



OHIO FACILITIES CONSTRUCTION COMMISSION

**Ohio Facilities Construction Commission
July 12, 2018 Meeting
William McKinley Room, Statehouse
1:30 PM**

MINUTES

Chairman Keen called the meeting to order at 1:30 PM.

Roll Call

Members present: Chairman Timothy Keen, Vice Chair Robert Blair, Director Gary Mohr, Brandon Sagraves for Representative Hambley and Representative Holmes.

Adoption of the January 25, 2018 Minutes

Director Mohr moved to approve the April 26, 2018 minutes. Vice Chair Blair seconded the motion. Approval: Vote 3-0.

**Accelerated Urban School District Amendment Approval
Presented by Melanie Drerup – Resolution 18-24**

Melanie Drerup recognized Executive Director Elise Hara Auvil in the audience representing the Cleveland Metropolitan School District Bond Accountability Commission.

The Commission approved a Master Facilities Plan in 2002 for the Cleveland Metropolitan School District for \$1.51B divided into 9 segments for 111 buildings to serve 72,500 students. The Commission has approved 7 segments to date. The Commission amended the Master Facilities Plan in 2016 for 36,300 students.

Cleveland Segment 7, Amendment 4 - Resolution 18-24

Melanie Drerup presented the Cleveland Metropolitan School District Segment 7, Amendment 4 for Commission approval. The previously amended Segment 7 agreement provided \$198.6M for construction of 9 buildings and abatement and demolition of 11 buildings. The proposed amendment increases the budget due to market conditions at 2 high schools JFK and West Side. This will be offset in the future to some degree with bid savings when they are realized. The Cleveland Segment 7 budget is increased by \$5.5 M for an updated budget of \$204.2 M.

There are additional segments being planned for Cleveland which will be brought to the Commission at a future date. The estimated budget for the remaining segments is \$260M.

Chairman Keen asked about the slide regarding the Cleveland Metropolitan School District Master Plan Changes for 2002-2017/18. Chairman Keen wanted to know if this was the total plan as originally put into place in 2002 and that it displays the various master plan changes over time. Melanie Drerup responded that was correct. Chairman Keen asked for the status of Segment 7, we are approving the 4th amendment to Segment 7 and there were 3 previous amendments. Melanie Drerup responded all of the 7K-8's are under construction at this time and 2 high schools are actually starting construction. Director Keen also asked for a breakdown on the status of the amendments to date. Melanie Drerup responded that the first amendment was to adjust the enrollments on the K-8 facilities to increase them. The second amendment was to address market conditions for the first 6 PK-8 buildings. The third amendment, that was before the Commission at the April meeting, was to cover delay costs as well as adjust enrollments for 41 students at one of the buildings and address market conditions at Waverly. The fourth amendment addressed the two high schools and the over budget issue. Chairman Keen added, so we are going to increase the budget and then referenced bid savings on these two facilities. Melanie Drerup responded that was correct. There were bid savings of \$4.6M. The district had a 9% LFI on this project and we would take 9% from the \$4.6M, which the district would receive. Then we would divide the remaining balance by 32% local share and 68% state share. Chairman Keen also added there was an LFI in these 2 schools. Cleveland Municipal School District is building things that are beyond the scope of the School Facilities program and they are applying 100% local dollars for those locally funded improvements. Melanie Drerup responded that was correct. Chairman Keen asked roughly what the dollar amount was. Melanie Drerup responded approximately \$7M. Chairman Keen added so roughly \$7M in local choices outside of the scope of the Facilities program that they are spending 100% local dollars. Melanie Drerup responded that was correct. Chairman Keen added that it seems prudent that we would wait before distributing those dollars because we could have some cost issues that arise at a later point, unforeseen circumstances. Melanie Drerup responded that was correct. Chairman Keen added so essentially some of those savings could then offset this budget increase that we are making right now. Melanie Drerup responded yes. Chairman Keen commented the this will be the 3rd of 4 amendments that allocated additional resources to the projects in Segment 7 beyond the initial established budget. Melanie Drerup responded yes. Chairman Keen asked if the other was just a change in enrollment numbers. Melanie Drerup responded yes. Chairman Keen stated that in these source of amendments, the standard process for the School Facilities Commission is to set a budget up front. Melanie Drerup responded that was correct. Chairman Keen asked if at various times, as we proceed through the process, we check what the projected costs are against that budget. Melanie Drerup responded yes. Chairman Keen added we adjust as necessary and appropriate through amendments that we are adopting today and have previously adopted for Segment 7 and have adopted in previous segments. Melanie Drerup responded yes. Chairman Keen added this is our standard practice that we would expect to follow as we move into future segments if the Cleveland Municipal School District chooses to work with us to begin any future segments. Melanie Drerup responded yes, that is correct.

