

Minutes
NORTHEAST ARIZONA TECHNOLOGICAL INSTITUTE OF VOCATIONAL EDUCATION
(N.A.T.I.V.E.)
Regular Governing Board Meeting
Wednesday, July 8, 2009
Governing Board Room, Red Mesa USD, Red Mesa, AZ

Public Hearing

- A. The public hearing was called to order at 10:34 A.M. by N.A.T.I.V.E. Board Vice-President Wallace Todacheeny, who turned the public hearing over to Business Manager Charles Waite.
- B. Mr. Waite told the public hearing attendees that the presented budget is the budget proposed on June 10, 2009, and includes the 2% increase as recommended during the June Board meeting. The budget is constructed based on current FY09 ADM. The public hearing and proposed budget were posted and advertised on the Arizona Department of Education website as legally required. The FY10 budget was presented on the revised forms provided by the State.
- C. The public was invited to ask questions about the N.A.T.I.V.E. FY10 Expenditure Budget. Board member Allen asked for clarification about the increased proposed budget amount, future revisions of the expenditure budget, administrative costs, and published enrollment data. Both Business Manager and Superintendent Leshar addressed Board member Allen's concerns. Mr. Waite clarified that a budget revision may be made to include legislative budget changes, once the signed FY10 state budget is available.
- D. Board Vice-President Todacheeny adjourned the public hearing at 10:44 A.M.

Meeting

1. The meeting was called to order at 10:46 A.M. by Margaret Yazzie, Board President
Present – Governing Board: Margaret Yazzie, Sanders Unified School District
Wallace Todacheeny, Red Mesa Unified School District
Theodore Allen, Chinle Unified School District (*left meeting at 12:45 PM*)
Lavina Smith, Kayenta Unified School District (*via teleconference at 12:50 PM*)
Mary Tom, Pinon Unified School District
Eugene Kirk, Window Rock Unified School District
Absent – Governing Board: Ambrose Shepherd, Ganado Unified School District
Shannon Tooke, Tuba City Unified School District
 2. Ms. Yazzie led the Pledge of Allegiance for the Board Members and attendees.
 3. Don Lawrence, Red Mesa HS Principal, and Board Vice-President Todacheeny, welcomed N.A.T.I.V.E. Board members and meeting attendees.
 4. In addition to the six Governing Board members, the N.A.T.I.V.E. Superintendent, the N.A.T.I.V.E. secretary, the N.A.T.I.V.E. Business Manager, the N.A.T.I.V.E. CTE Coordinator, 1 N.A.T.I.V.E. site CTE Director, 1 N.A.T.I.V.E. site Principal, 1 N.A.T.I.V.E. site Principal/CTE director, 1 outside entity representative, and 1 N.A.T.I.V.E. site community member, for a total of 15, were in attendance for all or part of the meeting.
 5. Superintendent Leshar recommended that the agenda be approved. Motion to approve the meeting agenda as recommended by Superintendent Leshar was made by Theodore Allen, seconded by Mary Tom.
- Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.
6. Motion to approve the minutes of the N.A.T.I.V.E. governing Board meeting of June 10, 2009, and the N.A.T.I.V.E. Board retreat of June 24-26, 2009, as recommended by Superintendent Leshar, was made by Theodore Allen, seconded by Wallace Todacheeny.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

Call to the Public: None

7. Presentations and Reports:

7.1. Superintendent's Report

- 7.1.1. Superintendent Leshar provided updated ADM and ADA enrollment numbers as compared to FY08 enrollment numbers. Thirteen students, who completed the CEU CNA course during second semester, were eligible to take the Arizona State Board of Nursing license exam. The Summer Institute is now complete.
- 7.1.2. Superintendent Leshar indicated N.A.T.I.V.E. lobbyist Ron Lee reported that the Governor is now aware of N.A.T.I.V.E.'s need for facility construction funds. Mr. Lee received a phone call from the Governor's office that favored N.A.T.I.V.E. request for funds. On June 23, 2009, N.A.T.I.V.E. administration, along with N.A.T.I.V.E. Board president Yazzie and Board member Shepherd met with legislators and lobbyists to discuss the N.A.T.I.V.E. central campus project. The budget has been approved by the legislature but it will not be final until the Governor signs it.
- 7.1.3. Superintendent Leshar reported that N.A.T.I.V.E. Board retreat was a success. She commended the N.A.T.I.V.E. Board for 100% attendance and recognized their commitment and hard work. She highlighted activities occurring during the retreat. A high point was when Senator Hale and lobbyists joined the Board for part of the retreat.

