ms. Ingram mentioned before that is the goal of all of us. Hillary Clinton said it best, "It takes a village in order to raise a child". Garysburg Elementary School, the Mayor of Garysburg, Council Members and his staff have said they we want to be a part of that village, we want to help raise the children, we want to help provide support in order for them to be well-rounded. I know that Ms. Underdue has held car shows, bike shows, cake sales, plate sales and you name it to equip the library to a great degree already. Ms. Ingram mentioned that St. Augustine College has provided a lot of support in terms of contributing to the library and giving us furniture. We have done a lot in that place already and I have seen a lot happen. The community can offer tutorial programs. If there is anyway that we can partner or whatever it takes or maybe our attorney is in a position to advise us on tonight, because I would like to see this matter resolved. The Town of Garysburg has been more than gracious in trying to negotiate with us and this has been going on for a very long time and we keep saying to them we are looking at it and we are going to talk to someone

about it. They are jumping through hoops and I don't think they need to jump through any more hoops.

This is affecting our children and it is affecting our community. It can have a more positive impact if we go ahead and do what we need to do as elected officials. I do think we are the good stewards of this school district. That is a piece of property that we have identified as something we cannot use, otherwise we would not entertain the idea in the first place. We have gone through the initial requirement and that is to turn this building over to the County Commissioners and allow them to go through their process and they said, "We don't want it".

Now, I believe the ball is back in our court and it would be a great opportunity if we move tonight and go ahead and turn this building over to the Town of Garysburg and let them move on with business. This is the night to say that we mean business, we want to help our children and they can see us get through this process tonight. I would like for us to move forward.

Ms. M. Edwards: Attorney Malone, you had mentioned earlier that if the Board votes to move with what you said about the \$75,000.00 payment or the upset, vote for the upset or not for the upset, or vote for the motion that Ms. Ingram made initially. Do you think we can vote that up or down?

Attorney Rod Malone: What I thought I said was that there is a constitutional restriction on your ability to dispose of a site for less than fair market value. If the property has the tax value of \$1.6 million dollars and if you would attempt to dispose of the property for less than \$1.6 million dollars then you run the risk of taxpayers' or some other entity could claim that the Board violated the constitutional prohibition. I mentioned to the Ms. Ingram during the break that the conversation that Mr. Edwards and I had with the Mayor and their lawyer was to discuss some options that might allow us to be able to work around that. I asked that the item be tabled so that we could engage in those conversations about the possible way that we could work through that since the offer they presented is lower than the offer they made several months ago. This will give us an opportunity to see if we can work out something that I can bring back and we would actually be able to approve it. We would also be able to satisfy all of the constitutional obligations. I think the Board has some exposure if you were to sell it to the Town of Garysburg for \$75,000.00 without doing some of those things that we have had conversations with the Town about. I think if you were to table it and give us one more opportunity to sit down and figure it out, we may be able to get what everybody is hoping for, which is to sell them the property for an amount that may be less than fair market value and at the same time protect the Board's constitutional prohibition.

Ms. M. Edwards: Given the consideration that as long as the Town of Garysburg has been there they have spent a lot of money. Upkeep has already been done out-of-pocket by the citizens of Garysburg. Can that money be a consideration as part of what they have already spent? We don't have any of what they have spent up here.

Attorney Rod Malone: Certainly, I would say that the Board has entered into a 10-year lease agreement with the Town of Garysburg and according to that lease they agreed to make certain repairs and to keep the building in good condition. The fact that they are meeting their lease obligations and how they are taking care of the building, I am not sure to what extent you could turn around and apply that towards the payment. I certainly think that if the direction of this Board is pretty clear that given the opportunity for the Chair and myself to have another conference call with the Mayor and their attorney we may be able to bring this back in April. We will allow you to meet your constitutional obligations.

Ms. Ms. Edwards: With that being said Attorney Malone, why can't we move on with our motion and those that will go for it, go for it and those that will not. Then if we find that something is not right you still can discuss that with the Chair. I don't know how many are for it, but I am for it. They have spent a lot of money and I don't know what the figure is, but we certainly don't want it to look like the one we have already falling down. Even if we move on with the motion that we have and you find something that needs to be corrected, you still can discuss it with the Chair. I just want to know if that is an option?

