

THE SCHOOL BOARD OF MONROE COUNTY

Workshop and Special Meeting Minutes

A.J. Henriquez Adm. Bldg.

April 14, 2009, 10:00 am

PRESIDING: Andy Griffiths, Chair

PRESENT: Steven Pribramsky; Duncan Mathewson; Debra Walker; John Dick; Randy Acevedo, Superintendent and School Board Attorneys Richard Collins and Scott Black

WORKSHOP AGENDA – Time Certain 10:00 a.m.

Add-On Items:

Mr. Dick would like to discuss the Administrative Retreat and would like to withhold payment to Ms. St. James until this situation is ironed out.

Dr. Mathewson would like to discuss Mr. Pribramsky's idea concerning the BOCC mutual resolution.

Mr. Pribramsky would like to discuss freezing all open positions and posting the 06-07 P-cards and reimbursements online.

Dr. Walker would like to discuss the State Budget Update.

Discussion on the Revised RFP for an Internal Auditor It was the consensus of the Board not to move forward with an RFP for the Internal Auditor position, but rather to select a recruiting agency tasking them with finding a qualified pool of applicants to select from to fill the position.

Internal Auditor Job Description: The Board will formulate a final job description for the position based upon some additional revisions to be submitted by school board attorney Mr. Scott Black. If the changes are not received today, they can be brought to the next meeting.

Discussion on the Revised RFP for a Recruiting Agency for the selection of an Internal Auditor – The two agencies listed are the Mercer Group (www.mercergroupinc.com), and Colin Baenziger & Associates (www.cb-asso.com). It was the consensus of the Board for Mr. Black to approach both agencies for the April 21, 2009 meeting to see what services and costs would range. Any additional companies can be submitted to Mr. Black to contact. The costs should be less than \$25,000.00. This would eliminate the need to go through the bid process. Mr. Pribramsky would like to see a deep background check of the applicants.

It was the consensus of the Board to meet weekly until at least the end of the year. The meeting will be held every other Tuesday at 10:00 am in the Board Room. Meeting weekly will allow the Forensic Auditor to provide updates weekly and allow to meet in the event the unforeseen need arises.

Discussion of Internal Auditing Policy Proposed by Mr. Griffiths – Mr. Griffiths read into the record his draft policy taken from Lake County for the Board. The draft policy is: It is the express policy of the School Board of Monroe County to promote financial responsibility and accountability for the assets and operations of the district and to ensure compliance with all applicable laws, rules, regulations, policies and procedures. It is also the express policy of the School Board of Monroe County that the internal auditor position set forth herein be empowered to the full extent permitted under Florida law to assist the School Board in carrying out these goals and the School Board's responsibilities relating to

general financial oversight, ensuring the existence of internal controls that safeguard the district's assets and resources, identification of ways to improve the financial efficiency and effectiveness of the district's operations, programs, contracts and activities, and ensuring compliance with all applicable laws, rules, regulations, policies and procedures.

Administrative Retreat - Mr. Dick would like to withhold further payments to Mrs. St. James consulting company Professional LE based upon her unauthorized payment of \$5,430 on a school district credit for a party for the administrators on August 6, 2008. We have conflicting reports on how the party was funded and until such time that this can be investigated and a report given to the school board he respectfully requests to withhold further payments. Mr. Collins stated the district can delay payment and delay performance of any further duties. Dr. Mathewson would like her to explain how this happened. Mr. Acevedo suggested permitting her to continue with scheduled ethics training and allowing her to come to the board meeting to explain the background and then take action at that meeting if there is still a need. Mr. Dick wanted to hold off until ethical people can do the training. Dr. Mathewson would like for Ms. St. James to appear at the Board meeting as a request. If she does not attend it will be viewed as an ignored request.

Freeze all open positions - Mr. Pribramsky would like to freeze all open positions. It was the consensus of the board to freeze all unfilled positions with the exception of class room teachers with a case by case basis to go to the Board.

PCard Posting online – Mr. Pribramsky would like to see all July 1, 2006 to June 30, 07 and 07-08 and year to date for 2008-2009 transactions online. It was the consensus of the Board to do so.

Shared Services with the BOCC – Mr. Pribramsky met with the BOCC last week to discuss combining forces in finance and purchasing, and potentially Insurance. He will bring back a draft resolution to the next meeting.

Dr. Walker updated the Board on the State Budget providing highlights.

