

**DOUGLAS UNIFIED SCHOOL DISTRICT 27  
DOUGLAS, ARIZONA**

Board Room  
Joe Carlson Administration Building

5:30 PM  
June 29, 2009

**Special Board Meeting  
Minutes of the Board**

**I. PRELIMINARY MATTERS**

CALL TO ORDER: Mr. Chuck Hoyack, President

PRESENT: Ms. Susan Kramer, Member (in attendance both days)  
Mrs. Patricia Lopez, Member (telephonically on June 29, 2009)  
Mr. Ed Rivera (on June 30, 2009 for continuation of meeting)

Others Present: Mr. Earl F. Pettit, Superintendent  
Ms. Edna Elias, Secretary

Also present were school administrators and other members of the community.

Mr. Hoyack announced that Mrs. Lopez is participating telephonically for this meeting and there was a quorum.

**ADOPT THE AGENDA:**

Motion to adopt the agenda with the following revisions was made by Ms. Kramer:

- Move action item III.G for consideration prior to the consent agenda
- Revise consent item II.A.#11 to show salary at level B (\$32,700)
- Remove consent item II.A.#19

Motion was seconded by Mrs. Lopez. Motion carried with three aye votes.

Meeting continued with action item III.G.

**Discussion/action on approval of proposed 2009/2010 district operating budget.**

Motion was made by Ms. Kramer to approve the proposed FY 2009/2010 district operating budget. Motion was seconded by Mr. Hoyack. Motion carried with three aye votes.

At this point (5:39 PM), Mr. Hoyack recessed the meeting until the following day, Tuesday, June 30, 2009 at 5:30 PM.

Meeting was reconvened by Mr. Hoyack at 5:30 PM on June 30, 2009. In attendance were Mr. Hoyack, Mr. Rivera, and Ms. Kramer.

**II. CONSENT AGENDA**

Motion was made by Ms. Kramer to approve the consent agenda with the revisions previously mentioned. Motion was seconded by Mr. Rivera. Motion carried with three aye votes.

**III. ACTION AGENDA**

**Discussion/consideration and, if deemed advisable, to adopt a resolution ordering and calling a special bond election to be held in and for the District and authorizing the Business Manager to comply with certain sections of the Internal Revenue Code.**

Motion was made by Ms. Kramer to discuss/consider and if deemed advisable to adopt a resolution ordering and calling a special bond election to be held in and for the District and authorizing the Superintendent to comply with certain sections of the Internal Revenue Code. Motion was seconded by Mr. Rivera.

Mr. Pettit addressed the Board and stated that Mr. Mark Reader and Mr. Jim Giel would be joining the meeting via speakerphone and while the

connection was made he provided background information and updated the Board with new information on cost of the election.

Discussion followed with Ms. Kramer asking if there was money available to spend for the bond election without affecting student program. Mr. Pettit replied that there were funds available which would not affect programs. Mr. Rivera asked general questions on the proposed projects, specifically the improvements to athletics facilities.

Mr. Reader and Mr. Giel joined the discussion and Mr. Hoyack asked the question of what happens if the projects approved come under budget and there were funds available. Mr. Giel responded that the district is allowed to use 10% of funds left over on each line item to use for anything else that is listed on the ballot. For that reason, the ballot is very general and keeping it that way gives a district more flexibility. Anything left over can be used to call back bonds. Mr. Reader added that it would give the district flexibility to respond to market costs.

Mr. Hoyack then asked Mr. Pettit for clarification for the change in the background information received before in which the business manager was designated as the authorizing agent to comply with IRS. Mr. Pettit responded that Mr. Hoyack was correct in that the business manager was the compliance agent on behalf of the district and he had asked the business manager why that was because typically the Governing Board does not delegate to anyone but the superintendent. His understanding was that it was because he was not in the district to present the information which would be part of the original discussion. He further commented that he believes that any delegation or any direction from the Board should go to the Superintendent. Mr. Hoyack then asked if compliance with IRS is something that would occur somewhere down the road – Mr. Pettit replied that it was. Mr. Hoyack then asked if compliance was not function of the business manager's job description. Mr. Pettit replied that, even if so, all functions of the district are accountable from the Superintendent to the Board and that's why he believes that whatever direction comes from the Governing Board the Superintendent is accountable for to the Board.