Attorney Rod Malone: What I am saying is that given that this property is a constitutional problem for the Board and when the Board violates a constitutional provision you subject yourselves to additional exposure over normal situations, especially when you knowingly do it. I would strongly caution and I recommend that you table the item and allow us an opportunity to see if we can craft a plan and bring it to you that would allow you to meet your constitutional requirements, because the Board's exposure for violating constitutional issues could include attorney fees and other exposure that if you give us some time to talk to the Town of Garysburg you may be able to eliminate that exposure. That is certainly my recommendation as your lawyer and I can only advise.

Ms. M. Edwards: Thank you Attorney Malone.

Ms. Taylor: I have had the opportunity to use the Garysburg facility and it has been a while, but I know it is a valuable asset to the community. The only problem that I have at this point listening to each of you is I am not trying to put the Board in jeopardy. I won't have the privilege to hear all of that discussion, but I would like to hear the other options as well. If you are saying that there are some options that could possibly work and that everybody can get together and discuss it then let's do that. If it is a feasible option and it might work or it is a strong possibility that it might work, I would rather have all of the facts in front of me instead of making a decision on something with no information.

Mr. Williams: If there are some options that you can think now that can be added in this motion so that we can move forward I would like to hear those. Are you in a position to speak about some options, a way of getting around that one and secondly, I am aware that there is a great big dollar sign attached to the work that has to be done to that school. Mayor Bell and his staff are aware of that and they have sought aggressively to seek out funding to make that happen and I know that can be a part of the formula when you look at the price as well. I would also like to hear from Mayor Bell.

Ms. Smith-Ingram: Attorney Malone, in light of Ms. Taylor's comments, I would favor a friendly amendment only that it would be contingent upon us working out an agreement that would help us reach statutory requirements. I don't see why we can't move forward and then we can address the statutory issue as part of the motion as an amendment. I am not willing to keep tabling this because it just seems like whenever the Town has come to us and has met one of the expectations we change the ball game once again. When they meet this milestone, then we are changing it once again. We brought this up and I know I was in this room along with Mayor Bell and Mayor Pro Tem. I am saying that this has been going on now for at least 18 months to 2 years. It is just ridiculous to keep tabling this and pushing it off. I am willing to accept a friendly amendment to the motion that we would sell the Garysburg Elementary School to the Town of Garysburg for \$75,000.00 payable in a 20-year term, contingent upon putting the doctrine in there to meet the statutory requirements. No one is trying to do anything behind the scenes or under the table, but I would like to see them be able to move forward and continue to serve our community. When I went in that building the heat was phenomenal, because it was

really cold outside. They have done so much to get that building in the condition to serve. The reason that the amount was lower than initially was because over this time span there had been more problems with the building that had not been noted that they found out about and they have spent more money. We are not a real estate company and the sooner we can do this the better. I would be interested in what Mayor Bell has to say.

Ms. Taylor: I understand that there is a timeframe, but I cannot just go along without hearing everything again. I would like for you to possibly email us the results from that conversation and then we can be polled. I don't have a problem with that and I cannot say yes to something that I need to hear more information about. If we say yes and we go along with this, we are bound to this. How are we going to come back to this and say no, we are going to change our minds? I would rather say, wait a minute you all discuss this first. Although I am not on the Facilities Committee, you can email me and we can be polled. I don't have a problem with that.

Ms. M. Edwards: Every motion you vote your own conviction. That is in everything that we do. I want to hear from Mayor Bell.

Mr. Johnson: I don't mind going into something if we know when we go into it we are meeting all of the legal obligations, but if you go into something and you say we have made a mistake and we can just back out and we will just go some other way. I don't think the law works that way.

Attorney Rod Malone: You certainly have the option to go into closed session.

Chair K. Edwards: If it is the pleasure of the Board we will allow Mayor Bell to speak at this time.

