

**RECREATION AND PARK COMMISSION
FOR THE PARISH OF EAST BATON ROUGE**
Special Meeting – 5:00 p.m.
BREC Administration Building
6201 Florida Boulevard
Baton Rouge, Louisiana
Commission Minutes
July 8, 2025

Call to Order

A special meeting of the Recreation and Park Commission for the Parish of East Baton Rouge (BREC) was held at BREC's Administrative Offices on July 8, 2025. The meeting was called to order at 5:00 p.m. by Commissioner Pointer, Commissioner Dwayne Rogers offered the invocation and Commissioner Pointer led the Pledge of Allegiance. Roll was taken and a quorum of Commissioners was present, including Kenneth Pointer, Treasurer; Mike Polito; Dwayne Rogers; Lon Vicknair; Mayor Wade Evans, Mayor David McDavid, Carl Stages and Nathan Browning. Commissioners Donna Collins Lewis, Clarice Gordon and Collis Temple, III, were absent. Staff members present were Janet Simmons, Interim Superintendent; Reed Richard, Assistant Superintendent of System Planning; Aneatra Boykin, Chief Administrative Officer; Maurice Velasquez, Interim Chief Operating Officer; Johanna Landreneau, Interim Chief Human Resource Officer; Andrea Roberts, Chad Brewer, Jim Fleshman, Angela Harms, RaHarold Lawson, Mike Raby, Steven Knight and Ebony Allen. Murphy Foster, legal counsel, was also in attendance. The rest of the audience consisted of other BREC staff, sign language interpreters, media, and the public.

Public Comment

Commissioner Pointer announced that public comment would be allowed prior to a vote being taken on any agenda action item and explained the process to be observed.

Adoption of Minutes

Commissioner Pointer read the following resolution:

Resolved, that the reading of the minutes of the Recreation and Park Regular Commission Meeting of May 22, 2025, and the minutes of Special Commission Meeting of June 10, 2025, be dispensed with, and that they be approved as written.

Before a vote was taken, Commission Pointer announced that he has been advised that an opinion came in from the Attorney General's office where on each agenda item he will ask "Those in favor say aye" instead of doing a roll call vote every time and he will ask if there were any objections after that.

After no discussion, Commissioner Pointer continued by asking "All in favor of the approval of the minutes say aye." The results are as follows:

Ayes: 8

Nays: 0

The minutes were approved unanimously.

Consent Calendar

Resolved, that the Commission approve the routine Personnel Transactions from May 16, 2025 to June 10, 2025.

After reading the resolution, Commissioner Pointer asked, "All in favor of the approval of

the minutes say aye.” The results are as follows:

Ayes: 8

Nays: 0

The Consent Calendar was approved unanimously.

Presentations

The Commission viewed a brief video highlighting various upcoming events throughout the parish during the month of July.

Reports of Officers and Standing Committees

Interim Superintendent Simmons began by explaining the May 2025 monthly attendance report where she pointed out that the YTD numbers for Recreation were down due to the delayed opening of Liberty Lagoon. She recognized Robert Dowey, CEO of SELA, who has helped BREC get Liberty Lagoon ready for opening.

Interim Superintendent Simmons then read the first item under Administrative Matters.

Resolved, That the Commission approve designating July as *National Park and Recreation Month* in East Baton Rouge Parish and encourage all citizens to celebrate by taking park in their favorite spots, visiting the outdoors, or spending time and relaxing with family and friends.

Commissioner Pointer asked, “All in favor of the approval of the minutes say aye if you oppose you can say nay.” He followed up by asking if there were any objections. The results are as follows:

Ayes: 8

Nays: 0

The designation of July as *National Park and Recreation Month* was approved unanimously.

Interim Superintendent Simmons provided an overview of her activities during her first five weeks. She stated that she conducted an initial review of the parks throughout the parish and mentioned that she was impressed by North Sherwood Park, a facility she had not previously known about. She noted that this discovery highlighted a “messaging problem,” as she believes the general public may also be unaware of such facilities. She also visited the Baker Arboretum, which she described as a beautiful site, and again expressed surprise that she was previously unaware of its existence.

She shared that she spoke with employees across various departments, particularly those working in the field. Following a recommendation from Reed Richard, she made it a priority to connect with staff in construction and maintenance, as they are considered to have “boots on the ground” and could offer valuable feedback on operational challenges. She reported receiving helpful insight from these conversations.