Director Mohr noticed from the origin of this project to where we are now, there is a huge difference in enrollment numbers. Are we at a point in time that we have sound numbers, do we believe that the shifting sands of enrollment are known, and do we feel confident about these enrollment numbers. Melanie Drerup responded we feel like Cleveland's enrollment will be around 36,000, but before we enter into a subsequent segment we will do an enrollment projection.

Chairman Keen added again the question of total enrollment of the school district and enrollment in particular school buildings or particular attendance areas are two different questions. Clearly one of the issues as we move forward is what buildings will be built and at what size and how do you determine that relative to the number of children expected to be attending those districts. Clearly all school districts struggle with this. This is not a situation unique to Cleveland. Enrollment changes. We must keep an eye on it and make sure we are building the most appropriate facilities for the district and for the number of children we will eventually have to serve. Melanie Drerup responded that was correct.

Vice Chair Blair moved to approve Resolution 18-24.

Director Mohr seconded the motion.

Approval: Vote 3-0.

Fiscal Year 2019 Projects Approval – Presented by Melanie Drerup

Historically at the first Commission meeting of the fiscal year, we present new projects based on what the Commission can afford given approved appropriations and cash, as well as forecasts for future funding. We now bring projects to the Commission quarterly when funds are available. A lot of analysis is involved based on not just what we have this year, but what we will have in future years. Each project will spend money into the future not only in Fiscal Year 2019, but into years beyond that as well. The funding of these 4 districts along with districts currently underway depends on future appropriations. These projects will be with us well beyond the current biennium.

Each of these district projects was developed using a comprehensive planning process which includes a 10-year enrollment projection, a building condition assessment of each of the districts classroom facilities, an enhanced environmental assessment, review of the educational adequacy and review for LEED (Leadership in Energy and Environmental Design). All projects have been approved by the school district boards. Upon Commission and Controlling Board approval, the districts will enter into a project agreement as all 5 districts have obtained their local share and maintenance funding to be able to move ahead with their projects.

Overall there are 4 projects totaling \$243.3M with an average state share of 42%. The FY19 projects include 6 new school buildings and plans call for 12 buildings to be taken out of service and demolished. Buildings being replaced are at 2/3rds guideline. The average district budget is \$60.8M.

CFAP Approval – Resolution 18-25

Melanie Drerup presented the Master Facilities Plan for the following school districts for the Classroom Facilities Assistance Program for Commission approval. Berkshire LSD is a consolidated district. The district consolidated with Ledgemont on July 1, 2015 This district is working with USDA for financing and passed a levy in May of this year. The district is building a new facility to house grades PK - 12 on property owned by Kent State University and demolishing 3 buildings. Elida LSD was successful at the May ballot and their first segment includes one new elementary school and demolition of 1 elementary school.

| School District | County | State Share | Local Share | Total Budget |
|--------------------|--------|--------------|--------------|--------------|
| Berkshire LSD | Geauga | \$22,864,938 | \$18,707,677 | \$41,572,615 |
| Elida LSD – Seg. 1 | Allen | \$18,190,792 | \$35,311,536 | \$53,502,328 |

Director Mohr moved to approve Resolution 18-25.
 Vice Chair Blair seconded the motion.
 Approval: Vote 3-0.

