

**ESTILL COUNTY BOARD OF EDUCATION
RECORD OF BOARD PROCEEDINGS
(MINUTES)**

**Regular Board Meeting
July 15, 2021 6:00 P.M.
Estill County Board of Education
Boardroom
253 Main Street
Irvine, Kentucky 40336**

Present Board Member

Ms. Donna Isfort joined at 6:41 P.M.
Ms. Carrie Smallwood
Ms. Tammy Hardy
Ms. Shiela Samples
Mr. Bryan Covey

Visitors Present: Peter Fisher, Jeremy Faulkner, Jeremy Simpson, Mark Rawlings, Barry Anderson, Cathy Dawes, and Rebecca Lee

I. Call to Order

Vice-Chairperson Mr. Bryan Covey calls the meeting to order at 6:08 P.M.

A. Welcome/Pledge

Vice Chairperson Mr. Bryan Covey welcomed the audience and led the Pledge of Allegiance.

B. Reminder to Sign In

C. Return of School Presentations

The board agreed that a school would do a presentation every month except for June and July at the board meetings. The first group would present in August.

D. Return of Mountain Movers Recognition

The board agreed to the return of Mountain Movers Recognition. The board would recognize a teacher, a classified employee, and identify a community member or an organization that had provided excellence in service to our community and our students and parents.

E. Revisions

No Revisions at this time.

II. Public Forum: ARP ESSER LEA PLAN

Part of the American rescue plan is the budgeting of ESSER Funds and the Safe Return to in-person instruction and the Continuity of Services. This public forum was dedicated to this discussion and the district will follow-up with a parent and community partner survey.

A. ESSER Funding and Budget Priorities

Funding priorities should provide extra services to our students in order to alleviate the overall impact of the pandemic on student learning and the mitigation of circumstances and conditions that would increase the spread of COVID – 19. District will survey parents and community over the next few weeks to gather additional input for the budgeting and use of ESSER Funds.

B. Safe Return to In-Person Instruction and Continuity of Services Plan

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The District will provide more information to the board and community as soon as final guidance has been issued by the CDC, KDHP, and the Kentucky Department of Education.

III. Facilities/Construction Update

A. Area Technology Center

1. Update

Jeremy Faulkner from Codell Construction gave an update on the Area Technology Center. The final punch list has been developed and the contractors started knocking out most of them this week. Final completion is on track for August 22, 2021. All furniture is beginning to come in throughout the building, and we're down to final cleaning inside. Epoxy finish has been completed in the diesel tech lab, and the flooring in the advanced manufacturing lab will be completed by Monday.

Pedway tower is getting flooring down right now, and the stairs are finished. We're going to be waxing those floors over the weekend, which will bring us to a point where we can start our punch list. The pedway tower will not be toured during the ATC Grand opening.

Esterior work is continuing with concrete work around the pedway. Sod will be finishing up on Monday. Final paving has started in the front parking lot, the east parking lot, and the west parking lot.. Contractors are aware that everybody will be out of the building and 100% complete on July 23, 2021.

2. Pay Application #23

Order #14572 - Motion Passed: Approved to Pay App #23 for \$579,992.96 passed with a motion by Ms. Donna Isfort and a second by Ms. Tammy Hardy.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

B. High School Phase 7 Renovation Project

1. Update

Jeremy Faulkner from Codell Construction gave an update on the High School Phase 7 Renovation Project. The pre-construction meeting yesterday went well and everyone is ready to go. August 4, 2021, is the start date

Phase one: Baseball / Softball

Phase two: Football /Greenhouse/ Fieldhouse and Tennis Courts

Phase three; The High School Building

Peter Fisher, with Ross Tarrant, said the General Trade Contractor for this Project was Rising Sun, and they were ready to go to work on the Project.

