

# SCHOOL BUILDING AUTHORITY OF WEST VIRGINIA

Meeting Minutes  
September 20, 2010  
9:30 a.m.

## I.

### CALL TO ORDER

Governor's Designee, Mr. Jonathan Deem called the School Building Authority of West Virginia (SBA) meeting to order at 9:30 a.m. on September 20, 2010. The following members were present: Mr. Steve Burton, Vice-Chair; Mrs. Delores Cook, Secretary; Mr. Louis Spatafore; Mr. Robert Holroyd; Mr. Nicholas Preservati; Mr. Tom Lange; Mrs. Priscilla Haden; Mr. Robert Dunlevy; Mr. Eric Lewis and Dr. Mark Manchin, Executive Director. Dr. Steven Paine was absent from this meeting. Also present were the following SBA staff members: Mr. David Sneed; Mr. Garry Stewart; Mr. Scott Raines; Mr. Mike Hall; Ms. Joyce VanGilder; Ms. Sherry Grogg; Ms. Mary Blashford and Ms. Stella Gill.

## II.

### ACKNOWLEDGMENTS AND RECOGNITIONS

#### New Board Members – Mrs. Priscilla Haden

Mr. Jonathan Deem introduced Justice Thomas McHugh for the purpose of swearing in Mr. Eric Lewis, the newest SBA Authority member.

The following individuals attended the SBA meeting: Mr. Dave Tennant, Kalkruth Roofing; Mr. Skip Hackworth, Superintendent of Mineral County Schools; Mr. Scott Brewer, Mid Atlantic Regional Council of Carpenters; Mr. Tim Dorsch, Tri-State Roofing & Sheet Metal; Mr. Steve White, ACT Foundation; Mr. Dale Rusk, Roofers Local 185; Mr. Wayne Rebich, ACT Foundation; Mr. Joe Strain, Roofers Local 242; Mr. Gary Zadar, Roofers Local 188; Mr. Jim King, Sheet Metal Workers Local 33; Mr. Tommy Young, McKinley & Associates; Mr. Steven Perdue, Sheet Metal Workers Local 33; Mr. Ron Harvey, Murray Sheet Metal; Mr. Ted Shriver, Williamson Shriver Architects; Mr. Travis Arey, PCS; Mr. Bob Strickland, PCS; Mr. Mark McLean, Tri-State Roofing & Sheet Metal; Ms. Dawn Warfield, WV Attorney General's Office; Mr. David Efaw, WWSBT; Mr. Mike Clowser, Contractors Association of WV; Mr. John Galloway, Gibbons & Kawash; Mr. Charlie McCoe, Summit Supply Inc. and Mr. Douglas Sanders, Summit Supply Inc.

## III.

### APPROVAL OF MINUTES

Upon motion by Mr. Steve Burton with second by Mr. Louis Spatafore, the Authority approved the minutes of the June 14, 2010 meeting.

## IV.

### EXECUTIVE DIRECTOR'S REPORTS

Gibbons & Kawash Audit Report for the Fiscal Year Ending June 30, 2009

Dr. Mark A. Manchin informed the Authority that the CPA firm of Gibbons & Kawash conducted an independent audit of the SBA financial records for the fiscal year ending June 30, 2010. Dr. Manchin stated that normally Mr. John Galloway would present the draft audit report to the Authority but due to some unforeseen circumstances the draft report was not completely finished. Dr. Manchin recognized Mr. John Galloway to provide further details. Mr. Galloway apologized for not having the draft audit ready for the Authority's review and approval. Mr. Galloway informed the Authority that the final draft audit was not complete at this time due to the fact that the meeting had been scheduled a week earlier in September than the previous year and the fact that they were reviewing a higher percentage of documents this year. He stated that the preliminary results indicate that there will be no findings and he anticipated the final draft of the audit report to be completed within the next week. Once the final draft audit is complete, the SBA staff will schedule a special meeting via conference call so that the Authority members can review and approve the audit report.

At this time Dr. Mark A. Manchin presented his Executive Director's Report in which he provided updates on the following issues:

#### Update on School Access Safety – School Mapping Contract

Dr. Mark A. Manchin provided a status update regarding the award of the contract for the school mapping project. Dr. Manchin stated that SBA staff member Ms. Mary Blashford had been working with the WV Purchasing Division as well as members of the School Access Safety Committee to complete the RFP process for the school mapping project. Ms. Blashford informed the Authority that the SBA's portion would be complete by the first week of October and that once the Purchasing Division completed their portion, an executed contract with Patriot Services would be generated by the Purchasing Division.

#### Update on the 2010 SBA Bond Sale

Dr. Mark A. Manchin provided the Authority with a review of the list SBA's Bond sales during 2010. He also reminded the Authority that the funds for the 2012 Needs funding cycle was looking to be a very lean year and the SBA may need to look at ways to expedite the sale of additional SBA Bonds.

