

## **Monroe County Board of Education**

### **Regular Meeting**

**August 7, 2018**

### **Monroe County Board of Education Office**

#### **I. Roll Call**

- a. Mr. Wickline called the meeting to order at 6:00 p.m.
- b. Members present were Keith Wickline, Everett Fraley, Danny Lively, Candace Sabol, and Sally Wallace.

#### **II. Pledge of Allegiance**

#### **III Approval of Agenda/Adjustments**

- a. Mrs. Basile announced that Item Number 1 under Hires should be removed from the Personnel List. Mr. Wickline announced that check number 83713 should be voted separately. Mrs. Sabol made the motion to approve the agenda with the adjustments.  
  
The vote to approve was unanimous.

#### **IV. Public Comments**

- a. Barbara Hoke spoke, sharing a newspaper clipping from February 9, 2017, stating that Monroe County Schools had paid to her \$2810.65. The check was not received.
- b. Mrs. Hoke also spoke about the possible selling of the Second Creek School and stated that the County Commission had sent a letter to her and her husband dated May 9, 2000, saying the property would be returned to them in 2004. She feels the deed is a valid deed. She later received a deed from Dr. Siers and someone said it was not a good deed. She does have a copy of the deed at her home.
- c. Larry E. Mustain spoke about Gary Hoke being his cousin and how hard he had worked. He has a copy of a deed copied from the Monroe County Courthouse that says the property is to be returned to the family. Mr. Mustain is suspicious of the Supreme Court System ruling, is speaking with lawyers, and may have the case reopened. The earlier case cost Monroe County Schools \$20,000 and cost Mr. Mustain \$8,000 in ethics charges. He spoke about the fact that the courtroom is not handicap accessible and that Judge Irons would not move the hearing downstairs to accommodate Mr. Hoke. Mr. Hoke was not able to hold the button down to access the wheelchair lift.
- d. Mr. Mustain spoke about other school properties in the county and things that have been

- done with them. He questioned why those have been handled differently and why the county commission was allowed to sell Dry Pond School and make a profit of \$20,000.
- e. Mr. Mustain stated he had spoken with Senator Mann and asked him to tour the school. He stated the school has meaning to the community and to their family. He stated the family has received physical threats due to conflict with the building. The county surveyor has showed interest in the building in the past. Mr. Mustain asked the board of they would gather the other buildings in the county and take them from the families.
  - f. Ed. Saugstad spoke about the Second Creek School saying he is a board member of The Friends of Second Creek. The building has not been used as a school since the 1940's. During the 1950's it was used as a polling place until no longer needed. The Friends of Second Creek would like to make the building a museum, making the needed renovations. He shared a picture of a museum from England that the organization would like the school to look like.
  - g. Tom Rickman, chairman of The Second Creek School shared that the deed should be to the family and questioned if the deed is a General Warranty Deed, saying it should not be a Quit Claim Deed. He stated that all other school properties have reverted back to the family. He asked that the board follow the law the same as the other properties in the county.
  - h. Mr. Mustain stated one of the deeds in the courthouse cannot be found.
  - i. Justin St. Clair, Prosecuting Attorney, attended the meeting at the board's request. He advised the dispute dates back before he was involved. There were title opinions for which the board paid. The opinion says that if the purchase is not fair market value, the property reverts back to the family. The board sold property to a gentleman who claimed to be an heir. The board sold this when Dr. Siers was superintendent. The previous attorney gave bad advice to the board, otherwise the property would not have been sold. The board had given the case to Mr. St. Clair who took the action to the circuit court on behalf of the board. Judge Irons granted his motion. Mr. Hoke appealed to the WV Supreme Court who issued an opinion affirming Judge Irons' opinion. He stated the board has undisputed land ownership based on the Supreme Court case. The original deed was never recorded but there are documents showing the sale of the property. The deed was to be stricken. The check was sent to the Hokes to refund their purchase price.
  - j. Mr. St. Clair stated the options for the board are to sell at public auction, deed to a state agency, or deed to a non-profit organization.
  - k. Mr. Mustain stated this is the fifth piece of property that the board has disposed of since 2012. The board has explored who owned the property and he asked why this property is different.
  - l. Mr. St. Clair stated that the document Mr. Mustain has was used in the Supreme Court case. The Supreme Court ruled the school reverted to Monroe County Schools.
  - m. Mr. Mustain stated that the lease deed is not legal. Mr. St. Clair said the lease deed is not legal.
  - n. Mr. Wickline asked Mr. St. Clair if the options are to sell at public auction; give to a state entity; or give to a non-profit agency. Mr. St. Clair responded those are the three options.
  - o. Mr. Mustain stated that it is amazing to him that all the other nine schools were handled

differently. He stated that the board had two bonds fail and this type of business is part of the reason they have failed.

- p. Mr. Wickline thanked those that spoke under Public Comments and thanked Mr. St. Clair for coming to the meeting.
- q. Mr. St. Clair stated the property can be cleared in the same manner as a public sale. Mr. Mustain questioned why Greenville School wasn't leased. Mr. St. Clair responded that it was given to a non-profit organization.
- r. The Friends of Second Creek had a list of items currently in the school that belong to the organization, having been donated to them from the Historical Society. They request their property be returned prior to auctioning the school.

