

DATE, TIME, PLACE OF MEETING

The Calcasieu Parish School Board meeting was held in the Board Room of the Calcasieu Parish School Board, located at 3310 Broad Street, Lake Charles, Louisiana, 70615, on Tuesday, April 14, 2015, at 5:00 p.m.

The meeting was called to order by Mack Dellafosse, President. The prayer was led by Alvin Smith; the Pledge of Allegiance was led by Brant Morton, a student at Westlake High School.

ROLL CALL

The roll was called by Superintendent Bruchhaus and the following members were present: Aaron Natali, Fredman Hardy, Glenda Gay, Annette Ballard, Ron Hayes, Dean Roberts, Mack Dellafosse, Eric Tarver, Max Caldarera, Alvin Smith, Chad Guidry, Chuck Hansen, Wayne Williams, and John Duhon.

Mr. Breaux was absent.

On a motion by Mr. Guidry and a second by Mr. Hardy, the request by Mr. Dellafosse to move the Executive Session prior to the Committee Report was approved by vote.

APPROVAL OF MINUTES

Mr. Guidry, with a second by Mrs. Ballard, offered the motion to approve the Minutes of March 10, 2015. The motion carried.

On a motion to amend the Minutes of March 26, 2015 by Mr. Duhon and a second by Mr. Roberts, page 4, paragraph 3 was amended to read as: **Mr. Roberts moved to amend the amendment made by Mrs. Gay and seconded by Mr. Natali, to adopt Houghton Mifflin/Harcourt Expressions (continuing)..... Math as the primary K-5 math program and to allow teachers to supplement with Eureka Math or any resource they feel will be beneficial. Mr. Duhon seconded the motion.**

Mr. Dellafosse asked for a vote to approve the changes; the vote carried.

PRESENTATIONS

A. Jamey Rasberry/Director of LCMH Sports

B. All Parish Quiz Bowl Team – Tonya LeBlanc, Calcasieu Parish Quiz Bowl Coordinator, presented the following:

Richard Broussard, Bell City High School

Phillip Comeaux, Sam Houston High School

Haile Gilroy, Barbe High School (also recognized for making a 36 on the ACT exam)
Alex John, Sulphur High School (also recognized for making a 36 on the ACT exam)

SUPERINTENDENT'S REPORT

Mr. Bruchhaus gave the following report:

All board members have received their March, 2015 Head Start report:

Funded enrollment – 450 – Actual Enrollment – 456

Waiting List – 87 - Disabilities – 47 and 54 additional evaluations in process

Head Start is collaborating with Child Cares in the State Department's Community Network Pilot to provide informational sessions and services for families of children birth -5.

Head Start Policy Council held a quarterly meeting to review and approve plans for 2015-2016.

Jake Drost celebrated Dr. Seuss Week March 2-6, 2015. Sulphur High Key Club visited the students on Wacky Tacky Wednesday and read Dr. Seuss books to the students and assisted with a wacky tacky art collage.

J.D. Clifton Head Start hosted their 6th annual Library Card Ceremony at Epps Public Library, partnered with J.D. Clifton Elementary to host the Parent Resource Center Open House and Career Opportunity Fair.

All board members have received their school population reports, as of March 31, 2015.

Continuing with our renewed efforts to keep the Board informed on financial matters, I would like to report our current sales tax numbers for our general fund show March, 2015, collections at \$754,130 over budget for the month. For the 2014-2015 year, collections are \$8,954,716 over budget. Collections for the first nine months of the year are \$9,661,419 over the same nine months last year.

And as a reminder to everyone, please remember to vote on May 2, 2015.

EXECUTIVE SESSION

On a motion to adjourn into Executive Session by Mr. Hayes and a second by Mr. Roberts, the Board adjourned at 5:19 p.m. Regular Session resumed at 5:25 p.m.

Mr. Hardy offered a motion to allow Attorney Chris Trahan to settle WC Claim #3898568.

Mr. Duhon seconded the motion. On a vote, the motion carried.

