



11 17 2009 School Board Meeting

Call Meeting to Order

Acceptance of Agenda

1. [Accept Agenda of November 17, 2009 School Board Meeting as Revised](#)

Attachment: [Revised Administrative and Instructional Recommendations Agenda 11-17-09.pdf](#)

Motions:

Motion to accept the Agenda of the November 17, 2009 School Board Meeting as revised. - PASS

Vote Results

Motion: Kay Fields

Second: Margaret Lofton

Lori Cunningham	- Aye
Kay Fields	- Aye
Tim Harris	- Aye
Margaret Lofton	- Aye
Dick Mullenax	- Aye
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

Invocation

2. [Kay Fields, School Board Member District 5](#)

Pledge of Allegiance

3. [Gage Battles, Scott Lake Elementary](#)

Special Recognitions

4. [Student Presentation](#)

Public Comments on Agenda Items

5. [SPEAKERS](#)

Approval of Minutes

6. [C-6 Approve Minutes of the October 27, 2009 Work Session](#)

Attachment: [10 27 09 Work Session Minutes.pdf](#)

Motions:

Motion to approve minutes of the October 27, 2009 Work Session. - PASS

Vote Results

Motion: Dick Mullenax

Second: Kay Fields

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

7. [C-7 Approve Minutes of the October 27, 2009 School Board Meeting](#)

Attachment: [10 27 09 School Board Minutes.pdf](#)

Motions:

Motion to approve minutes of the October 27, 2009 School Board Meeting. - PASS

Vote Results

Motion: Dick Mullenax

Second: Kay Fields

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Oath of Office

Reorganization of the Board

8. [R-8 Election of Chairman](#)

Minutes:

Dr. McKinzie opened the floor for nominations for Board Chair.

Motion by Tim Harris and second by Lori Cunningham to nominated Kay Fields as Board Chair.

There were no other nominations.

Motions:

Motion to nominate Kay Fields as Chairman. - PASS

Vote Results

Motion: Tim Harris

Second: Lori Cunningham

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Motion Minutes:

9. [R-9 Election of Vice Chairman](#)

Minutes:

Dr. McKinzie opened the floor for nominations for Vice Chair.

Motion by Frank O'Reilly and second by Margaret Lofton to nominate Hazel Sellers as Vice Chair.

Motion by Kay Fields and second by Lori Cunningham to nominate Tim Harris as Vice Chair.

There were no other nominations.

Motions:

Motion to nominate Hazel Sellers as Vice Chair. - FAIL

Vote Results

Motion: Frank O'Reilly

Second: Margaret Lofton

Lori Cunningham - Nay

Kay Fields - Nay

Tim Harris - Nay

Margaret Lofton	- Aye
Dick Mullenax	- Nay
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

Motion Minutes:

Motions:	
Motion to nominate Tim Harris as Vice Chair.	- PASS
Vote Results	
Motion: Kay Fields	
Second: Lori Cunningham	
Margaret Lofton	- Nay
Dick Mullenax	- Aye
Frank O'Reilly	- Nay
Hazel Sellers	- Nay
Lori Cunningham	- Aye
Kay Fields	- Aye
Tim Harris	- Aye

Motion Minutes:

10. [R-10 Designation of Time, Date and Place of School Board Meetings](#)

Motions:	
Motion to hold meetings of the School Board on the second and fourth Tuesday of each month at 1:30 PM and 5:00 PM, respectively, and these meetings will be held in the School Board Auditorium at the Administrative Offices in Bartow, Florida.	- PASS
Vote Results	
Motion: Lori Cunningham	
Second: Kay Fields	

Lori Cunningham	- Aye
Kay Fields	- Aye
Tim Harris	- Aye
Margaret Lofton	- Aye
Dick Mullenax	- Aye
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

11. [R-11 Resolution 2009/2010-13](#)

Attachment: [Resolution 13 11-17-09.pdf](#)

Motions:

Motion to approve Resolution 2009/2010-13. - PASS

Vote Results

Motion: Margaret Lofton

Second: Tim Harris

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Hazel Sellers - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

