

**McCurdy Charter School Governance Board Meeting**  
**at Los Alamos National Laboratory Foundation**  
**1112 Plaza Del Norte, Espanola, NM 87532**  
**Wednesday, October 15, 2013**  
**6:00 pm**

**Meeting Minutes**

**1. WELCOME & CALL TO ORDER**

Chairperson Deborah Bennett Anderson called the meeting to order at 6:12 pm.

**2. ROLL CALL OF MCS GOVERNANCE BOARD**

Board Secretary Chris Martinez took roll call.

**Members Present:** Chairperson Deborah Bennett Anderson, Vice-Chairperson Crystal Espinoza, Secretary Chris Martinez, Member Beaulah Sandoval, and Member Anthony Sena.

**Others present:** Director Janette Archuleta, Business Manager Myrna Garcia.

**3. APPROVAL OF AGENDA\***

Motion to approve the Agenda as proposed was made by Chris Martinez and seconded by Crystal Espinoza. Motion carried unanimously.

**4. APPROVAL OF MINUTES\* (10.2.2013)**

Motion to approve the minutes from the Governing Board meeting on 10.2.13 was made by Chris Martinez and seconded by Crystal Espinoza. Motion was carried unanimously.

**5. OPEN FORUM\***

*Public comments and observations are limited to education policy and governance issues.*  
*NOTE: Public participation does not require Governance Board response or action at this meeting.*

**6. MCCURDY MINISTRIES UPDATE**

No presentation.

**7. FINANCIAL MANAGEMENT**

**7.1. BAR approvals\*:** No Bar approvals.

**7.2. Gross Receipts Tax Issue\***

Discussion: Deborah Bennett Anderson, Janette Archuleta, and Susan Fox have been discussing the Gross Receipts Tax issue. A few questions have arisen. The school property is in Santa Fe County, but in the Espanola School District. Deborah Bennett Anderson stated that if no more than 10% of our students reside in Santa Fe County, we can proceed. In other words, 90% of MCS students must reside in Rio Arriba County. The legislation would allow funds to be spent on facilities and equipment. The consulting agreement states that the fee payable to HSE is due if and only if the legislation passes. The cost to MCS for the consulting agreement and election will be based on the 40D count of the 2014-2015 school year.

Deborah Bennett Anderson attended a meeting of the Public School Capital Outlay Oversight Task Force last week. She stated that this task force would like to see more Charter Schools enter into Lease-Purchase Agreements. These agreements must be approved of by the PED. MCS would then be eligible to receive Capital Outlay funds.

Deborah stated that the Board would have to be committed to the passage of this legislation, and to helping with this process.

### **7.2.2 Resolution Supporting the Educational Gross Receipts Tax\***

A motion was made by Anthony Sena to approve the Resolution Supporting the Educational Gross Receipts Tax. Motion was seconded by Chris Martinez. Motion carried unanimously.

### **7.2.3 Memorandum of Understanding: Rio Arriba County and Charter Schools\***

A motion was made by Crystal Espinoza to approve the Memorandum of Understanding: Rio Arriba County and Charter Schools. The motion was seconded by Chris Martinez. A question was raised by Anthony Sena: What is the role of HSE with the Memorandum of Understanding. Motion carried unanimously.

### **7.2.1 Hutchinson Shockey Erley & Co ("HSE") Consulting Agreement\***

Anthony Sena asked if legal counsel has reviewed this consulting agreement. Susan Fox has not fully reviewed this document. The agreement said that HSE will not be lobbying on behalf of the legislation.

A motion was made to table the approval of the HSE Consulting Agreement until the next Board meeting, pending the clarification by HSE of the consulting agreement, and a review by legal counsel, and the addition of an Article to the Consulting Agreement as follows: Distribution and payment of funds would be in relative proportion to the 2014-15 40D membership counts of the participating schools. Motion was seconded by Chris Martinez. Motion carried unanimously.

## **7.3 Discussion of Lease Agreement documents:**

Deborah Bennett Anderson stated that we had intended to have tonight's Board meeting because the closing of the property sale was due to happen tomorrow.

The GBGM Board met and passed a resolution removing the clause that stated that if for some reason McCurdy Ministries should cease to exist, the property would revert back to GBGM. Highmark wanted that clause to be removed, and it was.

The closing has been moved to October 24, 2013, as there are documents that are not ready. We may need to meet early next week to review these documents with Susan Fox. The next Board meeting is proposed for Wednesday, October 23, 2013 at 6:00 pm.

### **7.3.1. Lease Agreement between McCurdy School Property, Inc. (MSPI) and McCurdy Charter School.\*** No discussion.

### **7.3.2. Reciprocal Easement Agreement between McCurdy Schools of Northern New Mexico, McCurdy School Property, Inc., and McCurdy Charter School.\*** No discussion.

### **7.3.3. Subordination, Non-Disturbance and Attornment Agreement between Education Capital Solutions, Inc., McCurdy School Property, Inc., and McCurdy Charter School.\*** No discussion.

### **7.3.4. Consideration of Resolution authorizing facilities transaction with McCurdy School Property, Inc.\*** No discussion.

A motion was made by Chris Martinez and seconded by Crystal Espinoza to table the discussion of lease agreement documents until the special board meeting. Motion carried unanimously.

## **8. POLICY/BYLAWS DEVELOPMENT & REVIEW**

### **8.1 Governance Board Member Resignation\***

Anna Marie Garcia has resigned from the MCS Governance Board.

## **9. PERFORMANCE**

### **9.1 Director's Update**

Janette Archuleta stated that our 40D Membership report count is 542. We projected 554. Myrna Garcia reviewed the MCS Cash Balance Report and the Actuals Expenditure Rollup Report for July, 2013. The Board would like to see better communication to parents regarding

the student nutrition program billing and payments. MCS won second place for the Director's Award for Class A athletics.

**9.2 School Advisory Committee Update**

Chris Martinez gave an update: The SAC is finishing up the survey on parent communication preferences. It will be presented to the school administration for review and distribution. The next item is to provide support for parents at Parent Teacher conferences on how to access PowerSchool. The SAC would like to coordinate evening information session for parents on state graduation and school requirements for graduation. Deborah Bennett Anderson suggested that the SAC use Survey Monkey for their parent survey.

**10. EXECUTIVE SESSION**

**11. RESUME REGULAR SESSION\***

**12. GOVERNANCE BOARD COMMENTS**

**12.1 Next Meeting Date**

Next meeting date is set for October 23, 2013 at 6:00 pm to discuss the Lease and closing documents.

**13. ADJOURN\***

Meeting was adjourned at 8:43 pm.