

ELKHORN PUBLIC SCHOOLS
BOARD OF EDUCATION
REGULAR MEETING
6:30 PM
Monday, October 8, 2018
Administration Building
A G E N D A

I. Call to Order

II. Roll Call

C. Burney, A. Clark, J. Marasco, A. Parks, R. Vokt, S. Zingler

III. Notices:

Open Meetings Act - The Board of Education makes available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. The Act is posted on the east wall of the board meeting room.

Instructions for those who wish to speak during citizen comment time: The Board of Education recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set time aside for citizen participation at all regular monthly board meetings. To address the board, citizens must provide their name and address on the sign-in sheet immediately upon entering the meeting, and when called, come forward to the table situated immediately in front of the board. Citizens may speak only one time and must limit comments to five (5) minutes or less if there are several members of the public present to speak. If you are planning to speak about a personnel or student matter involving an individual, please understand that board policies require that such concerns initially be directed to the administration for consideration. Board members will generally not respond to any questions you ask or comments you may make about individual staff members or students. You are cautioned that slanderous comments are not protected just because they are made at a board meeting. Please remember this is a public meeting for the conduct of the business of the Board of Education. Offensive language, personal attacks and hostile conduct will not be tolerated. The Board President may order persons who are disorderly to be removed from the meeting. Recording of the meeting is allowed, except for executive (closed) sessions, provided that the Board President is notified and that the recording device does not interfere with the meeting. (Policy 204.12)

IV. Citizen Comments: (Not to exceed 5 minutes per individual or 15 minutes per topic)

A. Citizen Comments (Please sign-in prior to addressing the Board of Education)

V. Monthly Reports:

- A. Good News Report
- B. EHS & ESHS Student Council Reports
- C. Other

VI. Consent Agenda

(Note: Items on the consent agenda are considered routine and will be enacted under one motion. There will be no separate discussion of these items at the meeting unless a board member requests an item to be removed from the agenda for separate action.)

- A. Approval of Agenda
- B. Approval of Minutes of the Monday, September 10, 2018 at 6:30 PM Regular Meeting and Budget and Levy Hearings prior to the meeting
- C. Presentation of October bills for approval and payment

(NOTE: Additional Temporary Non-resident requests may be presented at the meeting)

Board Meeting Agenda, October 8, 2018, Pg. 2

VII. Items Removed From the Consent Agenda for Separate Action

- A. _____
- B. _____

VIII. Business Items (Action Requested)

- A. Personnel Report and Recommendation(s) – Ex. Dir. Don Pechous
 - 1. Consider Request(s) for Release of Contract
- B. Grading Contract – Ex. Dir. Ryan Lindquist
 - 1. Discuss, consider and take all necessary action to approve the construction contract for site grading work at the new elementary school and middle school site and other site improvements.
- C. Closed Session for Litigation Strategies – President J. Marasco and Supt. B. Habrock

IX. Reports/Discussion Items:

- A. Bond Projects Update – Ex. Dir. Ryan Lindquist
- B. Upcoming Board Events

Board Meeting Agenda, October 8, 2018, Pg. 3

NEXT MEETING – The next regular meeting of the board is scheduled for Monday, November 12, 2018, at 6:30 PM, in the Board Room of the Administration Building, 20650 Glenn Street, Elkhorn, NE 68022.

NOTE: The **Board Agenda Explanation** contains pertinent notes and administration recommendations for the Regular Meeting, Monday, October 8, 2018.