2. Recess Meeting For Estil County School District Finance Corporation Meeting

Order #14573 - Motion Passed: The motion to recess for the Finance Corporation Meeting was passed with a motion by Ms. Shiela Samples and a second by Mrs. Donna Isfort.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

3. Temporary Adjournment

Order #14574- Motion Passed: The motion to temporarily adjourn passed with a motion by Ms. Shiela Samples and a second by Mr. Bryan Covey.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

Order #14575- Motion Passed: The motion to call the regular meeting back in session passed with a motion by Mr. Bryan Covey and a second by Ms. Shiela Samples.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

4. Consider approval of a resolution authorizing a contract, rent, and lease with the Estill County School District Finance Corporation for the issuance of the Series of 2021 School Building Revenue Bonds and authorizing all other documents in connection with the bonds.

Thereupon, there were presented to the board certain instruments in connection with the plan of financing Phase VII renovations to Estill County High School (the "Project"). After said instruments had been fully considered a motion was made and seconded that the following Resolution be adopted:

RESOLUTION OF THE BOARD OF EDUCATION OF THE ESTILL COUNTY SCHOOL DISTRICT; AUTHORIZING AND APPROVING THE EXECUTION OF A LEASE AGREEMENT WITH THE ESTILL COUNTY SCHOOL DISTRICT FINANCE CORPORATION AND ANY FURTHER NECESSARY INSTRUMENTS; APPROVING CERTAIN ARCHITECTS' PLANS FOR THE CONSTRUCTION OF A CERTAIN SCHOOL BUILDING PROJECT; APPROVING THE PLAN OF FINANCING THE COST OF SAID PROJECT.

WHEREAS, the board is desirous that the Corporation issue Bonds in the principal amount of approximately \$13,430,000 for the purpose of providing funds to pay the cost, not otherwise provided, of constructing the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE ESTILL COUNTY, KENTUCKY SCHOOL DISTRICT AS FOLLOWS:

RESOLVED, that the incorporation of a non-stock, non-profit corporation pursuant to KRS 162.385 of the School Bond Act and Chapter 273 and KRS 58.180 to act as an agency and instrumentality of this board in financing school building improvements for the board is hereby authorized, ratified and approved; the Board of Directors of the Corporation, to be known as the "Estill County School District Finance Corporation", shall be the same persons who are at any time the members of the Board of Education of the Estill County, Kentucky School District.

RESOLVED FURTHER, that the Chairperson and Secretary are hereby authorized and instructed to execute a Deed to and a Lease Agreement with the Corporation with respect to said Project property, which Deed and Lease Agreement shall be prepared by Bond Counsel and shall contain a description of said property.

RESOLVED FURTHER, that the Chairperson and Secretary are hereby authorized and instructed to execute all further instruments necessary and desirable in carrying out the plan of financing encompassed in the issuance of said Bonds; including, but not being limited to the execution of an Appointment Agreement with the Bond Registrar/Paying Agent regarding the administration of the

registration and payment of said Bonds and a Continuing Disclosure Agreement with the Corporation in order to comply with SEC Rule 15c2-12.

RESOLVED FURTHER, that the public sale of said Bonds is hereby authorized, approved, ratified and confirmed, in accordance with the terms of a Bond Resolution to be adopted by the Board of Directors of the Corporation, the form of which has been reviewed by the board and is hereby approved.

RESOLVED FURTHER, that the Secretary of the Board of Education is hereby authorized and instructed to file a certified copy of this Resolution with the Secretary of the Corporation, with the request that it be brought to the attention of its Board of Directors, and same shall constitute a request and notice on behalf of the board that the Corporation, acting by and through its Board of Directors, take all action necessary and appropriate (1) for the authorization and sale of said Bonds; (2) that the proceeds of the sale of said Bonds be set apart and held separate from all other funds of the Corporation for the purpose of constructing the Project and expenses; and (3) for executing on behalf of said Corporation the proposed Lease Agreement.

