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**Mission Statement:**

*Create a safe, positive environment that fosters intellectual curiosity and a thirst for discovery where students and staff succeed through exceptional programs*

**BOARD OF DIRECTORS REGULAR MEETING MINUTES  
April 18, 2023 AT BANNING LEWIS RANCH ACADEMY at 1800.**

**1. Opening Items**

- 1.1. Pledge of Allegiance
- 1.2. Reading of the Mission Statement
- 1.3. Roll Call
  - 1.3.1. Present: Leigh Bolton, Kevin Clark, Guin Leeder, Roland Rainey, Chris Thompson, Kimberly Whitten-Chung
- 1.4. Call to Order
  - 1.4.1. 1808 by Leigh
- 1.5. Approval of the Minutes
  - 1.5.1. 3-21-2023 Minutes
    - 1.5.1.1. Guin motion
    - 1.5.1.2. Chris second
    - 1.5.1.3. All approve
    - 1.5.1.4. Motion carries
- 1.6. Amendment to the Agenda
  - 1.6.1. No amendments
- 1.7. Good news
  - 1.7.1. Guin- amazing track program. Excellent coaches and athletes
  - 1.7.2. Leigh- Met with a principal from the London-area and enjoyed a nice conversation full of compliments about our teachers and schools
- 1.8. Public Comment - *Speakers are limited to 3 minutes and must sign in at the beginning of the meeting.*
  - 1.8.1. None

**2. Finance Review**

- 2.1. Review Financials
  - 2.1.1. Financial Package Review
    - 2.1.1.1. March Financials- 9 months into the fiscal year
      - 2.1.1.1.1. Bonus payments to staff
      - 2.1.1.1.2. Vendor payments
      - 2.1.1.1.3. Revenue is inline with amended budget
      - 2.1.1.1.4. TABOR reserve is required to be kept by State
        - 2.1.1.1.4.1. Patti is working on getting the Legislation number
      - 2.1.1.1.5. If a major project is undertaken, funding would come from the line item 'Fund Balance Unres Prior Year, currently ~\$3 million
  - 2.1.2. Bank Discussion
    - 2.1.2.1. In-depth conversation at the Financial Committee meeting regarding switching banks
    - 2.1.2.2. Sharon Lan from ACCEL
      - 2.1.2.2.1. Banning has been with State Bank for past seven years

- 2.1.2.2.2. Over \$9 million in cash in four separate accounts
  - 2.1.2.2.3. Cash earning interest at 2.78% APY
    - 2.1.2.2.3.1. Recently changed from 0.03% APY in 12/2022 after request from Banning Financial Committee
  - 2.1.2.2.4. Concerns include that State Bank has not made improvements in fraud protections
    - 2.1.2.2.4.1. No documentation found by Board regarding decision to house Banning funds at State Bank
  - 2.1.2.2.5. Public Depository Protection Act (C.R.S., 11-10.5-101, et. seq.)
    - 2.1.2.2.5.1. The purpose of the Public Deposit Protection Act (PDPA) is to ensure that public funds held on deposit in eligible public depositories are protected in the event that the eligible public depository holding the public deposits becomes insolvent. The PDPA protects only public funds placed in deposit accounts at an eligible public depository. Deposit accounts include: Demand Deposit, Negotiable Order of Withdrawal (NOW), Savings, Money Market Deposit, and Time/Certificate of Deposit (CD) accounts.
      - 2.1.2.2.5.2. Board will reach out to legal counsel for further advice
      - 2.1.2.2.5.3. Wells Fargo is the only national bank in Colorado covered by PDPA
        - 2.1.2.2.5.3.1. Utilize wealth management team to place funds into CDs that mature at different speeds to ensure cash remains available and yields at high interest rates (CD laddering)
          - 2.1.2.2.5.3.1.1. These options are available at any national bank
          - 2.1.2.2.5.3.1.2. Less certain at smaller, local banks
      - 2.1.2.2.5.4. CD Laddering option (4.328% with all assets deposited)- fixed rate and term
        - 2.1.2.2.5.4.1. Pros: Fully FDIC, higher interest earning potential, managed by bank, recording of realized interest only needed on our end each month
        - 2.1.2.2.5.4.2. Cons: Not fully liquid, management fee of 0.5%
      - 2.1.2.2.5.5. Treasury Money Market Fund option (4.24% with all assets deposited)- no lock in period
        - 2.1.2.2.5.5.1. Pros: fully liquid, no need for investment account
        - 2.1.2.2.5.5.2. Cons: Only FDIC insured for \$250K, interest rate is tied to Fed rate, so interest rate can drop back to 0%, selection of Treasury MMF to be done by Banning each day
    - 2.1.2.2.5.6. Could do both CD laddering and Treasury Money Market Fund
    - 2.1.2.2.5.7. Next steps
      - 2.1.2.2.5.7.1. Recommended to proceed with new bank relationship sooner rather than later
      - 2.1.2.2.5.7.2. Wells Fargo requires 7-10 business days
      - 2.1.2.2.5.7.3. Would need to start ASAP if desire is to get account moved before the end of April
      - 2.1.2.2.5.7.4. Speak with State Bank to ensure Banning funds are liquid to be moved
      - 2.1.2.2.5.7.5. Consider incremental movement to maintain Banning financial stability
        - 2.1.2.2.5.7.5.1. Ensure teachers and staff is paid on time
      - 2.1.2.2.5.7.6. Finance Committee, by 4-21, will provide a resolution to the Board regarding the PDPA specifics and a recommendation regarding splitting funds between CD, TMMF, and liquid assets
- 2.1.3. Review of 23-24 Budget
  - 2.1.3.1. Pupils count and rate is increasing
  - 2.1.3.2. Budget is due 6/1/23, but preliminary budget must be submitted to D49 4/19/23 (tomorrow)
    - 2.1.3.2.1. Budget can be amended
  - 2.1.3.3. ESSER funds are going away
    - 2.1.3.3.1. Carry over is \$97000
  - 2.1.3.4. MLO funding \$970000
    - 2.1.3.4.1. Stipends, staffing, concurrent enrollment, safety