Motion to approve the Superintendent's report was made by Theodore Allen, seconded by Wallace Todacheeny.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

7.2. Board

7.2.1. Travel Reports

- 7.2.1.1. Board members Yazzie, Todacheeny, Kirk, and Allen reported that they attended the N.A.T.I.V.E. Board retreat, and the ASBA Delegate Assembly on June 23-28, 2009. Board members, including Board member Tom, thought the retreat provided good, beneficial information and commended the N.A.T.I.V.E. staff for their efforts. The ASBA Delegate Assembly legislative committee disapproved the N.A.T.I.V.E. District legislative action item regarding Board travel rates, and Board President Yazzie indicated that no ASBA Board support was evident when she queried the ASBA Board which would reverse that decision during the general session. Board member Allen was disappointed that it was not brought to a vote.

7.2.2. Upcoming Travel

Superintendent Leshar reminded the N.A.T.I.V.E. Board of the upcoming approved travel. A memo that confirms Board attendance to the ACTEAZ Conference, July 19-23, 2009, Loews Ventana Canyon Resort, Tucson, Arizona, the ASBA Summer Leadership Institute, July 23-25, 2009, Little America, Flagstaff, Arizona, and the ASBA Law Conference, September 10-12, 2009, Goodyear, Arizona is included in the Board CD. Board members interested in attending the approved conferences should notify Board Secretary to initiate travel arrangements.

7.3. Site Presentation

Virginia Tsosie, Red Mesa HS CTE Director, shared her appreciation of the N.A.T.I.V.E. District and its staff, and provided a summary of RM CTE program improvement. A walking tour of some of the CTE programs impacted by N.A.T.I.V.E. was held after the meeting.

7.4. Financial Report

Business Manager Waite presented the 2008/2009 monthly financial reports that included the cash balance, revenue, monthly Board report, and site reports. All financial records have been reconciled with the county school superintendent's and county treasurer's offices. Mr. Waite presented the M&O, unrestricted and soft capital budgets, expenditures, and unencumbered balances to the N.A.T.I.V.E. Board. Superintendent Leshar recommended approval of the financial report as presented by Mr. Waite.

Motion to approve the financial report as recommended by Superintendent Leshar was made by Theodore Allen, seconded by Eugene Kirk.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

8. Consent Agenda

Superintendent Lesher recommended approval of consent agenda items:

- 8.1. Contract renewal with Verde Consulting SAIS attendance reporting
- 8.2. Travel for Governing Board for FY10 conferences
- 8.3. Windsor Management Group as sole source for Infinite VISIONS Fund Accounting Software
- 8.4. Superintendent Lesher and CTE Coordinator Frankie Gilmore as evaluators for FY09/10
- 8.5. Off contract payments to FY09 Summer Institute Participants
 - 8.5.1. Charlotte Jackson, Culinary Arts, Ganado HS
 - 8.5.2. Laura Largo, Criminal Justice, Ganado HS
- 8.6. Expenditures for meeting meal purchases
- 8.7. Accounts payable vouchers #9031, #9032, #9033, and payroll vouchers #25, #26

Motion to approve consent agenda items 8.1. through 8.7. as recommended by Superintendent Lesher was made by Theodore Allen, seconded by Mary Tom. Board members Kirk and Allen inquired about Governing Board travel, consulting services for Verde Consulting, and evaluators' cost. Superintendent Lesher and Business Manager Waite addressed Board members' inquiries.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

