

**COMPASS PUBLIC CHARTER SCHOOL
SPECIAL BOARD MEETING MNUTES
June 3, 2010**

Executive Session

Following a roll call vote in public session, the board held an executive session pursuant to Idaho Code Section 67-2345 (l) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency and (f) To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

At 5:38 p.m., Chairman Barrus called the executive session to order. Members present were Chairman Barrus, Director Simmons, Director Adolf, Director Moorhouse, and Director Fairbanks. Director Simmons left at 6:30 p.m. and returned at 7:06 p.m.

The board discussed details relating to the acquisition of the property and possible litigation.

At 6:52 p.m., Director Adolf *moved for adjournment, by unanimous consent.* Chairman Barrus declared the executive session adjourned, without objection.

Public Session –The board met at Compass Public Charter School, 2511 W. Cherry Lane, Meridian, Idaho.

1. Opening of Meeting
 - a. Call Meeting to Order: At 5:38 p.m., Chairman Barrus called the meeting to order.
 - b. Roll Call: The clerk called the roll. Members present were Chairman Barrus, Director Simmons, Director Adolf, Director Moorhouse, and Director Fairbanks. Director Simmons left at 6:30 p.m. and returned at 7:06 p.m.
 - c. Call for Executive Session: Chairman Barrus asked if there was a *motion to convene into executive session pursuant to Idaho Code Section 67-2345 (l) (c) To conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency and (f) To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.* Director Fairbanks *so moved.* Director Adolf seconded the motion and a roll call vote was taken. Members voting in favor of the motion were Chairman Barrus, Director Simmons, Director Adolf, Director Moorhouse and Director Fairbanks.
 - d. Reconvene Public Session: At 7:06 p.m., Chairman Barrus reconvened the public session.
 - e. Pledge of Allegiance: Mr. Jacob led the pledge.
2. Old Business
 - a. Facility: Chairman Barrus stated that the CPCS board had sent the landlords another offer to purchase the building for \$4,500,000 along with a notice that if the offer was not accepted by June 2, 2010, Compass would vacate the building by June 30, 2010. She announced that CPCS had not received a signed acceptance, so the board felt that left no option but to move. Chairman Barrus stated that the next morning, Friday, June 4, 2010, twenty storage cubbies would be delivered to the school and the process of moving out would begin. She stated that the board had considered the possibility of facing both litigation and revocation and felt that they were risks worth taking in order to continue offering Compass students and teachers a quality school to learn and work in. Chairman Barrus acknowledged that several people had signed in to speak. Troy Schultz wanted to verify that a financial connection between CPCS and the landlord would remain for the next 2 months. Director Adolf said that the financial connection would remain through June 30, 2010 because the lease had already been paid through that date. Mr. Schultz asked if the move would be to a temporary location. Chairman Barrus stated that any new location would be temporary because the possibility of litigation did not allow a long term lease to be signed and did not allow the bonding process to advance. Mr. Schultz asked if the school had to go through litigation, would the charter remain valid. Chairman Barrus replied that the risk of losing the charter was one the board was willing to take, under the circumstances. Becky White commented that she remembered the difficulty in finding the current facility. She wanted to let people know that, while daunting, the task of relocating was not impossible. Mrs. White asked what the worst case scenario was for not fulfilling the 20 year lease. Chairman Barrus replied that determining the validity of the lease was a legal matter, but she could say that the worst case

would be losing the school. Erin Leasure asked if a move would change the K-12 status of the school. Chairman Barrus said that the current plan was to remain K-12. Jo Kasuba stated that CPCS had put a lot of money into the facility and asked what would be moved. Chairman Barrus replied that the school could not remove anything that was integral to the building, like furnaces or carpet. She stated that other items purchased by the school could be moved, but some repairs would have to be done to restore the original condition of walls, etc. Ms. Kasuba also asked if the \$4,500,000 was the fair market value of the building. Chairman Barrus explained that an appraisal had not been done recently, but a broker's analysis had indicated that \$4,500,000 was well above the market value. Director Fairbanks explained that the high offer reflected the value of the school program and maintaining consistency for staff, parents and students. Anne Hampton asked if the facility was currently on the market and what the asking price was. Chairman Barrus replied that the facility was not on the market, so the only asking price the board had to work with was an outdated range between \$5,800,000 and \$6,200,000. Since the original offer of \$4,200,000 was made, the owners of the building were holding strong at \$5,300,000. They have told the board that it was their break even point. Matt Leasure was asked if he wanted to make a comment, but he stated that all of his questions had been answered. Karen Duff asked if the board was considering vacating the building, could storage cubbies be ordered to arrive in time for students to help fill them. She also asked if the board had considered building a basic shell then adding to it as it became possible. Chairman Barrus replied that the Plan B sites being considered would all be considered temporary. She said that options ranged from an almost move-in ready building to property where portables could be placed. Director Adolf pointed out that most, if not all, of the Plan B sites under consideration would impact the school calendar. Chairman Barrus added that the most time consuming piece would likely be permitting. Darla Horyza asked if the final location would take into consideration the proximity to the CWI campus and ease with which students could continue to take classes there. Chairman Barrus stated that it remained a consideration. Sharon Abbott asked the board to confirm/deny the rumor that a single start and end time was being considered for K-12. Chairman Barrus confirmed that the possibility of rearranging busing for that purpose had been considered. She restated Director Adolf's comment that any of the Plan B locations may impact the school calendar. Robert Coles asked how soon a site would be identified. Chairman Barrus replied that the board was actively pursuing Plan B and a site would be identified as soon as possible. Mr. Reeder asked if there would be any ramifications of getting the media involved. Chairman Barrus said that there may be a time when that becomes part of the strategy. Mrs. Ball asked if the board could send an email reminder for the Public Charter School Commission meeting on June 24th. Chairman Barrus asked the clerk to make a note of that and make sure the reminder was sent. Mr. Moorhouse asked if the building has a majority owner and who gave the board the \$30,000 per month lease amount. Chairman Barrus answered that there was a majority owner and he had given the board the lease amount. Patricia Scott asked why the board had offered a million dollars more than market value. Director Fairbanks replied that the goal had been to keep the school intact and the board was willing to make a premium offer to do that. They also wanted to give the landlord a fair shake. Chairman Barrus stated that would be the last of the questions the board would take. She reminded the audience that there was a regular meeting scheduled for Thursday, June 10, 2010 and the commission meeting scheduled for June 24, 2010, both of which they were encouraged to attend.

3. Adjournment: At 8:16 p.m., Director Moorhouse moved *that the meeting be adjourned, by unanimous consent*. Chairman Barrus declared the meeting adjourned, without objection.

Chairperson

Secretary

Date Approved