12. [R-12 Proceedings of School Board Meetings](#)

Motions:

Motion to approve proceedings of School Board Meetings to be in accordance with Robert's Rules of Order, Revised, and Rules of the Administrative Procedures Act. - PASS

Vote Results

Motion: Lori Cunningham	
Second: Margaret Lofton	
Lori Cunningham	- Aye
Kay Fields	- Aye
Tim Harris	- Aye
Margaret Lofton	- Aye
Dick Mullenax	- Aye
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

13. [R-13 Appointment to FSBA Legislative Committee](#)

Motions:	
Motion to appoint Hazel Sellers as Polk County's Legislative Liaison and Tim Harris as the Alternate to serve on the FSBA Legislative Committee. - PASS	
Vote Results	
Motion: Kay Fields	
Second: Lori Cunningham	
Lori Cunningham	- Aye
Kay Fields	- Aye
Tim Harris	- Aye
Margaret Lofton	- Aye
Dick Mullenax	- Aye
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

Motion Minutes:

Approval of Consent Agenda

14. [C-14 Approve Consent Agenda of November 17, 2009](#)

Motions:

Motion to approve the Consent Agenda. - PASS

Vote Results

Motion: Margaret Lofton

Second: Hazel Sellers

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Lori Cunningham - Aye

New Administrator Announcements

15. [C-15 New Administrators](#)

Attachment: [Elbert El AP - M Smith.pdf](#)

Consent

Business Services General Items

16. [C-16 Bid Recommendations for Novemer 17, 2009](#)

Attachment: [Bid Rec 11-17-09.pdf](#)

17. [C-17 August 2009 Monthly Financial Reports](#)

Attachment: [Aug 2009 Monthly Financials.pdf](#)

Business Services Budget Revisions

18. [C-18 Budget Revision Request - School Based Operations \(9350\)](#)

Business Services Contracts

19. [C-19 CSA, Bellwether Consulting, LLC, TAH Grant Evaluation, \\$60,000](#)

Attachment: [BellwetherConsulting_Daterev.pdf](#)

Attachment: [FinalEvaluation_proposal.pdf](#)

Attachment: [TAH BUDGET IMPACT ANALYSIS 09-10.pdf](#)

Business Services Donations

20. [C-20 \\$750.00 Donation from the Pepsi Bottling Group to Stambaugh Middle](#)

21. [C-21 \\$3,000 Donation from the Garden Grove Elementary PTO to Garden Grove Elementary](#)

22. [C-22 \\$748.44 Donation from Bright House to Auburndale High School](#)

23. [C-23 \\$3,000 Donation from the Highland City Elementary PTA to Highland City Elementary](#)

24. [C-24 \\$500 Donation from Bright House to Workforce Education](#)

25. [C-25 \\$4,023.00 Donation from Carlton Palmore Elementary PTA to Carlton Palmore Elementary](#)

26. [C-26 \\$1,000.00 Donation from Taylor Publishing Company to Auburndale High School](#)

27. [C-27 \\$650.00 Donation for Ridge Career Center's Faculty Fund](#)

28. [C-28 \\$1,349 Donation from Fort Meade Middle School PTO to Fort Meade Middle Senior High](#)

29. [C-29 \\$500 Donation from Johnson and Wales University to George Jenkins High School](#)

30. [C-30 \\$1000 donation from Walmart to Dundee Ridge Middle School](#)

31. [C-31 \\$500.00 Donation from Lake Alfred Chamber of Commerce to Lake Alfred Elementary](#)

Business Services Donations - NON CASH (Facilities Related)

32. [C-32 Non-Cash Donation \(plants & trees\) from Garrison Land Management to Dundee Elementary](#)

Attachment: [garrison.pdf](#)

Business Services Donations - NON CASH (Technology Related)

33. [C-33 Non-Cash Donation \(printers and copier\) from the Carlton Palmore PTA to Carlton Palmore Elementary](#)

Business Services Purchasing Items for Learning Support

34. [C-34 Purchase of Instructional Materials from PCI Education](#)

