

**Minutes of the School Facilities Commission  
C'mon Inn  
301 East Lathrop Road  
Casper, Wyoming**

**July 17, 2007**

Chairman Gilpatrick called the meeting to order at 8:32 a.m.

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

**Approval of Meeting Agenda**

Chairman Gilpatrick deleted the agenda item for Big Horn 4 – Request for Emergency Funds for Boiler Replacement and added an item for Vice Chairman Position.

*Commissioner McBride made a motion to approve the meeting agenda as amended. Commissioner Carrier seconded the motion. Motion passed unanimously.*

**Approval of Previous Meeting Minutes**

*Commissioner Marsh made a motion to approve the previous meeting minutes from the June 19, 2007 meeting as presented. Commissioner Goodson seconded the motion. Motion passed unanimously.*

**Director's Report**

Director Daraie advised the Commission of his visit with Carbon 1 regarding their land purchase for capacity issues, Sweetwater 1 regarding their request for infrastructure dollars, Albany 1 Board Meeting on secondary education and Uinta 1 where the SFC and others are offering the District assistance with their Alternative High School program needs.

Director Daraie commented on his visit with Jim Brady, Director of American School Foundation and Hellas Construction regarding a plan for tracks.

Director Daraie indicated he met with the directors of the WSBA and WASA on Saturday, July 14, 2007 and the general consensus at the meeting was the pending lawsuit would be revisited in the fall and they would try not to go to court.

Director Daraie informed the Commission of a correction that he provided to the Casper Star Tribune. Director Daraie indicated the paper published on July 16, 2007 referred to a budget of \$25M for Natrona construction projects as planning dollars when the funds were actually planning and construction dollars. He indicated the paper used a poor choice of words. Director Daraie advised the Commission and audience that when the

SFC budgets a project, they will estimate the cost of construction and typically use 10% as a budget for planning.

### **Current Business**

#### **Off-Site Infrastructure Expenses – Proposed Policy - 2<sup>nd</sup> Reading**

Ms. Nancy Thomson reviewed the policy with the Commission and advised them of the changes that were made based upon their comments at the first reading. Ms. Thomson indicated that the policy would be posted on the web site to solicit public comments for the next 30 days.

Commissioner McBride asked that a copy of any agreement be forwarded to the Wyoming Associate of Municipalities and the State Lands and Investment Board (SLIB).

Ms. Thomson read aloud the policy for the benefit of the audience on the telephone.

Commissioner Goodson asked if the SFC had received requests for the use of these funds.

Director Daraie indicated that the SFC had received requests and the challenge was determining which portion is for the school infrastructure versus other infrastructure.

Commissioner Goodson asked if this was understood by all and Director Daraie indicated that it was.

#### **Leased Facility Space (Senate File 14) – Proposed Policy - 2<sup>nd</sup> Reading**

Director Daraie provided the background information on Senate File 14 and the major maintenance formula.

Director Daraie indicated that there were two districts that have requested funds and the SFC was looking for a basis to divide the funds.

Ms. Teresa Kunkel indicated a correction needed to be made to the policy. She stated the school year should be 2008/2009 and the funds would be available in July 2008. Ms. Kunkel stated that she understood the funds of \$200,000 would be put into a formula and divided amongst the Districts.

Commissioner Marsh asked for Rep Del McOmie's comments.

Representative Del McOmie advised the Commission that he believed the funds should be distributed utilizing a formula. Representative McOmie indicated that the legislature thought the idea was good for assisting the Districts.

Director Daraie read aloud the policy for the benefit of the audience on the telephone.

## **Energy Efficiency Standards in Buildings – Proposed Policy – 2<sup>nd</sup> Reading**

Ms. Nancy Thomson reviewed the policy with the Commission and advised them of the changes that were made based upon their comments at the first reading. Ms. Thomson advised the Commission that the policy will reference the “National Best Practices Manual for Building High Performance Schools”. She indicated that the manual would apply the best practices for building high performance schools in the State of Wyoming.

Commissioner Goodson asked if the SFC had a formal approach in working with the design professionals and ensuring that they are producing energy efficient designs.

Ms. Thomson indicated that the SFC currently utilizes Attachment C in the A&E contract which outlines what is needed in terms of energy efficiency.

Ms. Thomson read aloud the policy for the benefit of the audience on the telephone.

Commissioner Marsh and Algier both requested that a link be created for the reference manual on the web.

## **IBS Session 1 & 2 – Straw Design – 2<sup>nd</sup> Reading**

Director Daraie provided a brief summary of IBS Session 1 and how the information contained in the packet had been circulated among the IBS groups for their comments/changes.

Director Daraie asked the Commission to change the item from an action item to an information item to allow time for public comment and the item would be brought back at the next meeting for action.

