

LUDINGTON BOARD OF EDUCATION - LUDINGTON AREA SCHOOL DISTRICT
809 E. Tinkham Avenue, Ludington, Michigan 49431 – Phone 231-845-7303

This is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.

Mission: The Ludington Area Schools, in partnership with the community, will achieve excellence in a positive environment where motivation and quality instruction ensure learning and equip students for success in society.

MEETING: Regular Meeting
DATE: November 16, 2020
TIME: 6:00 p.m.
PLACE: Ludington High School Peterson Auditorium
 Located at 508 N. Washington Avenue, Ludington, Michigan 49431

- I. CALL TO ORDER & ROLL CALL
 - ☑ Steve Carlson ☑ Josh Snyder ☑ Bret Autrey ☑ Mike Nagle ☑ Stephanie Reed ☑ Leona Ashley ☑ Scott Foster
- II. PLEDGE OF ALLEGIANCE
- III. SPECIAL PRESENTATION - 2019/2020 Audit Exit Conference Hungerford Nichols
- IV. AGENDA MODIFICATION
- V. CITIZEN PARTICIPATION
- VI. CONSENT AGENDA
 - A. Ratification of Bill Payment - Per Summary Dated November 16, 2020
 - B. Approval of Minutes October 19, 2020 Special, Closed & Regular Meetings
- VII. BOARD COMMITTEE REPORTS
 - A. Personnel Committee Report November 11, 2020
 - B. Finance Committee Report November 12, 2020
 - C. Building & Site Committee Report November 13, 2020
- VIII. SUPERINTENDENT'S REPORT and COMMENTS
 - A. Programming and Design Development Kick-off Meeting for Secondary Complex Design
 - B. Review Owner, Architect, Construction Team Meeting Notes and Progress
- IX. DISCUSSION ITEMS
 - A. First Reading - NEOLA Special Policy Update: EDGAR Revisions
 - B. Elementary Bond Project Application and Certificate for Payment #7
 - C. Traffic Signal Permanent Highway Easement
 - D. Update on Bid Process - Vacant Elementary School Buildings
 - E. Planning for Retirement of Food Service Director
 - F. Extended COVID-19 Continuity of Learning Plan: Reconfirmation
- X. ACTION ITEMS
 - A. Approval of 2019/2020 Financial Accounts Audit
 - B. Elementary Bond Project Application and Certificate for Payment #7
 - C. Traffic Signal Permanent Highway Easement
 - D. Approval of Notice of Conditions of Bid and Sale of Property
 - E. Extended COVID-19 Continuity of Learning Plan: Reconfirmation
- XI. OTHER ITEMS OF BUSINESS & ANNOUNCEMENTS
- XII. ADJOURNMENT

Official minutes of the Ludington Board of Education are available for public inspection during normal business hours at the Board of Education's Central Business Office, 809 E. Tinkham Avenue, Ludington, Michigan. The Ludington Area School District is an equal opportunity employer and provider. If you are an individual with a disability who is in need of special accommodations to attend or participate in a public meeting please contact Superintendent Jason J. Kennedy at 231-845-7303 at least 24 hours prior to the meeting or as soon as possible.

Memorandum - Office of the Superintendent

FROM: Jason Kennedy, Superintendent
RE: Regular Meeting ~ Agenda Notes

Regular Meeting

SPECIAL PRESENTATION: Audit Exit Conference - Hungerford Nichols

Auditors from Hungerford Nichols have completed the financial audit for the year ending June 30, 2020 and they will present the audit report via distance connection to complete the audit exit conference with the Board. The audit report shows that there are no findings. The District received the highest level of assurance, or opinion, provided by the firm. Our auditors will be available for questions on the audit report via a distance connection at Monday's Board meeting.