COMMITTEE REPORT

Budget Committee, March 24, 2015/Billy Breaux, Chair

Due to the absence of Mr. Breaux, Mr. Tarver gave the following report:

The Calcasieu Parish School Board Budget/Fiscal Management Committee met at 5:00 p.m., Tuesday, March 24, 2015 in the Board Room, 3310 Broad Street, Lake Charles, Louisiana. The prayer was lead by Ron Hayes and pledge by Mack Dellafosse. A quorum was present.

Present: Eric Tarver - Vice Chairman, committee members Annette Ballard, Max Calderera, Ron Hayes, Aaron Natali, Dean Roberts, Wayne Williams and the Superintendent, Karl Bruchhaus. Other Board members present were Fred Hardy, Glenda Gay, Mack Dellafosse, Alvin Smith, and John Duhon.

Absent: Billy Breaux, Chuck Hansen, and Chad Guidry

Mr. Tarver called the meeting to order.

Mr. Bruchhaus presented Budget Revision #2 for the 2014-2015 General Fund Budget.

Budget revision #2 for the 2014-2015 General Fund includes Revenues and Other Sources of Funds of \$294,888,057, an increase of \$7,810,796, and Expenditures and Other Uses of Funds of \$299,727,697, an increase of 6,993,776, over revision #1. Budget revision #2 projects a current deficit of \$4,839,640 resulting in unreserved/undesignated fund balance of \$40,514,552 or 13.74% of projected revenues.

On motion by Mr. Dellafosse, seconded by Ms. Ballard and approved, it was recommended that Budget Revision #2 for the 2014-2015 General Fund Budget be approved as presented.

On behalf of the committee, Mr. Tarver offered the motion to approve the committee recommendation; a second was not needed. The motion carried on a vote.

Next, Mr. Bruchhaus presented the Cash Management and Investments Policy. He stated that all investment objectives should be governed by the following goals: safety of principal, liquidity, and yield. Aaron Natali requested that we review the fee structure of our investment manager. This item was for information only and did not require a motion.

This item was for information only.

The last item on the agenda was the Riverboat funds update. Mr. Bruchhaus presented the current funds with a projected ending unreserved/undesignated reserves balance of \$197,021. He also discussed the projected funds for the July 1, 2015 - June 30, 2016 year with a projected ending unreserved/undesignated reserves balance of \$2,368,271. This item was for information only and did not require a motion.

This item was for information only.

There being no further business to discuss, on motion by Ms. Ballard and seconded by Mr. Dellafosse the committee adjourned the meeting at 6:09 p.m.

TAKE APPROPRIATE ACTION

Mr. Dellafosse read the following items:

A. Resolution to hire special counsel for sales tax issue with Duncan Oil, Inc.

WHEREAS, the Calcasieu Parish School Board administers and collects within the Parish of Calcasieu, sales and use tax both individually and as agent for various political subdivisions;

WHEREAS, a dispute and protest has arisen in connection with a denied claim for refund by Duncan Oil, Inc.;

WHEREAS, Duncan Oil, Inc. has filed a petition with the Board of Tax Appeals in lieu of filing suit;

WHEREAS, there exists a real necessity involving the public interest for the Calcasieu Parish School Board to be represented by special counsel in the appeals petition proceedings and any subsequent litigation; and

WHEREAS, the Calcasieu Parish School Board desires to retain Stutes & Lavergne Law Firm as special counsel for the Calcasieu Parish School Board in connection with the appeals petition proceedings and any subsequent litigation.

NOW, THEREFORE, BE IT RESOLVED, that Stutes & Lavergne Law Firm is

hereby retained as special counsel for the Calcasieu Parish School Board in connection with the above appeals petition proceedings and any subsequent litigation, subject to the Attorney General Fee Schedule.

On a motion to approve by Mr. Williams and a second by Mr. Hardy, the motion carried.