Interim Superintendent Simmons explained that she has created a private email account to receive direct communication from the public regarding concerns or issues. She stated that through this channel, she was able to immediately resolve three or four problems simply by visiting the site, assessing the issue, and contacting Park Operations to address it that same day. She emphasized that she began receiving positive feedback from residents thanking BREC for its responsiveness.

She announced the hiring of two interim leadership positions to assist with current

organizational assessments: Maurice Velasquez as Interim Chief Operating Officer and Johanna Landreneau as Interim Chief Human Resources Officer. She referred to the three of them as “The Key Three,” noting that their role is to help identify and address existing challenges within the agency.

She shared that her team is currently reviewing BREC’s structure, conducting an HR audit, and working to revise the organizational chart in an effort to make operations more business-oriented. She mentioned the development of a Rapid Response ticketing system in collaboration with the IT Department, as well as plans to launch a call center to the public on September 8th, with a soft launch planned beforehand to test its efficiency.

Interim Superintendent Simmons addressed concerns about employee morale, stating that many employees feel they are unable to do their jobs without fear of retaliation. She expressed a commitment to changing the culture within BREC by fostering transparency, encouraging open communication, and focusing on how employees are treated. She also mentioned her intent to host town hall meetings throughout the parish, with the first scheduled in Zachary, to hear directly from residents about their desires and needs for the park system.

Commissioner Evans commented on the call center initiative and suggested the implementation of an artificial intelligence model to monitor calls. He proposed that the AI be trained using real call interactions with the long-term goal of minimizing the need for human operators.

Commissioner Browning asked in regards to listening to the cities about their wants from their parks, if that would put a hold on current projects underway for restructuring parks.

Interim Superintendent Simmons responded “Possibly...we are going to be talking about that tomorrow in our directors meeting.”

Commissioner Rogers thanked Interim Superintendent Simmons for her report and reminded BREC leadership and the board not to forget about the unincorporated areas of East Baton Rouge Parish. He noted that while the conversation had referenced the needs of the five cities, many residents reside in unincorporated areas where parks still require attention and investment. He stated that he and his family live only 200 yards within a city limit and the parks they use are in the unincorporated areas. He pointed out that BREC advertises having established twelve community parks, but in reality, only eleven have been established. He clarified that the twelfth park, which remains unestablished, is located in an unincorporated area in the northeast part of the parish.

In response to Commissioner Rogers’ comments, Interim Superintendent Simmons stated that she and a group would be taking a day trip on July 11th beginning at 7:30 a.m. The group plans to travel to Pride, Cheneyville, and Slaughter in Louisiana; and then into Gloster, Mississippi to visit the arboretum located there.

Commissioner Polito inquired about the status of the CAYL cooperative endeavor agreement. Interim Superintendent Simmons responded that there was no update at that time but confirmed it was on schedule to be discussed during a meeting on Thursday, July 10. Commissioner Polito then asked if she knew how much CAYL currently owes BREC. Interim Superintendent Simmons shook her head to indicate “no,” and reiterated that the matter would be addressed during “tomorrow’s meeting.” She added that The Key Three had discussed the agreement earlier that morning and planned to go into further detail during the Thursday meeting.

When Commissioner Polito asked whether CAYL had been notified, Interim Superintendent Simmons responded, “no.”

Commissioner McDavid shared that he has a personal connection to BREC, noting that his mother worked for the organization for over 50 years. He added that he recently discovered a park in Zachary and expressed interest in walking the park with Interim Superintendent Simmons. He stated that his goal is to help ensure that BREC becomes the best park and recreation organization in the United States, and that he is looking forward to contributing toward that. He also mentioned that during a recent visit to Frenchtown, he was walking the trails but was unable to access the building.

Commissioner Pointer introduced Don Johnson, Chief Financial Officer, to present the action items for Finance.

Mr. Johnson mentioned that since they did not have the regular meeting in June, he will be presenting the budget status report for May, and the June report will be present at the regular meeting at the end of the month. He presented the Budget Status Report and read the following resolution:

Resolved, That the Commission accept the unaudited monthly Budget Status Report for the month ending and fiscal year-to-date period ending May 31, 2025.

Commissioner Pointer opened the floor for discussion.

