

Monroe County Board of Education

Special Meeting

October 1, 2015

Monroe County Board of Education Office

I. Roll Call

- a. Mr. Lively called the meeting to order at 6:00 p.m.
- b. All members were present.

II. Pledge of Allegiance

III. Approval of Agenda/Adjustments

- a. Mrs. Hoke Webb made the motion to approve the agenda as written. The vote to approve was unanimous.

IV. Public Comments

- a. None.

V. Old Business

- a. Mr. Sams made the motion to enter into Executive Session at 6:05 p.m. under the guidelines of Security Services. The vote to approve was unanimous.
- b. Mr. Sams made the motion to return to regular session at 7:08 p.m. The vote to approve was unanimous.
- c. Clyde Gum, President of the Monroe County Commission, was given the opportunity to speak to the Board. Mr. Gum stated that the Monroe County Commission is willing to sign the MOU with changes to 1.10. The Commission is prepared to pull officers from schools. It is up to the Board. The Commission wants a monthly report from each officer and Mrs. Basile to notify them daily on any date officers are not in the schools.
- d. Mrs. Basile read information she had received from Joe Panetta, WV State Assistant Superintendent of Schools and Office of School Finance, that stated she was correct in the fact that per WV Code §12-3-18, a school system cannot pay in advance for services received. She also stated information from the State Supreme Court has held on several occasions that county boards are corporations created by the Legislature and, as such, have only the power that are expressly conferred upon them by statute or that fairly arise by necessary implication. As such, county boards do not have statutory authority to expend public funds for items that would belong to another governmental entity, which would apply to the County Commission. WV Code §12-3-18, prevents the county school board from paying for services for dates in which the services were not received. Mrs. Basile further recommended that the five days maximum for

missed days be removed from the MOU as originally stated in 1.10. However, the language will remain that the board will not pay for the services on any day that the officer is not in a school. For the school year 2015-2016, the amount is \$404.65 per day; the amount for 2016-2020 is \$235.85 per day. Per statute, the Board cannot pay for the officer if he is not in the school.

e. Mr. Sams made the motion to approve the recommendations for the MOU. The vote to approve was unanimous.

VI. New Business

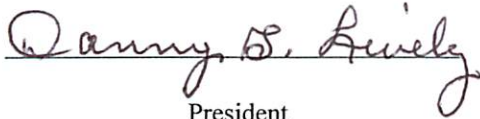
- a. Mrs. Basile recommended that bids be let for Architectural Services for possible new schools in Peterstown.
- b. Mrs. Hoke Webb made the motion to approve. The vote to approve was unanimous.

VII. Discussion Items

- a. Mr. Sams stated that he would like to be involved in the land negotiations for the proposed school site.

VIII. Adjournment

- a. Mr. Lively adjourned the meeting at 7:42 p.m.



President



Secretary