- 2.1.3.5. Wages increasing \$715006
    - 2.1.3.5.1. Benefit rate is remaining the same
  - 2.1.3.6. Administrative and management fees
    - 2.1.3.6.1. Two different fees
      - 2.1.3.6.1.1. 8% of per pupil enrollment funding- Management fee
      - 2.1.3.6.1.2. \$197K- Administrative fee
        - 2.1.3.6.1.2.1. We cannot specify what is being covered, but we know that the fee is increasing
        - 2.1.3.6.1.2.2. All the teams (HR, recruiting) are ACCEL employees and performed for the ACCEL systems
        - 2.1.3.6.1.2.3. ACCEL has determined a per employee cost (\$42.50 per employee per pay period), but the Board is unable to determine where the fee originates
        - 2.1.3.6.1.2.4. Board feels uneasy about the fee because of inability to answer specific regarding where the fees are going
        - 2.1.3.6.1.2.5. Board will work with ACCEL to determine where fees are going and evaluate exactly what Banning is getting for the funds being spent
          - 2.1.3.6.1.2.5.1. The Board appreciates the energies and efforts of Patti and Leanne to find answers
      - 2.1.3.6.1.3. Recommendation to submit budget to D49 4-19-23 as presented.
        - 2.1.3.6.1.3.1. Negotiate administration fee with ACCEL
      - 2.1.3.6.1.4. Motion by Roland: Submit the current preliminary proposed budget, however by the May 2023 Board Meeting, the Board will negotiate an adjustment of the administration fee with ACCELL leadership for final approval by the May Board meeting.
      - 2.1.3.6.1.5. Roll call vote:
        - 2.1.3.6.1.5.1. Leigh Bolton- yes
        - 2.1.3.6.1.5.2. Kevin Clark- yes
        - 2.1.3.6.1.5.3. Guin Leeder- yes
        - 2.1.3.6.1.5.4. Roland Rainey- yes
        - 2.1.3.6.1.5.5. Chris Thompson- yes
        - 2.1.3.6.1.5.6. Kimberly Whitten-Chung- yes
      - 2.1.3.6.1.6. All in favor
      - 2.1.3.6.1.7. Motion carries
    - 2.1.3.6.2. Board to schedule a work session before the May Board meeting
      - 2.1.3.6.2.1. Facilities Plan
      - 2.1.3.6.2.2. Capital Improvement Plan
      - 2.1.3.6.2.3. Follow-up on negotiations with ACCEL
  - 2.1.3.7. Motion for the Charter School Management Committee
    - 2.1.3.7.1. Chris motion
    - 2.1.3.7.2. Guin second
    - 2.1.3.7.3. All in favor
    - 2.1.3.7.4. Motion carries
- 2.1.4. Review resolutions
  - 2.1.4.1. Next budget
    - 2.1.4.1.1. Increased armed security by two
    - 2.1.4.1.2. Improved intercom at Prep

