The Spring Lake Board of Education held a Regular Meeting on Monday, October 18, 2021 in person at the SL High School Auditorium. Jennifer Nicles called the meeting to order at 7:00 p.m. Board members present: Jennifer Nicles, Katie Pigott, Kathy Breen, Bruce Callen, Paul Aldridge and Christopher (Chris) Beck. Absent: Curt Theune

The meeting opened with the Pledge of Allegiance.

APPROVAL OF MINUTES

Chris Beck moved, supported by Bruce Callen, to approve the Minutes of the Regular Meeting of September 27, 2021, as presented.

Vote: Yes – Unanimous

ITEMS RECEIVED TOO LATE FOR PRINTED AGENDA

Bruce Callen moved, supported by Katie Pigott, to approve Chris Beck as acting Secretary for this meeting due to the absence of Curt Theune.

Vote: Yes – Unanimous

REPORTS

2020-21 FINANCIAL AUDIT REPORT

Mr. Furton welcomed Nick Kossaras from the auditing firm of Maner Costerisan. Mr. Kossaras provided the results of the 2020-21 financial audit. No issues or findings were present, and Maner Costerisan was happy to issue an unmodified opinion with respect to the financial statements, which means the financial statements accurately reflect what happened at the district.

A summary of the audit included notations of the following:

- Management's Discussion and Analysis
- Coronavirus Relief Funds (CRF) Single Audit, No Findings and Clean Opinion Issued
- Elementary and Secondary School Emergency Relief (ESSER) Funds
- \$722,000 added to Capital Assets
- School Loan Revolving Fund paid off by issuing refunding bonds
- \$18 million paid on existing bonds
- Principal payments reduced to \$5 or \$6 million beginning fiscal year 2022
- \$848,751 added to the fund balance, bringing the fund balance as a percentage of expenditures to 12.1%, which is within the MSBO guidelines of 12% to 15%
- Key Performance Indicators within Ottawa County
- Revenue 3-Year Trend showing a steady increase over the last 3 years
- Expenditures 3-Year Trend keeping consistent with the majority of expenditures going to direct instruction of students

• Budgetary Comparison within General Fund shows remarkable budgeting with an overall budget variance of about \$3,300

Mr. Kossaras acknowledged the great job that Scott Powers and his team do with budgeting year in and year out. He further reviewed the Governance Letter and Management Letter. The Management Letter comments provided that the Food Service fund balance was over the MDE maximum due the higher volume of free meals served in 2020-21 due to the pandemic and the federal rate of reimbursement increase. It was noted that 70% to 80% of districts showed a high fund balance as revenues were coming in too fast with that higher reimbursement rate. The district will need to submit a spending plan to the state in order to spend that down to be under the threshold next year, which the district is in the process of filing that the state now.

Mr. Kossaras further touched on future issues over the next 2 years with GASB 87, Leases, and GASB 96, Subscription based IT arrangements.

Questions from the board consisted of an inquiry by Chris Beck regarding the likelihood of a pension liability increase. Mr. Kossaras provided it is tough to predict as it is dependent on a variety of factors but the important thing is that the district continues to make the required payments. Mr. Beck further inquired if the district has a history of Management Letter comments. Mr. Kossaras provided that the district does not, and it has not been uncommon for other districts to have the same Management Letter comments this year with the increase in federal funds and high volume of free meals.

Chris Beck noted that as an accountant and former CPA, it is pretty fantastic to not have a history of having Management Letter comments.

PUBLIC COMMENTS

SL Student – expressed her dislikes regarding masks and stated she has headaches every day. She stated she was happy and exclaimed "freedom" when she first learned masks would not be required this year, then cried when she learned masks would be required. She asked to the Board to please give students the choice to wear a mask or not.

Courtney Holmes, 11422 Leonard Rd, Nunica – Questioned if the Board knew where the kids put their masks during recess or lunch? She has been told students put their masks on the table, sometimes face down, or around their wrists. She stated she has learned from frontline nurses and doctors that every touch makes the mask less effective. She further stated she was curious what other call-ins for students have been for other illnesses when it is not COVID. Her son's doctor has advised that they typically don't see this amount of viral infections or illnesses until January or February, so kids are not having as much infection with COVID as they are with other infections and illnesses. She believes that it could possibly be the masks harboring bacteria that are causing these infections. She stated she will still fight for a choice for her family. She provided that if you stand for nothing you will fall for anything, and that she must stand for a choice, because the next thing she will be fighting for will be a choice on the vaccine as she believes it is just going to keep escalating and other freedoms will be taken away. She further questioned whether the Calling All Colors program brought into the middle school was the LEDA program? She has spoken with other parents that have older children who have said it is amazing, empathetic and awesome and not what it was last year for 5th and 6th grades which seemed to be more CRT based.

