

MINUTES OF THE BOARD MEETING

MAY 13-14, 2009

President Lonnie Burgett convened the regular meeting of the Board of Control on Thursday, May 14, 2009 at 9:00 a.m. All Board members were present except Anita Burnette and Steve Parker. Also present were Commissioner Brigid DeVries, Assistant Commissioners Michael Barren, Darren Bilberry, Butch Cope and Julian Tackett; Sports Information Director Elden May and Office Manager Darlene Koszenski. KHSAA legal counsel Peggy Miller, was also present. Guests included: Greg Hager, LRC Committee Staff Administrator; Christopher Hall, LRC Legislative Analyst; Jean Ann Myatt, LRC Legislative Analyst; Athletic Director Robin Newsome and Girls' Basketball Coach Darrin Rice, Sheldon Clark High School. Newly elected Board members Carrell Boyd and John Barnes were also present.

President Burgett asked the record to show that 16 out of 18 Board members were present. He also announced that the date of the June Board meeting has been changed from Monday, June 15, 2009 to Wednesday, June 17, 2009.

Dave Weedman provided a moment of reflection.

Alan Donhoff led the pledge of allegiance.

Ozz Jackson made a motion, seconded by Bob Stewart, to approve the minutes of the April 13-14, 2009 regular meeting. The motion passed unanimously.

Students and coaches who receive DQ's will be required to re-take the STAR Sportsmanship course. Kelley Crain suggested including this course as part of new superintendent's training. Assistant Commissioner Julian Tackett will provide the final details at the June meeting.

The Board of Control then considered the following appeals in compliance with the KHSAA Due Process Procedure:

Case Bylaw	H.O. Recommend	Board Motion (Second)	Favor	Oppose	Recuse Abstain	Ruling
#1324 4	ELIGIBLE	OVERTURN Cook (Crain)	Beasley, Burgett, Cook, Crain, Donhoff, Jackson, Keepers, Moore, Perkins, Prewitt, Randolph, Steidel, Stewart, Weedman	Schlosser, Schneider		INELIGIBLE 14-2
#1329 6	ELIGIBLE	UPHOLD Jackson (Schlosser)	Beasley, Burgett, Cook, Crain, Donhoff, Jackson, Keepers, Moore, Perkins, Prewitt, Randolph, Schlosser, Schneider, Stewart, Weedman	Steidel		ELIGIBLE 15-1

Case Bylaw	H.O. Recommend	Board Motion (Second)	Favor	Oppose	Recuse Abstain	Ruling
#1325 6	INELIGIBLE	UPHOLD Steidel (Stewart)	Beasley, Burgett, Cook, Donhoff, Jackson, Keepers, Moore, Perkins, Prewitt, Randolph, Schlosser, Schneider, Steidel, Stewart, Weedman	Crain		INELIGIBLE 15-1
#1326 6	INELIGIBLE (Exceptions filed)	UPHOLD Weedman (Steidel)	Beasley, Burgett, Cook, Crain, Jackson, Keepers, Moore, Perkins, Prewitt, Randolph, Steidel, Weedman	Donhoff, Schlosser, Schneider, Stewart		INELIGIBLE 12-4

Sheldon Clark High School Athletic Director Robin Newsome presented an appeal and requested to move Sheldon Clark back into the 57th district in basketball. After some discussion, Basketball Committee Chairperson Dave Weedman made a motion, seconded by Marvin Moore, to delay any district changes in the alignment until all schools statewide can be reviewed. This motion leaves Sheldon Clark in the 57th district until that time. The motion passed unanimously.

Commissioner DeVries introduced George Fletcher, the new General Counsel for the KHSAA. He will officially start on July 1, 2009.

Stan Steidel made a motion, seconded by Marvin Moore, to go into Executive Session to discuss pending legal cases. The motion passed unanimously. Stan Steidel made a motion, seconded by Jeff Schlosser to come out of Executive Session. The motion passed unanimously. No action was taken during the Executive Session.