9. Unfinished Business

- 9.1. Business Manager Waite explained in detail the steps required to release a Multi term competitive sealed solicitation to procure Construction Manager @ Risk Services for the new construction of Elements A-D School—RFQ#07-08-09-CMA. The elements were read into the record as follows:
 1. Cost control – Benefiting fiscal management of the project, CM@R requires a project delivery process where the architect designer, contractor, and school district work together to produce a best value engineering design solution for a given budget.
 2. Value engineering – The advantages provided by early involvement of the contractor in the design phase of the project. Value engineering will include constructability reviews and design consultation. These services should result in increased project quality and lower lifetime costs associated with the project.
 3. Market conditions – Local housing is down and national economic conditions still effect the labor market and availability of various materials in the local construction market.
 4. Schedule – Critical timing of construction will need to be tailored for shovel ready educational campuses, and to meet district time constraints of multi building projects.
 5. Specialized expertise – The unique features and functional requirements of this project make past experience with similar situations or detailed knowledge critical to our project's success.
 6. Technical complexity – The technical aspects of this project that require specific skills or experience are available, including consideration of energy efficiency. This may include building maintenance.
 7. Project management – The district's ability to manage the project, in terms of experience, and manpower will significantly improve with the implementation of partnering and teambuilding concepts used the Construction Manager at Risk Method. Having a contract in place that incorporates the partnering/teambuilding concept is beneficial to the District. Board member Kirk inquired about N.A.T.I.V.E. legal counsel's review. Superintendent Lesher reassured the Board that the N.A.T.I.V.E. legal counsel had reviewed the documentation. All procurement methods including the Construction Manager at Risk alternative procurement method was discussed at length at the N.A.T.I.V.E. Board retreat. The Superintendent and the Business Manager recommended that a Multi term competitive sealed solicitation be released. There is no financial risk to the district at this point. Board member Allen voiced that the entire board should be present on this decision, and recommended that the action to release the sealed bid solicitation be tabled.

Motion to table to release of a Multi term competitive sealed solicitation to procure Construction Manager @ Risk Services for the new construction of Elements A-D School—RFQ#07-08-09-CMA was made by Theodore Allen, seconded by Mary Tom.

Vote: 2 in favor, 3 opposed, 0 abstained. The motion failed.

Board member Allen left the meeting at 12:45 PM.

Board member Smith teleconferenced into the meeting at 12:50 PM which provided a quorum and the meeting continued.

Superintendent Leshner, Board President Yazzie, and Business Manager Waite provided a summary of the Construction Manager at Risk to Board member Smith, reviewing the seven elements and Board discussion.

Motion to approve release of a Multi term competitive sealed solicitation to procure Construction Manager @ Risk Services for the new construction of Elements A-D School—RFQ#07-08-09-CMA as presented and recommended by Superintendent Leshner was made by Lavina Smith, seconded by Wallace Todacheeny. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 1 opposed, 0 abstained. The motion carried.

9.2. Motion to approve request for a resolution from the Navajo Nation Council in support of the N.A.T.I.V.E. Central Campus training facility, as recommended by Superintendent Leshner, was made by Wallace Todacheeny, seconded by Eugene Kirk. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried

10. New Business

10.1. Superintendent Leshner recommended approval to adopt FY09/10 expenditure budget as presented during the public hearing,

Motion to adopt FY09/10 N.A.T.I.V.E. expenditure budget as recommended by Superintendent Leshner was made by Eugene Kirk, seconded by Lavina Smith. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

10.2. Motion to approve FY09 carryover budget for Window Rock HS as presented and recommended in the Board CD by Superintendent Leshner, was made by Eugene Kirk, seconded by Lavina Smith. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

10.3. Motion to approve Governing Board travel to the N.A.T.I.V.E. Central Campus Advisement meeting, July 14, 2009, Kayenta, Arizona as presented and recommended by Superintendent Leshner, was made by Lavina Smith, seconded by Wallace Todacheeny. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

10.4. Superintendent Leshner presented the first reading of Policy BEDB Agenda. This is the first reading and requires no action.

10.5. Superintendent Leshner presented the first reading of Policy BE (Cell Phone). "Portable electronic devices such as cellular phones, music players, and video game systems may not..." was read into the record as the replacement for "Personal portable electronic instruments, communication, and entertainment devices, including but not limited to cell phones..." in BE, as recommended by Attorney Hoover. This is the first reading and requires no action.

11. Next meeting agenda items: Construction Manager@Risk bid results, site budget request(s), and Board meeting conduct.

12. The next regular Board meeting is scheduled for Wednesday, August 12, 2009, 10:00 A.M. at Tuba City USD.

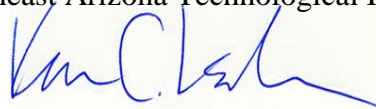
13. Motion to adjourn meeting was made by Lavina Smith, seconded by Eugene Kirk at 1:12 PM. Board secretary recorded member votes with a roll call vote.

Vote: 4 in favor, 0 opposed, 0 abstained. The motion carried.

Dated this 20th day of July, 2009

Northeast Arizona Technological Institute of Vocational Education

By



Karen Leshner, Superintendent