



# FORT DAVIS INDEPENDENT SCHOOL DISTRICT

P.O. Box 1339  
Fort Davis, TX 79734

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## Minutes of Regular Meeting

The Board of Trustees

Fort Davis ISD

A Regular Meeting of the Board of Trustees of Fort Davis ISD was held Monday December 13, 2021, beginning at 6:00 PM in the Boardroom of the Administration Bldg, 401 Webster Ave., Fort Davis, Texas.

The following were present:

Board Members Present	Absent	Administration	Faculty & Staff Visitors
Pene Ferguson X		Graydon Hicks	Curtis Evans
Evin Prude X		Velvet Hardy	John Davis
Julie McIvor X		Janlyn Reagan	Jennifer Wright
Stephen Boultinghouse X		Shera Welch	
James Weaver X			
Kevin Zimdars X			
Brenda Vargas X			

### 1. Call to Order

Board President James Weaver called the regular meeting of the Fort Davis ISD Board of Trustees to order at 6:00 pm

### 2. Invocation

Led by Board President James Weaver.

### 3. Audience with Groups or Individuals

### 4. Communications/Reports

#### Campus Reports

4.1. Activity Fund Reports Presented by DAES Principal Shera Welch.

4.2. Student Achievement (Academic and/or Athletic)

4.3. Attendance Mr. Hicks shared the district is now just below 96% attendance, which always our target.

4.4. Discipline

#### Superintendent Reports

4.5. Student Enrollment Report Mr. Hicks shared the district is sitting at 178 students enrolled, but there may be as many as 7 or 8 home school students returning after Christmas.

4.6. Calendar of Activities

4.7. Facilities

4.8. Other Relevant Reports for the District



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Financials -Ms. Hardy shared monthly investment and financial reports (including cash flow). Mr. Hicks said everything was very normal for this time of year. Investment account with Lonestar investments will grow through February, but will then shrink as funds are needed for payments.

4.9. Investment Report

4.10. Financial Report

5. Consent Agenda – Motion: I move to approve the consent agenda as presented,

5. Consent Agenda – Motion: I move to approve the consent agenda as presented, including expenses associated with the superintendent's office.

Moved By: Stephen Boultinghouse    Seconded By: Brenda Vargas

Motion Passed

5.1. Approval of Minutes

5.2. Approval of Payroll Report

5.3. Approval of Accounts Payable, including review of Superintendent office expenses

5.4. Approval of Student Transfers

5.5. Approval of Gifts and Donations Mr. Hicks discussed over \$17,500 in donations for tennis court lights and installation.

6.0 New Business

6.1. Discussion and possible action to adopt the 2022-2023 Calendar

Motion: I move to approve the 2022-2023 district calendar as presented. Mr. Hicks shared the calendar proposed by the District Improvement Committee.

Moved by: Evin Prude

Seconded by: Kevin Zimdars Motion passed

6.2 Discussion and possible action to approve use of the remaining ESSER III funds for salaries for 2021-2022 school year \$130, 410 (Part 2)...previous \$260,567 (Part 1) used for salaries. Mr. Hicks went back over the used portion of ESSER III part 1 funds for staff salaries for the 2020-2021 school year.

Motion: I move to approve the use of ESSER III, part 2 funds for staff salaries for the 2021-2022 school year, and ratify the use of ESSER III, part 1 funds for staff salaries for the 2020-2021 school year.

Moved by: Stephen Boultinghouse

Seconded by: Kevin Zimdars

Motion Passed

6.3. Discussion and possible action to approve change to 2021-2022 stipend Schedule. Mr. Hicks recommended approval for the extra admin duties the new teacher will be given.

Motion: I move to approve the addition of \$2,000 to the counselor stipend schedule for the 2021-2022 school year.

Moved by: Evin Prude



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Seconded by: Stephen Boultinghouse  
Motion Passed

6.4 Discussion and possible action to approve budget amendment for 2021-2022 fiscal year budget. Mr. Hicks shared the amendment was needed to reflect the installation of the tennis court lights. The \$20K donation from the King Foundation last summer was rolled into the general fund at the end of the fiscal year.