After no discussion, Commissioner Pointer asked “All those in favor say aye, those who opposed say nay” The results are as follows:

Ayes: 8

Nays: 0

The May 31, 2025 Budget Status Report was approved unanimously.

Mr. Johnson then presented the first item under Contracts and Bids and read the following resolution:

Resolved, That the Commission approve awarding SB 1851 Magnolia Mound Historic House HVAC to the lowest responsive bidder, White Group Partners, LLC., for the base bid of \$330,000.

Commissioner McDavid asked if the bid under discussion was to replace the entire HVAC system at Magnolia Mound.

Mr. Johnson acknowledged Mr. Richard to respond. Mr. Richard confirmed that the project is intended to completely replace the system, including installing new condenser units, new ductwork, and removing the sprayed insulation currently in the attic and underneath the house, which has been causing moisture issues.

Commissioner McDavid then asked whether BREC is considering adding HVAC systems to park facilities that do not currently have them.

Mr. Richard responded that this is part of BREC’s IYP3 (Imagine Your Parks 3) plan, which includes identifying a new facility model that reduces overall inventory. He added that the facilities that remain in operation will be modernized and include new air conditioning systems.

Commissioner Pointer asked, “All in favor say aye.” The results are as follows:

Ayes: 8

Nays: 0

The award of SB 1851 was approved unanimously.

Mr. Johnson continues under Contracts and Bids presenting items #2 and #3 together reading following resolutions:

Resolved, That the Commission award Sealed Bid #1848 – BREC Annual Contract for Trash Dumpster Services to the lowest responsive bidder, Waste Management of Louisiana, LLC. For items #1 - #6. The total estimated contract amount is \$150,666.80. The contract will be for 12 months, starting July 1, 2025 – June 30, 2026, with the option to renew for two additional 12-month terms, at the same prices, terms, and conditions, not to exceed 36 months.

Resolved, That the Commission award Sealed Bid #1850 – BREC Annual Contract for Recycling Dumpster Services, to the lowest responsive bidder, Waste Management of Louisiana, LLC. For items #1 - #6. The total estimated contract amount is \$177,653.36. The contract will be for 12 months, starting July 1, 2025 – June 30, 2026, with the option to renew for two additional 12-month terms, at the same prices, terms, and conditions, not to exceed 36 months.

Commissioner McDavid asked what the scheduled days were for garbage and recycling pickup.

Mr. Johnson acknowledged Dr. Lawson to respond. Dr. Lawson stated that the pickup schedule varies based on location. He explained that the Womack facility receives pickup twice a week, while some of the sporting venues receive pickup three times a week.

Commissioner Rogers then asked Dr. Lawson to confirm whether recycling costs have historically been higher than garbage pickup costs, and if so, why. Commissioner Rogers noted that with City-Parish services, recycling had been cheaper than garbage pickup, and he wanted to understand why it was different for BREC.

Dr. Lawson confirmed that recycling has always been more expensive for BREC. He added that although the transition from Republic Services to Waste Management resulted in an overall cost savings, recycling still remains more expensive than regular garbage pickup. He mentioned that BREC is not currently recycling as much and stated that he is working to improve messaging across the parish to encourage more recycling and reduce overall waste.

Commissioner McDavid asked whether the same-sized bins were being used for both garbage and recycling. Dr. Lawson confirmed that they were.

Commissioner Browning inquired about cancellation clauses in the Waste Management contract. Specifically, he asked whether the contract would automatically renew if not canceled within six months.

Dr. Lawson responded that the contract includes a provision requiring a written notice within 30 days of expiration; otherwise, it will automatically renew.

Commissioner Browning then asked whether the contract pricing increases each year.

Dr. Lawson stated that the contract pricing has remained the same over the years.

Interim Superintendent Simmons added that in her prior experience, Waste Management

has increased pricing without providing a six-month notice. She advised Dr. Lawson to “read the fine print” of the contract to be sure.

Dr. Lawson said he would follow up with the Finance Department to confirm the terms.

Aneatra Boykin then confirmed that the contract requires a 30-day notice for cancellation and that there is no language allowing Waste Management to increase pricing without prior notice.

Commissioner Pointer opened the floor for additional questions. With no further discussion he asked “Those in favor say aye” “Any opposed?” The results are as follows:

Ayes: 8

Nays: 0

The awarding of SB 1848 and SB 1850 were approved unanimously.