CFAP Lapsed Approval – Resolution 18-26

Melanie Drerup presented a Classroom Facilities Assistance Program lapsed project for one school district for Commission approval. Northeastern LSD will be building two new elementary/middle/high school buildings (one to house grades PK-12 and one to house grades PK-12 and CT) and demolishing five schools.

| School District | County | State Share | Local Share | Total Budget |
|------------------|--------|--------------|--------------|---------------|
| Northeastern LSD | Clark | \$40,968,962 | \$61,453,442 | \$102,422,404 |

Chairman Keen asked if Northeastern LSD has 2 high schools or is one a high school and one a joint vocational school. Jon Walden responded they currently have 7 schools. They are consolidating down to 2 schools. They currently have 2 high schools and 5 other schools.

Vice Chair Blair moved to approve Resolution 18-26.
 Director Mohr seconded the motion.
 Approval: Vote 3-0.

ENP Lapsed Approval – Resolution 18-27

Melanie Drerup presented an Exceptional Needs Program Lapsed project for one school district for Commission approval. Indian Creek LSD will be building two new elementary/middle/high school buildings (one to house grades PK-12 and one to house grades PK-12 and CT) and demolishing five schools.

| School District | County | State Share | Local Share | Total Budget |
|------------------|-----------|--------------|--------------|--------------|
| Indian Creek LSD | Jefferson | \$18,311,435 | \$27,467,153 | \$45,778,588 |

Chairman Keen asked what was the nature of the exceptional need. Melanie Drerup responded that the exceptional need is life safety health. The buildings are just in very poor condition and pose a hazard to the occupants.

Vice Chair Blair moved to approve Resolution 18-27.
 Director Mohr seconded the motion.
 Approval: Vote 3-0.

Renewal of Lapsed CFAP Districts Scope and Budget Approval – Resolution 18-28

Melanie Drerup presented the Master Facilities Plan for the following school districts for the Classroom Facilities Assistance Renewal Program for Commission approval. Pursuant to ORC section 3318.054, the Commission is charged with establishing the new scope, estimated basic project cost and estimated school

district portion of a local share for a lapsed project if the school district desires to seek a new conditional approval of its project. Each of these districts has requested a new conditional approval and the master facility plans have been developed by Commission staff and the local school district. The project scope and estimated costs established will be valid for 13 months. The two districts will be on the ballot on November 2018. If the districts receive bond approval within the 13 months, the district shall be given first priority for project funding as such funds become available and the projects will be presented to the Commission and Controlling Board for approval when the Commission determines funds are available.

| School District | County | State Share | Local Share | Total Budget |
|------------------------|----------|--------------|--------------|--------------|
| Batavia LSD | Clermont | \$38,057,869 | \$9,514,467 | \$47,572,336 |
| Firelands LSD – Seg. 1 | Lorain | \$5,297,765 | \$22,585,211 | \$27,882,976 |

Vice Chair Blair moved to approve Resolution 18-28.

Director Mohr seconded the motion.

Approval: Vote 3-0.

Master Facilities Plan Amendments Approval – Presented by Steve Roka – Resolution 18-29

Steve Roka presented amendments to the Master Facilities Plan for the following school districts for Commission approval.