#### V. Superintendent's Report

- a. Mrs. Basile notified the board that new teacher orientation was scheduled for August 9<sup>th</sup>. There are eight new teachers in the county.
- b. Senator Mann has worked with WVU President Gordon Gee to arrange for the WVU Band to perform at JMHS. They plan to visit JMHS on September 14, 2018, at 12:00 p.m.
- c. Architectural interviews for the JMHS Major Improvement Project were scheduled for August 8<sup>th</sup>.
- d. The Osteopathic School donated 11 All-in-one computers, 12 iPads, and a server to the school district. Mrs. Basile stated her appreciation for their donations to benefit the students of the county.
- e. Mrs. Basile has received the PRO Grant information from Deputy Heller and met with him to discuss goals and objectives. The Grant is due August 24, 2018.
- f. Head Start monitoring will take place the week of October 1, 2018.
- g. The daycare classroom has increased from four to twelve students. Previously there were only 4 students in the class and with the increased numbers, there will be a collaborative classroom for the upcoming school year.
- h. Mrs. Basile notified the board members that they could use the Reserve Planning Grant and begin more in-depth planning for the new school, in efforts to have more planning and work accomplished. The downfall would be that if the project was not approved, the money would have to be paid back to the School Building Authority.
- i. Mrs. Basile provided information to the board, at the request of Mr. Wickline, regarding the current excess levy. The current levy runs through June 30, 2020. Items included in the levy include but are not limited to: three PRO Officers, free textbooks, technology devices, instructional materials, field trips, transportation for extracurricular activities and activity buses, matching funds for the JROTC program, 4H funding, funding for the county libraries, preventive maintenance, in-school suspension teachers, substitute teachers, custodians,

groundskeeper, guidance counselors, and funding for students to participate in state and national competitions. Mr. Wickline stated there was a new law passed that prevents a special election from being ran for an excess levy unless the governor permits the special election.

#### VI. Consent Items

- a. Mrs. Basile recommended approval of the Consent Items. Mr. Fraley made the motion to approve with the exception noted above. The vote to approve was unanimous. Consent Items included Minutes from July 19, 2018, and July 31, 2018; Payment of Bills; Transfers and Supplements; a Contracted Licensed Health Care Provider Agreement with Monroe County Health Center; and a Memorandum of Agreement for Operation of the School Wellness Centers with Monroe Health Center.
- b. Mr. Lively excused himself from the room being that check number 83713 was a reimbursement to him for travel. Mrs. Sabol made the motion to approve check number 83713 and the vote to approve was unanimous. Mr. Lively returned to the room.

#### VII. New Business

- a. Mrs. Basile recommended approval of the Student Transfer Request for Kolk. Mr. Lively made the motion to approve and the vote to approve was unanimous.
- b. Mrs. Basile recommended approval of the JMHS Cheerleader's request to travel to Roanoke, Virginia, retroactive to August 1, 2018. Mrs. Sabol made the motion to approve and the vote to approve was Sabol, yes; Wickline, yes; Wallace, yes; Mr. Fraley and Mr. Lively abstained. Mr. Fraley thanked the board for approving the request.
- c. For the auction of the Second Creek property, the board would like to table the action until further information regarding the items inside the building can be obtained from legal counsel. Mr. Fraley made the motion to table and the vote to approve was unanimous.

#### VIII. Personnel Items

- a. Mrs. Basile recommended approval of the Personnel list of Hires with the exception of number one. Mrs. Sabol made the motion to approve and the vote to approve was unanimous. Hires included Derek Houchins as Assistant Football Coach for PMS; and Richard O. Bailey and James K. Williams as Activity Bus Operators.
- b. Mrs. Sabol made the motion to enter Executive Session at 7:07 p.m. under the guidelines of 6-9 A-4 to discuss Item B, Discussion of Director of Transportation, Personnel and Safety. The vote to approve was unanimous.
- c. Mrs. Sabol made the motion to return to Regular Session at 9:42 p.m. and the vote to approve was unanimous.
- d. Mr. Lively made the motion to rescind action taken on July 31, 2018, on hiring of the position of Transportation, Personnel and Safety Director. The vote to approve was Lively, yes; Sabol, yes; Fraley, no; Wallace, no. Mr. Wickline stated the motion failed.

- e. Mr. Wickline made the motion to repost the Transportation, Personnel, and Safety Director's position. The vote to approve was Sabol, yes; Wallace, yes; Fraley, yes; Wickline, yes; Lively, no. The position will be reposted.

IX. Discussion Items

- a. Mr. Wickline asked if the spring sports coaching positions can be posted in the next couple of weeks.
- b. Mr. Wickline mentioned the school board training offered on September 14 and 15 in Charleston.
- c. Mrs. Wallace stated that she is not giving up on hiring additional Special Education teachers. She plans to speak to someone at Concord about special education teachers and issues. She may have information ready by the next meeting.

X. Public Comments

- a. None.

XI. Adjournment

- a. Mrs. Sabol made the motion to adjourn the meeting at 9:49. The vote to approve was unanimous.



President



Secretary