Mr. Johnson continues under Contracts and Bids presenting the final item reading following resolution:

Resolved, That the Commission approves the sourcing of Cintas Corporation State Contract #4400018930 for the rental, cleaning, and replacement of Agency uniforms. The total contract amount is not to exceed \$100,000.00. The contract will be for 12 months, starting July 1, 2025 – June 30, 2026, with the option to renew for two additional 12-month terms, at the same prices, terms, and conditions, not to exceed 36 months.

Commissioner Pointer opened the floor for additional questions. With no further discussion he asked, “Those in favor say aye” “Any opposed?” The results are as follows:

Ayes: 8

Nays: 0

The approval of the sourcing of Cintas Corporation State Contract #44000018930 was approved unanimously.

Commissioner Vicknair asked about the bids submitted for the HVAC replacement project at Magnolia Mound and noted that a bid from Calcasieu Mechanical Contractors was not selected. He requested an explanation for why their bid was not considered.

Mr. Richard responded that Calcasieu Mechanical Contractors did not have the proper licensing required to meet the bid specifications.

Commissioner Pointer noted that Human Resources had only the routine transactions on the Consent Calendar.

Commissioner Pointer stated that the Zoo, Golf, and Recreation Committees had information items only and no action was needed.

Commissioner Pointer acknowledged Commissioner Polito for the first item under Selection of Professionals. Commissioner Polito read the following resolution:

Resolved, That the Commission approve Amendment No. 1 to contract 2023000169 with CSRS, LLC., the design professional for Airline Highway Turn Lane Improvements, for a not-to-exceed (NTE) amount of \$34,690 for increased DOTD requirement and changes to permit procedures and CEA requirement.

Commissioner Browning asked if this resolution was only addressing the turn lanes.

Mr. Richard confirmed that it was only addressing the turn lanes.

Commissioner Pointer asked, "Those in favor say aye" "Any opposed?" The results are as follows:

Ayes: 8

Nays: 0

The approval of Amendment #1 to contract 2023000169 was approved unanimously.

Commissioner Polito continued with item B under Selection of Professionals reading the following resolution:

Resolved, That the Commission approve utilizing Louisiana State Contract No. 4400031912 with Custom Security Systems to furnish and install Physical Access Control systems at various Recreation facility locations for a total contract amount of \$146,783.36, as described on project proposals.

Commissioner Pointer opened the floor for additional questions. With no further discussion he asked, "Those in favor say aye" "Any opposed?" The results are as follows:

Ayes: 8

Nays: 0

The approval of utilizing Louisiana State Contract #4400031912 was approved unanimously.

Commissioner Polito continued with item C under Selection of Professionals. Commissioner Polito stated that the committee is not recommending moving forward and instead sending it back to BREC staff to schedule with the top three firms to interview. He then made a motion to defer.

Commissioner Pointer asked, "Those in favor say aye" "Any opposed?" The results are as follows:

Ayes: 8

Nays: 0

The motion to defer was approved unanimously.

Unfinished Business and General Orders

Commissioner Pointer announced that there will be a public hearing to adopt a resolution to levy the ad valorem tax millage for the 2025 parish-wide assessment roll for the Recreation and Park Commission for the Parish of East Baton Rouge for general operations and capital improvements.

Commissioner Pointer acknowledged Mr. Johnson.

Mr. Johnson explained that at the last meeting in May a resolution was introduced and that an amendment to that resolution will also be presented today.

Mr. Johnson continues by reading the original resolution presented at the May 22nd regular meeting. It reads as follows:

RESOLUTION as Introduced at May 22, 2025 meeting Ad Valorem Tax Levy

BE IT RESOLVED by the Recreation and Park Commission for the Parish of East Baton Rouge (the "Commission"), in legal session convened, as follows:

There are hereby levied in the Parish of East Baton Rouge, the following described ad valorem tax millages on the 2025 tax roll on all property subject to taxation by the Recreation and Park Commission for the Parish of East Baton Rouge:

a tax authorized by the electorate in a special election conducted October 28, 1947, under the authority of Article 14, Section 3(b) of the 1921 Louisiana Constitution; ratified by Article 6, Section 31; for development, operations, and maintenance; and **0.59** mills