| School District (County) | Recommended Modifications to the Master Facilities Plan | Recommended Modifications to the Project Budget |
|--|--|--|
| Elyria CSD (Lorain) Amendment 1 | Budget adjustment due to enrollment adjustment for 2 new ES to house Grade K-4, 1 new ES/MS to house Grades PK-8 and 2 new ES/MS to house Grades K-8. Add allowance for Storm Shelter | \$758,796 State Share \$373,735 Local Share \$1,132,531 TOTAL |
| School District (County) | Recommended Modifications to the Master Facilities Plan | Recommended Modifications to the Project Budget |
| Euclid CSD (Cuyahoga) Segment 2 Amendment 1 | Reduce Allowance for Swing Space to accommodate 520 students at Euclid HS. Reduce the Leed Allowance to \$334,969 at Euclid HS. Scope changes to improve schedule: to abandon 180,023 sf; to renovate 90,849 sf and addition of 304,109 sf. The PALFI is reduced to \$3,345,959. | (\$317,142) State Share (\$456,374) Local Share (\$773,516) TOTAL |
| School District (County) | Recommended Modifications to the Master Facilities Plan | Recommended Modifications to the Project Budget |
| Tri-Valley LSD (Muskingum) Amendment 1 | The final ELPP Closeout Credit Report was executed December 10, 2009 in the amount of \$19,134,623 for an increase in the amount of \$155,559. | \$112,002 State Share \$43,557 Local Share \$155,559 TOTAL |
| School District (County) | Recommended Modifications to the Master Facilities Plan | Recommended Modifications to the Project Budget |
| Vinton County LSD (Vinton) Amendment 4 | To reconcile the project fund for closeout, the project budget must be increased due to estimated interest falling short of actual interest earnings. | \$19,514 State Share \$2,089 Local Share \$21,603 TOTAL |

Chairman Ken noted that this resolution we have a Cuyahoga County district, Euclid which is making adjustments to their budget that reduced the cost. Steve Roka responded that was correct. Director Mohr moved to approve Resolution 18-29. Vice Chair Blair seconded the motion. Approval: Vote 3-0.

**ELPP Master Facilities Plans and Project Agreements Approval
Presented by Steve Roka – Resolution 18-30**

Steve Roka presented Master Facilities Plans and Project Agreements for Commission approval.

Maser Facilities Plans:

| School District (County) | Project Scope | Project Budget |
|----------------------------|--|----------------------------|
| Oberlin CSD (Lorain) | Build 1 new PK-12 and Career Tech school Abate and demolish 2 ES, 1 MS and 1HS | \$7,397,260 State Share |
| | | \$27,827,790 Local Share |
| | | \$35,225,050 TOTAL |
| Worthington CSD (Franklin) | Build 3 new K-5 ES; Renovate 7 K-5 ES and 1 PK-5 ES; Renovate/Add 4 MS 6-8 and HS 9-12 & Career Tech and Renovate/Add/Demo 1 HS 9-12 and Career Tech with a Project Agreement LFI of \$7,276,446 | \$39,304,098 State Share |
| | | \$222,723,222 Local Share |
| | | \$262,027,320 TOTAL |

Project Agreements:

| School District (County) | Discrete Portion Project Scope | Discrete Portion Project Budget |
|----------------------------|---|---------------------------------|
| Oberlin CSD (Lorain) | Build the elementary section of the new PK-12 ES/MS/HS and Abate and demolish 2 ES | \$16,827,751 TOTAL |
| Worthington CSD (Franklin) | Partial renovations at 2 K-5 ES (Bluffsview & Slate Hill); Partial renovations to 1 (9-12) & Career Tech (Worthington Kilbourne) with a Project Agreement LFI of \$62,235 | \$1,580,942 TOTAL |

Director Mohr moved to approve Resolution 18-30. Vice Chair Blair seconded the motion. Approval: Vote 3-0.

**ELPP Master Facilities Plan and Project Amendment Approval – Presented by Steve Roka
Resolution 18-31**

Steve Roka presented a Master Facilities Plan and Project Amendment for Commission approval.

