



**VISION:**  
*To be a world-class school system.*

**THE SCHOOL BOARD OF LEE COUNTY**  
**Special School Board Meeting – Minutes**  
**Public Hearing on the Fiscal Year 2010 Tentative Budget**  
**(School Board Meeting Room, 2855 Colonial Blvd., Fort Myers, FL)**  
**Wednesday, July 29, 2009**

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**Attending**

Mr. Steven K. Teuber, J.D., Vice Chair      Dr. James W. Browder, Secretary and District Superintendent  
Mr. Robert D. Chilmonik, Member      Mr. Keith Martin, Board Attorney  
Mrs. Jeanne S. Dozier, Member  
Dr. Elinor C. Scricca, Member      Mrs. Donna Lesansky, Recording Secretary  
Dr. Jane E. Kuckel, Board Chair (*via telephone*)

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**I.      Call to Order**

The School Board of Lee County, Florida, met Wednesday, July 29, 2009, in the School Board Meeting Room for a Special School Board Meeting to conduct the Public Hearing on the Fiscal Year 2010 Tentative Budget. Board Vice Chair Steven Teuber presided and called the meeting to order at 5:05 P.M.

Mr. Teuber noted that Dr. Kuckel would be participating in the meeting via telephone.

*Motion by Dr. Scricca, seconded by Mrs. Dozier and carried 5-0 to accept the agenda as the Order of Business.*

**II.     Presentation**

Dr. Browder stated that it has been very difficult preparing for a budget this year. However, he stated that general revenue numbers coming out now are more encouraging and that there is reason to be positive at this time about the budget outlook for the coming year.

Dr. Ami Desamours noted that this is the first of two public hearings required under Florida Statutes to allow the public an opportunity to provide input with regard to the proposed millage levy and the 2010 Fiscal Year budget. She added that the Superintendent submitted his proposed tentative budget packet to the Board on July 24<sup>th</sup>.

Dr. Desamours explained that notice of this evening's Public Hearing was advertised in the July 27<sup>th</sup> edition of The Fort Myers News-Press and that the notice for the second and final budget Public Hearing, which is scheduled for September 8, 2009, will be through a direct mailing to the public from the Property Appraiser's office. She added that the manner in which these hearings are advertised is prescribed by law.

Dr. Desamours continued with a PowerPoint presentation. (*A copy of the PowerPoint presentation will be filed with the official minutes.*) She noted that the calculated roll back rate is 8.9894 mills; however, only 7.508 mills is actually being levied, which represents a 16.48% decrease from the roll back rate. Dr. Desamours explained that the proposed millage rate for the 2009-2010

school year is 7.508 mills, which is an increase of .640 mills from the 2008-2009 millage rate of 6.868 mills. She added that this is the first time in six years that the overall millage rate has increased and that the new millage rate will generate less dollars (\$118 million less) than the previous year because of the decrease in the tax roll.

Dr. Desamours outlined the proposed millage levy as follows:

	<u>Tentative Millage Levy</u>	<u>Proposed \$ to be Raised</u>
RLE (required local effort)	5.260	\$342,408,096
Basic Discretionary	0.748	\$ 48,692,254
Capital Outlay	<u>1.500</u>	<u>\$ 97,644,895</u>
Total	<u>7.508</u>	<u>\$488,745,245</u>

Dr. Desamours stated that the total proposed 2009-2010 budget for all funds is \$1,422,833,944. She explained that the operating fund at \$708 million represents approximately 49.8% of the budget; the debt service fund at \$52 million approximately 3.6%; the capital projects fund at \$440 million represents approximately 31%; the special revenue fund at \$110 million represents approximately 7.7%; and the internal service fund at \$113 million represents approximately 7.9%.

Mrs. Desamours referred to a pie chart to explain that the budget funds are apportioned as follows: instruction and direct school expenses, 63%; operations/maintenance, 12%; contingency reserve, 14%; student transportation, 6%; support services, 3%; and other, 1%.

Dr. Browder provided statistics regarding the School District and its budget.