a tax authorized by the electorate in a special election conducted June 22, 1954, under the authority of Article 14, Section 3(b) of the 1921 Louisiana Constitution; ratified by Article 6, Section 31; for development, operations, and maintenance; and **0.39** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, under the authority of Section 4570.4 B of Title 33 of the Louisiana Revised Statutes of 1950, as amended; to purchase, acquire, construct, develop, improve, operate and maintain public parks, playgrounds and recreational properties and facilities; and **3.253** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, for operations and maintenance and capital improvements; and **4.10** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, to provide funds for maintaining and operating its public parks, recreational properties, and facilities and making available funds for the operating budget; and **2.10** mills

a tax authorized by the electorate in an election conducted November 8, 2016, to provide funds for maintaining and operating the public parks, recreational properties, and facilities and making available funds for the operating budget; and **3.72** mills

the foregoing making a total tax of fourteen and one hundred fifty three one-thousandths (**14.153**) mills on the dollar of assessed valuation to meet the established liabilities and expenses of the Commission used in acquiring, developing, maintaining and operating the public parks and recreational properties and facilities of the Commission and in making available funds for the operating budget, all as provided for in the respective propositions approved by the voters in the special tax elections above referred to.

BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of East Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2025, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full and was moved by _____, seconded by _____.

The roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

The foregoing resolution was signed and approved by the Chairman, attested by the Superintendent and Ex-Officio Secretary and declared to be adopted on this the 26th day of June, 2025.

Attest:

Donna Collins Lewis, Chairwoman

Superintendent and Ex-Officio Secretary

Mr. Johnson restated that this resolution was previously presented at the May 22nd meeting. He noted that, after careful consideration and the successful payoff of a debt obligation on bonds that were previously issued, resulting in a savings of approximately \$4.5 to \$4.6 million, BREC has decided not to maintain the current tax levy rate. Instead, BREC will reduce the tax rate across the board by five percent.

Mr. Johnson read the amended resolution recommendation as follows:

RESOLUTION as amended at the July 8, 2025 meeting

Ad Valorem Tax Levy

BE IT RESOLVED by the Recreation and Park Commission for the Parish of East Baton Rouge (the "Commission"), in legal session convened, as follows:

There are hereby levied in the Parish of East Baton Rouge, the following described ad valorem tax millages on the 2025 tax roll on all property subject to taxation by the Recreation and Park Commission for the Parish of East Baton Rouge:

a tax authorized by the electorate in a special election conducted October 28, 1947, under the authority of Article 14, Section 3(b) of the 1921 Louisiana Constitution; ratified by Article 6, Section 31; for development, operations, and maintenance; and **0.599** mills

a tax authorized by the electorate in a special election conducted June 22, 1954, under the authority of Article 14, Section 3(b) of the 1921 Louisiana Constitution; ratified by Article 6, Section 31; for development, operations, and maintenance; and **0.399** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, under the authority of Section 4570.4 B of Title 33 of the Louisiana Revised Statutes of 1950, as amended; to purchase, acquire, construct, develop, improve, operate and maintain public parks, playgrounds and recreational properties and facilities; and **3.090** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, for operations and maintenance and capital improvements; and **3.895** mills

a tax authorized by the electorate in a special election conducted November 5, 2024, to provide funds for maintaining and operating its public parks, recreational properties, and facilities and making available funds for the operating budget; and **1.995** mills

a tax authorized by the electorate in an election conducted November 8, 2016, to provide funds for maintaining and operating the public parks, recreational properties, and facilities and making available funds for the operating budget; and **3.762** mills

the foregoing making a total tax of thirteen and seven hundred forty one-thousandths (**13.740**) mills on the dollar of assessed valuation to meet the established liabilities and expenses of the Commission used in acquiring, developing, maintaining and operating the public parks and recreational properties and facilities of the Commission and in making available funds for the operating budget, all as provided for in the respective propositions approved by the voters in the special tax elections above referred to.

BE IT FURTHER RESOLVED that the proper administrative officials of the Parish of East Baton Rouge, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2025, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full and was moved by _____, seconded by _____.

The roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS:
NAYS:
ABSTAINED:
ABSENT:

The foregoing resolution was signed and approved by the Chairman, attested by the Superintendent and Ex-Officio Secretary and declared to be adopted on this the 8th day of July, 2025.

Attest:

Donna Collins Lewis, Chairwoman

Janet C. Simmons, Interim Superintendent
and Ex-Officio Secretary

Commissioner Pointer opened the public hearing and asked if anyone from the public would like to speak on the matter. Hearing none, Commissioner Pointer closed the public hearing. Commissioner Pointer then called for a roll-call vote.

