

**Minutes of Regular Meeting
The Board of Education
Gallup McKinley County Schools
August 23, 2021**

A Regular meeting of the Board of Education of Gallup McKinley County Schools was held August 23, 2021, beginning at 1:00 PM in the Board Room of the Student Support Center, 640 Boardman, Gallup, NM 87301.

BOARD MEMBERS PRESENT:

- Charles Long, President
- Christopher Mortensen, Vice President
- Michael W. Schaaf, Secretary
- Priscilla Benally, Member
- Kevin Mitchell, Member

STAFF MEMBERS PRESENT:

- Mike Hyatt, Superintendent
- Jvanna Hanks, Deputy Superintendent of Business Services
- Dr. Pauletta White, Assistant Superintendent of Student Services
- K'Dawn Montano, Assistant Superintendent of Personnel Services
- Wade Bell, Assistant Superintendent of Curriculum and Instruction
- Joan Nez, Recording Secretary

CALL TO ORDER – PLEDGE OF ALLEGIANCE - ROLL CALL

Charles Long called the Board of Education meeting to order at 1:00 p.m. on Monday, August 23, 2021, in the boardroom of the Student Support Center, 640 Boardman, Gallup, New Mexico. (Five board members were present for roll call: Charles Long, Chris Mortensen, Michael Schaaf, Priscilla Benally, and Kevin Mitchell)

APPROVAL OF AGENDA

Michael Schaaf move, and Priscilla Benally seconded to approve the agenda as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

APPROVAL OF MINUTES

Michael Schaaf move, and Chris Mortensen seconded the minutes of the Board of Education regular meeting of August 2, 2021 be approve as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

APPROVAL OF CONSENT AGENDA ITEMS

Michael Schaaf move and Kevin Mitchell seconded the consent agenda items be approve as presented. (4a, 4b, 4c, 4d, 4e) Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

- A. Report on, consideration of, and action on bids, proposals and use of existing contracts: CONSENT
 - 1. Mobile Homes (Price Agreement) of August 16, 2021
- B. Financial Section - CONSENT
 - 1. 2021-2022 Budget Decrease
 - 2. 2021-2022 Budget Increase
 - 3. 2021-2022 Budget Adjustment Requests (Intra-Transfers)
 - 4. 2021-2022 Budget Adjustment Requests (Inter-Transfers)
 - 5. Current Bills - Operational, Federal Projects, Food Services, Other
- C. Approval of the Nizhoni Network Memorandum of Understanding Concerning the Transition of Children between Six Entities and Gallup McKinley County Schools – CONSENT
- D. Approval of Memorandum of Understanding between New Mexico Lions Operation KidSight, Inc. and Gallup McKinley County Schools – CONSENT
- E. Approval of the Memorandum of Agreement between Gallup McKinley County Schools and McKinley County SNAP SA Coalition, JSAAC and DWI Program - CONSENT

21-2022 BUDGET DECREASE

It is recommended that the following 2020-2021 Budget Decrease be approved.

Fund Description	Present Budget	Decrease	Adjusted Budget	JUSTIFICATION/PURPOSE
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***4.b 2021-2022 BUDGET INCREASE**

I. It is recommended that the following 2020-2021 Budget Increase be approved.

Fund Description	25184 Indian Ed Formula Grant	Present Budget	Increase	Adjusted Budget	JUSTIFICATION/PURPOSE
		\$ 1,809,227	\$30,831	\$ 1,840,058	Budget Increase, 1 FTE at CPE