SUPERINTENDENT'S REPORT

Programming and Design Development Kick-off Meeting for Secondary Complex Design

We will review the discussion that took place at the kick off meeting on November 11, 2020. We will discuss items that were on the agenda for the design planning meeting as it pertains to the additions and renovations at the secondary complex. The schedule for the project that was discussed at the planning meeting is outlined below:

Proposed Milestone Schedule:

- Pool Equipment Project:
 - Schematic Design: 12/2/20
 - Design Development: 1/6/21
 - Specifications Due: 1/31/21
 - Construction Documents: 2/3/21

- Building Additions/Renovations:
 - Programming Deliverable: 12/16/20
 - Schematic Design: 2/23/21
 - Design Development: 6/28/21
 - Specifications Due: 10/25/21
 - Construction Documents: 11/3/21

Review Owner, Architect, Construction Team Meeting Notes and Progress

We will review the most recent owner, architect, and construction team meeting notes for the elementary school project, as well as the construction progress update that has been provided to the District by the Christman Company, as a way to continue to keep the building and site committee apprised of the work and progress at the elementary school project site.

DISCUSSION ITEMS

First Reading - NEOLA Special Policy Update: EDGAR Revisions

In December 2014, the U.S. Department of Education (ED) released the newly updated Education Department General Administrative Regulations (EDGAR). This major rewrite of the regulations was issued after nearly 40 years of very little change in the compliance measures that federally funded

programs must meet. The regulations covered the application process, financial management, procurement, inventory management, time and effort accountability, cost allowability, record retention, and program oversight.

The Office of Management and Budget (OMB) has now revised sections of OMB Guidance for Grants and Agreements, also known as Uniform Grant Guidance (UGG). Proposed changes to 2 C.F.R Part 200 were published in the Federal Register in January 2020, comments closed on March 23, 2020, and Final Revisions were published in August 2020. Despite the intervening pandemic, OMB released its final revisions to the Uniform Grants Guidance (2 CFR Part 200) on schedule. The revisions continue the OMB's push for results-oriented accountability for grants, significantly rewrite the sections on procurement, and attempt to clarify prior requirements, including provisions related to the period of performance and indirect costs. NEOLA released the special policy update for schools on October 27, 2020, as the revised rules take effect on November 12, 2020.

These revisions reflect changes outlined in the President's Management Agenda (PMA). This guidance is intended to focus on improved stewardship and ensuring that the American people are receiving value for funds spent on grant programs. The revisions are limited in scope to support implementation of statutory requirements, alignment of these provisions with other Federal requirements, and clarification of existing requirements to minimize risk in financial transactions.

These new regulations will require some revision to current policies. Neola has conducted a thorough review of policy and administrative guidelines templates and has provided appropriate revisions and additions in this special update to ensure that the District meets the compliance standards put forth by EDGAR. Policy documents in this special update have been reviewed by Brustein & Manasevit, PLLC Attorneys at Law and by Varnum LLP for consistency with Federal and State law, respectively.

The special update includes revisions to the following District policies:

- Policy 6114 - Cost Principles - Spending Federal Funds (Revised)
- Policy 6325 - Procurement - Federal Grants/Funds (Revised)

Elementary Bond Project Application and Certificate for Payment #7

We will need an action item at the Board meeting on Monday to approve the certificate for payment on the elementary school bond project and to authorize the District to pay **\$1,559,861.78**, as certified by the architect and construction manager, and as outlined in the Certificate for Payment. The District received the authorized documents on November 9, 2020.

Traffic Signal Permanent Highway Easement

The District has come to an agreement with the two (2) property owners who live at the corner of Bryant Rd. and Jebavy Dr. as it pertains to the permanent easement required to install the traffic signal at this intersection as part of the elementary school bond project.

The District has agreed to pay Robert and Lois Rasch \$4,000 for the 25' by 49' permanent easement needed on the owner's property. This includes trimming of existing trees, and the planting of one (1) blue spruce tree on the owner's property. If the installation of the traffic signal requires the removal, instead of the trimming, of a mature tree on the bordering edge of the easement, the District will plant an additional blue spruce tree to replace the tree that would need to be removed. This will be determined at the time of installation.