B. Resolution to hire special counsel for sales tax issue with Trunkline LNG Company, LLC

WHEREAS, the Calcasieu Parish School Board administers and collects within the Parish of Calcasieu, sales and use tax both individually and as agent for various political subdivisions;

WHEREAS, a dispute and protest has arisen in connection with a denied claim for refund by Trunkline LNG Company, LLC;

WHEREAS, Trunkline LNG Company, LLC has filed a petition with the Board of Tax Appeals in lieu of filing suit;

WHEREAS, there exists a real necessity involving the public interest for the Calcasieu Parish School Board to be represented by special counsel in the appeals petition proceedings and any subsequent litigation; and

WHEREAS, the Calcasieu Parish School Board desires to retain Stutes & Lavergne Law Firm as special counsel for the Calcasieu Parish School Board in connection with the appeals petition proceedings and any subsequent litigation.

NOW, THEREFORE, BE IT RESOLVED, that Stutes & Lavergne Law Firm is hereby retained as special counsel for the Calcasieu Parish School Board in connection with the above appeals petition proceedings and any subsequent litigation, subject to the Attorney General Fee Schedule.

On a motion to approve by Mr. Hayes and a second by Mr. Guidry, the motion carried.

C. Resolution to hire special counsel for MFP litigation

**MATTER PERTAINING TO ADOPTION OF RESOLUTION REGARDING
EMPLOYMENT OF SPECIAL COUNSEL, IN ACCORDANCE WITH
LOUISIANA REVISED STATUTE 42:263.**

RECOMMENDATION:

That the Calcasieu Parish School Board adopt the following resolution agreeing to participate in litigation to recover the annual growth adjustment of 2.75 percent required to be applied to the state and local base per pupil amount in the Minimum Foundation Program funding formula for Fiscal Years 2012-13 and 2013-14.

RESOLUTION

WHEREAS, during each fiscal year between Fiscal Year 2009-10 and Fiscal Year 2011-12, the Louisiana Board of Elementary and Secondary Education adopted and the Louisiana Legislature approved a Minimum Foundation Program funding formula that provides that an annual growth adjustment of 2.75% shall automatically be applied to the state and local base per pupil amount in the event that the Resolution adopting the formula remains in effect in a subsequent fiscal year, and

WHEREAS, one of the Minimum Foundation Program funding formulas adopted by the Louisiana Board of Elementary and Secondary Education and approved by the Louisiana legislature between Fiscal Year 2009-10 and Fiscal Year 2011-12 remain in effect for Fiscal Years 2012-13 and 2013-14 by virtue of the Louisiana Legislature's failure to approve a constitutional Minimum Foundation Program funding formula for Fiscal Year 2012-13 and failed to approve a Minimum Foundation Program funding formula for Fiscal Year 2013-14, and

WHEREAS, the Calcasieu Parish School Board has been negatively impacted by there being no growth in the state and local base per pupil amount in the Minimum Foundation Program funding formula for several prior years, and

WHEREAS, the application of one of the Minimum Foundation Program funding formulas adopted by the Louisiana Board of Elementary and Secondary Education and approved by the Louisiana legislature between Fiscal Year 2009-10 and Fiscal Year 2011-12 will result in a growth of 2.75 percent in the state and local base per pupil amount in the Minimum Foundation Program funding formula for Fiscal Years 2012-13 and 2013-14, and

WHEREAS, pursuant to La. R.S. 17:81(E)(1), school boards are mandated to exercise proper vigilance in securing for their schools all funds destined for the support of said schools, and

WHEREAS, the funds comprising the annual growth adjustment are funds destined for the support of the schools in this school system, and

WHEREAS, the Calcasieu Parish School Board, its Superintendent of Schools, and its staff are in need of special counsel with experience, training, and expertise in school and constitutional law issues to seek recovery any and all funds destined for the support of the public schools in Calcasieu Parish, and

WHEREAS, through its representation of various school boards in the State of Louisiana, the law firm of Hammonds, Sills, Adkins & Guice, LLP of Baton Rouge, Louisiana, has special experience, training, and expertise in those issues of school law relevant to the proposed litigation, and