### **III. Public Hearing**

Mr. Teuber recessed the Special Board Meeting and opened the Public Hearing at 5:20 P.M. to consider the adoption of the Proposed Millage Levies and the Tentative Budget for 2009-10. He asked Dr. Browder to present his recommendations for this evening's Public Hearing items.

- (1.) That the Lee County School Board adopt the 2009-2010 tentative proposed required local effort millage of 5.260 mills with a proposed amount to be raised of \$342,408,096.
- (2.) That the Lee County School Board adopt the 2009-2010 tentative proposed basic discretionary millage of .748 mills with a proposed amount to be raised of \$48,692,254.
- (3.) That the Lee County School Board adopt the 2009-2010 tentative proposed capital outlay millage of 1.50 with a proposed amount to be raised of \$97,644,895. The total millage will equal 7.508 mills with a total amount to be raised of \$488,745,245. The total millage rate to be levied does not exceed the roll back rate. It is a decrease in the roll back rate of 16.48%.
- (4.) That the Lee County School Board adopt the Resolution Determining Revenues and Millages Levied and the Resolution Adopting the Tentative Millage Rates for the Fiscal Year 2009-2010.
- (5.) That the Lee County School Board adopt the tentative budget and related resolution adopting the tentative budget for the 2009-2010 school year as follows: General Operating in the amount of \$708,289,718; Special Revenue Budget in the amount of \$109,915,895; Debt Service Budget in the amount of \$51,675,438; Capital Outlay Budget in the amount

of \$440,425,774; Internal Service Budget in the amount of \$112,527,119, for a total Tentative Budget of \$1,422,833,944.

- (6.) That the Lee County School Board accept the 2009 Certification of Taxable Value for Lee County, Form DR420S, and authorize the Superintendent to complete and execute the form.
- (7.) That the Lee County School Board schedule a Public Hearing on the Final 2009-2010 Millage Levies and Final Budget for the 2009-2010 school year for Tuesday, September 8, 2009, at a specially scheduled Board Meeting, to begin at 5:05 p.m. in the Lee County Public Education Board Room.

Mr. Teuber asked if anyone would like to address the Board regarding the seven issues on the agenda for Public Hearing.

*Sue Jacobse* expressed appreciation for everyone's hard work in connection with the budget and asked the Board for a unanimous vote in support of the Superintendent's recommendations.

There being no additional requests, Mr. Teuber closed the Public Hearing and reconvened the Board Meeting at 5:27 P.M.

#### IV. Adoption

##### (1.) Required Local Effort Millage:

**Motion** by Mr. Chilmonik, **seconded** by Dr. Scricca, and **carried 5-0** to accept the Superintendent's recommendation that the Board adopt the 2009-2010 tentative proposed required local effort millage of 5.260 mills with a proposed amount to be raised of \$342,408,096.

##### (2.) Basic Discretionary Millage:

**Motion** by Mrs. Dozier and **seconded** by Dr. Scricca to accept the Superintendent's recommendation that the Board adopt the 2009-2010 tentative proposed basic discretionary millage of .748 mills with a proposed amount to be raised of \$48,692,254.

Mr. Chilmonik stated the following reasons for not increasing the discretionary millage:

1. A 13% countywide unemployment rate, record home foreclosures, commercial property issues, and reduced student enrollment.
2. The failure of the Superintendent to control spending by buying unnecessary land, capital purchases, reducing transportation costs, software project cost overruns, and bloated administrative expenses.
3. The unprecedented James Browder employment contract that lacks an ethics clause and includes a \$342,000 golden parachute payout that the School District cannot afford.
4. The failure of the Superintendent to build public support and pass a capital to operating shift to avoid future tax increases and limit classroom reductions such as art and music.
5. The District does not currently employ a business officer or independent Board auditor to oversee the District's 1.4 billion dollar budget.

**Motion to amend the main motion** by Mr. Chilmonik to reduce the discretionary millage to .108, which will result in a millage levy of 6.868 – the same overall rate as approved by the Board in 2008.