***Commissioner McBride made a motion to approve the process outlined in the Session 1 Straw Design for release to the public. Commissioner Algier seconded the motion. Motion passed unanimously.***

Director Daraie spoke about the process developed at IBS Session 2 and indicated that projects in progress need to be met first along with capacity projects.

Director Daraie indicated that the balance of projects would be prioritized with the remaining criteria based upon percentages which will be developed and shared with the Commission. A team will be compiled to review the items around the cut score to ensure the information was correct.

Director Daraie advised the Commission about teams that would be developed and trained to conduct the condition assessments and educational suitability scores state-wide. Director Daraie stated that the use of our own personnel would be beneficial for all.

***Commissioner Carrier made a motion to approve the process outlined in the Session 2 Straw Design for release to the public. Commissioner Goodson seconded the motion. Motion passed unanimously.***

### **IBS Session 3 – Straw Design – 1<sup>st</sup> Reading**

Director Daraie provided information to the Commission regarding IBS Session 3 conducted in Casper in June. He indicated that the session dealt with guidelines and the focus was on the purpose of space within a school and not the specific square footage of each room. Director Daraie stated superintendents, business managers, board members and personnel from the Wyoming Department of Education and Wyoming Education Association were in attendance.

Director Daraie advised the Commission that a series of questions were developed by the group to ensure all perspectives are represented and that the right questions are asked when a new design is being considered. Director Daraie stated that there will be boundaries regarding space using national guidelines, but wanted to ensure the right questions and the right people were involved in the beginning stages of the process.

Commissioner McBride stated he agreed that the design focus should align with the material that was being presented in the meeting packet for guidelines.

### **SFC Contingency**

Director Daraie indicated that in order to maintain the Commission policy on expedient payments to contractors, the staff is requesting that the Director ask the Commission to delegate authority to approve the use of the SFC contingency to the Director subject to keeping the Commission informed of such approvals.

Commissioner Marsh and Commissioner Carrier both commented on their support of the request and their trust in his judgment, but wanted to ensure that the Director was comfortable with the responsibility of the request.

Director Daraie commented that the funds should not be routinely requested and indicated a desire for just one contingency. He also stated he was comfortable with the responsibility.

Commissioner Goodson stated contingencies are necessary in the construction industry and supported the request.

Commissioner Carrier expressed his support of the Director utilizing this approval, but was not comfortable with one staff member making the decision. Commissioner Carrier indicated that the Director should make the final approval and this change did not limit him from coming to the Commission if he so chooses.

Commissioner Algier expressed her support of the request and indicated her desire to be updated about these approvals in the weekly/monthly update or in the Director's Report.

Commissioner Marsh also indicated that the staff needs to get final approval from the Director before proceeding with the contingency request.

***Commissioner Carrier made a motion to grant authority to the SFC Director to approve the use of the SFC contingency subject to keeping the Commission informed***

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*of such approvals. Commissioner Marsh seconded the motion. Motion passed unanimously.*

### **Fremont 6 – Land/Building Disposition Request**

Mr. Rich Hardt provided information regarding the request by Fremont 6 to dispose of a teacherage and a modular building.

*Commissioner Carrier made a motion to approve the Land and Building Disposition Forms as requested by Fremont County School District No. 6 per SFC Forms #708 under Tab 9.*

Commissioner McBride questioned why the request was being presented today for retroactive approval.

Director Daraie explained that the District was informed that the action was a matter of policy and next time to take care of the paperwork prior to the action.

Commissioner Goodson expressed his concern about a possible lack of knowledge regarding this process among the Districts.

Commissioner Goodson requested that Director Daraie communicate to the Districts the policy, statute and the legality of this process to ensure all are informed.

Commissioner Marsh suggested the Commission grant authority to Director Daraie to approve these request with the ratification of requests provided to the Commission at a later date.

Director Daraie stated that the subject would be communicated and emphasized to the Districts and that the Commissioner's point was well taken by the staff present, as well as himself.

### **Commissioner Marsh seconded the motion.**

Conversation was held regarding the specific details of the sale of the teacherage and modular. Mr. Dave LaPlante asked for additional time to contact the District for the specific details.

*The motion on the floor was tabled until additional information was obtained.*

*Commissioner Marsh made a motion to grant authority to the SFC Director to approve the land/building disposition forms as requested by the various school districts and subject to keeping the Commission informed of these decisions.*

Commissioner Goodson suggested the item be added to next month's agenda as it was not an agenda item for today's meeting. Motion was withdrawn.

## **Albany 1 – Land/Building Request**

Mr. Taner Norton indicated that Albany County School District No. 1 was reopening the Cottonwood Elementary School per direction of the WDE and the SFC for two students. He further indicated that projects were being completed with the use of the District's major maintenance funds in order to be prepared for the 2007/2008 school year.

Mr. Norton informed the Commission that a new septic tank was needed due to the current one overflowing into a nearby creek. Mr. Norton stated that the location was very remote however; the school did have a telephone.