Attachment: [QTE009228 - Polk County \(FL\) - PCIKIT144.pdf](#)

Attachment: [Product Sole Source Stmt-Polk County \(FL\) - PCIKIT144.pdf](#)

Facilities & Operations General Items – Administration

35. [C-35 Demolition of Eight Portables](#)

Attachment: [SKMBT_42009110406090.pdf](#)

Facilities & Operations General Items – Construction Services

36. [C-36 Project #R-01307-Alturas Elementary-Replacement Roof for Bldg. Nos. 1 & 2](#)

Attachment: [AlturasEI12bidtab.pdf](#)

37. [C-37 Project #R-01308-Floral Avenue Elementary-Replacement Roof for Bldg. Nos. 1, 2, 3 & 4](#)

Attachment: [FloralAve1234bidtab.pdf](#)

38. [C-38 Project #R-01309-Bartow Elementary Academy-Replacement Roof on Bldg. No. 1](#)

Attachment: [BartowEI1bidtab \(3\).pdf](#)

39. [C-39 Project #R-01306-Mulberry Senior-Replacement Roof for Building Nos. 3, 6, 7 & Walkways](#)

Attachment: [MulberrySR367WWbidtab.pdf](#)

40. [C-40 Project #R-01310-Medulla Elementary-Replacement Roof for Bldg. 10 & Front Entry Walkway](#)

Attachment: [MedullaEI10bidtab.pdf](#)

41. [C-41 Project #C-00274-Kathleen Senior-Master Plan \(Phase I\)](#)

Attachment: [c274gmp.pdf](#)

Attachment: [c274wksht.pdf](#)

42. [C-42 Project #C-00278-Laurel Elementary-Phase II](#)

43. [C-43 Project #C-00246-Boone Middle School-Master Plan \(Phase II\)](#)

44. [C-44 Project #C-00274-Kathleen Senior-Master Plan \(Phase II\)](#)

45. [C-45 Project #C-00227-Lake Wales Senior-AG Building/Cafeteria/Classrooms Remodel](#)

Attachment: [kraftltr.pdf](#)

Facilities & Operations General Items - Planning and Concurrency

46. [C-46 Spot Survey 3.6 - Mulberry Middle School Master Plan](#)

Attachment: [Recommendations Spot Survey 3.6.pdf](#)

Facilities & Operations General Items – Property Management (Land)

47. [C-47 Wendell Watson Elementary & Central Warehousing - Billboard Leases](#)

Attachment: [11 17 09 Lamar SR 60 \(Central Warehousing\) Lease.pdf](#)

Attachment: [11 17 09 Lamar I4 \(Wendell Watson\) Lease.pdf](#)

Facilities & Operations Contract Changes – Construction Services

48. [C-48 Project #C-00249-George Jenkins Senior-Freshman Academy](#)

Attachment: [c249co9.pdf](#)

49. [C-49 Project #C-00199-Ridge Career Center-Medical Arts Facility](#)

Attachment: [c199co5.pdf](#)

50. [C-50 Project #C-00249-George Jenkins Senior-Freshman Academy](#)

Attachment: [c249pb11.pdf](#)

Facilities & Operations - Project Requests

51. [C-51 Project #P-01236 - Bartow Middle - Convert Restrooms for Handicap Accessibility](#)

52. [C-52 Project #P-01235 - Valleyview Elementary - Install Sidewalk](#)

53. [C-53 Project #P-01234 - Lk. Gibson Senior - Create Handicap Seating in Football Stadium](#)

54. [C-54 Project #P-01233 - Denison Middle - Convert Restroom for Handicap Accessibility](#)

55. [C-55 Project #R-01304 - Lakeland Senior - Replace Windows](#)

56. [C-56 Project #R-01303 - Winston Elementary - Resurface P.E. Playcourt](#)

57. [C-57 Project #R-01305 - Janie Howard Wilson Elementary - Correct Drainage](#)

- 58. [C-58 Project #R-01311 - Brigham Academy - Replace Soffit](#)
- 59. [C-59 Project #P-01237-Socrum Elementary-Relocate Head-Start Playground/Shell Parent Drop-Off](#)