Maser Facilities Plan Amendment:

| School District (County) | Master Facilities Plan Scope | Project Budget |
|---|---|---|
| Cleveland Heights-University Heights CSD (Cuyahoga) Amendment 1 | <ul style="list-style-type: none"> • Revise buildings grade configuration and scope to declining enrollment • Convert 9-12 & CT HS to grades 8-12 & CT • Convert 6-8 Middle Schools to grades 4-7 • Convert PK-5 Elementary Schools to grades PK-3 • Delete 1 build new ES • Delete Renovations to 1 ES • PA LFI \$2,693,718 | \$21,188,307 (State) <u>\$120,067,076 (Local)</u> \$141,255,383 (Total) |

Project Agreement Amendment:

| School District (County) | Discrete Portion | Project Budget |
|---|---|----------------|
| Cleveland Heights-University Heights CSD (Cuyahoga) Amendment 1 | <ul style="list-style-type: none"> • Partial Renovations to house Grades 4-8 for 2 MS • Changing Grade Configurations to 8-12 for the HS • LFI \$1,470,496 | \$88,204,309 |

Chairman Keen noted that this Cuyahoga County School District is making an adjustment to its project that reduces the budget. Steve Roka added that the Superintendent has shown great leadership given this shift in enrollment and how that is going to affect the plan and guiding her board and community through the enrollment shift.

Vice Chair Blair moved to approve Resolution 18-31.
 Director Mohr seconded the motion.
 Approval: Vote 3-0.

**Corrective Action Program Application Approval – Presented by Jeff Westhoven
 Resolution 18-32**

Jeff Westhoven presented Corrective Action Program (CAP) applications for Commission approval. CAP Applications are infrequent. CAP Authorizes co-funding for the correction of work found to be defective or omitted from the original K-12 project. Defective or omitted work must be reported to the Commission within 5 years of project occupancy. The School District contributes their portion of the cost. The Commission assesses responsibility and seeks cost recovery from responsible parties. If a project is financially closed, the district would enter into a new limited scope agreement. If a project is not closed, the district would enter into a limited scope budget adjustment. Since the formation of the OFCC Commission in 2012, there have been 8 approved applications in the last 6 years.

| School District (County) | Recommended Scope | Project Amount |
|-----------------------------|---|----------------|
| Green LSD (Wayne) | Funding to address defective workmanship on the new K-12 School Project. | \$231,300.00 |
| Ross LSD (Butler) | Funding to address defective workmanship on the renovations to Ross Middle School and Elda Elementary School Project. | \$3,253,756.00 |

Director Mohr asked during that period of time did the Ross LSD and/or the state incur additional costs between 2011 and 2017 that will also be pursued legally. Jeff Westhoven responded that in that time some of those repairs were covered under warranty, some would have been paid for through the school's local funds and he believed there was funding still in the project which would have been applied.

Vice Chair Blair moved to approve Resolution 18-32.

Director Mohr seconded the motion.

Approval: Vote 3-0.

Future ELPP Eligibility Approval – Presented by Shawn Smith Resolution 18-33

Shawn Smith presented changes to the eligibility requirements for the Expedited Local Partnership Program's (ELPP) eligibility requirements for Commission approval. ELPP allows school districts to fund a discrete portion of their Master Facilities Plan with local funds prior to becoming eligible for participation within CFAP. Once a district enters CFAP, it receives a credit against the required local contribution for work completed under ELPP. In accordance with ORC 3318.36, a district must be over 2 years away from participation in CFAP to be eligible to enter the ELPP program. Based upon our assessment of districts that would likely be eligible for CFAP within two years, along with available appropriation levels, we have established the cutoff at P-133 on the October 2017 Priority Order of Assistance List approved by the Commission. Below this ranking, a district would be ineligible to enter the ELPP program.

Director Mohr moved to approve Resolution 18-33.

Vice Chair Blair seconded the motion.

Approval: Vote 3-0.