Mayor Roy Bell addressed the Board as follows: "I would like to say "thank you" Board for giving me the opportunity to speak. As you know we have been dealing with this for quite some time. One of the things that is puzzling me right now, and I know the attorney can recall that we had a conference call, is that in that conference call you all agreed upon \$100,000.00 in that conference call. We were working with that \$100,000.00 price. During the conference call you called my Town Hall and we had a conference call. There you were with my Board sitting there and we had a conference call and we discussed some things. Out of the conference is why we came back to your all with the recommendation that we did, based on some things that we found. You left that facility with some faulty plumbing coming from the kitchen. When you left that facility the floor was buckling everywhere and the reason it was buckling everywhere was because of the piping. The piping had burst and the water was running under the gym floor. When it turned cold, that moisture under the gym floor was what caused the floor to buckle. That floor is not built on a solid foundation, it is built on a foundation with beams across it and when water runs it runs up under gym floor and it stands. That is how you left it. That is also why the kitchen floor was buckling up the way it was, because the plumbing was bad. We hired someone to come in and crawl under that facility to find out what is causing this problem. We were not going to continue to spend money on this floor until we found out what the problem was, because we were just throwing good money behind bad. The gentleman crawled up under the gymnasium and we paid him to do that and he found out that the problem was coming from the kitchen. In order to fix that problem, he had to go in and tear the gym floor up first to get to the kitchen, repair the problem and replace the flooring. This is the reason why we came back with that figure. We decided that if you all come and fix it, we would go back to the \$100,000.00 original fee. If we have to fix it, that is when we made the proposal to you all for the \$75,000.00. If we have to fix it, we know it will cost us a lot of money. Right now, we have 159 kids utilizing that gym as we speak tonight. We have a basketball program going on 3 days

per week and our Fire Department utilizes that kitchen every Saturday, but in order for us to continue to do that we have to rectify these problems. If not, we are going to continue to spend money behind money or we are going to have to walk away from it. We cannot continue to fix that building. We have spent \$12,500.00 on a floor that now we find out that we are not fixing the problem. The problem is that the water is running under the floor coming from the kitchen. So in your negotiations when you sit down and decide what is right and what is wrong and when you decide what you want to do with this facility you have to think about something. You have a facility that every day you wait it is falling apart. Right now, we have some things in place, such as Upper Coastal Plains is waiting on a decision to go to phase two and with phase two it will rectify some of those problems. We cannot go to phase two with the problem being like it is. Either you all will have to step up and get it fixed, take the lead and get it fixed or we take the lead and get it fixed. It has to be fixed or we will not be able to continue to utilize the facility. No one will be able to continue to use it as it is, because that water is going to continue to run under the gymnasium.

Mr. Williams: I believe there was an issue with a drum or an underground tank.

Mayor Roy Bell: That is correct and in order for us to continue that has to be addressed. You all left a 100-gallon drum underground. It cannot stay there. Inside of the building you also have a mold problem. That is because you don't have any air conditioning in the building and we just cannot afford that oil that you left there and the boiler is obsolete. That is why we are putting the heaters in the gymnasium. We are looking at once we get the proper financing; we are going to have to do something about heating and air conditioning. The air conditioning is fine, but it is the heating that is the issue. In order to heat one section, you have to heat the whole building. That is something that we have to look at regarding sectioning it off so that we can heat one zone at a time. Those are some other matters that we have to consider as well.

### **Closed Session**

On a Motion by Ms. Smith-Ingram, Seconded by Ms. M. Edwards, the Board and APPROVED, the Board convened closed session at approximately 8:25 p.m. pursuant to General Statute: pursuant to General Statute: 143-318.11(a)(3) to consult with the Board's attorney in order to preserve the attorney-client privilege or against an individual employee. The motion passed by a vote of 7-0.

Ms. Taylor: Right now we can't go into closed session until we finish the agenda.

Attorney Rod Malone: The motion should include an amendment to suspend the agenda right now.

Ms. Smith-Ingram: I will restate the motion.

On a Motion by Ms. Smith-Ingram, Seconded by Ms. M. Edwards, the Board and APPROVED, the Board convened closed session at approximately 8:30 p.m. pursuant to General Statute: pursuant to General Statute: 143-318.11(a)(3) to consult with the Board's attorney in order to preserve the attorney-client privilege or against an individual employee and to suspend the current agenda for closed session. The motion passed by a vote of 7-0.

### **Open Session**

On a MOTION by Ms. Smith-Ingram, SECONDED by Mr. Johnson, the Board adjourned closed session. The motion passed by a vote of 7-0. The Board's second closed session ended at approximately 9:14 p.m.

On a MOTION by Ms. Smith-Ingram, SECONDED by Mr. Williams, the Board APPROVED to reject the Garysburg Town Hall offer and that we authorize the sell of the Garysburg Elementary School to the Town of Garysburg for \$75,000.00 payable in a period of 20 years with a long-term Northampton County System school use of the facility as a condition of the sale so that we meet our statutory requirements, as recommended by the Superintendent.