SL Student – She inquired why masks are still required at the high school with the low transmission rates and stated that as of October 15 there have only been 15 cases at the high school. She questioned how low the transmission rate has to be before a change is made? She further stated that Spring Lake already has one of the lowest case rates in the area and asked why must we continue to wear masks? She believes there is no evidence that masks work and stated she had a family member who wore a mask everywhere he went, including his own home, as did his entire family, and still contracted COVID. She asked what more proof do you need that masks are not effective. She also believes there is no support of mandating masks in the classroom and stated that if you were to ask any student, parent or teacher, you would be hard pressed to find anyone who wants to continue wearing a mask. Many of her peers are in agreement with her but lack the courage to come before the Board and speak. She believes many teachers fear they might lose their job if they speak up against masks. She stated she knows there are far more parents that want a choice in their child's education but don't have the time to come to school board meetings to say. She reminded the Board that there is no mandate for students in grades 7th and up to be wearing masks in school, and stated that students and teachers who feel the need to be wearing masks would wear one regardless of whether or not the rest were required to wear one. She ended by asking to be given a choice in the matter.

Jeff Deater, 331 South Lake Ave., SL – thanked the Board for having the opportunity to speak. He stated he has had a number of conversations with his son, discussions with other parents and students, regarding the masks, and the general environment that is reality for kids inside the schools, and it had him thinking about a book he had read called the *Coddling of the American Mind*. He indicated the book talks about cognitive behavioral therapy to combat anxiety and depression, recognizing destructive thought patterns, emotional reasoning, over generalizing and blaming. He stated he believes the masks mandate/requirement/policy created an environment for these types of negative thought patterns to foster in the classroom. Further, he believes there is a false sense of security by kids wearing masks, a false sense of security that complying with the rules will protect them and the facts have been stated 1,000 times that the masks generally have little significance especially with kids that have no risk at all. He believes this has essentially created an environment that is fostering anxiety and depression, and we are all responsible for this and will all be dealing with this for an entire generation. He believes these psychological issues are going to persist even after masks are not required.

Shelly Slater, 15815 144th, SL – Addressed the Board regarding the youth assessment that is going to be happening and stated she didn't know if parents were aware what is on the youth assessment and wasn't sure what information the district gets back from the assessment. She indicated the youth assessment survey asks sexual questions, drug and alcohol use questions, and even if the student says "no" to the first question relating to the subject, they still have to go through and answer additional questions regarding those topics. She stated she doesn't know why the school needs to know about that. She believes the survey plants seeds in innocent kids' minds as to where to get alcohol or drugs. She believes it is just getting too into the home environment. She feels if you are going to complete the assessment, if a student answers "no, I have not had sex", they should not be asked to answer any other sexual questions, period. She contacted the OAISD 2 years ago when her son was in 8th grade and was told the reasoning is so they can catch if a kid lies about it. Further, she believes it absolutely does not belong in the schools and is before the Board to share that it is not appropriate.

FINANCIAL REPORTS

CONSENT AGENDA

Chris Beck moved, supported by Bruce Callen, to approve the consent agenda as presented:

- Accounts Payable Food Service, SLCFAC, General Fund, Student Activity, etc. totaling \$519,855.
- Payroll totaling \$1,724,116.

Vote: Yes – Unanimous

ACTION ITEMS

CONSENT AGENDA

Kathy Breen moved, supported by Paul Aldridge, to approve the consent agenda as presented:

New Hires –

Kelly Cooper	Food Service Assistant	IS/MS
Megan Stetts	Food Service Assistant	IS/MS
Christina Toppen	31a Parapro	. Holmes Elementary

Vote: Yes – Unanimous

TECHNOLOGY PURCHASE – HIGH SCHOOL ART LAB REPLACEMENT

Bruce Callen moved, supported by Chris Beck, to approve the purchase of 35 Apple M1 Mac Minis, one Apple M1 MacBook Air, and 35 ASUS ProArt Displays for a total cost not to exceed \$51,188.00 as presented.