- IV. Citizen Comments** – As of Friday, October 5, 2018, no member of the public has requested to address the board.
- V. Monthly Reports** – The board will receive a “Good News Report” and reports from the student council representatives from both high schools.
- VI. Consent Agenda** - The following items are recommended for approval on the consent agenda by the administration: Agenda, Minutes of the Monday, September 10, 2018 6:30 PM regular board meeting and October bills as presented.
- VIII. Business Items**
 - A. Personnel** – Ex. Dir. Don Pechous will present a request for release of contract from a teacher and offer recommendation.
 - B. Grading Contract and Recommendations** – Ex. Dir. Ryan Lindquist will recommend awarding the grading contract to the low bidder from the bid opening held on Wednesday, October 3, 2018.
 - C. Closed Session** – President J. Marasco and Supt. B. Habrock
 - a. Policy 204.06 allows the board to enter into closed session for reasons including, strategy sessions with respect to collective bargaining, real estate purchases, or litigation. The board will consider entering a closed session to discuss litigation strategy. During a closed session no action will be taken by the board, and all discussion will be limited to the announced reason(s) for entering the closed session. Following the closed session, the board will reconvene before adjournment.
- IX. Reports/Discussion Items**
 - A. Bond Projects Update** – Ex. Dir. Ryan Lindquist will present on bond projects completed or ongoing.
 - B. Upcoming Board Member Events** – The board will confirm upcoming events and set dates for necessary committee meetings.

**BOARD AGENDA ITEM VI.
CONSENT AGENDA
OCTOBER 8, 2018**

**ELKHORN PUBLIC SCHOOLS
MINUTES OF BOARD OF EDUCATION
REGULAR MEETING
September 10, 2018**

The regular September meeting was preceded by two mandatory public hearings. Advance notice of these hearings and the board meeting was published in the *Douglas County Post Gazette*. The Board of Education made available a current copy of the Open Meetings Act, a copy of which is posted on the east wall of the Board Room.

Annual Budget Public Hearing – The hearing was called to order at 6:00 pm. Members present: J. Marasco, C. Burney, A. Parks, R. Vokt, and S. Zingler. A. Clark absent. Chief Financial Officer P. Roth gave a presentation on the proposed 2018-19 General Fund, Bond Fund, and Building Fund budgets. Time was allowed for public comment on the proposed 2018-19 Budget including the General Fund, Bond Fund, Activity Fund, Student Fee Fund, School Nutrition Fund, Depreciation Fund, Special Building Fund and Employee Benefit Fund. No members of the public offered comment about the proposed budget. The hearing was closed at 6:05 PM.

Annual Levy Hearing – The hearing was called to order at 6:15 PM. Members present J. Marasco, C. Burney, A. Parks, R. Vokt, and S. Zingler. A. Clark absent. Chief Financial Officer P. Roth gave a presentation on the proposed 2018-19 property tax requests. Time was allowed for public comment on the proposed 2018-19 System-wide Property Tax Request for the General Fund, Special Building Fund, and Bond Fund. No members of the public offered comment about the proposed levy. The hearing was closed at 6:19 PM.

The regular meeting of the Elkhorn Public Schools Board of Education was called to order at 6:30 pm. Members present: J. Marasco, C. Burney, A. Clark, A. Parks, R. Vokt, and S. Zingler. Board President J. Marasco noted that the meeting was governed by the Open Meetings Act, a copy of which is posted on the east wall of the Board Room.

For the “Good News Report” J. Marasco acknowledged the Career Awareness Program launched the “Eat with an Expert” series this month. The series brings in individuals from varying careers and industries and gives high school students across the district the opportunity to hear about different career options, programs of study that may be needed, and what they can do now to prepare for careers in specific fields. This month, 37 EHS students learned about an architectural engineering career, and 9 ESHS students received information about a career in physical therapy.

Eat with an Expert is a monthly opportunity with plans to bring in experts throughout the year from several industries and fields including business, sports management, nursing, law and public safety, surgical medicine, and theatre arts.

Congratulations to the 18 EPS students representing both EHS and ESHS chosen to be part of Mayor Stothert’s Youth Advisory Council.

It was moved by C. Burney, seconded by A. Clark to approve the Consent Agenda items including: approval of agenda, approval of minutes for Monday, August 20, 2017, and approval of September bills for payment.