Motion: I move to approve the 2021-2022 budget amendment as presented.

Moved by: Pene Ferguson

Seconded by: Brenda Vargas

Motion Passed

6.5 Discussion and possible action to approve and extend professional Contracts. Mr. Hicks shared the recommendation from Mr. Merrill.

Motion: I move to approve and extend a professional teacher contract to Joy Golden for the remainder of the 2021-2022 school year.

Moved by: Brenda Vargas

Seconded by: Evin Prude

Motion Passed

6.6 Discussion and possible action on superintendent's annual evaluation. The board went to closed session to discuss the evaluation at 6:37 pm, and reconvened at 8:14 pm.

Motion: I move to approve the superintendent's evaluation for 2020-2021 as discussed in executive session.

Moved By: Stephen Boultinghouse

Seconded by: Kevin Zimdars

Motion Passed

6.7 Discussion and possible action regarding issue with Fort Davis Water Supply Corp and/or Jeff Davis County. The board went into closed session, as shown below in section 7, at 6:37 pm and reconvened at 8:14 pm. In open session, with no attorneys present, the board conversed with the guests John Davis and Curtis Evans, who shared they were appointed as the negotiation sub-committee for Jeff Davis County Commissioners. The conversation included discussion regarding the application of Texas law that declares roadways (right of ways) are not "owned" by the county....they only have use of those roadways as long as they remain roadways....similar to a utility easement. The property belongs to the district, not the county. Mr. Davis asked the question "then why are we here?" The county reps were told that the district believes the county inappropriately (in fact, illegally) allowed that part of Urquhart to be used for water storage tanks and a well. Mr. Evans shared that the county had a different interpretation of the property ownership and authorized uses. The district informed the county reps that we need them to authorize their outside insurance counsel to work with the district counsel to agree on an



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appraisal of the property, so that negotiation may proceed to resolve the property dispute. Mr. Evans said this was the first time he had heard of any insurance counsel for the county. Ms. Ferguson explained that Mr. Brittain was counsel for the Texas Association of Counties, and that someone at the county had engaged his services for the county. Mr. Hicks pointed out that Mr. Brittain was on the county commissioner's regular meeting via Zoom that morning. The district is seeking to get an appraisal done (or expert opinion) by January 11, 2022. The district must receive Fair Market Value for the property, or its use. The county reps agreed to talk to their counsel to get the issue settled. Mr. Evans said the county just wanted to do what is in the "best interest of our taxpayers." Mr. Hicks said that each entity spending \$200,000 in attorney fees these last few years was not in the best interest of our taxpayers.

Motion: By the 11th of January FDISD needs evidence of the county consulting with their outside counsel to give authority to work with FDISD counsel to secure an appraisal, or expert opinion, regarding the value at the disputed property so the parties can proceed with negotiations.

Moved by: Stephen Boultinghouse

Seconded by: Evin Prude

Motion Passed

## 7. Executive Session

The board went into closed session at 6:37 pm. Reconvened at 8:14 pm.

7.1. Consultation with attorney, pursuant to Texas Government Code Section 551.071

7.2. Deliberation regarding real property, pursuant to Texas Government Code Section 551.072 (by James Weaver)

7.3. Personnel appointment, assignment, dismissal, resignations, or other duties, pursuant to Texas Government Code Section 551.074 (by James Weaver)

7.4. Discuss discipline, or complaint, matters, pursuant to Texas Government Code Section 551.082

8. Reconvene from Executive Session for action relative to items considered during Executive Session. See the notes on 6.7 above.

8.1. Personnel hiring, or other possible actions

## 9. Adjournment

9.1. Adjourn Meeting

Board member Pene Ferguson motioned to adjourn the meeting. Board President James Weaver adjourned the regular meeting of the Board of Trustees of Fort Davis ISD at 10:03 pm

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James Weaver, President

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Evin Prude, Secretary