Mr. Matthews: What happened to the motion that was already on the table?

Ms. Smith-Ingram: As the author of the motion I accept that as a friendly amendment.

Ms. Taylor: I am on Board with this, but I would like to see things clearly defined and I would like to see the meeting held before the vote as to what the use of the building will be on our part. I am not saying go into details, but I need it to be defined for me. I know this would be a good idea for us to move on, but a meeting could be held tomorrow with the Mayor, Dr. Bracy, whatever other Board Members with the attorney on conference call. Then, you poll me and ask me the question as long as I have a definitive email saying that this is what we are doing, not do it first and then go back.

Attorney Rod Malone: The way I understand the motion to clarify is that this is the Board's offer to the Town and it is part of the Town's acceptance of the offer that usage needs to be clearly defined. Before the property would actually change hands the Board would be fully apprised of that use and we would be satisfied as the lawyers.

Ms. Taylor: That is putting the cart before the horse.

Mr. Williams: Chair, I call for the question.

Ms. M. Edwards: In light of everything that has been said, the attorney said he would send that part of the contract in the first place so those things can be identified, whether we have a retreat there, a Board Meeting, a workshop, etc. Those things would be itemized and included in the contract.

Ms. Taylor: I want them to have this building, but I want it to be clear and precise and I want it to be legal.

The motion to reject the Garysburg Town Hall offer and that we authorize the sell of the Garysburg Elementary School to the Town of Garysburg for \$75,000.00 payable in a period of 20 years with a long-term Northampton County System school use of the facility as a condition of the sale so that we meet our statutory requirements passed by a vote of 4-3. Mr. Donald Johnson, Mr. Phil Matthews and Ms. Rhonda Taylor voted against.

### **Modifications of the Alternative Learning Program**

Ms. Smith-Ingram: I request that the agenda be modified to discuss modifications to the Alternative Learning Program. In a conversation leading up to this, the attorney has informed me that there is a process that we must go through. I would like request that we authorize the administration, Dr. Bracy and his staff, to come back to us for fiscal year 2013-2014 closing the Alternative School building campus and providing an Alternative Learning Program at our middle school and our high school. I am not sure if the attorney can clarify this for us or do we need to amend the agenda to put this before Business Before the Board for Information as oppose to Business Before the Board for Approval. Should I authorize Dr. Bracy to take this under consideration and bring us back a plan that will cover this?

Attorney Rod Malone: I believe it is a motion that is simply authorizing Dr. Bracy to bring you a plan that would include the closing of the campus and moving it somewhere else. I think that is sufficient for tonight for the 2013-2014 school year.

On a MOTION by Ms. Smith-Ingram, SECONDED by Ms. M. Edwards, the Board APPROVED to authorize Dr. Bracy and his administration to move forward with developing a plan to close the Alternative School campus and modify the Alternative Learning Program.

Dr. Bracy: I want to make sure I understand what you are saying. You still want the Alternative School, but you just don't want the location is that correct?

Ms. Smith-Ingram: By statutory requirements we have to provide an Alternative Learning Program. What I am saying is that it does not have to be a separate facility. We may have another use for that building. There are some discussions and some complaints.

Dr. Bracy: It is a separate school right now with its own school number.

Ms. Smith-Ingram: You know we are looking at other models. The motivation for this is because when you have an Alternative Learning Program that is at the high school and one at the middle school as well, you usually have more access to some of the specialty teachers as well as some of the extra-curricula activities that we provide for them. Dealing holistically with our children and looking at how we are trying to promote achievement and academics, we don't want to keep them isolated. The models that we have looked at over a period of years were to try different aspects and different models. It just seems that this would be a way that our children can benefit and our teachers can benefit with the academic outcomes.

Dr. Bracy: The Alternative School has had high growth five years in a row. The last discussion I remember us having in the Work Session was having a school in just a different location down an isolated hallway.

Ms. Smith-Ingram: We were tasked with doing the best use of our facilities. We talked at great lengths as a Board, because we are keeping a whole building open just for 20 kids. We are looking at Squire School as well and some of our other buildings. We are holding buildings open for half of the children. Nothing is going to work in terms of our future planning if we are not utilizing the spaces that we have to the maximum and optimized usage of those buildings. That is all I am saying.

Dr. Bracy: That is not the same thing. You are talking about closing a school and going to a program losing the school number.

Mr. Williams: Can't you keep the number at a different location?