Mr. Furton provided that the lab was first outfitted after the bond. He noted that while it is an expensive lab, it is an excellent program and, in order to maintain its excellence, the right technology needs to be put in the hands of students. This particular purchase should get the classroom through the next five years. That is consistent with the district's plans in terms of other technology within the district.

Paul Aldridge inquired if the money was coming from the bond fund or the general fund. Brent Gustafson, Technology Coordinator, advised that it will be worked into the general fund this year.

It was noted that further questions regarding this specific product and what makes it most suitable for the art lab can be directed to Ms. Gwinnup, Brent Gustafson or Scott Ely.

Vote: Yes – Unanimous

RESOLUTION REGARDING ESTIMATED FOIA FEE

Kathy Breen moved, supported by Paul Aldridge, to approve the Resolution Regarding Estimated FOIA Fee as presented.

Mr. Furton provided that he has consulted with legal counsel in developing the resolution presented, and provided the following timeline regarding the FOIA request:

- On August 27, the district received a FOIA request from Ross Ziegenthaler
- On September 2, a detailed itemization of fees, also known as a good-faith estimate, was emailed to Mr. Ziegenthaler and explained the necessity of the costs
- On September 23, Mr. Ziegenthaler submitted an appeal of the good-faith estimate in the form of an email
- The analysis of Mr. Furton and legal counsel determined that the fee should be adjusted by a total of \$43.56 in Mr. Ziegenthaler's favor based on that analysis, which leaves the remaining cost to fulfil his request at \$2,025.20.

Mr. Furton walked through the reasoning points of the resolution. Mr. Furton certified that the good-faith estimated is accurate with the adjustment made, but that it may take more or fewer hours. If Mr. Ziegenthaler were to follow through and pay a deposit on this, and the amount was less, he would just pay the balance on what is owed. If it took more time, then he would have to pay the difference.

After discussion, if the Board is in support of these points, then the Board would approve the resolution. The resolution would then be given to Mr. Ziegenthaler in a timely manner which would give him all of this in much more detail.

Discussion and questions from the Board included:

- Jen Nicles asked for clarification on what was done by the paralegal at the law firm to determine the time estimate. Mr. Furton explained that the paralegal took the 2100 pages, went through the process of actually reviewing emails, redacting information that was personally identifiable, noted how much of the 2100 pages she had been able to work through in a certain period of time and projected if it took her "x" amount of time to get through "x" amount of pages it would take her 33 hours to get through the work.
- Jen Nicles asked for an example of some of the information that would be redacted. Mr. Furton provided that items needing to be redacted include personally identifiable student information that would be intensely private that a parent might share with the school superintendent but have no intention of sharing with a community member, such as students medically fragile conditions, students health, either physical or mental, or an experience from last year.
- Chris Beck inquired, to the best of Mr. Furton's knowledge, if the district administration has
 complied with the FOIA? Mr. Furton indicated he relied on legal counsel in this situation,
 particularly for transparency and protecting privacy rights of students, and he feels very
 confident that he was given sound legal advice, and the district has fulfilled all obligations under
 the Freedom of Information Act.
- Katie Pigott asked with the limitation of FOIA fee structure if there will be any costs using the
 outside contractor that the district will have to absorb in this scenario? Mr. Furton stated the
 law firm has indicated that they will not ask for the difference between the two hourly rates.
- Chris Beck asked if the Board were to vote in favor of the resolution then it would be voting to not approve the request to reduce the fee? Mr. Furton provided that if the Board voted in favor of the resolution, the Board would be voting to reduce the cost by the \$43.56 and for Mr. Furton to then present the resolution with all of the detail to Mr. Ziegenthaler. Mr. Ziegenthaler would then have to make a decision to make the deposit and pursue this, drop the matter entirely or pursue this in court if he believes the district is in violation of the Freedom of Information Act.

 Katie Pigott inquired if the district had a FOIA request that did not have these FERPA concern, would the cost be lower? Mr. Furton provided that the district gets requests all the time, usually they are very mundane, and relatively simple to fulfill. This one happens to be more complicated because it involves actual student records and everything needs to be reviewed.

