

# HORRY COUNTY BOARD OF EDUCATION

## ***MINUTES SPECIAL-CALLED BOARD MEETING District Office November 2, 2015***

The following persons were present:

### **Board of Education**

Joe DeFeo, Chairman	Holly Heniford	John Poston
David Cox, Vice-Chair	Neil James	Pam Timms
Jeffrey Garland	Kay Loftus	Sherrie Todd
Janet Graham	Janice Morreale	Ray Winters

### **Horry County Schools' Staff**

Mary Anderson	Kenny Generette	Boone Myrick
Edward Boyd	Ara Heinz	Lucas Richardson
Daryl Brown	Mark Koll	Rhonda Snowden
Carolyn Chestnut	Rick Maxey	Mark Wolfe
John Gardner	Dennis McCrary	

*As required by SC Law 30-4-80, local news media were informed of the date, time, place, and agenda of this meeting. Copies of the agenda were posted at the District Office and distributed to schools for posting.*

### **1. OPENING NOVEMBER 2, 2015, AT 6:00 P.M. – CALL TO ORDER**

#### **A. Invocation and**

#### **B. Pledge of Allegiance**

Chairman DeFeo called the meeting to order. Mr. James gave the invocation and led the Pledge of Allegiance.

#### **C. Approval of Agenda**

A motion was made by Ms. Heniford and seconded by Mr. James to approve the agenda as presented. The motion carried unanimously. The Board Chair did not cast a vote on this item.

### **2. EXECUTIVE SESSION**

#### **A. Receipt of Legal Advice for Contract Negotiations Concerning District Facilities RFP 1415-91**

A motion was made by Mr. Cox and seconded by Ms. Timms to move into executive session for receipt of legal advice for contract negotiations concerning District Facilities RFP 1415-91. The motion carried unanimously and the Board entered into executive session at 6:01 p.m. The Board Chair did not cast a vote on this item.

A motion was made by Ms. Heniford and seconded by Mrs. Loftus to return to open session. The motion carried unanimously and the Board returned to open session at 7:06 p.m. The Board Chair did not cast a vote on this item.

### **3. BUSINESS**

**A. Capital Budget and RFP 1415-91**

Mr. Winters made a statement as follows: “I ran for office on few promises, however, one thing I did promise was to work hard to get schools built where they were needed to ease our overcrowding issues; being on the selection committee made me draw upon practically all of my backgrounds, from my early background in education, to my educational background in accounting, and my background as a real estate attorney. I have to say, the take before the selection committee was daunting and one that each member took very seriously.

Upon a thorough evaluation of the proposals submitted by First Floor Energy Positive, Thompson-Turner, and MB Kahn, the selection committee reviewed the proposals over several months and after following an agreed upon scoring matrix, found First Floor Energy Positive to have the highest total score amongst the proposers.

It is specifically agreed amongst this Board that a May 1, 2017, timing of delivery is of utmost importance; and, First Floor Energy Positive has not only promised on time delivery for a Fall of 2017 opening, they, from due diligence investigation have a proven track record of on time delivery of their projects; and,

It being of equal importance to this Board that the schools being constructed be built in a high performance, energy positive fashion. First Floor Energy Positive has provided well documented completed construction examples of their work and is the only proposer that presented evidence of capability to bond not only their construction, but also the energy positive aspects of their end product; and,

It being of general interest to this District that local enterprises be hired whenever possible. Even though First Floor Energy Positive is not a local company, they demonstrated an impressive commitment to our local economy by committing to the hiring of approximately 70% of its workforce from local sources; given the magnitude of the projects we seek to undertake, this will be a great impact on the local economy;

It is noted that all proposers exceeded our stated budget by a significant amount of money; notwithstanding, First Floor Energy Positive for the above reasons set forth and the fact they appear to be able to deliver the 21<sup>st</sup> Century School we seek for our students with the least likely chance of change orders during the construction process and will accept our contract as provided in the RFP without reservation; I would like to make the following motion:

**Motion:** I move that the Board authorize the Board Chair to execute a determination in writing that the proposals awarded are “most advantageous to the District, taking into consideration price and the evaluation factors set forth in the Request for Proposals” under Section IR(A)(9), pages 25-26, of the Horry County Schools Procurement Code, and the District administration is directed to issue the Notice of Intent to Award upon execution of the determination in writing.

I further move that we increase our Building Program Budget to such amounts as may be reasonably necessary, up to a combined amount of \$220,599,769, to successfully enter into contracts with First Floor Energy Positive consistent with the Selection Committee’s recommendation for the construction of new schools originally designated as Carolina Forest Middle, New Myrtle Beach Middle, Socastee Middle, St. James Intermediate, and New Socastee Elementary.

I would also move that the owner's contingency of \$6,750,000 be restored along with up to \$13,000,000 for estimated off-site and other associated ancillary costs.

The motion was seconded by Mr. Cox.

Mr. James shared that he has no doubt that First Floor will deliver very good schools, not having dealt with them personally, but knowing many of their partners. He added, however, that he has a philosophical issue with awarding all contracts to one vendor. Because of that and because we are greatly exceeding our budget, Mr. James will oppose this. He stated this is not due to any doubt that First Floor will deliver what they said they would deliver, but it is a philosophical issue expressed to him by several of his constituents, and he shares that opinion.

Mrs. Todd shared that initially she had some of the same concerns. However, after reviewing everything, she feels that First Floor will build us blue ribbon buildings.

The motion carried with a vote as follows: in favor – Heniford, Todd, Winters, Loftus, Morreale, Cox, Timms, Graham, and Garland. Mr. Poston and Mr. James were opposed. The Board Chair did not cast a vote on this item.

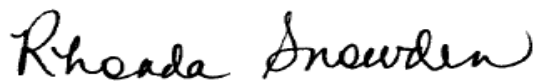
#### **4. ADJOURNMENT**

A motion was made by Ms. Heniford and seconded by Mrs. Todd to adjourn the meeting. The motion carried unanimously and the meeting adjourned at 7:13 p.m. The Board Chair did not cast a vote on this item.

#### **BOARD SELF-ASSESSMENT RESULTS**

A summary of the responses follows.

Respectfully submitted,



Rhonda Snowden  
Executive Assistant to the Superintendent and  
Horry County Schools' Board of Education

Approved: \_\_\_\_\_