Audit Response -The Superintendent and the Board will work collaboratively on a response to the Auditor General's preliminary audit report.

Internal Auditing Emergency Policy: The adoption of the Emergency Internal Audit Policy will be placed on the April 21, 2009 agenda for consideration due to the the district's financial investigation. The Board's consensus was this is an emergency policy which will be listed on the agenda for adoption and public hearing at the next meeting.

Mr. Black provided an updated CFO job description incorporating original wording. It will be brought back to board for further consideration at the next meeting.

Update from Richard Fechter – Mr. Fechter stated he has received the supporting documentation on the selected Pcards and is beginning the review. The vast majority are clean on the surface and he comparing the charges, the coding, and the receipts. Mr. Griffiths would like to see the comparison between income and deposits relating to the cash only policy in the cosmetology program. Mr. Fechter stated the State Attorney is looking into the cash only policy

and an estimated \$100,000.00 missing. It is believed the policy started while Mr. Andola was in charge. The Board would like to conduct a review of the income v. deposits to one year before and forward. The actual date is to be determined as it is not known when the policy actually changed; possibly around 2001 but it is not certain. Mr. Pribramsky agreed and would like to see the budget for that period and purchasing of supplies for those students. Mr. Collins would refrain from using the term "policy". The Board would like to see employment history as to who was in charge at that time. Mr. Fechter stated Ms. Acevedo's electronic devices are locked in the safe and the chain of custody is fine and untouched. If they were touched you could tell. He suggested leaving them where they are until the person who the Board designates to review the devices is best. Mr. Fechter stated there is only one person with access to the devices and they secured the right way. Dr. Mathewson is interested in doing some investigation into the construction department. Mr. Fechter stated the construction pcards are being looked at to determine with the expenditures match the work orders submitted. He will find out which controls are in place and how it relates to the pcard purchases. With respect to intimidation Mr. Fechter is continuing to ask questions about intimidation and asks that no one jumps to conclusions one way or the other at this time. The consensus of the Board was for Mr. Fechter to focus on the Pcards.

Presentations for Legal Services in Response to Request for Proposals:

The list of firms which presented to the Board is listed below. Each firm made a presentation with a question answer period.

David C. Miller, Esq.
Bryant Miller Olive, P.A.
One Biscayne Tower
2 South Biscayne Boulevard, Suite 1480
Miami, FL 33131
Phone (305) 374-7349
Fax (305) 374-0895

Robert L. Norton, Esq.
Allen, Norton & Blue, P.A.
121 Majorca Avenue
Coral Gables, FL
Telephone (305) 445-7801
Facsimile (305) 442-1578
RNORTON@ANBLAW.COM
WWW.ANBLAW.COM

Latour "LT" Rafferty, Esq
Fowler White Boggs, P.A.
501 E. Kennedy Blvd, Suite 1700
Tampa, FL 33602
Telephone (813) 228-7411
Fax (813) 229-8313

www.fowlerwhite.com

dmiller@bmolaw.com

Jimmy L. Morales, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
150 W. Flagler Street, Suite 2200
Miami, FL 33130
Telephone (305) 789-3532
Fax (305) 789-2644
jmorales@swwwas.com

Richard Doran, Esq./J. Allison DeFoor
Ausley & McMullen
227 South Calhoun St.
Tallahassee, FL 32302
Telephone (850) 224-9115
rdoran@ausley.com

Brett J. Schneider, Esq.
Weiss Serota Helfman Pastoriza
Cole & Boniske, P.L.
200 E. Broward Boulevard, Suite 1900
Ft. Lauderdale, FL 33301
Telephone (954) 763-4242
Facsimile (954) 764-7770
bschneider@wsh-law.com
www.wsh-Law.Com

Upon Mr. Collins recommendation, the board will bring to the next meeting each member's ranking sheet tallied. The number one choice should be ranked 1 and least wanted choice would be numbered 6. The firm with the least score is ranked number 1 and would be the Board's first choice. Negotiations would occur with the first choice if that fails then they would move to the second choice.

Mr. Acevedo informed the Board that the credit card purchases and transactions are now linked on line. The Board thanked David Richardson and Barbara Cavanah making it happen.

ADJOURNMENT

There being no further business, the Chair adjourned the meeting.

Andy Griffiths
Andy Griffiths, Chair

Randy Acevedo
Randy Acevedo, Superintendent