Dr. Bracy: Not if you close the school and become a program.

Ms. Smith-Ingram: Don't forget that you are looking at some other models.

Chair K. Edwards: I hear exactly what you are saying. When you talk about a school that has its own number, if that school is on another campus with an existing school, can we keep the number?

Dr. Bracy: That is what I am hoping and that is the way I see it.

Chair K. Edwards: If we put Northampton County Alternative School on another campus, it would still be the Northampton County Alternative School with the same school number and the same faculty and everything would be in existence except it is on another campus. We want to use the word relocate and not close.

Mr. Williams: It is very important that we watch how we use the word close, because once we do that we are closed and reopening is not going to be an option.

Mr. Johnson: It is my understanding that the reason you have an Alternative School is to get the students who are having behavior problems away from the campus in which they reside. Isn't that what it is supposed to be for? They are the ones who have had problems and they are now being transferred to another facility. They might not have all of the benefits, because they do get the basic things, which are necessary.



Smith-Ingram: I wanted to keep it moving in a positive direction and I am going to do my best. Looking at the demographics this year, 90% of the population assigned initially in the first four months that I tracked it, were there because they were aged out. I am catching it about children achieving. A lot of times when we have aged-out children, they are fifteen years old and we don't want them at the elementary school and we can't have them in some of our middle school grades. When you have aged-out children, a lot of times they have not been identified and did not receive services that they needed on a lower grade level. We offer alternative education, not just for those who have behavior problems, but we also offer that for our students who are aged-out on their grade level. That being said, as an educator that are some things that we need to do extra. To identify these children earlier, give them the services that they need, the variety of programs that they need, the holistic education that they need, because many of them if they are going to get it they are going to get it from us. We have belabored this problem and talked about it and it would just fit some of the things that we are trying to address. If we would look more of an inclusion aspect of the program so they can have access and where we will best utilize the facilities of Northampton County so that we can maintain that great physical integrity that we have Dr. Bracy.

Mr. Williams: I would like to see a timeline for the plan to come back to us.

Ms. Smith-Ingram: I accept that as a friendly amendment to the motion to have the plan come back to us by the May Board Meeting.

Ms. M. Edwards: I second the motion as a friendly amendment.

The motion to amend the motion to have the plan come back to the Board by the May Board Meeting passed by a vote of 7-0.

The original motion to authorize Dr. Bracy and his administration to move forward with developing a plan to relocate the Alternative School campus and to bring the plan back to the Board by the May Board Meeting passed by a vote of 7-0.

### **Superintendent's Information**

Dr. Bracy addressed the Board and audience as follows:

- I wish to congratulate our staff for a decrease in our dropout rate, which went from 3.72% to 3.25%.

### **Board Information**

- NCSBA Parliamentary Procedure: Common Questions & Practical Application Webinar – March 5, 2013 – 4:00-5:00 p.m.
- NCSBA School Law Academy – March 12-13, 2013 – NCSBA Assembly Hall, Raleigh, NC
- NCSBA Financial Oversight Obligations of School Board Members Webinar – April 2, 2013 – 4:00-5:00 p.m.
- Next Regular Board Meeting – April 8, 2013 – Board Room – 5:00 p.m. (Closed Session) – Open Session beginning at approximately 6:30 p.m.
- NSBA Annual Conference – April 13-15, 2013 – San Diego, CA

Mr. Williams: I wish to request a copy of the North Carolina General Statute (Public School Law Book) for each Board Member.

It was the consensus of the Board to schedule a Facilities Committee Meeting for Thursday, March 21, 2013 from 4:00 – 6:00 p.m. The Facilities Committee Members are Mr. Johnson, Ms. Smith-Ingram and Ms. M. Edwards.

Mr. Johnson: I wish to volunteer the use of the Jackson United Methodist Fellowship Hall to hold the Facilities Committee Meeting there.

Ms. Smith-Ingram: We will get together and send out an email of the things we will need.

Mr. Williams: Is that a good time to discuss the Garysburg Elementary School item.

Ms. M. Edwards: I just wanted to commend Ms. Geneva Squire and her staff for the beautiful CTE Banquet they held at Mudcastle!

**Adjournment**

On a MOTION by Ms. Smith-Ingram, SECONDED by Mr. Johnson, the Board adjourned the meeting at 9:50 p.m.

Approved: May 6, 2013

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Dr. Eric C. Bracy, Superintendent