

BURKE COUNTY BOARD OF EDUCATION MEETING

Joint Meeting of the Burke County Board of Education and the Burke County Board of Commissioners

**July 14, 2009
Open Session Minutes**

Call to Order

Mrs. Ruth Ann Suttle, Chair for the Burke County Board of Commissioners called the meeting to Order at approximately 6:00 p.m. in the Leviton Auditorium of Moore Hall on the campus of Western Piedmont Community College. Other County Commissioners present for the meeting included Vice Chairman, Mr. Bruce Hawkins; Mr. Wayne Abele, Mr. Gene Huffman, and Mr. Steven Smith. Others present for the County Commissioners included County Manager; Mr. Ron Lewis, and Attorney for the County Commissioners; Mr. Redmond Dill. It was noted that Mr. Huffman would be leaving the meeting early.

Ms. Tracy Norman, Chair for the Burke County Board of Education also called the meeting to Order. Other members of the Board of Education present for the meeting included Vice Chairman; Mr. Tim Buff, Mr. Buddy Armour, Mr. John Aulgur, Mr. Rob Hairfield, Mrs. Karen Sain, and Mr. Sam Wilkinson. Also present on behalf of the Board of Education was Acting Superintendent/Associate Superintendent; Mr. Rick Sherrill, Assistant Superintendent; Mr. Tony Cox, Human Resource Director; Mr. Winston Bagley, Chief Finance Officer; Mr. Keith Lawson, School Board Attorney; Mr. Jon Jones, Special Counsel; Mr. Brian Shaw in the absence of Mr. Richard Swartz, and Ms. Rachel Hitch (Attorney's Office – Schwartz and Shaw).

Invocation/Pledge of Allegiance

Attorney for the County Commissioners, Mr. Redmond Dill, asked those in attendance to remember the family of Mr. Richard Swartz, Special Counsel for the Board of Education, in the loss of his father. Mr. Bruce Hawkins then offered the Invocation followed by the Pledge of Allegiance.

Meeting Turned Over to Judge Taylor

The meeting was then turned over to Judge Kimberly Taylor who presided as the mutual facilitator between the two Boards. Mrs. Taylor stated that this joint meeting was to determine whether the dispute between the two Boards could be settled without further mediation or court action.

Mr. Brian Shaw stated that the school budget dispute resolution process, set out in state law, recognizes that both the Board of Commissioners and Board of Education are co-equal bodies and requires both boards to attempt to resolve the budget dispute through a joint meeting and mediation. Mr. Shaw presented a PowerPoint presentation showing the funding needs of the school system by comparing the per pupil appropriations of Burke County Schools with the surrounding counties. This presentation revealed that this year's budget dispute is the culmination of years of inadequate local funding for the Burke County Schools. Mr. Shaw continued by stating that inadequate funding for education by the Board of Commissioners resulted in a similar school budget dispute in 2005 that was resolved by a Consent Judgment which required the county to increase its education funding and to maintain funding at a set percentage of property taxes as determined for SY 2007-2008. Mr. Shaw emphasized that this year's county budget did not maintain funding for the school system at the 2007-2008 percentage of property tax revenue, thus bringing about the concern that the 2005 Consent Judgment had been violated. *A printed copy of the PowerPoint presentation is attached to the written Minutes.*

Mr. Redmond Dill presented the case for the County Commissioners reporting that during 2008-2009 the county reduced all departments by a 2% reduction in funding; however, due to the commissioner's commitment to the Board of Education and the students of Burke County, the Board of Education was the only department that did not receive the 2% reduction. Mr. Dill maintained that the school system submitted a budget for SY 2009-2010 of \$14,100,000 and that was the budget that the commissioners worked with. Mr. Dill reported that the commissioners felt that they had met their obligation by funding the school system local current expense fund \$34,800 more than had been requested by the Board of Education. Mr. Dill reported that \$13,770,360 had been given to the Board of Education immediately with the remaining funds held in a contingency fund that was readily available once the Board requisitioned the money.

A question and answer session was held by both Boards with questions from the Commissioners being directed at Mr. Shaw, the spokesperson for the Board of Education, and questions from the Board of Education being directed to Mr. Dill, the spokesperson for the County Commissioners. Chair, Ruth Ann Suttle, asked if the AYP results were in for SY 2008-2009. Mr. Shaw stated that at the time he prepared his presentation the latest results on the NCDPI website were 2007-2008. Mr. Sherrill reported that preliminary results indicated that the school system did much better in 2008-2009 in growth as well as AYP.

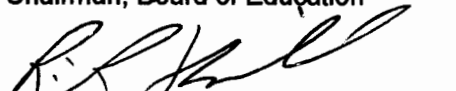
Judge Taylor reported that both respective boards had met their responsibilities in regards to their presentation in the joint session and that they had made an effort in good faith to resolve their differences, but both felt that mediation would be the next step in this matter. Judge Taylor read the part of the statute that indicates who is designated by statute to be included in the working groups: the Chair of each Board or the Chair's designee, the Vice Chair of each Board (an agreement between the two Boards), the Superintendent of the local school administrative unit and the County Manager or designee for the County Commissioners, the Finance Officer of each Board, and the Attorney(s) of each Board.

Adjournment

Upon a Motion by Mr. Abele for the County Commissioners and a Motion by Mrs. Sain for the Board of Education both Board's unanimously voted to adjourn the meeting at 7:00 p.m.



Chairman, Board of Education



Secretary, Board of Education