Roll Call Vote: Yes – Aldridge, Beck, Breen, Callen, Nicles and Pigott No – None

CONTRACT FOR SLHS SERVING LINE REMODEL

Chris Beck moved, supported by Kathy Breen, to approve the proposed contract with TMP for A/E services for the remodeling of the High School kitchen and serving area for a cost not to exceed \$45,000 as presented.

Liz Boeve reviewed the TMP proposal and scope of services for architectural and engineering fees to develop the drawings for the remodel so the district can go out for bid. The costs are not to exceed the amount provided and will be paid for by the food service fund. Ms. Boeve provided what the project would entail, such a removing existing walls to create an open, college-type atmosphere. The remodel would not increase the square footage of the serving area but would use the square footage smarter and allow more visibility of the space with garage doors that could be opened but will still look attractive when closed. She indicated that if the Board approves this proposal, the drawings and renderings prepared by TMP would offer more detail.

Chris Beck inquired if student feedback was solicited for this project. Ms. Boeve indicated that the place for student input would be in the selection of food choices that would be offered.

Katie Pigott inquired if staff have provided feedback. Mr. Boeve indicated she is currently working with the food service director, Maggie Cook, and Deb Bos, High School kitchen lead cook, to initiate the design implementation, and the next phase will certainly involve staff.

Jen Nicles inquired if it will require the district to hire more staff. Ms. Boeve indicated the number of staff would not change. Ms. Nicles further inquired about the timeline of the project. Ms. Boeve indicated that with Board approval, the bid would go out in early January and construction would start immediately after school is out in June.

Bruce Callen inquired about the timeline with regards to the Food Service Management letter noted in the financial audit. Mr. Furton stated that the process for submission to the MDE has already started.

Jen Nicles asked if the Board could take a quick tour to see what it looks like now and get an idea of the changes proposed. Ms. Boeve advised the district would be happy to host the Board with a tour and lunch anytime.

Vote: Yes – Unanimous

RELIANT PROFESSIONAL CLEANING CONTRACTORS CONTRACT

Chris Beck moved, supported by Bruce Callen, to approve the Reliant Professional Cleaning Contractors, Inc. 9-month contract at a monthly fee of \$69,897 and a second year renewal contract at a not to exceed cap of 9.8% annual increase as presented.

Liz Boeve provided general background information on the district's partnership with Reliant Cleaning Contractors. She noted that with wage inflation all industries are experiencing, influences by the pandemic and the current economic state of things, Reliant had to go from \$8.00 per hour in 2011 to \$15.00 and higher per hour to be competitive.

Paul Aldridge inquired if extra cleaning was being done in this contract due to COVID, and Ms. Boeve advised that this contract is just for the normal day to day cleaning that the district has had over the years. Additional day porter staff for cleaning due to the pandemic is a different cost. It was also noted the chemicals being used to clean are more expensive coupled with supply chain issues are driving prices up, so this contract is not just reflecting increasing labor costs, but cleaning supplies and equipment costs.

Kathy Breen provided that Ms. Boeve did her due diligence at the finance committee meeting last week and provided that the increase is somewhat to be expected based on what is going on in the country.

Katie Pigott asked how the 9.8% cap was arrived at. Ms. Boeve advised Reliant provided that forecast based on what they have seen so far with rising wages and costs.

Jen Nicles inquired if the district has been happy with the quality and reliability of the Reliant staff, and Ms. Boeve indicated the district has been happy.

Vote: Yes – Unanimous

INSTRUMENT PURCHASE

Bruce Callen moved, supported by Chris Beck, to approve the purchase of band instruments from Meyer Music for a cost not to exceed \$35,000 as presented.

Mr. Furton provided the Spring Lake Schools Foundation donated \$35,000 to the district for the purchase of \$35,000 of band instruments for the band program. This purchase would be for larger instruments that students cannot easily transport to and from home so students have access to them at school. The district is just a pass-through for the money.

Paul Aldridge inquired about the timeline for the purchase, and Mr. Furton indicated approximately six weeks.