### 3. School Updates

#### 3.1. Principal Reports

##### 3.1.1. Elementary Specials Update

###### 3.1.1.1. Considering offering a new, different rotation

###### 3.1.1.1.1. Performing Arts will be replaced with Technology or Foreign Language

##### 3.1.2. FBLA went to State

###### 3.1.2.1. Sarah F. is going to Nationals

- 3.1.2.1.1. Congratulations, Sarah! The Board is so proud of you!
- 3.1.3. Special Education Roll-out Update
  - 3.1.3.1. Staffing is a major priority
  - 3.1.3.2. Contracts will be utilized for smaller percentage priorities
    - 3.1.3.2.1. For example, those contracts that are 0.1 FTE
  - 3.1.3.3. Banning will pay \$300 per student to D49 for SPED services
    - 3.1.3.3.1. Also required to pay Nursing fees per student
  - 3.1.3.4. Signed an agreement with D49 and it is necessary to ensure that the needs of all students are being met
  - 3.1.3.5. What experience will the parents have?
    - 3.1.3.5.1. We expect that the parents will feel more unification from the SPED staff and the Banning team
    - 3.1.3.5.2. We were able to retain many of the Banning SPED providers
  - 3.1.3.6. SPED Coordinators will be the principals for the coming year
- 3.1.4. Handbook updates
  - 3.1.4.1. Keeping Schoology for the coming year
  - 3.1.4.2. Appendix B is straight from D49
  - 3.1.4.3. Board appreciates the additions to the Handbook
  - 3.1.4.4. Course Catalog was approved in December
  - 3.1.4.5. Concurrent Enrollment requirements are found in the course catalog and there is a small section in the handbook

#### **4. Committees**

- 4.1. PTO
  - 4.1.1. None
- 4.2. SAC
  - 4.2.1. None
- 4.3. Booster Club
  - 4.3.1.
- 4.4. Finance Committee: see Finance Review above
- 4.5. Policy and Governance Committee
  - 4.5.1. Election and appointment policy has been published
- 4.6. Charter Update Committee
  - 4.6.1. Meeting to be scheduled now that we have language
- 4.7. Board Election and Appointment Committee
  - 4.7.1. Two seats for election
  - 4.7.2. One seat for appointment
    - 4.7.2.1. Timeline
      - 4.7.2.1.1. Applications due April 27 by midnight
      - 4.7.2.1.2. May 1<sup>st</sup> through 5<sup>th</sup> interviews
      - 4.7.2.1.3. Announce May 16<sup>th</sup>
      - 4.7.2.1.4. If not enough applications then move straight into appointment process.

#### **5. Board Communication to Stakeholders**

- 5.1. Chris is working with Cynthia to develop Ongoing Board communication
- 5.2. Foundation meeting review
  - 5.2.1. Oakwood has a surplus that they would like to donate to BLA
- 5.3. Board notification
  - 5.3.1. Heidi Westburg, mother to Leigh Bolton, is serving on the Finance Committee for the Retreat (Metro District 5, 55+ Community in Banning Lewis)
    - 5.3.1.1. Kim motions to accept the disclosure as a non-conflict
    - 5.3.1.2. Kevin second

- 5.3.1.3. Roll call vote:
- 5.3.1.4. Leigh- abstain
- 5.3.1.5. Kevin- yes
- 5.3.1.6. Guin- yes
- 5.3.1.7. Roland- yes
- 5.3.1.8. Chris- yes
- 5.3.1.9. Kim- yes
- 5.3.1.10. All in favor
- 5.3.1.11. Motion carries

## **6. Closing Items**

- 6.1. June meeting is traditionally canceled
- 6.2. July meeting will have conflict for staff
- 6.3. Working session May 2<sup>nd</sup>
  - 6.3.1. Details to come
- 6.4. Next Board Meeting May 16, 2023 at 1800
- 6.5. Adjourn at 2114

DATE: March 21, 2023

//Signed//

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Kimberly Whitten-Chung

Board Member