

## **Minutes of the Wyoming School Facilities Meeting**

UW Outreach Center  
Casper, WY  
September 22, 2009

Chairman Gilpatrick called the meeting to order at 8:00 a.m.

*Commissioner Carrier made a motion to enter into Executive Session. Commissioner McBride seconded the motion. Motion passed unanimously.*

*An Executive Session was held from 8:00 a.m. to 10:35 a.m. followed by a thirty (30) minute recess.*

*Chairman Gilpatrick called the meeting back to order at 11:05 a.m.*

*Commissioner Marsh made a motion to move into the regular meeting. Commissioner Carrier seconded the motion. Motion passed unanimously.*

Present: Commissioner Algier, Commissioner Carrier, Commissioner Ferris, Chairman Gilpatrick, Commissioner Goodson, Commissioner McBride and Commissioner Marsh

*Welcome Representative Diercks from the Select Committee.*

### **Approval of Meeting Agenda**

*Chairman Gilpatrick called for a change of the order to the agenda as presented. From item 7, move Carbon 2 to Current Business 6a. Delete 6a, Audit Report / Response, because it was discussed at the Work Session on 9/21/09. Under Director Comments, take the Template Enhancement Letter/MOU and move it to item b under 6, and add that to the Approval of Template Master Funding /MOU.*

*Commissioner McBride moved the motion. Commissioner Marsh seconded the motion. Motion passed unanimously.*

### **Approval of Previous Meeting Minutes**

*On page 3 of 7 Commissioner Goodson noted an error in the wording of the Sweetwater 1 (Rock Springs) infrastructure funding dollar amount. The Previous Meeting Minutes read five hundred ten thousand, five hundred fifty-one thousand dollars. The correction should read, five hundred ten thousand, five hundred fifty-one dollars. Commissioner Algier made a motion for approval of the correction. Commissioner McBride seconded the motion. Motion passed unanimously.*

## **Financial Report**

Merle Smith, Deputy Director of Finance, presented the SFC Capital Construction Financial Reports as of August 31, 2009. Two reports were presented. Both reports were replaced with handouts. Mr. Smith asked that the Commission cross out the financial reports in the handbook and write "see handout". The two reports go hand in hand so they were discussed together. Mr. Smith reminded the Commission that this report does not reflect Major Maintenance dollars.

Commissioner McBride asked why the allocated funds are added together with the un-allocated funds. Merle Smith noted that perhaps the word allocated was not the best choice. Commissioner Algier asked if it would be more appropriate to use the word *obligated* instead of *allocated* funds. These amounts were put in contracts but not utilized. When the contracts close out we will get this money back and it will go to unobligated funds. Teresa Kunkel, Accounting Manager, noted that when the agency began, it used to budget a five percent (5%) contingency for the district and a five percent (5%) contingency for SFC use into each project budget. The amount identified in the report is the remaining contingency amount budgeted for the SFC. When the old contracts close out the monies will revert back to the SFC.

Director Daraie noted that this is all part of the process of getting uniform terminology. "These are some of the processes we are supposed to have in place. We will try and get our terminology established by the new appropriations."

Merle Smith noted the September 2009 SFC Funding Changes Update spreadsheet. This is a listing of dormant projects, completed projects with reverted balances, and active projects with funds not needed.

Commissioner Marsh commented that he would like to see a definition sheet on the spreadsheet for reversion and reallocation numbers.

The Consent List accounting was tied together with the Monthly Financial Report.

Mr. Smith informed the Commission that the 2011-2012 Budget in the packet is different from the one that was previously approved by the Commission. Mr. Smith informed the Commission that the discrepancy was due to the lag in time between the due date of the budget and the date the department of A&I provided the agency with the official figure for operations. The budget that was originally approved by the Commission was \$299,324,277. The budget that is in fact correct is \$299,546,223. The total difference in the two budgets is \$221,946.00.

Commissioner Marsh asked if Mr. Smith had forwarded the new budget changes to the Select Committee as well. Mr. Smith stated that they were going to discuss this at the next meeting, but will be forwarded on to LSO.

Director Daraie noted that they did in fact receive the official budget and Mr. Smith concurred.