***Motion failed for lack of a second.***

***Main motion carried 4-1, with Mr. Chilmonik casting the vote in opposition.***

**(3.) Capital Outlay Millage:**

***Motion*** by Dr. Scricca, ***seconded*** by Mrs. Dozier, and ***carried 5-0*** to accept the Superintendent's recommendation that the Board adopt the 2009-2010 tentative proposed capital outlay millage of 1.50 with a proposed amount to be raised of \$97,644,895. The total millage will equal 7.508 mills with a total amount to be raised of \$488,745,245. The total millage rate to be levied does not exceed the roll back rate. It is a decrease in the roll back rate of 16.48%.

**(4.) Resolution:**

***Motion*** by Mrs. Dozier, ***seconded*** by Mr. Chilmonik, and ***carried 5-0*** to accept the Superintendent's recommendation that the Board adopt the Resolution Determining Revenues and Millages Levied and the Resolution Adopting the Tentative Millage Rates for the Fiscal Year 2009-2010.

**(5.) FY10 Tentative Budget and Related Resolution:**

***Motion*** by Dr. Scricca, ***seconded*** by Mrs. Dozier, and ***carried 4-1***, with Mr. Chilmonik casting the vote in opposition, to accept the Superintendent's recommendation that the Board adopt the tentative budget and related resolution adopting the tentative budget for the 2009-2010 school year as follows: General Operating in the amount of \$708,289,718; Special Revenue Budget in the amount of \$109,915,895; Debt Service Budget in the amount of \$51,675,438; Capital Outlay Budget in the amount of \$440,425,774; Internal Service Budget in the amount of \$112,527,119, for a total Tentative Budget of \$1,422,833,944.

**(6.) Acceptance of the 2009 Certification of Taxable Value:**

***Motion*** by Mrs. Dozier, ***seconded*** by Dr. Scricca, and ***carried 5-0*** to accept the Superintendent's recommendation that the Board accept the 2009 Certification of Taxable Value for Lee County, Form DR420S, and authorize the Superintendent to complete and execute the form.

**(7.) Scheduling of Final Budget Public Hearing**

***Motion*** by Dr. Scricca, ***seconded*** by Mrs. Dozier, and ***carried 5-0*** for to accept the Superintendent's recommendation to schedule a Public Hearing on the Final 2009-10 Millage Levies and Final Budget for the 2009-2010 School Year for Tuesday, September 8, 2009, at a specially scheduled Board Meeting to begin at 5:05 P.M. in the Board Room at the Lee County Public Education Center Board Room.

**V. Comments**

Mr. Chilmonik: stated that Lee County is facing several difficult years and that the best stimulus package is to keep taxes reasonable for taxpayers.

Mrs. Dozier: stated that it comes down to the amount of funding that is received from the legislature and that the required local effort millage is high because the District is being required to raise more money locally rather than receiving it from the state; stated that a permanent funding source for education must be established by legislators.

Dr. Scricca: expressed appreciation to the Superintendent and staff.

Dr. Kuckel: expressed concern for the time when stimulus dollars are no longer available and agreed with the need for a stable funding source for education.

Mr. Teuber: stated that the state's .25 mills reduction in funding resulted in the District having to adjust the required local effort amount in order to compensate for the loss; added that it is important to continue communicating with legislators regarding the need for a stable funding source for education.

**VI. Adjournment**

*Motion by Mr. Chilmonik, seconded by Dr. Scricca, and carried 5-0 to adjourn the July 29, 2009, Special School Board Meeting.*

The meeting adjourned at 5:47 P.M.

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**Steven K. Teuber, J.D.**, Board Vice Chair

ATTEST:

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**James W. Browder, Ed.D.**, Secretary and District Superintendent

*An audio/visual tape of this meeting has been produced to provide a verbatim record of the proceedings. Members of the public may obtain a copy of the tape of any meeting by making a request for such through the Communications Department and paying the actual cost of copying the tape. Members of the public may view any Board meeting tape at the Communications Department at no cost. Anyone wishing to view a Board meeting tape should contact the Communications Department at 337-8327 to make such a request.*