#### Information Update as Requested during the June 14, 2010 Quarterly Meeting

Dr. Mark A. Manchin informed the Authority that he had recently met with Ms. Dawn Warfield, a representative of the WV Attorney General's Office to discuss the issue of determining what is required for a contractor legally to be awarded a contract which contains state funds. During these discussions, he was informed by Ms. Warfield that according to WV Code, a contractor must be up-to-date and in compliance with the Division of Labor, Unemployment Compensation, Workers Compensation and the Secretary of State's office to be eligible to be awarded a job that contains state funds. Dr. Manchin stated that after making inquiries with the appropriate agencies, it was determined that at this time, Frye Roofing was in compliance with all four of the required agencies.

Dr. Manchin then reminded the Authority Members that the SBA enters into contracts with the counties not the individual contractors. He stated that it was the counties that actually awarded the bids and it was the counties that actually entered into contracts with the contractors. A lengthy discussion ensued with many questions being answered by Dr. Manchin and SBA staff.

Mr. Steve Burton asked if the SBA staff had been aware that Fry Roofing had been awarded a project but had not begun working on the project for more than six months. Mr. Sneed stated that he had not been aware of any SBA project where Fry Roofing had chosen to delay that long to begin work on the project. Mr. Scott Raines explained that Mr. Burton was referring to the Raleigh County roof project and stated that it was the county who had actually requested the 200 day delay to the start of this project.

Mr. Jonathan Deem stated that since this was a very controversial issue, it would obviously require more discussion time than was available during the meeting. Mr. Deem recommended that an ad-hoc committee be appointed to discuss this issue further.

Mr. Steve White with the ACT Foundation requested to address the Authority. Mr. Deem stated that if there was no objection, Mr. White would be allowed to briefly address the Authority. Mr. White provided further details regarding the ACT Foundation's stand on this issue. He showed the Authority Members a document that he had acquired which he claimed would demonstrate that Fry Roofing was using employees who were working in the U.S. illegally. Dr. Manchin informed Mr. White that since he had collected the information from an undocumented source, then he should provide it to the Division of Labor and file an official complaint. Mr. White objected to this and stated that he wanted the SBA to do it. Dr. Manchin requested that Mr. White provide the SBA with a copy of the information which he was referring to and stated that he would have the SBA staff review it. He stated the SBA would forward the information to the Division of Labor but would inform them that the SBA did not collect the data and could not confirm information's origin or validity.

Mr. Deem also recognized Mr. Mike Clowser with the WV Contractors Association and provided him with an opportunity to express his association's view on this issue.

After a short break, Mr. Deem appointed members to the ad-hoc committee as follows: Jonathan Deem, Chair; Mr. Steve Burton, Mr. Robert Holroyd, Mr. Eric Lewis and Ms. Dawn Warfield as an ex-officio member. He informed the Authority that he would get with the SBA staff to schedule a meeting.

## V.

### **FINANCE REPORTS**

Mr. Jonathan Deem recognized Mr. Garry Stewart to provide the SBA Finance Reports. Mr. Stewart presented a recap of the various finance reports to the Authority for their information.

## VI.

### **CONSTRUCTION COMMITTEE AND FINANCE COMMITTEE REPORT**

#### Morgan County – Emergency Funds Request

Mr. Jonathan Deem recognized Mr. Steve Burton to provide the report of the joint committee report for both the Construction and Finance Committees. Mr. Burton provided the Authority with a brief overview of Morgan County's request for structural steel roof repairs at Widmyer Elementary School. He informed the Authority that Morgan had provided the SBA with a copy of a report compiled by Mr. Richard Ruckman which indicates that it is necessary to add additional structural support bracings to the Widmyer Elementary School roof structure in order to redistribute the roof loads and help prevent the potential structural failure that could be caused by future heavy snowfalls.

Mr. Burton stated that after members of both the Construction and Finance Committees discussed this item and they recommended that the Authority take no action on this issue. Therefore, this issue was tabled.

## VII.

### **2010-2020 COMPREHENSIVE EDUCATIONAL FACILITIES PLAN RECOMMENDED FOR APPROVAL**

Mr. Jonathan Deem recognized Mr. David Sneed to provide further details regarding the CEFPs. Mr. Sneed stated that 27 counties had completed the entire process of developing their county-wide 2010-2020 CEFP. These counties are as follows:

- |                       |                       |
|-----------------------|-----------------------|
| 1. Barbour County     | 25. Mineral County    |
| 2. Berkeley County    | 26. Mingo County      |
| 3. Boone County       | 27. Monongalia County |
| 4. Braxton County     | 28. Monroe County     |
| 5. Brooke County      | 29. Morgan County     |
| 6. Cabell County      | 30. McDowell County   |
| 7. Calhoun County     | 31. Nicholas County   |
| 8. Clay County        | 32. Pendleton County  |
| 9. Doddridge County   | 33. Pleasants County  |
| 10. Fayette County    | 34. Pocahontas County |
| 11. Grant County      | 35. Preston County    |
| 12. Greenbrier County | 36. Putnam County     |
| 13. Hampshire County  | 37. Raleigh County    |
| 14. Hardy County      | 38. Randolph County   |
| 15. Harrison County   | 39. Roane County      |
| 16. Jackson County    | 40. Summers County    |
| 17. Jefferson County  | 41. Taylor County     |
| 18. Kanawha County    | 42. Tucker County     |
| 19. Lewis County      | 43. Upshur County     |
| 20. Lincoln County    | 44. Wayne County      |
| 21. Logan County      | 45. Webster County    |
| 22. Marion County     | 46. Wirt County       |
| 23. Mason County      | 47. Wyoming County    |
| 24. Mercer County     |                       |

These CEFPs had already been reviewed by the Department of Education and were being recommended for approval by the State Board of Education with the SBA's concurrence.

Upon a motion by Mr. Tom Lange, with a second by Mr. Louis Spatafore, the Authority voted to approve the 2010-2020 CEFPs for the above list of County CEFPs.

## VIII.

### OTHER BUSINESS

#### Square Footage Costs Allowance

Mr. Jonathan Deem recognized Mr. David Sneed to provide details regarding the proposed new square footage allowance. Mr. Sneed informed the Authority that the SBA staff had reviewed the historic school construction costs since the last new school construction cost allowance was addressed in September of 2009 and stated that construction costs had not escalated as dramatically as they previously had in the years between 2003-2008. However, inflation is slowly affecting our budgets and by the time the 2011 projects go to bid the current cost allowance may be inadequate. Mr. Sneed stated that based on recent and projected construction cost increases, the SBA staff recommends a slight square foot cost allowance increase as follows:

<u>School Type</u>	<u>Existing Square Footage</u>		<u>Recommended Square</u>	
	<u>Cost Allowance</u>	<u>Increase</u>	<u>Footage</u>	<u>Cost Allowance</u>
EL	\$228.00	\$2.00		\$230.00
MS	\$235.00	\$2.00		\$237.00
HS	\$238.00	\$5.00		\$243.00

Upon a motion by Mr. Steve Burton with a second by Mr. Robert Holroyd, the Authority approved the increase in square foot cost allowance as detailed above.

#### Architectural Services Staff Monthly Project Status Report

Dr. Mark A. Manchin directed the Authority's attention to the information provided in the Architectural Service Staff Monthly Project Status Report. Dr. Manchin informed the Authority that this report provides information for their review regarding the current status of all active projects. Since there were no questions, the Authority moved to the next item on the agenda.

### **IX.**

#### **PERSONEL REPORT**

Dr. Mark A. Manchin informed the Authority that he had requested that a representative from the Department of Administration attend the meeting in order to provide the Authority Members with an overview of the state employee salary assessment process as well as details regarding raises for state employees. Unfortunately, due to scheduling conflicts and no one was available to attend this meeting. Dr. Manchin explained that currently all staff raises must be approved by the Governor's Office. They have requested that all SBA staff members work with the WV Division of Personnel and be placed under job titles/categories of similar job descriptions that currently exist since many of the ones that the SBA currently utilize do not exist in the WV Division of Personnel's list of job titles. Mr. Steve Burton asked if the SBA staff had been placed under the Department of Administration and if so, when did this happen. Dr. Manchin stated that yes the staff now has job titles and classifications that are under the WV Division of Personnel and that this had been an on-going process.

Mr. Jonathan Deem stated that the Administration was requesting that all agencies go through and get approval of the Division of Personnel for all agency discretionary raises. He said that even though this was highly unpopular, they could show real numbers that demonstrates how this policy has benefited the state and helped keep the state from being one of the few states that did not have to lay-off any state employees. Dr. Manchin stated that he would try to have a representative from the WV Division of Personnel attend the December Quarterly meeting of the SBA to answer any further question that the Authority Members may have.

Mr. Tom Lange requested to address the Authority before the meeting was adjourned. He wanted to take this opportunity to remind the Authority Members of the importance of attending both days of the Superintendent Interviews. He stated that during the last round the Authority barely had a quorum and he felt that this was very unfair to the counties that were presenting their projects. Mr. Deem stated that he felt the same way and strongly encouraged the Authority to participate. He advised them that the SBA 2011 meeting dates would be placed on the next agenda and suggested that each Authority make note of these dates on their calendars.

**X.**

**FUTURE MEETING**

The 2010 winter quarterly meeting of the School Building Authority of West Virginia is scheduled at 9:00 a.m. on December 13, 2010 at 2300 Kanawha Boulevard, East, Charleston.

**XI.**

**ADJOURNMENT**

There Being no further business to come before the Authority and upon a motion by Mr. Steve Burton with a second by Mr. Robert Holroyd, the Authority voted to adjourn the September 20, 2010 Quarterly meeting of the School Building Authority of West Virginia.

Minutes approved December 13, 2010



Mr. Kurt Dettinger, Governors Designee  
School Building Authority of West Virginia