VOTE: J. Marasco – yes; A. Parks - yes; R. Vokt - yes; S. Zingler - yes; C. Burney - yes; A. Clark - yes

It was moved by C. Burney, seconded by S. Zingler to approve a General Fund Budget for the 2018-2019 school year in the amount of \$99,926,275, with a Cash Reserve of \$21,675,000; a Special Building Fund Budget of \$104,667,500; a Bond Fund Budget of \$29,069,070 with a cash reserve of \$11,420,750; a School Nutrition Fund Budget of \$4,750,000 with a cash reserve of \$500,000; an Activities Fund Budget of \$2,225,000 with a cash reserve of \$1,000,000; a Depreciation Fund Budget of \$3,300,000; a Student Fee Fund Budget of \$200,000 with a cash reserve of \$90,000 and an Employee Benefit fund of \$900,000.

VOTE: A. Parks – yes; R. Vokt - yes; S. Zingler - yes; C. Burney - yes; A. Clark - yes; J. Marasco - yes

It was moved by C. Burney, seconded by A. Clark set the 2018-2019 property tax requests as follows: \$63,690,522.00 for the General Fund, \$268,939.00 for the Building Fund, and a total of \$20,700,872 for the Bond Fund.

VOTE: R. Vokt – yes; S. Zingler - yes; C. Burney - yes; A. Clark - yes; J. Marasco - yes; A. Parks - yes

It was moved by S. Zingler, seconded by A. Parks to approve the colors for Elkhorn North High School as Black, Silver, and Bright Blue and the mascot as the Wolves and authorize the administration to seek professional services to develop logos for this mascot and color scheme.

VOTE: S. Zingler – yes; C. Burney - yes A. Clark - yes; J. Marasco - yes; A. Parks - yes; R. Vokt - yes

It was moved by S. Zingler, seconded by A. Clark to approve the selection of approximately 54.16 acres of real property generally located south-southeast of the intersection of North 186th and Ida Streets and entering into a Property Purchase and Sale Agreement for the purchase of such site from the sellers, and that the Board approves the agreement and hereby approves and adopts the resolution presented and on file.

VOTE: C. Burney – yes; A. Clark - yes; J. Marasco - yes; A. Parks - yes; R. Vokt - yes; S. Zingler - yes

The board received reports on and briefly discussed: Rule 10 Multicultural Report and Upcoming Board Member Events.

President J. Marasco adjourned the meeting at 7:01 PM. The next regular meeting of the Board will be at 6:30 pm on Monday, October 8, 2018. The meeting will be held in the Board Room of the Administration Building, 20650 Glenn Street, Elkhorn, NE 68022. Such meeting shall be open to the public and an agenda will be available prior to the meeting at the Superintendent's Office.

Possible Motion:

I move to approve the Consent Agenda items including: approval of agenda, approval of minutes for Monday, September 10, 2018, and approval of October bills for payment.

Motion made by: _____

Seconded by: _____

VOTE: J. Marasco ____; A. Parks ____; R. Vokt ____; S. Zingler ____; C. Burney ____; A. Clark ____

**BOARD AGENDA ITEM VIII.A1.
RELEASE OF CONTRACT REQUEST
OCTOBER 8, 2018**

Issues and Recommendations: Certificated staff may resign at any time prior to April 15. After April 15 contracts renew and certificated staff must request contract releases from the board. The administration has received one request for contract releases. The administration recommends the board does not approve this request.

Contracts protect and outlines for both the employee and the employer to certain terms. In cases of requests for release of contract, the administration has consistently applied the following in determining our recommendation: 1) mutual agreement whereas both parties agree that it is best; 2) the teacher has a major change in life circumstance such as illness or relocation due to spouse transfer, etc.; 3) professional advancement from teacher to administrator. The case at hand does not meet the above criteria thus we do not recommend a contract release.

September 26, 2018

Mr. Donald Pechous
Elkhorn Public Schools
20650 Glean Street
Elkhorn, NE 68022

RE: Request for Contract Release – Dawna D. Daily

Dear Mr. Pechous:

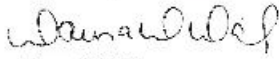
Please let this letter serve as my official request for release of contract with the Elkhorn Public Schools as of October 31, 2018.