***4.c 2021-2022 BUDGET ADJUSTMENT REQUESTS (INTRA-TRANSFERS)- Same Function**

FROM ACCOUNT	TO ACCOUNT	AMOUNT	LOCATION	JUSTIFICATION/PURPOSE OF TRANSFER
Operational (11000)				
Tires/Tubes	Maint. Supplies/Parts	\$ 10,000	Transportation	Motor Pool - Transfer needed for supply/parts
Diesel Fuel	Maint. Supplies/Parts	\$ 10,000	Transportation	Motor Pool - Transfer needed for supply/parts
Sup. Assets \$5000 or Less	Maint. Supplies/Parts	\$ 5,000	Transportation	Motor Pool - Transfer needed for supply/parts
Sup. Assets \$5000 or Less	Software	\$ 1,650	Student Support Services	Bilingual - To cover the cost of teacher edition lesson capture software for each new laptop ordered.
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 2,838	Student Support Services	Bilingual - To cover the cost of teacher USB multiport adapter. These are not assets.
Sup. Assets \$5000 or Less	Software	\$ 450	Student Support Services	Bilingual - To cover the cost of teacher USB multiport adapter. These are not assets.
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 774	Student Support Services	Bilingual - To cover the cost of teacher USB multiport adapter. These are not assets.
MGR Furn/Fix/Equip	Software	\$ 5,939	Business	This is a reversal from the August 8th, 2021 Board Meeting. School will purchase from different expenditure.
Gen. Supplies & Materials	Sup. Assets \$5000 or Less	\$ 120	Business	CPH - To transfer funds to purchase an electric inflator for athletic department.
Gen. Supplies & Materials	Other Contract Services	\$ 270	Business	CPH - Transfer funds to hire a DJ for open house.
MGR Furn/Fix/Equip	Sup. Assets \$5000 or Less	\$ 430	Business	RAH - Transfer to purchase a gas trimmer mower manual start
MGR Furn/Fix/Equip	Gen. Supplies & Materials	\$ 380	Business	RAH - Transfer funds to general supplies to purchase vacuum bags.
Supplies & Materials	Other Contract Services	\$ 2,383	Business	BPB - Transfer of funds is to cover presenter for open house.
Gen. Supplies & Materials	Other Contract Services	\$ 250	Business	JFE - Transfer for open house activities
Gen. Supplies & Materials	Sup. Assets \$5000 or Less	\$ 980	Business	CPM - To transfer funds to purchase an apple MacBook for administration usage.
Software	Other Contract Services	\$ 662	Business	RAE - To purchase PD lesson plan training with teachers.
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 2,500	Business	CPH - Transfer funds to purchase warehouse supplies.
Total:		\$ 44,626		
Transportation (13000)				
Transportations - Contract	Diesel Fuel	\$ 10,695	Transportation	Transfer unused funds.
Base Salaries	Heavy Equipment	\$ 210,000	Transportation	Transfer funds wrecker add on, 8 FTE Reduction.
Total:		\$ 220,695		
Title I (24101)				
Gen. Supplies & Materials	MGR Furn/Fix/Equip	\$ 2,000	Business	NPH - Transfer needed to cover maintenance agreement for Canon copier SY 21-22
Sup. Assets \$5000 or Less	Software	\$ 1,000	Business	SCE - Transfer needed to offset negative balance SY 21-22
Software	Professional Development	\$ 7,205	Business	TUE - Transfer funds to purchase Empower PD
Other Contract Services	Sup. Assets \$5000 or Less	\$ 10,050	Business	GPH - Transfer funds to purchase iPads
Software	Professional Development	\$ 600	Business	JFK - Adjusting budget to actual
Gen. Supplies & Materials	Software	\$ 544	Business	CPM - Transfer to purchase software for the school
Professional Development	Sup. Assets \$5000 or Less	\$ 30,538	Business	GPH - Transfer is to cover cost of iPads.
Professional Development	Other Text Books	\$ 1,000	Business	TDH - Transferring funds to purchase ELA classroom book sets.
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 9,700	Business	NVM - Transfer funds to purchase toner and PBIS signage and incentive items for stud
Sup. Assets \$5000 or Less	Software	\$ 348	Business	RAH - Transfer to cover foreign taxes on a software license.
MGR Furn/Fix/Equip	Software	\$ 650	Business	CMM - Transfer needed to renew Renaissance subscription for SY 21-22
Software	Sup. Assets \$5000 or Less	\$ 11,000	Business	JFE - Transfer for teachers to utilize culture & climate recording. Aligned to PBIS.
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 700	Business	GCH - Transferring funds to purchase hand held white boards and markers.
Professional Development	Gen. Supplies & Materials	\$ 10,000	Business	CMM - Transfer funds to buy white boards, laptops and ipads for students in SY 21-22

