

**SUMMARY MINUTES OF
THE COMMISSION FOR ARKANSAS PUBLIC SCHOOL ACADEMIC
FACILITIES AND TRANSPORTATION**

**Meeting – April 27, 2018
Arkansas Department of Heritage - Conference Room**

Commission Member in Attendance:

Johnny Key, Commissioner, Arkansas Department of Education
Aaron Burkes, President, Arkansas Development Finance Authority
Larry Walther, Director, Arkansas Department of Finance and Administration

Others in Attendance:

Brad Montgomery, Director, DPSAFT
Dr. Ivy Pfeffer, Deputy Commissioner, Arkansas Department of Education
Lori Freno, General Counsel, Arkansas Department of Education
Carol Bowman, Administrative Analyst, DPSAFT
Terry Granderson, Assistant Director, DPSAFT

Quorum was met.

Meeting called to order.

Agenda item:

1. Summary Meeting Minutes – December 12, 2017

The Commission approved the summary minutes for the December 12, 2017, Commission meeting.

2. 2017-2019 Partnership Program Projects – Year Two Funding Approval

Brad Montgomery stated that on April 27, 2017, the Commission provided state financial participation for 2017-2019 Partnership Program Year-One projects prioritized per current Rules Governing the Academic Facilities Partnership Program, to a funding level of \$211.2 million. With the completion of the 2018 General Assembly Fiscal Session, funding was available to fund approved/unfunded Year-Two projects of the 2017-2019 project funding cycle. The State Financial Participation required to fund the 29 projects was \$42,356,793.96, which fully funds the Year-Two projects.

Mr. Montgomery indicated there were two projects for Charleston School District and Pottsville School District with the same rankings, which were placed below the funding line in order to stay within the rules. The Division requested the full \$10 million and will carryover the remainder in case a funded project rescinds their project, allowing the two projects to be funded.

Commissioner Key stated carryover is part of the Partnership program due to funding cycles.

The Commission voted to provide \$42,356,793.96 State Financial Participation for 2017-2019 Partnership Program Year-Two projects.

3. Act 542 of 2017 (Unused/Underutilized Facilities)

Brad Montgomery reported that the Division published and posted on the Division website on February 28, 2018, the unused and underutilized public school facilities list of all unused or underutilized public school facilities. Cross County School District, Dollarway School District, and Little Rock School District filed Petitions for Waiver. The Division did not receive an objection regarding any of the three Petitions to Waiver from any charter organizations or APSRC by the end of the 30-day period. The Division granted the Petitions for Waiver and sent individual letters notifying each of the three school districts.

No Commission action was required.

4. Wynne Public Schools – Catastrophic

Brad Montgomery reported that the Wynne Public Schools had a catastrophic event on September 24, 2017 when the Primary School campus experienced a power outage created by an act of God that damaged six 2-phase classroom HVAC systems. The total cost of replacement of the six units was \$26,297 with an insurance deductible was \$10,000. Wynne Public Schools requested reimbursement of the State's portion of the deductible based on the Academic Facilities Wealth Index, which totals \$5,943.90.

Aaron Burkes asked who insures the individual school districts. Mr. Montgomery stated that approximately 80% were insured by Arkansas School Boards Association, almost 20% by the Arkansas Insurance Department, and less than 12 school districts with their own insurance companies.

The Commission approve reimbursement of \$5,943.90 as requested under the Academic Facilities Catastrophic Program.

5. Rules Status

Lori Freno, General Counsel, Arkansas Department of Education

- a. **Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Appeals from Determinations of the Arkansas Division of Public School Academic Facilities and Transportation**
- b. **Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing the Facilities Master Plan**
- c. **Commission for Arkansas Public School Academic Facilities and Transportation Rules Governing Right of Access to Unused or Underutilized Public School Facilities and the Sale or Lease of Public School Facilities**

Lori Freno stated the Appeals and Master Plan rules were at the Division for final review following the second Public Comment period. The Master Plan rule references the Unused/Underutilized rule, which required the Master Plan rule remain on hold until the Unused/Underutilized second Public Comment period ended at the end of the day, April 27, 2018. The Commission will need another meeting regarding the finalized rules for approval of disapproval.

Larry Walther asked if there was any major changes required. Ms. Freno stated that the changes were mainly definitions. One big change was regarding storage facilities. There were two Public Comment periods, held working closely with the Bill's sponsor. As with ADE, the Division has worked to simplify rules.

Commissioner Key indicated there was no way to simplify the new Unused/Underutilized rule simply because it is a very complicated law.

No Commission action was required.

6. Terry Granderson, Assistant Director – National Pat Cochrane Memorial Award

Brad Montgomery stated that Terry Granderson, who will be retiring August 24, 2018, received the National School Plant Manager's Association (NSPMA) Pat Cochrane Memorial Award, which was presented by Mike Mertens of AAEA, who serves on the NSPMA executive board.

Mr. Granderson indicated he worked 12 years with the Department of Health, then 13 years with the Division under four Directors. He stated Mr. Montgomery was very personable and an excellent Director. Mr. Montgomery stated Mr. Granderson was instrumental in implementing the use of SchoolDude with the school districts.

No Commission action was required.

7. Adjourn