Vote: Yes – Unanimous

DISCUSSION/INFORMATION ITEMS

CONSUMERS ENERGY LED RETROFIT SAVINGS

Liz Boeve provided an overview of the Consumer Energy Retrofit Savings Program to the Board. In a nutshell, every year Consumers Energy, mandated by state and federal governments, needs to reduce their carbon footprint. To do this, they provide incentives, both commercially and for homeowners. Ms. Boeve has found that it is an amazing amount of dollars that Consumers is able to give back to the district along with continual electrical savings. The program is based on the size of the facility and the number of kilowatts. Holmes Elementary will convert from fluorescent to LED bulb for a cost of \$33,289. Consumers Energy will then provide the district with \$23,338 of incentives. The actual cost to the district is \$9,950 with an additional annual savings of over \$17,000 in electrical costs, which pays back the retrofit within six months. Ms. Boeve provided that LED light bulbs have a 5 year guarantee and the district is also removing the costly ballasts. There is significant savings to the district in terms of future costs and ongoing electrical costs. The same process will happen at Jeffers Elementary also.

Jen Nicles asked if this program was only for Jeffers and Holmes. Ms. Boeve stated that there is a cap on the number of kilowatts for a facility, and anything over 7,500 kilowatts does not qualify. The High School and IS/MS buildings are larger than that. However, there are other incentives Ms. Boeve is working on at the High School that haven't come to fruition yet.

PUBLIC COMMENTS

Kathleen Kasnowicz, 11485 Cleveland St, SL, – Questioned the Board regarding COVID guidelines that came out for fall 2021 and visitors not being allowed at the start of the school year. She inquired when visitors be allowed again – has it been looked at, talked about or voted on? She stated parents would really like to get back into kids classrooms. She further asked if the Pfizer vaccine is approved and available for children 5 to 11, will the SLPS mask mandate be rescinded as Ottawa County has indicated it will?

Ross Ziegenthaler, 15620 Willows Dr., SL – stated he has been coming to meetings since August and has been emailing and talking about data he has to support the stance that masks really don't have an effect on the spread of COVID. He believes the approach has been all wrong and stated that the "Precautionary Principle" basically provides a general rule of thumb on how to move forward with policies in our society. He stated it tries to account for any kind of upset with the equilibrium that was already there before the policy was initiated. He believes the principle says that the burden of proof is on those that are mandating – so the burden of proof that masking kids is safe is on the district. He stated his questions have gone unanswered by Mr. Furton and the Board and he hasn't been given any studies that prove that masking kids for 8 hours a day, 5 days a week does not harm them physically, does not harm them emotionally and does not harm their educational process. He is asking for the proof. He further questioned when the mask policy was made in August by Mr. Furton ahead of Ottawa County, where was the vote from the Board- did the Board violate the open meetings act?

Jason Koert 17855 168th Ave., SL – thanked the Board for all of the information today, for what is going on fiscally and for promoting kids in a positive manner. He stated he was really glad someone did address the questionnaires going out to the children and would really like the Board to reconsider that

and look into what is going on. He stated he is thoroughly against it and stated please stop with the masks. He further asked about lacrosse sticks and other items not being allowed on the buses and being considered weapons. He asked if the Board could look into some kind of program that the kids could have a seat designated for sports equipment or another resolution so parents don't have to drive back and forth if a student forgets a lacrosse stick or band instrument. He asked if it could be put on a Board agenda, and he ended with a plea to stop the masks.

SUPERINTENDENT'S REPORT

Superintendent Furton reported on the following:

- Legislative update none
- COVID Monitoring of cases continues within the district and on a regional basis. The target is
 the low end of substantial and maintaining that for one week before the mask requirement or
 guideline is dropped. That is where we were at when we made our transition from optional to a
 requirement with masks. We are currently at 15% and the target is to get below 9%. There has
 been a little more activity in the buildings this week than the previous several weeks.
- Vaccine Clinic The district has volunteered to offer a vaccine clinic for 5-11 year olds should the Pfizer vaccine be approved at the end of this month. This is tentatively scheduled for November 11 with a follow up shot scheduled for December 2. More information to follow. That will be a voluntary clinic for parents to bring their children if they choose.
- Millage November 2 millage fact sheet was provided to the Board and is posted on the website. As a reminder, this is not a tax increase for our community in terms of residential homes. It is for non-homestead properties which would be businesses, rentals, vacant land, etc. We are capped at collecting 18 mills. If we don't collect the full 18 miles because property values are growing faster than the rate of inflation, we do not get that difference made up from the state, which lowers district funding and provides less money to spend on kids.
- 148th & Leonard Rd Met with Deputy Johnson to discuss solutions for the intersection of 148th and Leonard Road and followed up with an email to the Ottawa County Road Commission to request a traffic study for that intersection. There may not be any easy or immediate solutions but this may be something to bring back before the Board for further discussion. Ideally, we would really like to see a speed limit reduction for school pick up and drop off extended west on Leonard all the way through Jeffers.
- US News & World Report Rankings provided great news! The district did very well in their rankings according to their metrics. Jeffers was the 19th rated elementary school in Michigan out of over 2,000 elementary schools, Holmes was the 23rd, Middle and Intermediate Schools were ranked 7th and 8th out of over 1,300 schools in the state, which puts all of them in the top 1%. The High School ranked 30th out of 1,150 schools in the state, which is the top 3 percent. Hats off to the teachers, parents and students. Nice accolades and good, positive feedback, in particular how we are doing on math and language arts.
- Marching Band Took home 1st place in Class B and Grand Champions at Grandville and 2nd place at Allendale. The band is hosting a community show Tuesday evening at 8:30 at the Lacrosse stadium.
- Congratulations to:
 - Senior Ian Hill on his commitment to the University of Michigan to run Cross Country.
 - o Senior Luke Zuelke on winning the MTB State Championship.
 - Girls' Golf Team on finishing 14th in Division 3.
 - Boys' Soccer Team on winning a conference championship.

- Questions that came up during Public Comment:
 - Calling All Colors sponsored by the same organization, LEDA, that sponsored some of the diversity training that we had last year. They typically do excellent work. There were some communication challenges last year, but we spoke extensively to staff who were there, we have a very good handle on what happened and what didn't happen. We feel very comfortable having LEDA in this venue. We have done Calling All Colors for a number of years. It is a good thing for our kids to bring some diversity aspects into our schools.
 - Visitors wait and see on that but want to reiterate that we want our parents back in our classrooms and our buildings, but we just need to see where are numbers are at.
 - o Mr. Ziegenthaler's accusation of violations of the open meeting act is a completely false claim. The district's policy dictates that the Superintendent establish guidelines relative to prevention of casual communicable diseases. The Board granted that authority in 2016 when that policy was approved. The Board writes the policy and Superintendent writes the guidelines this is a guideline. We continue to rely upon that as do many other districts. There are a number of boards in the state that chose to treat this issue differently, and maybe they did so in violation of their policy, but they chose to have a board vote. That is not the only way to handle these things. Guidelines grant the Superintendent authority to do that and that only comes from the Board. If the Board ever chose to change one of the guidelines, they could easily do so at a meeting. We are not in violation of any rules related to OMA.
 - o Mr. Koert raised a good question and one we get every spring. There are rules governing school buses. State police have stepped up enforcement of not having things like lacrosse sticks on buses. If it cannot fit on your lap without interfering with anyone else, or it violates certain criteria, they do not allow you to have it on the bus. They have gone even to the extent of saying "such as lacrosse sticks". This extends to baseball bats, tubas and other things. 20 years ago, nobody really cared if things were placed in laps, in isles, or on a seat. Unfortunately, those things are not allowable anymore, and we have to follow those rules in terms of bus transportation. In terms of having a stash of those things at school, that is a question for another day, but something to consider down the road. It is an inconvenience to a lot of parents to drive back and forth if they have a child on the baseball team or the lacrosse team or even if they are a skier on the club team transporting all of that equipment back and forth it is an everyday issue with kids in band because they won't practice without an instrument they didn't bring from home because they don't want to do that. That is not a rule that we have, but a rule that the state police have.
 - Jen Nicles inquired what happens when a lacrosse team travels on a bus to a game. Mr.
 Furton stated that some buses have undercarriages to allow for equipment
 transportation and that we continue to invest in having more of those so we have more
 flexibility. Our biggest issue is not the shortage of undercarriage buses but a shortage of
 drivers.

UPCOMING MEETING

Regular Board Meeting – November 15, 2021, 7:00 p.m., location TBD

<u>ADJOURNMENT</u>

Chris Beck moved, supported by Kathy Breen, to adjourn the meeting. Vote: Yes – Unanimous Jennifer Nicles adjourned the meeting at 8:36 p.m. APPROVED:

Board Secretary

Date