Lonnie Burgett, **Audit and Finance Committee** Chairperson, asked for motions from the Board to approve the following action items:

1. Confirm approval of salary schedule adjustments for the 2009-2010 school year, an increment of 1% for all salary schedule positions and re-classify Cheryl Goodwin from "Receptionist" to "Administrative Support Specialist". A motion was made by Stan Steidel, seconded by Marvin Moore, and passed unanimously.
2. Approve the General Counsel position, inclusive of all benefits consistent with Executive Staff employment. A motion was made by Lonnie Burgett, seconded by Bill Beasley, and passed unanimously.
3. Authorize the Commissioner to move forward on a two year extension with iHigh for the 2009-2011 school years. A motion was made by Marvin Moore, seconded by Kelley Crain, and passed unanimously.
4. Approve the closing of the First Southern museum account with funds to be transferred to Forcht Bank. The Commissioner and Commissioner's Administrative Assistant to be the authorized check signers on the account. An additional designated member of the Executive Staff is to have electronic access for monitoring and transfer. A motion was made by Lonnie Burgett, seconded by Jeff Perkins, and passed unanimously.

5. Approve the opening of an account at National City Bank (PNC) to be used for online ticket sales, payment and donation receipts, and licensing fees for officials and an online merchant account with Paypal, Inc. The Commissioner and Commissioner's Administrative Assistant to be the authorized check signers on the bank account with no checks initially printed, and only to have printed if approved by Board of Control President. An additional designated member of the Executive Staff shall have electronic access for monitoring and transfer. A motion was made by Kelley Crain, seconded by Lonnie Burgett, and passed unanimously.
6. Approve the opening of an account at National City Bank (PNC) to be used for the funds set aside for designation of funds for the Dawahares/KHSAA Hall of Fame project. The Commissioner and Commissioner's Administrative Assistant to be the authorized check signers on the account with no checks initially printed, and only to have printed if approved by Board of Control President. An additional designated member of the Executive Staff shall have electronic access for monitoring and transfer. A motion was made by Ozz Jackson, seconded by Lonnie Burgett, and passed unanimously.
7. Approve the necessary transfer of funds into and out of the aforementioned accounts and the KHSAA General Fund to balance with the 2008 Audit and known transactions from the 2008-2009 fiscal year. A motion was made by Marvin Moore, seconded by Lonnie Burgett, and passed unanimously.
8. Approve the continual designation of funds for the Museum Development Fund
 - a. This would be .3 (thirty percent) of:
 - i. New corporate money (above 2003 baseline)
 - ii. Member school and official fines
 - iii. Increase in novelty receipts over guarantee amount
 - b. Direct donations and net brick sales, and
 - c. .25¢ per full price ticket for the 2008-2009 boys and girls basketball tournaments, and football finals, with the same charge added when fees are raised on other events in the future.

A complete report is to be prepared when the final amounts of revenue and expenses for these sponsorships are reviewed after June 30, 2009. A motion was made by Jerry Keepers, seconded by Lonnie Burgett, and passed unanimously.

9. Approve the remainder of the Designate Fund Categories as established in past. A motion was made by Jeff Schlosser, seconded by Lonnie Burgett, and passed unanimously.
10. Approve the renewal of the paid internship position at the discretion of the Commissioner for publications and event management and permit staff to solicit a sponsorship/endowment pledge to fund that position, with a maximum allocation of \$20,000 as per 2008-2009. A motion was made by Lea Prewitt, seconded by Lonnie Burgett, and passed unanimously.
11. Approve and extend the paid internship position for computers and web support and permit staff to solicit a sponsorship/endowment pledge to fund that position, with a maximum allocation of \$30,000, an increase of one day per week from 2008-2009. A motion was made by Stan Steidel, seconded by Lonnie Burgett, and passed unanimously.
12. Direct staff to seek proposals for an audit firm to be engaged to review the 2008-2009 records and issue both financial statements and a Management Review. A motion was made by Bob Stewart, seconded by Lonnie Burgett, and passed unanimously.
13. Approve other approved spending from the Commissioner's priority list following discussion and any necessary revisions. For the record, the reserve fund began the year with a balance of \$235K. A motion was made by Dave Weedman, seconded by Lonnie Burgett, and passed unanimously.

Mr. Burgett then asked the record to show that staff was authorized to:

1. Proceed aggressively, using current year and designated reserve funds, to transitioning intra-school transfer and other processes to an online system.
2. Re-affirm the Board's direction from May, 2008 to have staff review seating arrangements and make any necessary facility improvements to allow for entire executive staff and counsel to be at Board meeting table in September and beyond. Any expenditure on this project shall be taken from the designated physical plant improvement account if such expends exceeds current year budgeted amounts.