WHEREAS, through its representation of the Louisiana Association of Educators and others in constitutional litigation concerning the Minimum Foundation Formula as well as its representation of various school employees throughout the State of Louisiana, the law firm of Blackwell & Associates of Baton Rouge, Louisiana, has special experience, training, and expertise in those issues of school law relevant to the proposed litigation, and

WHEREAS, the law firm of Kean Miller LLP of Baton Rouge, Louisiana, has special experience in constitutional litigation through such past representations of the Louisiana Association of Educators in *Louisiana Association of Educators v. Edwards*, involving constitutional issues concerning the funding of the Minimum Foundation Program formula, now

THEREFORE, BE IT DULY RESOLVED, by the Calcasieu Parish School Board in regular session duly convened that it directs Hammonds, Sills, Adkins & Guice, LLP, Blackwell & Associates and Kean Miller LLP be hired for this specific purpose to immediately seek through litigation as may in special counsel's opinion be deemed necessary and appropriate the recovery the annual growth adjustment of 2.75 percent required to be applied to the state and local base per pupil amount in the Minimum Foundation Program funding formulas for Fiscal Years 2012-13 and 2013-14 as a result of the application of one of the Minimum Foundation Program funding formulas adopted by the Louisiana Board of Elementary and Secondary Education and approved by the Louisiana legislature between Fiscal Year 2009-10 and Fiscal Year 2011-12 on behalf of the Calcasieu Parish School Board.

BE IT FURTHER RESOLVED that the Calcasieu Parish School Board has been duly advised that the law firm of Blackwell & Associates of Baton Rouge, Louisiana has in the past, and may, in the future, represent school employees in matters in which the Calcasieu Parish School Board is an adverse party. The Calcasieu Parish School Board recognizes

that such representation may present said law firm with an actual and/or potential conflict of interest. As an inducement to said law firm to undertake its representation on the terms set forth in this Resolution, the Calcasieu Parish School Board irrevocably waives any and all such past, present and future actual and/or potential conflicts of interest.

BE IT FURTHER RESOLVED, that the Calcasieu Parish School Board specifically authorizes special counsel to name it as a party plaintiff and/or intervenor to said lawsuits.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to the Attorney General of the State of Louisiana.

BE IT FURTHER RESOLVED, that subject to approval of this Resolution by the Attorney General, this employment shall be effective immediately upon adoption of this Resolution.

BE IT FURTHER RESOLVED, that any and all attorneys' fees and expenses incurred in said litigation be contingent upon the recovery of amounts constituting the annual growth adjustment for Fiscal Years 2012-13 and 2013-14, not to exceed ten (10%) percent.

BE IT FURTHER RESOLVED, that the President of the Calcasieu Parish School Board is hereby authorized and empowered to execute the Contingent Fee Agreement and Power of Attorney engaging the services of Hammonds, Sills, Adkins & Guice, LLP, Blackwell & Associates and Kean Miller LLP.

On a motion to approve by Mrs. Ballard and a second by Mr. Hardy, the motion carried.

D. Authorization to send letter of commitment on behalf of CPSB to contribute \$68,500 from Sales Tax District #3 for Phase 3 drainage improvements west of Moss Bluff Middle School

RESOLUTION

WHEREAS, a Cooperative Agreement and Intergovernmental Contract is in effect between the Calcasieu Parish School Board and the Calcasieu Parish Police Jury; and

WHEREAS, the Calcasieu Parish Police Jury is proposing Phase 3 of the L-15 Drainage Improvement Project on property adjacent to Moss Bluff Middle in cooperation with Gravity Drainage District No. 8 of Ward 1; and

WHEREAS, the Calcasieu Parish School Board agrees to contribute up to and not to exceed \$68,500 towards the funding of the Phase 3 project from proceeds of District 3 Sales Tax;

NOW, THEREFORE BE IT RESOLVED that the Calcasieu Parish School Board fully

supports and approves the contribution of up to and not to exceed \$68,500 towards the funding of the project.

THUS DONE AND PASSED on this 14th day of April, 2015.