Future VFAP Eligibility Approval – Shawn Smith – Resolution 18-34

Shawn Smith presented changes to the eligibility requirements for the Vocational Facilities Assistance Expedited Local Partnership Program for Commission approval. The Vocational Facilities Assistance Expedited Local Partnership Program allows vocational school districts the opportunity to move forward with facility improvements prior to their participation in VFAP. ORC section 3318.46 states that the VFAP ELPP program must be structured in a manner similar to the standard ELPP program. As such, once a district enters VFAP, it receives a credit against the required local contribution for work completed under VFAP ELPP. Additionally, just as with the standard ELPP program, a district must be over 2 years away

from participation in VFAP to be eligible to enter the VFAP ELPP program. Based upon our assessment of districts that would likely be eligible for VFAP within 2 years, along with available appropriation levels, we have established the cutoff at V-012. Below this ranking, a district would be ineligible to enter the VFAP ELPP program.

Director Mohr moved to approve Resolution 18-34.

Vice Chair Blair seconded the motion.

Approval: Vote 3-0.

Settlement Agreement Approval – Presented by Jon Walden - *Resolution 18-35*

Jon Walden presented a settlement agreement and limited release with J&H Reinforcing on the Waverly City School District project for Commission approval. J&H Reinforcing served as the General Trades Contractor on the project. The Project included the construction of four new buildings: two elementary schools, a middle school, and a high school. After completion, the District experienced several issues related to the roof, masonry and expansive soil that caused movement in the slab in some of the buildings. The Commission and District conducted two investigations resulting in a decision to remediate the roofs and masonry on all four buildings as well as replacing the slab in certain areas. The District and Commission initiated suit against J & H Reinforcing, the Architect, the Construction Manager, several other contractors, and certain sureties and insurance providers related to defective design and construction. Specifically, against J & H Reinforcing, the District and the Commission alleged breach of contract due to defective workmanship related to the heaving floor slab. After negotiation, the District and the Commission reached a settlement with J & H Reinforcing and its surety and insurer, in which J & H Reinforcing will pay the District and the Commission the sum of \$50,000.00. All other claims against the other contractors, or other parties named in the lawsuit, are expressly reserved and are not released. Specifically, against Crace Construction and its surety and Terracon Consultants, Inc. Upon payment, the District and Commission shall dismiss with prejudice only J & H Reinforcing from the case.

Director Mohr moved to approve Resolution 18-35.

Vice Chair Blair seconded the motion.

Approval: Vote 3-0.

Authority to File Suit Approval – Presented by Jon Walden - *Resolution 18-36*

Jon Walden presented an Authority to File Suit against Triton Services, Inc. and LG Electronics USA, Inc. on the Ross Local School District project.

Triton Services, Inc. served as Prime Contractor for the HVAC work on the renovations to Ross Middle School and Elda Elementary School for the Ross Local School District. Following completion of the Project, the District had continuous problems getting the HVAC system to function properly. Ultimately, most of the additional costs for operation and investigation of the issues with the HVAC system can be traced to defective materials manufactured by LG Electronics USA, Inc. and issues with the installation performed by Triton Services. The Commission and District have a previous settlement with Triton Services. To initiate recovery for the remediation efforts, Commission staff seeks authority to file suit against Triton Services, LG Electronics USA, Inc. and other potential responsible or necessary parties.

Vice Chair Blair moved to approve Resolution 18-36.

Director Mohr seconded the motion.

Approval: Vote 3-0.

Executive Director Report

David Williamson reported since the last meeting there were 5 school district groundbreakings and 1 school dedication. There were no projects initiated under the School Performance Contracting program (HB264). There was an Executive Director Delegation of Authority for a Master Facility Plan Amendment for Middletown CSD (Butler) to delete an allowance to abate and demolish Verity Middle School from the budget. There was an Executive Director Delegation of Authority for 3 storm shelter amendments for Clark Shawnee (Clark), Fairborn CSD (Greene) and Winton Woods CSD (Hamilton).

Contracts executed since the April 2018 meeting for agency, higher education and cultural Grants projects totaling approximately \$156.6M and the K-12 program projects totaling approximately \$231.5M. To date 1,565 facilities have been constructed or renovated between the K-12 program, state agencies, colleges/universities and cultural facilities. There are 183 projects currently in construction for that same group with a total dollar value of \$1.94B.