The District has agreed to pay Henry Rasmussen the sum of \$18,500 for the 25' by 71' easement needed on his property. This includes the removal of at least ten (10) mature trees to accommodate the traffic signal installation. Any tree greater than 6" in diameter will be cut into 8' 6" lengths and given to the property owner.

We will discuss these details of the agreement and ask for the Board to approve payment according to the terms of the agreement for each of these easements.

Update on Bid Process - Vacant Elementary School Buildings

We will review and discuss the bid process pertaining to the sale of the vacant school buildings (Foster, Pere Marquette, and Lakeview) and provide an update on this process with the Board.

Planning for Retirement of Food Service Director

We will continue to discuss planning efforts to replace the District's food service director, after receiving notification that Donna Garrow, the District's Food Service Director, will retire at the end of December 2020. We will continue to discuss options for replacing this position.

Update on Extended COVID-19 Continuity of Learning Plan

On August 20, 2020, Governor Whitmer signed House Bill 5913 into law as Public Act 149. Section 98a states that in order to receive state aid for 2020-2021, districts must provide for instruction under an extended COVID-19 Learning Plan ("Plan") that has been approved by an intermediate district or authorizing body. The Plan does not replace the District's/PSA's COVID-19 Preparedness and Response Plan, it is an additional plan that includes new assurances and sections on educational goals, instructional delivery, grading, and equitable access.

Section 98a(1)(c) states, "Thirty days after the approval of the plan under subsection (2), and every 30 days thereafter, the district must, at a meeting of the board or board of directors, as applicable, of the district, reconfirm how instruction is going to be delivered during the 2020-2021 school year. Public comment must be solicited from the parents or legal guardians of the pupils enrolled in the district during a meeting described in this subdivision." Section 98a(1)(i) states, "The district shall publicly announce its weekly interaction rates under this subdivision at each reconfirmation meeting described in subdivision (c) and make those rates accessible through the transparency reporting link located on the district's website each month."

We will review the Extended Continuity of Learning Plan Reconfirmation Meeting template and reconfirm how instruction is going to be delivered during the 2020-2021 school year, accept public comment during the meeting from parents and/or guardians on the Extended Learning Plan, and review weekly 2-way interaction rates. We will also discuss any changes to the plan. We will also complete each of these tasks at the Board meeting on Monday so that the Board can reconfirm the District's Extended Continuity of Learning Plan.

ACTION ITEMS

Approval of 2019/2020 Financial Accounts Audit

We will need an action item to accept the financial accounts audit provided by Hungerford and Nichols for the year ending June 30, 2020.

Elementary Bond Project Application and Certificate for Payment #7

We will need an action item to approve the certificate for payment on the elementary school bond project and to authorize the District to pay **\$1,559,861.78**, as certified by the architect and construction manager, and as outlined in the Certificate for Payment. The District received the

authorized documents on November 9, 2020.

Traffic Signal Permanent Highway Easement

We will need an action item to approve the permanent highway easements, as outlined in the agreements with Robert and Lois Rasch, and Henry Rasmussen, with payment according to the terms of the agreement for each of these easements. Details of the permanent highway easement are outlined in the signed and notarized agreements developed by the Mason County Road Commission.

Approval of Notice of Conditions of Bid and Sale of Property

We will need an action item to approve the posting and issuance of the notice of conditions of bid and sale of property, as updated and discussed.

Extended COVID-19 Continuity of Learning Plan: Reconfirmation

We will need an action item to approve the District's reconfirmation of its Extended COVID-19 Continuity of Learning Plan, as presented. This includes: reconfirming how instruction will continue to be delivered during the 2020 - 2021 school year, reviewing public comments from parents and/or guardians on the Extended Continuity of Learning Plan at this meeting, and reviewing weekly 2-way interaction rates.