On a motion to approve by Mr. Duhon and a second by Mrs. Gay, the motion carried.

E. Reconfiguration of Westwood Elementary and Western Heights Elementary

There was more information given and discussion on concerns. Janice Elliott turned in a blue card to address the Board. On a motion to approve by Mr. Caldarrera and a second by Mr. Hardy, the motion carried.

F. Reconfiguration of J. D. Clifton Elementary and Combre-Fondel Elementary

There was more information given and discussion on concerns. On a motion to approve by Mr. Hardy and a second by Mr. Caldarrera, the motion carried.

G. Reconfiguration of J.J. Johnson Elementary and Ralph Wilson Elementary

There was more information given and discussion on concerns. On a motion to approve by Mrs. Gay and a second by Mr. Hardy, the motion carried

H. Recommendation for approval of Phase II initiatives for Progress High Schools

There was a presentation by representatives of the high school and middle school departments. After much discussion on the programs and several concerns, Mr. Duhon called the question to cease discussion. Mrs. Gay seconded the motion. The motion to cease discussion carried. On a motion to approve by Mr. Guidry and a second by Mrs. Ballard, the motion carried.

BID REPORTS

Mr. Dellafosse read the following items:

A. Bid 2016-01 Janitorial Supplies for 2015-2016/General Funds/Warehouse

On a motion to approve by Mr. Guidry and a second by Mr. Hayes, the motion carried.

BID 2016-01 – JANITORIAL SUPPLIES FOR 2015/2016 SCHOOL YEAR was opened on March 19, 2015 at 10:00 a.m.

BIDS WERE SENT TO THE FOLLOWING VENDORS:

- A+ CHEMICAL
- DIXIE PAPER
- ECONOMICAL
- GRAYBAR
- JANPAK
- LAKE CITY SUPPLY
- NEUTRON INDUSTRIES
- SW BAR NEEDS
- XPEDX

THE STAFF RECOMMENDS AWARDING AS INDICATED BELOW AS THE LOWEST RESPONSIBLE RESPONSIVE BIDDERS:

A+ CHEMICAL	\$ 98,406.00
CALICO	\$ 252.72
ECONOMICAL	\$110,798.57
GENESIS	\$ 11,992.18
UNIPAK	<u>\$ 35,910.00</u>
TOTAL	\$257,359.47

B. Bid 2016-03 Library Books for all CPSB Locations/General Funds

On a motion by Mr. Guidry and a second by Mr. Hayes to reject all bids and re-advertise, the motion carried.

C. Bid 2016-10 Fire Alarm Inspections/General Funds

On a motion to approve by Mr. Hayes and a second by Mrs. Ballard, the motion carried.

BID 2016-10 – FIRE ALARM INSPECTIONS was opened on March 17, 2015 @ 10:00 a.m.

BIDS WERE SENT TO THE FOLLOWING VENDORS:

- ALLIED SYSTEMS
- LOUISIANA SPECIAL SYSTEMS
- SIEMENS
- SIMPLEXS GRINNELL
- SYLVAN SPECIAL SYSTEMS

BID RESULTS WERE AS FOLLOWS:

ALLIED SYSTEMS	\$48,760.00
S&S SPRINKLER	\$60,000.00

STAFF RECOMMENDS AWARDING TO ALLIED SYSTEM AS THE LOWEST RESPONSIBLE RESPONSIVE BIDDER.

D. Award Contract for Financial and Compliance Auditors for 3 Years, based on RFP

Proposals for financial and compliance audit services for years ending 2015, 2016,

and 2017 were opened at 10:00 a.m. on Tuesday, March 17, 2015. All proposals received met minimum specifications required. A summary of proposed fees are listed below:

Allen, Green & Williamson, LLP:

Year 1 (2015)	Year 2 (2016)	Year 3 (2017)	Total 3 year cost
\$113,950	\$117,938	\$122,065	\$353,953

LaPorte CPA's & Business Advisors:

Year 1 (2015)	Year 2 (2016)	Year 3 (2017)	Total 3 year cost
\$82,000	\$84,000	\$86,000	\$252,000

Postlethwaite & Netterville:

Year 1 (2015)	Year 2 (2016)	Year 3 (2017)	Total 3 year cost
\$83,500	\$83,000	\$84,500	\$251,000

Staff recommends contracting the firm of Postlethwaite & Netterville for the financial and compliance audit for the years ending 2015, 2016 and 2017 based on fee structure and overall school system experience.