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Professional Development	Sup. Assets \$5000 or Less	\$ 40,000	Business	CMM - Transfer funds to buy white boards, laptops and ipads for students in SY 21-22
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 12,000	Business	NVE - Transferring funds to purchase supplies in the classroom and manipulatives
Sup. Assets \$5000 or Less	Gen. Supplies & Materials	\$ 515	Business	NVE - Transferring funds to purchase supplies in the classroom and manipulatives
Total:		\$ 137,850		
Entitlement IDEA-B (24106)				
Additional Compensation	Health / Medical Premiums	\$ 5,846	Business	To adjust estimated budget to actual
Additional Compensation	Dental	\$ 736	Business	To adjust estimated budget to actual
Additional Compensation	Vision	\$ 56	Business	To adjust estimated budget to actual
Fixed Assets > \$5000 F/A	Other Contract Services	\$ 50,000	Student Support Services	Transfer funds to cover consult services for ASD supports.
Gen. Supplies & Materials	Other Contract Services	\$ 25,000	Student Support Services	Transfer funds to cover consult services for ASD supports.
Professional Development	Other Contract Services	\$ 40,000	Student Support Services	Transfer funds to cover consult services for ASD supports.
Total:		\$ 121,638		
ESSER III (24330)				
Gen. Supplies & Materials	Professional Development	\$ 72,570	Business	Transfer funds to PD for Student Led Conference PD
Sup. Assets \$5000 or Less	Software	\$ 2,874	Business	Transfer funds for software for science classrooms.
Total:		\$ 75,444		
Impact Aid Indian Education (25147)				
Gen. Supplies & Materials	Other Contract Services	\$ 2,000	Business	Additional funding needed for liaison physicals
Total:		\$ 2,000		
Medicaid (25153)				
Gen. Supplies & Materials	Other Contract Services	\$ 80,000	Student Support Services	Transfer of funds to cover the cost of additional document scanning services.
Total:		\$ 80,000		
Additional Materials (27109)				
INST. Mat. CRD 50% Text	INST. Mat. Cash 50% Text	\$ 1,342	Student Support Services	Bring budgets to actual
Total:		\$ 1,342		
Capital Improvements SB-9 (31700)				
Construction Services	MGR Bldg & Grounds	\$ 214,905	Business	Adjusting estimated budget to actual
Construction Services	Sup. Assets \$5000 or Less	\$ 144,154	Business	Adjusting estimated budget to actual
Construction Services	Fixed Assets > \$5000 F/A	\$ 18,781	Business	Adjusting estimated budget to actual
Construction Services	MGR Bldg & Grounds	\$ 150,000	Business	Transfer for teacherage roof repair and parking lot striping.
Total:		\$ 527,840		
*4.d 2021-2022 BUDGET ADJUSTMENT REQUESTS (INTER-TRANSFERS)-Different Function				
FROM ACCOUNT	TO ACCOUNT	AMOUNT	LOCATION	JUSTIFICATION/PURPOSE OF TRANSFER
Operational (1000)				
Software (1000)	Gen. Supplies & Materials (2600)	\$ 2,000	Business	IHE - Transfer to purchase custodial supplies
Gen. Supplies & Materials (2400)	Gen. Supplies & Materials (1000)	\$ 3,000	Business	IHE - Transfer to purchase teacher supplies
Sup. Assets \$5000 or Less (1000)	Sup. Assets \$5000 or Less (2400)	\$ 1,834	Business	THM - Purchase new computer for school principal.
Total:		\$ 6,834		
Entitlement IDEA-B (24106)				
Additional Compensation (1000)	Additional Compensation (2100)	\$ 165,000	Business	Transfer for Ancillary addenda and benefits
Additional Compensation (1000)	Education Retirement (2100)	\$ 14,500	Business	Transfer for Ancillary addenda and benefits
Additional Compensation (1000)	ERA - Retiree Health (2100)	\$ 2,000	Business	Transfer for Ancillary addenda and benefits
Additional Compensation	FICA Payments (2100)	\$ 5,000	Business	Transfer for Ancillary addenda and benefits
Additional Compensation	Medicare Payments (2100)	\$ 1,200	Business	Transfer for Ancillary addenda and benefits

(1000)

T		\$	187,700		
ESSER III (24330)					
Other Contract Services (2100)	Professional Development (1000)	\$	349,000	Business	Transfer for professional development for teachers and IC's
Total:		\$	349,000		

***4.8 2021-2022 Initial Budgets**

I. It is recommended that the following 2021-2022 Initial Budgets be approved.

Fund	Present Budget	Increase	Adjusted Budget	JUSTIFICATION/PURPOSE
Description			\$	
Fund	Present Budget	Increase	Adjusted Budget	JUSTIFICATION/PURPOSE
Description			\$	

STUDY CIRCLE

1. Start of School Year Information

Mike Hyatt reported a positive start of the school year. Information on the number of new students without kindergarten students will be available at the next board meeting. Approximately 60% of staff are vaccinated. Student vaccination will be available at a later date. The incentive for Bus drivers is on the agenda for action, the new hires will received \$1000 and another \$1000 in December 2021. The librarians training were scheduled through Mr. Joel Copley, the trainings will continue throughout the year. The Navajo Language Culture workshops, some were scheduled before the contract started, stipends were paid to those attending. The district will assist with obtaining licensure completing the 520 process. Athletics, they are required to wear masks in all indoor activities. The announcement of Kathy Kurpiel as the new MCFUSE president, she is willing to work with the district. Also, the announcement of the new Public Education Department Secretary Kurt Steinhaus.

The board commended the new Union president and her willingness' to work with the school district for the students. Also recommends to formally invite the Kurt Steinhaus to the school district in the near future to visit schools and meet students.

Superintendent also mentioned, the new school buildings are Red Rock Elementary and Tohatchi High School are currently in the design phase. Gallup High School is also listed. The buildings will be built according to education specifications.