*Chairman Gilpatrick called for a motion to accept the new total of the budget. Commissioner Carrier made a motion for approval of the new total. Commissioner Algier seconded the motion. The motion passed unanimously.*

### **Current Business**

Superintendent of Carbon 2 Schools Bob Gates, Larry Hepner Facilities Director with Carbon County School District 2, and Board Member Joe Jones came to the Commission to say thank you for the school in Hanna, WY. Three years ago in Hanna, Wyoming, the Commission held a meeting and Carbon 2 was in danger of losing two rural schools. The community, teachers, and others made a passionate appeal to the Commission to come up with something to keep those two rural schools. The appeal was to keep the children in the small rural towns. The Commission agreed. They have successfully almost completed the process. They have a new building at Elk Mountain and one that is almost finished in Medicine Bow. The presenters thanked the SFC staff for making this possible.

A Slide show was presented

### **Approval of Template of Master Funding MOU /and Template Enhancement Letter/MOU**

Donna Murray, Deputy Director of Administration, presented the templates of a Master Funding MOU and Enhancement Letter / MOU for Commission approval. Ms. Murray noted that the audit recommended the SFC have a master funding contract instead of having individual project contracts which have to be amended constantly as change orders are presented. The execution of the master funding MOU would be done for each biennium. The SFC will fund their needs as necessary. The SFC will use a process similar to the task order process used for engineering and value engineering services which the Deputy Director of Construction Nancy Thomson created.

Director Daraie noted that Michael O'Donnell, State's Counsel, recommended this some time ago and the recommendation identified in the audit would be addressed with the approval of the template.

*Commissioner Marsh made the motion that the Commission approves the use of the attached master funding MOU for the use in funding capital construction projects in all forty eight school districts. Commissioner Algier seconded the motion. Motion passed unanimously.*

Donna Murry, Deputy Director of Administration, explained the template documents for enhancements. The SFC is trying to create a standard template that districts will use when they want to seek an enhancement. Ms. Murray stated the agreement will still require certain documents to be attached, but having standard language in the agreement will make the process more consistent and ensure the Commission has comparable information for each enhancement request.

Commissioner Goodson noted he did not think paragraph 7 of the Agreement was appropriate and he asked that it be removed.

*Commissioner Algier made the motion to approve the Agreement Regarding Local Enhancement with the deletion of paragraph 7 and the corresponding template letter. Commissioner McBride seconded the motion. Motion passed unanimously.*

### **Approval of Facility Plans**

Jim Lowham, Deputy Director of Planning, informed the Commission that the facility plans approved by the Commission in the spring expired September 19, 2009. Mr. Lowham indicated that there are 47 district facility plans listed for approval on the attachment provided in the meeting packet and that the 48<sup>th</sup> district facility plan for Johnson County School District #1 will be brought forward at the October meeting. Mr. Lowham requested approval of the 47 district facility plans as presented.

Mr. Lowham further requested approval for the expenditure of SFC funds for projects in Johnson County School District #1 which have been approved and are currently underway, and for projects of an emergency nature until the district's facility plan can be brought before the Commission in October.

*A motion regarding Facility Plans – Having reviewed all of the district facility plans prepared by the staff in collaboration with each district in accordance with W.S. 21-15-114 (a) (ii), W.S. 21-15-116, and Chapter 4 of the Commission Rules and Regulations, I move the Commission Approve those 47 district plans. Commissioner Carrier made the motion that the Commission treats the listed school districts as a “consent list.” Commissioner McBride seconded the motion. Motion passed unanimously.*

*Commissioner Algier made the motion for the exceptions to Johnson County School District #1, with the condition of projects that are under way and projects of an emergency nature. Commissioner Marsh seconded the motion. Motion passed unanimously*

*12:44 pm break for lunch – reconvene 1:30pm*

Public Comment and Commissioner Comments were taken after the break.

**The Commission confirmed the upcoming meeting for October 29, 2009.**

### **Adjournment**

*Commissioner Carrier made a motion to adjourn the regular meeting at 2:28 p.m. Commissioner McBride seconded the motion. Motion passed unanimously.*