Dave Weedman, **Constitution and Bylaws Committee** Chairperson, asked for motions from the Board to approve the following action items:

1. Endorse Proposal 1 and send to the 2009 Delegate Assembly. A motion was made by Stan Steidel, seconded by Lea Prewitt, and passed 14-2 [Stewart & Weedman were opposed].
2. Do not endorse Proposal 2 and do not send to the 2009 Delegate Assembly. A motion was made by Dave Weedman, seconded by Jerry Keepers, and passed 15-1 [Steidel opposed].
3. Do not endorse Proposal 3 and do not send to the 2009 Delegate Assembly. A motion was made by Dave Weedman, seconded by Lonnie Burgett, and passed 10-5 with on abstention [Cook, Schlosser, Schneider, Steidel & Stewart were opposed; Jackson was out of the room].
4. Do not endorse Proposal 4 and do not send to the 2009 Delegate Assembly. A motion was made by Kelly Crain, seconded by Dave Weedman, and passed 15-0-1. [Jackson was out of the room].
5. Do not endorse Proposal 5 and do not send to the 2009 Delegate Assembly. A motion was made by Roger Cook, seconded by Lea Prewitt, and passed 13-3 [Schendier, Steidel & Weedman were opposed].
6. Reconsider Proposal 5 at the June BOC meeting, after five issues have been discussed and resolved with North Hardin Christian. A motion was made by Stan Steidel, seconded by Dave Weedman, and passed 14-2 [Cook & Moore were opposed].
7. At the request of ARRS, remove injunctive relief wording from KHSAA Bylaw 33. A motion was made by Dave Weedman, seconded by Bill Beasley, and passed 13-3 [Cook, Moore & Steidel were opposed].

Mr. Weedman also asked the record to show that:

1. Bylaw 27 was discussed, regarding the Sports Safety Committee, with no action taken.
2. A letter to the authors of all proposals is to be sent under President Burgett's name, informing them if their proposal has been accepted or rejected, and if applicable, with reasons why the proposal was not approved.
3. There were no Board or staff proposals.

President Burgett, **Executive Committee** Chairperson, asked for motions from the Board to approve the following action items:

1. Approve Association bills from April 1, 2009 through April 30, 2009. The motion was made by Dave Weedman, seconded by Ozz Jackson, and passed unanimously.
2. Approve the 2009-2010 Board of Control meeting date schedule as ammended. The motion was made by Dave Weedman, seconded by Stan Steidel, and passed unanimously.
3. Approve the 2009-2010 budget as presented and permit operations through July and final approval. The motion was made by Lonnie Burgett, seconded by Kelley Crain, and passed unanimously.
4. Have all Principals who did not attend mandatory regional meetings during the 2008-2009 school year appear before the Board on June 17, 2009. The motion was made by Dave Weedman, seconded by Roger Cook, and passed unanimously.

5. Approve the ARRS requested amendment to KHSAA Bylaw 33. The motion was made by Lonnie Burgett, seconded by Dave Weedman, and passed unanimously.
6. Change the Hall of Fame criteria so senior nominees will roll off after 5 years. The motion was made by Dave Weedman, seconded by Stan Steidel, and passed 15-0. [Marvin Moore was out of the room]
7. Commissioner DeVries will invite KAPOS leadership to the June BOC meeting.

The next item on the agenda was election of 2009-10 officers. Alan Donhoff made a motion, seconded by Jerry Keepers, to elect Dave Weedman as President. The motion passed 14-0-1. [Marvin Moore was out of the room & Dave Weedman abstained]

Ozz Jackson made a motion, seconded by Bill Beasley, to elect Kelley Crain as Vice President.

Stan Steidel made a motion, seconded by Jerry Keepers, to elect Boyd Randolph as Vice President.

Ms. Crain and Mr. Randolph left the room while a paper vote was taken. The Board voted 10-6 to elect Kelley Crain as Vice President.

Commissioner DeVries noted that the gutter replacement/repair will move ahead, with \$15K already approved to fund the project.

She also stated that there will be a luncheon provided after the June 17th BOC meeting to honor outgoing BOC members Steve Parker & Jeff Perkins, who were not able to attend the dinner recognizing outgoing Board members.

There being no further business to come before the Board, Ozz Jackson made a motion to adjourn. The motion was seconded by Jerry Keepers, and passed unanimously. The meeting adjourned at 12:35 p.m. on May 14, 2009.

President Lonnie Burgett _____ Date _____

Commissioner Brigid L. DeVries _____ Date _____