RESOLVED FURTHER, that pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, (the "Code") the Board, by the adoption of this Resolution, hereby acknowledges that it cannot designate the Bonds as "qualified tax-exempt obligations" within the meaning of the Code and certifies that it reasonably anticipates that the total principal amount of qualified tax-exempt obligations which will be issued by the Board (or the Corporation acting on its behalf) during the calendar year ending December 31, 2021, will exceed \$10,000,000.

RESOLVED FURTHER, that pursuant to the amendments to the Code, the board, by the adoption of this Resolution, certifies that it does not reasonably anticipate that less than 95% of the proceeds of the Bonds will be used for "local government activities" of the board but that the aggregate face amount of all tax-exempt bonds issued by the Board (or the Corporation acting on its behalf) during the calendar year ending December 31, 2021, will exceed \$10,000,000.

RESOLVED FURTHER, that the exception for governmental units contained in Section 148(f)(4)(D) of the Code, is available with regard to the Bonds as the principal amount of tax-exempt obligations issued by the Corporation on behalf of the board will not exceed the aggregate sum of \$15,000,000 for the calendar year ending December 31, 2021, and said Bonds shall therefore be exempt from the rebate requirements of the Code.

RESOLVED FURTHER, that the Contract of Robert W. Baird & Co., Inc., Louisville, Kentucky, for its services as Fiscal Agent is hereby authorized, ratified, and approved and the Chairperson and Secretary are hereby authorized to execute the said contract on behalf of the board. In accordance with Municipal Securities Rulemaking Board Rule G-23 as amended November 28, 2011, said Fiscal Agent shall not provide any underwriting services. Compensation of said Fiscal Agent will be in accordance with the fee schedule

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approved by the Kentucky Department of Education and the Kentucky School Facilities Construction Commission.

RESOLVED FURTHER, that the Treasurer of the Corporation is hereby authorized to execute an engagement letter with Steptoe & Johnson PLLC, to serve as Bond Counsel to the Corporation in connection with the issuance of the Bonds.

RESOLVED FURTHER, that Robert W. Baird & Co., Inc., Louisville, Kentucky, Fiscal Agent for the Board of Education and the Corporation, is hereby directed to prepare an Official Statement on behalf of and in conjunction with the Board of Education and the Board of Directors of the Corporation in regard to the issuance of the Bonds containing all pertinent information with regard thereto to be supplied prospective bidders for said Bonds.

RESOLVED FURTHER, that in accordance with the "Disclosure Rules" of the Securities and Exchange Commission, Rule 15c2-12(b)(5), as a result of the aggregate amount of bonds to be issued by the Corporation (or any other agency acting on behalf of the board) exceeding \$1,000,000 the board and the Corporation shall enter into a written agreement for the benefit of all parties who may become Registered or Beneficial Owners of the Bonds where under said Corporation and Board will agree to comply with the provisions of the Municipal Securities Disclosure Rules set forth in Securities and Exchange Commission Rule 15c2-12 by filing annual financial statements and material events notices with the Electronic Municipal Market Access (EMMA) System maintained by the Municipal Securities Rule Making Board.

Passed and approved July 15, 2021.

Upon a vote being taken on the motion to adopt the above Resolution, the result was as follows:

Order #14576 - Motion Passed: Thereupon, the Chairperson declared that the Resolution had been adopted. passed with a motion by Mr. Bryan Covey and a second by Ms. Shiela Samples.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

C. Air Quality Upgrades: ESSER II

1. West Irvine Elementary HVAC

- a.** Update West Irvine construction crew is ready to start on Monday equipment is in place.

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2. Estill County District-Wide Air Purification/HVAC upgrades

- a. Update Estill County District-Wide construction crew is ready waiting on equipment. Should start next week.