I will reflect upon my 14 years with the district with sincere gratitude and appreciation for the opportunities the district has afforded me. I would respectfully request an amicable and quiet resolution of this matter as we each move forward.

This decision was not made lightly or without consideration of your position in providing the best quality education for your students nor was it made without these same considerations on my part as it relates to my students and my family.

I will make myself available to assist in the unboarding of my replacement through October 31st should the district elect for me to be part of this process.

Respectfully submitted,



Dawna D. Daily

Possible Motion:

I move to not grant the release of contract for the 2018-19 school year as requested by Special Education Teacher Dawna Daily as recommended by the administration.

Motion made by: _____

Seconded by: _____

VOTE: A. Parks ____; R. Vokt ____; S. Zingler ____; C. Burney ____; A. Clark ____; J. Marasco ____

**BOARD AGENDA ITEM VIII.B1.
GRADING CONTRACT
OCTOBER 8, 2018**

Issues and Recommendations:

The board approved the purchase agreement for the Paasch land last month. As previously discussed, the timeline is tight thus we must proceed with a grading contract. Last Wednesday, the district hosted a bid opening. The 8 bidders submitted bids ranging from \$429,500 to \$1,058,208. Commercial Contractors Equipment, Inc. had the low bid and we have never worked with this company. Lamp Rynerson (civil engineer) assures they have past experience with this company leading them to conclude they are qualified. A letter from our engineer with bid tabulations from all bidders is attached.

Possible Motion:

I move that the Board of Education (1) select Commercial Contractors Equipment, Inc. as the lowest responsible bidder for the site grading work at the new elementary school and middle school site, (2) authorize and approve the construction contract with such contractor in the total contract amount of \$429,500, in the form on file with official School District records and as presented at this meeting, or with such changes, except as to the contract amount, as are approved by the Superintendent of Schools, and (3) authorize, approve, and direct the Superintendent of Schools, or a designee for the School District, to sign, execute, and deliver such construction contract, and any documents or agreements called for in such construction contract, for and on behalf of the School District, to sign and approve any contract amendments, modifications, and change orders, and to retain any necessary professionals for assistance, to pay the contract amount and expenses and all transaction costs, change order increases, and expenses related to the construction project and to the site work to be performed and completed, and to take or cause to be taken all other action necessary or appropriate to complete any requirements or obligations under the construction contract.

Motion made by: _____

Seconded by: _____

VOTE: R. Vokt ___; S. Zingler ___; C. Burney ___; A. Clark ___; J. Marasco ___; A. Parks ___

**BOARD AGENDA ITEM VIII.C1.
CLOSED SESSION
OCTOBER 8, 2018**

Issues and Recommendations: Policy 204.06 allows the board to enter into closed session for reasons including, strategy sessions with respect to collective bargaining, real estate purchases, or litigation. The board will consider entering a closed session to discuss litigation strategy. During a closed session no action will be taken by the board, and all discussion will be limited to the announced reason(s) for entering the closed session. Following the closed session, the board will reconvene before adjournment.

Possible Motion:

I move to enter into a Closed Session of the Elkhorn Board of Education for the purposes of discussing litigation strategies.

Motion made by: _____

Seconded by: _____

VOTE: S. Zingler ___; C. Burney ___; A. Clark ___; J. Marasco ___; A. Parks ___; R. Vokt ___

POSSIBLE STATEMENT BY THE PRESIDENT – The Elkhorn Board of Education is now going into Closed Session at _____ (time) for the purposes of discussing litigation strategies. No action will be taken during this Closed Session and the board will reconvene in Open Session prior to adjournment.

**BOARD AGENDA ITEM IX.A.
BOND PROJECTS UPDATE
OCTOBER 8, 2018**

Issues: Ex. Dir. Ryan Lindquist will update the board and community on completed or on-going projects.

**BOARD AGENDA ITEM IX.B.
UPCOMING BOARD MEMBER EVENTS
OCTOBER 8, 2018**

Issues: The board will confirm upcoming events and set dates for necessary committee meetings.