Human Resource Services Recommendations

- 60. [C-60 Recommendations for Administrative and Instructional Personnel Actions](#)

Attachment: Administrative and Instructional Recommendations Agenda Term Suppt 11-17-09.pdf (Confidential Item)

Attachment: [Revised Administrative and Instructional Recommendations Agenda 11-17-09.pdf](#)

Minutes:

**Approved Personnel Recommendations are recorded in
Supplemental Book 71 A 09, Pages 163 - 195**

- 61. [C-61 Recommendations for Non-Instructional Personnel Actions](#)

Attachment: [Non-Instructional Recommendations Agenda 11-17--09.pdf](#)

Attachment: Non-Instructional Recommendations Term Suppt 11-17-09.pdf (Confidential Item)

Minutes:

**Approved Personnel Recommendations are recorded in
Supplemental Book 71 A 09, Pages 163 - 195**

- 62. [C-62 Recommendations for Temporary Duty Assignments](#)

Attachment: [11-17-09 TDA.pdf](#)

Minutes:

**Approved Personnel Recommendations are recorded in
Supplemental Book 71 A 09, Pages 163 - 195**

Human Resource Services Requests for New Positions and/or Job Descriptions

- 63. [C-63 Head Start Grant - Addition of Positions to the Preschool Programs Department in the Learning Division and the Finance Department in the Business Services Division](#)

Attachment: [Head Start Grant Additional Positions 11-17-09 BD.pdf](#)

Support Services Field Trip Requests

64. [C-64 Out of State Field Trips](#)

Attachment: [field trip form-agenda 11.17.09.pdf](#)

Regular

Administration - School Board

65. [R-65 Florida Education Investment Trust Fund](#)

Attachment: [FEIT Background 10-09.pdf](#)

Attachment: [FEIT Organization Chart 10-09.pdf](#)

Attachment: [FEIT Trust Agreement - Final Document 10-09.pdf](#)

Attachment: [FEIT Investment Policy and Guidelines 10-09.pdf](#)

Attachment: [FLORIDA EDUCATION INVESTMENT TRUST FUND ADDENDUM 10-29-09.pdf](#)

Motions:

Motion to approve the Trust Agreement and Signatory Public Agency Addendum for the Florida Education Investment Trust Fund. - PASS

Vote Results

Motion: Lori Cunningham

Second: Frank O'Reilly

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Motion Minutes:

Mark Grey, Assistant Superintendent of Business Services, reported that the Florida Education Investment Trust Agreement is a partnership between the Florida School Boards Association and the Florida Association of District Schools Superintendents. The primary objective is liquidity and security of school district funds as well as accessibility. This agreement allows us the opportunity to participate in their investments; however, we are not required to do so.

Business Services General Items

66. [R-66 Signature Authorization](#)

Motions:

Motion to approve the immediate past chairman remaining as authorized signer on all PCBS bank accounts until such time as the new signature cards are complete. - PASS

Vote Results

Motion: Tim Harris

Second: Hazel Sellers

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly - Aye

Hazel Sellers - Aye

Facilities & Operations General Items – Property Management (Land)

67. ~~R-67 Southwest Middle School - Tower Site Lease Agreement~~

~~Attachment: 11-17-2009 Memorandum of Lease Agreement.pdf~~
~~Attachment: 11-17-2009 Communications Site Lease AGRMT.pdf~~
~~Attachment: 11-17-09 Aerial - Royal Street LLC Site.pdf~~

Motions:

Motion to approve the lease with the Royal Street Communications, LLC Florida. -

Vote Results

Motion:

Second:

Human Resource Services General Items

68. [R-68 Superintendent's Exception to Recommended Order for Deryl Feacher](#)

Attachment: Superintendents Exception to Recommended Order - Deryl Feacher 11-17-09 BD.pdf (Confidential Item)

Minutes:

Don Wilson, attorney with Boswell and Dunlap, representing Dr. McKinzie, reported that the issue involves the Superintendent's exception to the Hearing Officer's Recommendation. The facts are not in dispute but his interpretation of the School Board's policy.