D. Future Projects (Presentation by Ross Tarrant at August 19 Board Meeting. No Action at Current Time.)

1. HVAC High School Renovation ESSER
2. Sewer Line Replacement High School Renovation ESSER
3. Estill Springs Classroom Addition ESSER
4. South Irvine Window ReplacementS ESSER
5. New Parking Lot At West Irvine Intermediate
6. Demolition Of Old Irvine HS and Parking Lot Renovation for Estill Springs

IV. Action Items

A. FY 22 Handbooks

Order #14577 - Motion Passed: The approval of all three handbooks Employee, Substitute, and Coaches passed with a motion by Mr. Bryan Covey and a second by Ms. Shiela Samples.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

1. Employee
2. Substitute
3. Coaches

B. FY 22 Student Discipline Code and School Supplements

Board members were provided with a copy of the District Code of Conduct Handbook along with a draft of all school supplements. The supplements were provided for information only, since these documents have to be approved by each schools SBDM Councils.

Order #14578 - Motion Passed to approve the Student Discipline Code of Conduct handbook passed with a motion by: Ms. Shiela Samples and second by Ms. Tammy Hardy

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

C. ESSER Budget Expenditures (FY22 Only): 3 Teaching Positions (ESE, West and ECMS)

Order #14579 - Motion Passed: This motion was to approve 3 Teaching positions for a one year period from ESSER funding due to over crowding passed with a motion by Ms. Shiela Samples and second by Ms. Tammy Hardy

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

D. CBE Resolution and Assessment HB 563

Order #14580 - Motion Passed: passed with a motion by Ms. Shiela Samples and a second by Ms. Tammy Hardy

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

V. Consent

Order #14581 - Motion Passed: Approval of the consent items passed with a motion by Ms. Shiela Samples and a second by Ms. Tammy Hardy.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Ms. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

A. Approve Minutes of June 17 and June 29

B. Approve Treasures' Report and Payment of Bills for \$1, 057,02.38

C. FY 22 District Assurances

D. FY 22 Classified Evaluation Plan has been updated to a more detailed job evaluation. Updating the evaluation plan will allow the supervisor to be more direct with growth plans.

E. KSBA Membership Renewal is a yearly fee to allow membership to the Kentucky School Board Association.

F. Modified Salary Schedule needed to be adjusted to reflect additional band positions, Datastream apprentice program, and the extended days for the College & Career Counselor for the ATC/High School.

VI. Superintendent's Report

A. Notification of Personnel Actions (See Insert)

B. Mr. Saylor gave KSBA training report hours to each Board member for their review. School board members in Kentucky are required to earn a minimum number of training hours each year.

C. Mr. Austin Moore, Director of Athletics program, shared a letter concerning the ECS Booster Club Discussion/ Hall of Fame meeting on June 22, 2021. This meeting discussed the need to change current booster clubs to maybe one large booster club.

D. Open Records Open Meeting Documents was updated, and a copy was given to each board member.

- 1.** A signature page was signed by each board member as proof they received the open record open meeting documents updates.

E. ATC Grand Opening will be on July 23, 2021.

F. Back to School Dates: Open House (See Insert)

G. Opening day activities: Engineer Picnic 11 A.M.-1 P.M. at the High School all Estill County School employees have been invited.

H. Mr. Jeremy Simpson presented the energy report to the board, which showed an increase in energy usage due to students in the classroom vs. last year when students were virtual due to COVID- 19

VII. Board Member Forum

No comments at this time.

VIII. Public Comments

The board would like the public to still comment via media as long as it pertains to something on the agenda. This option will be present at the next Board meeting.

IX. Adjourn

Order #14582 - Motion Passed: Adjourned Board Meeting at 8:03 P.M. passed with a motion by Ms. Shiela Samples and a second by Ms. Tammy Hardy.

5 Yeas - 0 Nays

Mr. Bryan Covey	Yes
Ms. Tammy Hardy	Yes
Mrs. Donna Isfort	Yes
Ms. Shiela Samples	Yes
Ms. Carrie Smallwood	Yes

Jeff Saylor, Secretary

Donna Isfort, Chairperson

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