The Director concluded his report by updating the Commission on:

OFCC Staffing: Recruiting: HR Chief, Project Managers and IT Specialists. Additional Focus on Retention, Recognition, Staff Personal & Professional Development.

Management Actions/Activities: Day to Day Priorities, Management Action Timeline, Legislative Initiatives/Directives: HB 21 Storm Shelters, HB318 (w/DSP) School Security Survey and HB438 Community School Grants.

Process Improvement Initiatives: Process Management (VSM & L6S), Metrics and Performance Excellence /TPE.

State Agency & Public Outreach: Agency Construction Officials Planning Group, OFCC Annual Conferences (Columbus, Cincinnati and Cleveland) and Public Affairs/Workshops/Webinars.

Director Williamson introduced Anne Frost, OFCC Project Manager, who gave a presentation on the Apollo Career Center. Apollo Career Center began in 1976 with 5 separate buildings. Our team consisted of Garmann Miller Architects, Shook Touchstone was the local construction manager, Quandel Construction Group was the Owner's agent and Brewer Garret was the commissioning agent. During this project, we connected the buildings and ended up with a massive 261,528 sf structure. The Career Center serves junior and senior high school students from 11 different school districts in 5 surrounding counties. There are 21 high school programs and an extensive adult education program with 23 different fields of study. Their welding program at Apollo is greatly influenced by the local manufacturing companies and the skills they are looking for in students. They want kids trained on specific equipment, and therefore donated a lot of the equipment. The health science and medical office technology program had the beds and medical equipment donated so that the kids could learn on the equipment they'll be using in the field. To help further the student's hands-on experiences, there are 4 programs that are open to the public. The Salon, the Spa, the Café and the Floral Design Shop. Students that are studying in these programs get to work with customers and really learn their respective business. Anne concluded her presentation saying she really enjoyed this project. She learned an incredible amount and will try and educate others regarding the enormous benefits of career center, not only for the students, but also for our economy.

Chairman's Remarks

The State including collective bargaining agreements with the largest employee union, the legislature passed a statute that authorized a pay increases for eligible non-union employees consistent with that union agreement. The pay raises will take affect with the pay period that we are currently in, which is July 1, 2018. One of the duties of the Commission is to hire and set the compensation of the Executive Director. At the October 2017 meeting via Resolution 17-15 delegated authority to the Chairman of the Commission to make those compensation decisions. Consistent with that delegation, Chairman Keen reported that he approved a request from the Commission's Human Resources Department to make a pay adjustment of 2.75% to the Executive Director which is consistent with the adjustment for other state employees. Chairman Keen felt it was appropriate to report back to the Commission after the fact.

Public Testimony

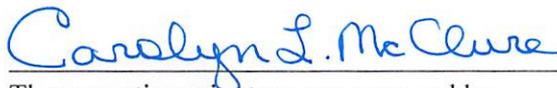
Mr. Mike Madigan, attorney with Kegler Brown Hill+ Ritter representing Regency Construction presented public testimony for an amendment at Springfield LSD (Summit). His written comments are incorporated into the minutes. Chairman Keen thanked Mr. Madigan for coming before the Commission and appreciated him raising the issue with us. Chairman Keen was advised of this potential legal matter that could be forthcoming and that Commission members should refrain from making any comments or discussions about this in this forum. Chairman Keen asked the staff of the Commission to work through this issue in the normal course as they would handle any such suit.

Ms. Casey Cross, staff attorney with Bricker & Eckler LLP representing Springfield LSD Board of Education presented public testimony regarding Regency's request for an amendment. Her written comments are incorporated into the minutes. Chairman Keen thanked Ms. Cross for her public testimony.

The meeting was adjourned at 3:07 PM.



Timothy S. Keen, Commission Chair



These meeting minutes were prepared by
Carolyn L. McClure, Secretary to the Commission