Commissioner McBride expressed the need to remove a school when closed so it is not assumed that a school can be used just because the building is still standing. Commissioner McBride indicated that the WDE is providing the small school adjustment and the District will now make money by opening the school. He further stated every other place in the nation would have said no or made other arrangements.

Director Daraie advised the Commission of offers of transportation funds, home school assistance and housing were made to the family on several occasions. Director Daraie stated the school was an expectation of the family due to their life style choice.

Commissioner Carrier indicated a District can not open a school building under the current funding model without the WDE approval.

Commissioner McBride answered yes and stated all options were explored.

Commissioner Carrier suggested that a small modular be used and as soon as the children are done, the modular could be removed and that would solve the issue of leaving a building.

Commissioner Goodson expressed the ludicrousness of the request and the unfairness to the other citizens in Wyoming.

Conversation was held of the options that were offered, the work being done by the District and the need for the legislators to make a state-wide decision on this subject.

Representative McOmie stated this type of request was a concern of the legislature. Representative McOmie indicated that he believed there were enough controls in legislation for the SFC and WDE so that these situations would not arise. Representative McOmie stated if Districts had to fund these schools out of their own assessed evaluation funds that it would not happen. He further indicated this still was a real concern of the legislature.

Commissioner McBride stated that if he received legislative direction he would close the school and he would personally look into this request again.

Commissioner Goodson stated that the Commission is responsible for providing cost effective education to every student and indicated that some resolution from the Commission was needed that focused on the effective use of state funds.

## **Fremont 6 – Land/Building Disposition Request**

Mr. Dave LaPlante informed the Commission that he contacted the Business Manager from Fremont 6 who indicated that the teacherage and property had been sent out for public bid and two bids had been received. Mr. LaPlante indicated that the Fremont 6 School Board has not taken action on the bids.

Mr. LaPlante advised the Commission that the modular building was on the site of the new elementary school and needed to be removed for parking and landscaping.

*Commissioner Carrier made a motion to bring the agenda item on the table to the floor. Commissioner Goodson seconded the motion. Motion passed unanimously.*

Commissioner Goodson questioned if the land was sold with the teacherage.

Mr. LaPlante stated yes with the understanding that the purchaser would demolish the building and keep the land.

*Chairman Gilpatrick stated the question on the floor was to approve the Land and Building Disposition Forms as requested by Fremont County School District No. 6 per SFC Forms #708 under Tab 9. Motion passed unanimously.*

Commissioner McBride expressed the need for all information to be presented when making decisions.

### **Election of a Vice Chairman**

Chairman Gilpatrick indicated his desire to designate a vice chairman to ensure the Commission meetings were properly conducted in the event he could not attend. He further stated this does not indicate that the vice chairman would at any time replace the chairman.

*Commissioner Marsh made a motion to nominate Commissioner Jeff Carrier for the office of vice chairman. Commissioner Goodson seconded the motion. Motion passed with Commissioner Carrier abstaining from the vote.*

Commissioner Gilpatrick expressed his appreciation to Commissioner Carrier for his willingness to help with the meetings.

### **Commission Meeting Schedule**

Director Daraie indicated that the next meeting will be held in Cheyenne with work session in the afternoon of August 20<sup>th</sup> and a regular meeting on August 21<sup>st</sup>.

Commissioner Marsh suggested the meeting be moved to Guernsey.

Director Daraie indicated that future Commission meetings would be hosted in other locations around the state beginning in September.

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## **Public Comments**

None

## **Commissioner Comments**

Commissioner McBride expressed his appreciation to Commissioner Algier for the rafting trip. Commissioner McBride expressed his concern regarding the small and tiny schools and the need for a state wide policy/philosophy for communities from all involved, the SFC, WDE, Select Committee, Attorney General and legislators.

Commissioner Goodson indicated that the meeting was good and echoed Commissioner McBride's comments and stated the state will not always have funds available for schools.

Commissioner Marsh expressed his appreciation for the retreat opportunity.

Commissioner Carrier expressed his appreciation for the retreat opportunity and indicated it was very beneficial and would like retreats held on a semi-annual or annual basis. Commissioner Carrier indicated that the IBS sessions were beneficial and was encouraged to see the SFC utilizing Wyoming educators on teams to conduct the various assessments, etc.

Director Daraie introduced Jeff Adams and Stan Hobbs as official state employees.

Chairman Gilpatrick stated he enjoyed the retreat and was pleased with the leadership direction of Director Daraie. He further expressed his appreciation to Commission Algier and her family for the rafting activity.

Chairman Gilpatrick indicated the Executive Session was not needed.

## **Adjournment:**

***Commissioner Goodson made a motion to adjourn the regular meeting at 10:25 a.m. Commissioner Algier seconded the motion. Motion passed unanimously.***