Commissioner Rogers asked for a point of order concerning motions being made on the agenda items. He stated that he did not want anything to be adopted if it wasn't done appropriately. He asked, "Does not a Commission member need to move the resolution and then a second on each of these items?"

Commissioner Rogers' question was not answered directly before Commissioner Polito made a motion to adopt the recommended resolution. It was seconded by Commissioner Vicknair.

The roll was called on the adoption thereof, and the resolution was adopted by the following votes:

YEAS: 8 Mr. Pointer, Mr. Rogers, Mr. Polito, Mr. Vicknair, Mr. Evans, Mr. McDavid, Mr. Stages, Mr. Browning
NAYS: 0
ABSTAINED: 0
ABSENT: 3 Donna Collins Lewis, Clarice Gordon, Collis Temple, III

Before casting his vote in favor, Commissioner McDavid asked Mr. Johnson whether, in years past, everything that was included in the budget was voted on. Mr. Johnson confirmed that yes, everything in the budget was voted on in previous years.

The motion was approved unanimously.

Commissioner Pointer announced that he would like to add an item to the agenda for the approval of the SELA Aquatics, LLC contract, in the amount of \$60,000, to provide operational support at Liberty Lagoon.

Murphy Foster provided guidance, stating that in order to add the item to the agenda, a unanimous roll call vote would be required. Following that, a separate vote would be needed for the approval of the item itself.

Commissioner Polito made the motion to add the item to the agenda, which was seconded by Commissioner Evans.

A roll call vote was taken. The results are as follows:

Yeas: 8 Mr. Pointer, Mr. Rogers, Mr. Polito, Mr. Vicknair, Mr. Evans, Mr. McDavid, Mr. Stages, Mr. Browning
Nays: 0
Abstained: 0
Absent: 3 Donna Collins Lewis, Clarice Gordon Collis Temple, III

Murphy Foster further advised that a vote must now be taken to approve the resolution.

Commissioner Pointer read the resolution as follows:

Resolved, That the Commission approve contract with SELA Aquatics, LLC to provide management and ongoing operational support at Liberty Lagoon Waterpark, assisting BREC staff from July 4, 2025, through September 2, 2025, for a total contract amount of \$60,000.

Motion by Mr. Evans

Second by Mr. McDavid

Commissioner Evans asked if this contract was a staff augmentation.

Interim Superintendent Simmons explained that the goal was to open Liberty Lagoon as safely as possible and bringing in SELA to assist was the best option.

Commissioner Pointer opened the floor for additional questions. With no further discussion he asked, "Those in favor say aye" "Any opposed?" The results are as follows:

Ayes: 8

Nays: 0

The motion passed by unanimous consent.

Murphy Foster asked to speak with Commissioner Pointer and Ms. Boykin briefly.

During this brief discussion, Commissioner McDavid left at 5:54 p.m.

Adjournment

Commissioner Pointer stated that they would not be going into executive session and requested a motion to adjourn.

Mr. Rogers interjected, stating that he intended to move to go into Executive Session and asked if there should have been a vote on that motion.

Mr. Foster, serving as the board's legal counsel, explained that it is his recommendation that the matter in question does not meet the exception required to enter into Executive Session.

Commissioner Evans asked if the discussion would take place during the public meeting, to which Mr. Foster responded, "no, we do not need to discuss it here."

Commissioner Rogers then motioned to go into Executive Session in order to have the reason explained to him privately, as he believed it could not be explained in public. Interim Superintendent Simmons asked Mr. Foster to provide clarification.

Mr. Foster then addressed Commissioner Rogers, explaining that his objection was based on the Open Meetings Law. He clarified that the exception cited in the agenda item—"for the discussion of the character, professional competence, or physical or mental health of a person"—did not apply in this case. He added that merely referencing the statute was not sufficient for the item to qualify.

Mr. Rogers thanked Mr. Foster for the explanation and stated that he wished this issue had been addressed prior to the meeting. He then formally withdrew his motion to go into Executive Session.

Commissioner Polito made a motion to adjourn the meeting. The motion was seconded by Commissioner Evans. Commissioner Pointer adjourned the meeting at 6:00 p.m. without

objection.

Janet C. Simmons, Interim Superintendent
and Ex-Officio Secretary

Kenneth Pointer, Treasurer