Mr. Feacher, a custodian at Winter Haven High School, admits he pleaded nolo contendere to the charges of possession of drug paraphernalia. The Hearing Officer interprets the policy as requiring a conviction of the charge for a dismissal.

According to School Board Policy 3.001(V)(3)(d), a plea of nolo contendere on any of the listed 'offenses' is the basis for termination. Policy 3.001 (V)(4) (c)(1) lists a conviction for a 'misdemeanor drug or paraphernalia' as rendering an applicant ineligible for employment, regardless of the adjudication. We contend that the appropriate interpretation of the policy is that a nolo plea of that offense renders an employee as unemployable.

Motions:

Motion to uphold Superintendent's Exception to Recommended Order for Deryl Feacher. - PASS

Vote Results

Motion: Lori Cunningham

Second: Margaret Lofton

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax - Aye

Frank O'Reilly	- Aye
Hazel Sellers	- Aye

Public Hearing to begin no earlier than 5:01 PM

Superintendent's Report

69. [Superintendent's Report](#)

Minutes:

Wished everyone a Happy Thanksgiving.

Dr. McKinzie voiced her appreciation of Frank O'Reilly for his excellent chairmanship this past year.

Our next work session will be held Tuesday, December 8, 2009 at 8:30 AM in the Superintendent's Conference Room followed by the School Board Meeting at 1:30 PM in the School Board Auditorium located at 1915 S. Floral Avenue, Bartow.

Attorney's Report

Auditor's Report

70. [R-70 Request Approval of New Audit Committee Member](#)

Attachment: [AUDIT CMTE - Nominee 11-17-09.pdf](#)

Motions:

Motion to approve the appointment of Michael W. Tamney to the PCSB Audit Committee for a three year term. - PASS

Vote Results

Motion: Hazel Sellers

Second: Lori Cunningham

Lori Cunningham - Aye

Kay Fields - Aye

Tim Harris - Aye

Margaret Lofton - Aye

Dick Mullenax	- Aye
Frank O'Reilly	- Aye
Hazel Sellers	- Aye

Board Members' Report

71. [Frank O'Reilly, School Board Member District 1](#)

Minutes: Voiced his pleasure in serving as Chairman over the past year and enjoyed the camaraderie of staff who assisted him in his duties.

72. [Lori Cunningham, School Board Member District 2](#)

Minutes:

Mrs. Cunningham attended various programs around the District: a Veterans' Day Celebration at Bethune Academy, Ridge Career Center's Open House, and a teachers' meeting at Haines City High School

73. [Hazel Sellers, School Board Member District 3](#)

Minutes:

Mrs. Sellers reported on the past health insurance open enrollment results:

- 4% chose to waive the plans
- 75% chose the free plan
- 8% chose the plan with a \$40 premium
- 17.4% chose the 704 plan with a \$100 premium (which was the old plan)

Mrs. Sellers also stated that the Florida School Board Association's Legislative Platform was approved at the last Committee meeting and placed on their website.

74. [Dick Mullenax, School Board Member District 4](#)

Minutes: No report.

75. [Kay Fields, School Board Member District 5](#)

Minutes: Mrs. Fields thanked her fellow Board Members for entrusting her with the role of Board Chair.

76. [Margaret Lofton, School Board Member District 6](#)

Minutes: Mrs. Lofton congratulated Kay Fields and Tim Harris on their new appointment as Board Chair and Vice Chair. She also voiced her appreciation to Frank O'Reilly for his past leadership.

77. [Tim Harris, School Board Member District 7](#)

Minutes: Presented a memento to Mr. O'Reilly for serving as Board Chair this past year.

Public Comments Addressing Items Not on Agenda

78. [SPEAKERS](#)

Adjournment

Meeting adjourned at 2:20 pm. Minutes were approved and attested this 8th day of December, 2009.

Kay Fields, Board Chair

Gail F. McKinzie, Ph. D., Superintendent