

FAYETTE COUNTY LEGISLATIVE BODY

OCTOBER 19, 2010

BE IT REMEMBERED that the Fayette County Legislative Body met in a special called session at the Bill G. Kelley Criminal Justice Complex in Somerville, Tennessee, on the 19th day of October, 2010. Present and presiding was Chairman Rhea Taylor. Also present were Sue W. Culver, County Clerk, Richard Rosser, County Attorney; and Erik Cook, Fayette County Sheriff's Department; and the following County Commissioners: Ed Allen, Joann Allen, Steve Anderson, Charles Brewer, Odis Cox, Lee "Sissy" Dowdle, Willie German, Ronald Harris, Reggie Howard, Tom Karcher, Bill Kelley, Terry Leggett, David Lillard, Claude Oglesby, Steve Reeves, Raymond Seals, Myles Wilson, and Larry Watkins.

Absent was Commissioner Sylvester Logan. A quorum was declared with eighteen Commissioners present.

Chairman Taylor stated that this meeting was called for a discussion of the Fayette County schools, and the steps necessary to satisfy a long standing desegregation suit against the County. The Chairman introduced members of the Legal Defense Fund and representatives from the Department of Justice, along with members of the Fayette County School Board. He then stated that some in attendance had already been involved in two other meetings today, a meeting at 1 P.M. at which Ms. Dana Pittman made a presentation of plans that have already been studied by the School Board, as well as the current plan to build a new school. It was pointed out that no boundaries will be changed as far as zoning, unless the judge agrees to it. At 3 P.M. there was an Attorney/clients meeting to discuss the status of the desegregation suit.

The Chair recognized Tom Minor, Attorney for the Fayette County School Board, who briefly commented on several issues. Mr. Minor stated that he made some site visits with members of the Department of Justice Legal team and the Legal Defense Fund attorneys earlier in the day and would be out of his office for site visits tomorrow morning. The parties had visited the current sites of Jefferson School and the Somerville Elementary School in the morning and attended the meetings with the School Board in the afternoon. One of the site visits tomorrow morning will be the old Fayette County High School site which is being studied for location of the new school. Mr. Minor stated that the plan now being studied will close the Jefferson, Central, and Somerville Elementary Schools and consolidate them into one school which will be located on South Main Street in Somerville. This will turn three racially identifiable schools into one body at a new facility. Once the three districts are fully consolidated, or at least partially consolidated, the county will be much closer to the achieving the desegregation required by the Department of Justice, and will have by and large, met all deadlines of the lawsuit. In the November meeting of the County Legislative Body, the architects will present a proposal for the funds required to build the school. The Department of Justice and the Legal Defense Fund will have studied the school, and the effect it will have on racial makeup. The County Legislative Body will do due diligence and give feedback to the

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School Board. Mr. Minor further stated that attendance zone lines are not the end all and not the only tool to address desegregation. There are other tools available to get us to unitary status. The School Board has voted to cancel "Plan 3", a plan which involved extensive busing of students and the current proposal is to construct a new school.

In reply to questions involving funding the new school, Chairman Taylor stated that there would be some savings from closing the schools, and if allowable that money would be used toward retirement of the debt for the cost of the school. Instead of needing three principals, only one would be needed as well as one assistant principal.

Commissioner Howard questioned the validity of the contract with Henson Construction since it was actually entered into in 2004, and was advised that the attorneys are looking into the matter.

Commissioner Karcher asked Mr. Minor if he felt that a new school was the only means of attaining unitary status, to which Mr. Minor replied, "There is no pathway that does not include a new school".

Dr. Cedrick Gray, superintendent of Fayette County Schools, addressed the Board stating that while plans are not etched in stone, some possibilities have been discussed for the Jefferson location to become the alternative school and the Central location to house administrative offices and parenting classes. Recertification of teachers could be done at Central. Any buildings that are now being rented will be the first to be considered for relocation to the county owned buildings at Central School and Jefferson School. Dr. Gray further stated that his office is committed to two things. First, he is committed one hundred per cent to educating the children in the Fayette County School system, and the new school building will symbolize unification. Secondly, He is committed to efficient and responsible stewardship of funds.

Questions were asked by Commissioners regarding the two story design of the building regarding safety as younger students will be included in the student body. Steve Landweir of Fleming and Associates, the architectural firm designing the building stated that the schools currently have 752 students, the new school will be designed to accommodate 950. He further stated that the goal of the Justice Department is to open the school by August, 2012, and in order to finish on time the design must be released by November 1, 2010. Twenty months is the minimum needed to complete the project.

Chairman Taylor addressed the timeline, stating that even if the schedule is delayed as much as a year, he would prefer that the building is built right the first time. Commissioner Dowdle stated that she would like for the Department of Justice to see a cooperative spirit within the Legislative Body toward compliance with their requirements.

The architects were questioned regarding how much consideration they had given to traffic in the area. Mr. Landweir stated that a study would be done to determine if a turning lane was necessary, and if it could be added to the current street, if the study

deemed it necessary. Questions were asked about the bidding process, and the safety of a two story building for younger students.

Chairman Taylor stated that there is a lot more work to be done. There will be more meetings in the future, and more studies will be done. There will be studies regarding the effect of building a new school on the county, how it will affect busing, how busing until the new school is complete will affect students.

Commissioner Joann Allen stated that this lawsuit has been going on for forty years, and I have not heard at what point we will get out from under this court order, or if we will. The Attorneys stated that this was not something that could be discussed in an open forum. She also asked since Oakland Elementary is a predominantly white school, will this be acceptable. The pattern of the population is expressed in this school. Mr. Minor stated that population patterns are not held against school districts, and that the courts will take into consideration a good faith effort to integrate schools, however allowance of zone jumping is not a good faith effort. For this reason zoning lines must be strictly enforced. When asked if Oakland students would be zoned in the future, he replied that no one knows the ultimate effect of the compliance to the court order yet. He stated that LaGrange Moscow is an excellent facility to which some Oakland students could be bused, but that these things remain a work in progress.

Commissioner Ed Allen then asked if the County could afford a new school. Chairman Taylor stated that he had already talked to a Bond counselor, and that the county will probably need more income. We can restructure some debt, but more income will have to be discussed, and we will probably be looking at discussing property tax increases, wheel tax increases or sales tax increases, or a combination.

Chairman Taylor stated that no funding has yet been asked for, and that this meeting was to update the County Legislative Body and the citizens as to the status of the Desegregation suit and the plans to rectify the problem.

With no further business before the Board the meeting was adjourned.

Rhea Taylor, County Mayor

Sue W. Culver, County Clerk