There being no further discussion, Mr. Hoyack called for a vote on the motion on the floor. Motion carried with three aye votes.

**Discussion/action on renewal of intergovernmental agreement with Cochise College for dual credit courses.**

Mr. Hoyack recused himself from discussion and voting on this item because of his employment with Cochise College and turned control of the meeting over to Mr. Rivera.

Motion was made by Ms. Kramer to approve the renewal of the intergovernmental agreement with Cochise College for dual credit courses to eligible high school juniors and seniors and authorize the superintendent to sign on the district's behalf. Motion was seconded by Mr. Rivera.

Discussion followed on the types of courses available, how credits are earned, and how they can be transferred to university level.

There being no further questions, Mr. Rivera called for a vote on the motion on the floor. Motion carried with two aye votes.

Mr. Rivera then returned control of the meeting to Mr. Hoyack.

**Discussion/action on approval of IFB #09-005-10 for unleaded/diesel fuel.**

Motion was made by Mr. Rivera to approve the bid award for unleaded/diesel fuel to CF Enterprises/dba Arizona Fuel. Motion was seconded by Ms. Kramer. Motion carried with three aye votes.

**Discussion/action on approval of RFP #09-005-14 for physical therapy services.**

Motion was made by Ms. Kramer to approve the bid award for physical therapy services to Rincon Rehab Fitness and Wellness-Casey Parr, PT. Motion was seconded by Mr. Rivera.

Discussion followed on the number of students receiving physical therapy and how these services are delivered.

There being no further discussion, Mr. Hoyack called for a vote on the motion on the floor. Motion carried with three aye votes.

**Discussion/action on approval of General Statement of Assurance for FY 2009/2010 with the AZ Department of Education (ADE) for participation in any ADE administered program.**

Motion was made by Ms. Kramer to approve the General Statement of Assurance to be filed with the Superintendent of Public Instruction for FY 2010. Motion was seconded by Mr. Rivera. Motion carried with three aye votes.

**Discussion/action on approval of school capacities, per Policy JFB “Open Enrollment”.**

Motion was made by Ms. Kramer to approve the school capacities as revised. Motion was seconded by Mr. Rivera.

Mr. Pettit addressed the Board and stated that the Board had previously approved open enrollment capacities of 25 per classroom, but that upon processing open enrollment applications (over 400), there would have been many applications denied because classrooms would be over capacity. In increasing the classroom capacity from 25 to 28, it would make a significant difference in applications approved. He then reviewed the spreadsheet provided to the Board in the background information.

Discussion followed on classroom capacities and the process used to review open enrollment applications.

There being no further discussion, Mr. Hoyack called for a vote on the motion on the floor. Motion carried with three aye votes.

**Discussion/action on request for release of contract received from Rosela Arvayo.**

Motion to adjourn in to executive session, pursuant to ARS 38-431.03 (A) (1) was made by Ms. Kramer and seconded by Mr. Rivera. Motion carried with three aye votes.

Meeting moved in to executive session at 6:15 PM.

Motion to resume open session at 6:25 PM was made by Mr. Hoyack and seconded by Mr. Rivera. Motion carried with three aye votes.

Motion was made by Mr. Rivera to release Ms. Rosela Arvayo from contract and assess liquidated damages in the amount of \$1,000.00. Motion was seconded by Ms. Kramer. Motion carried with three aye votes

#### IV. ADJOURNMENT

There being no further business, meeting was adjourned at 6:27 PM.

Minutes prepared by Edna Elias, Superintendent/Governing Board Secretary.

These minutes were approved by the Board at their meeting of August 4, 2009.