2. Notices and Communications

- September 6, 2021 – Labor Day
- September 13, 2021 – GMCS Board Meeting
- September 13, 2021 – Parent/Teacher Conference
- September 26-28, 2021 – National JOM Conference (Atlantic City, NJ)

NEW BUSINESS

A. Approval of the 2021-2022 Bus Driver Signing Incentive

Chris Mortensen move and Priscilla Benally seconded to approve the 2021-2022 Bus Driver Signing Incentive; payment of \$1000 when hired and \$1000 in December 2021. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

B. Approval to Authorize litigation against U.S. Department of Interior for JOM funding – ACTION
(Following the Executive Session)

Chris Mortensen move and Michael Schaaf seconded to approve to Authorize litigation against U.S. Department of Interior for JOM funding as presented. Upon roll call vote, motion carried. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-abstain, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

C. Approval to Authorize litigation against Merchants Bonding Company for damages for failing to honor performance bond – ACTION (Following the Executive Session)

Chris Mortensen move and Michael Schaaf seconded to approve to Authorize litigation against Merchants Bonding Company for damages for failing to honor performance bond as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

- D. Approval to Authorize appeal to federal court on FY 2021 Impact Aid Determination by the U.S. Department of Education's Impact Aid Office to release Impact Aid funds to the "School District" – ACTION *(Following the Executive Session)*

Priscilla Benally move and Michael Schaaf seconded to approve to Authorize appeal to federal court on FY 2021 Impact Aid Determination by the U.S. Department of Education's Impact Aid Office to release Impact Aid funds to the "School District" as presented. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

EXECUTIVE SESSION

A. The board will meeting in executive session regarding "Discussion with legal counsel of Pending or Threatened Litigation pursuant to Section 10-15-1(H)(7) of the Open Meetings Act regarding the status of the pending arbitration with Lone Mountain Construction for its default of a construction contract, possible initiation of litigation against the surety, Merchants Bonding Company, for failing to honor the performance bond on the same construction contract; initiation of appeal to the U.S. Tenth Circuit Court of Appeals to compel the release of federal impact aid funds to the School District pursuant to the ruling of Administrative Law Judge at U.S. Department of Education on the FY 2021 Impact Aid Determination by the U.S. Department of Education's Impact Aid Office; initiation of litigation to compel U.S. Department of Interior to accept the School District's direct applications for federal funding under the Johnson O'Malley Act; and receive update on pending litigation for declaratory judgment and mandamus against the PED Secretary in district court.

B. Report to the Board

Charles Long reported in the executive session the board discussed litigation that is listed on the agenda for action today. No action was taken in executive session.

Enter to Executive Session

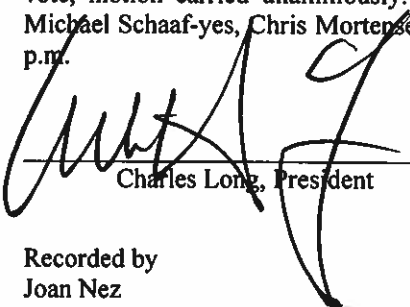
Priscilla Benally move and Chris Mortensen seconded to go into executive session for "Discussion with legal counsel of Pending or Threatened Litigation pursuant to Section 10-15-1(H)(7) of the Open Meetings Act regarding the status of the pending arbitration with Lone Mountain Construction for its default of a construction contract, possible initiation of litigation against the surety, Merchants Bonding Company, for failing to honor the performance bond on the same construction contract; initiation of appeal to the U.S. Tenth Circuit Court of Appeals to compel the release of federal impact aid funds to the School District pursuant to the ruling of Administrative Law Judge at U.S. Department of Education on the FY 2021 Impact Aid Determination by the U.S. Department of Education's Impact Aid Office; initiation of litigation to compel U.S. Department of Interior to accept the School District's direct applications for federal funding under the Johnson O'Malley Act; and receive update on pending litigation for declaratory judgment and mandamus against the PED Secretary in district court at 1:34 pm on Monday, August 23, 2021. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

Reconvene from Executive Session

Priscilla Benally move and Chris Mortensen seconded to reconvene the meeting from the executive session at 2:07 pm on Monday, August 23, 2021. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes)

ADJOURN

There being no further business, Chris Mortensen move and Michael Schaaf seconded the meeting be adjourn. Upon roll call vote, motion carried unanimously. (Five board members present and voting: Kevin Mitchell-yes, Priscilla Benally-yes, Michael Schaaf-yes, Chris Mortensen-yes, and Charles Long-yes) Meeting adjourned on Monday, August 23, 2021, at 2:11 p.m.



 Charles Long, President



 Michael Schaaf, Secretary

Recorded by
 Joan Nez
 August 23, 2021