On a motion to approve by Mr. Caldarrera and a second by Mr. Hayes, the motion carried.

CORRESPONDENCE

Mr. Dellafosse read the following items:

A. Change Order Number One (1) for the project, “Welding Shop and Dressing Room Renovations for Starks High School,” Bond Funds District 24, C.R. Fugatt, AIA, Designer; Gunter Construction, Inc., Contractor; *Increase* of sixty five (65) days

On a motion to approve by Mr. Hardy and a second by Mr. Caldarrera, the motion carried.

B. Change Order Number Two (2) for the project, “Welding Shop and Dressing Room Renovations for Starks High School,” Bond Funds District 24, C.R. Fugatt, AIA, Designer; Gunter Construction, Inc., Contractor; *Increase* of \$2,622.00

On a motion to approve by Mr. Hardy and a second by Mr. Smith, the motion carried.

C. Change Order Number One (1) for the project, “Stadium Renovations for Sam Houston High School,” Sales Tax District #3, C.R. Fugatt, AIA, Designer; John D. Myers, Inc., Contractor; *Increase* of \$7,315.76

On a motion to approve by Mr. Hardy and a second by Mr. Caldarera, the motion carried.

D. Change Order Number Two (2) for the Project, “Stadium Improvements, Sulphur High School,” Bond Funds District #30; E.J. Ellender Architects and Associates, LLC, Designer; Trahan Construction, LLC, Contractor; *Increase* of \$901,415.25 and *Increase* of Thirty Three (33) days.

On a motion to approve by Mr. Guidry and a second by Mr. Hansen, the motion carried. There was one nay vote.

CONDOLENCES/RECOGNITIONS

Mr. Caldarera asked for a letter of condolence to the family of George Tuttle.

Mr. Hardy asked for letters of condolence to the following:

The family of Dr. Patrick Crawford
The family of Francis Orsot
The family of Robert Monk
The family of Betty Jean Easton
The family of Pinelle Spain

Mrs. Ballard asked for a letter of condolence to Karyl O’Banion at the loss of her father.

Mr. Hansen asked for a letter of condolence to Catherine Jones at the loss of her mother.

Mr. Dellafosse reminded everyone that early voting was open for the May 2 election.

COMMITTEE AGENDA ITEMS

Mr. Hardy asked for a Moss Bluff sales tax report. He asked that the items already on the list be discussed prior to adding more to the list. He would like a report on moving Administrative Intern positions to Assistant Principal positions.

Mr. Tarver asked for information on the casino head tax.

Mr. Guidry asked for information on the boundaries for Cypress Cove and Vincent Settlement Elementary schools.

Mr. Duhon asked that board members be allowed to speak to anyone at the podium with a blue card, questioning them about their concerns. Mr. Dellafosse replied that it is already permissible.

SCHEDULE COMMITTEES

Curriculum & Instruction CommitteeApril 28, 2015, 5:00 p.m.

On a motion to adjourn by Mr. Hardy and a second by Mr. Hayes, the meeting was adjourned at 7:48 p.m.

Mack Dellafosse, President

Karl Bruchhaus, Secretary

Future Committee Items:

- Operation Plan for each school, tied to budget
- Legislative Updates
- Natural gas or propane vehicles
- Update of grant positions
- Administrative Interns to Assistant Principals
- Supplements for High School Counselors
- Lesson Plans
- Riverboat Funds
- Teacher evaluations on Principals
- Loaning money to Districts
- Literary challenges
- After school tutoring
- Understaffed cafeterias
- Discussion on boundaries for Cypress Cove/Vincent Settlement Elementary Schools