

CAPITAL CONSTRUCTION ASSISTANCE BOARD

MINUTES OF THE JANUARY 23, 2013 MEETING

Meeting held at:
201 East Colfax, Denver, CO 80203
State Board Room, 101

I. Call to Order

- 1:04 p.m. Dave Van Sant called the meeting to order.

II. Roll Call

▪ Attendees

Dave Van Sant – CCAB Chair
Norwood Robb – CCAB Vice-Chair
Pete Hall – CCAB
Lyndon Burnett – CCAB
Tom Stone – CCAB
John Conklin – CCAB
Kathy Gebhardt – CCAB
Pete Jefferson – CCAB

Ted Hughes – Staff (CDE)
Scott Newell - Staff (CDE)
Kevin Huber – Staff (CDE)
Dustin Guerin – Staff (CDE)
Wendi Chapin - Staff(CDE)
Jay Hoskinson - Staff (CDE)
Cheryl Honigsberg – Staff (CDE)
Erica Weston– CCAB Legal Advisor

▪ Excused

Greg Randall – CCAB

III. Approve Agenda

- CCAB Chair asked for a motion to approve the agenda;
 - So moved by Norwood Robb;
 - Lyndon Burnett 2nd the motion;
 - Discussion: the CCAB Chair noted that the agenda had been revised before the meeting to include items f) and g) on the agenda;
 - Motion to approve the amended agenda carried unanimously.

IV. Approve Minutes from November 12th & 14th Meetings

- CCAB Chair asked for a motion to approve the minutes from the previous CCAB meetings;
 - So moved by Norwood Robb;
 - Dave Van Sant 2nd the motion;
 - No discussion;
 - Motion to approve the minutes carried unanimously.

V. Board Report

- The CCAB Chair told the CCAB about two potential legislative items that could affect the BEST Program; the first one would give authority to the Capital Development Committee (CDC) to review awarded grants after the State Board has approved them. The second would set a cap on revenues received from the State Lands. The CCAB discussed the processes used in different areas of the legislature, noting how the Joint Budget Committee can bypass the public hearing process.

Kathy Gebhardt entered the meeting at 1:07 p.m.

Ted Hughes mentioned a third legislative item that would establish a reserve fund for the BEST Program's lease payments. Ted Hughes told the CCAB about his presentation at the CDC and explained that the BEST Staff would probably have to provide a brief presentation on the final list of projects and that the CDC would probably not have any vetoing powers.

- The CCAB mentioned that the marijuana bill passed, but that another ballot issue will have to take place, because of tax implications.

VI. Directors Report

- Ted Hughes talked about the recent BEST ribbon cuttings and groundbreakings he had attended as well as the upcoming Pikes Peak BOCES open house.
- Ted Hughes told the CCAB about two recent presentations he gave for the Joint Education Committee and the Capital Development Committee.

VII. Action Items

- Policy discussion on the return of matching money on BEST lease-purchase grants, when the project is complete and under budget. Ted Hughes gave the background and talked about the different types of grants BEST offers and what happens once the project is completed. Ted Hughes told the CCAB about the different scenarios and what the Treasurer's office would like to do. Ted Hughes reviewed a policy sheet with the CCAB and recommended the CCAB approve the new policy.
 - Norwood Robb made a motion to adopt the policy;
 - Tom Stone 2nd the motion;
 - No discussion;
 - Motion carried unanimously.
- Review and approve returning unused cash matching funds to Swink School District RE-1 for their FY2009-10 BEST Lease-Purchase grant. Ted Hughes told the CCAB the project was complete and that the CCAB needed to approve the return of their cash match in the amount of \$3,514.36.
 - Tom Stone made a motion to return the money;
 - Norwood Robb 2nd the motion;
 - No discussion;
 - Motion carried unanimously.
- A CCAB member asked to go back to the discussion of returning matching money for clarification on where the money would go if it is not returned to the grantee. The CCAB member said the policy was a little confusing and wanted review the policy further. The concern was taking left over bond money from one project and using it on another project. The CCAB Chair asked to table the discussion until the February meeting.
 - Norwood Robb made a motion to table the discussion;
 - Kathy Gebhardt 2nd the motion;
 - No discussion;
 - Motion carried unanimously.

VIII. Discussion Items

- Discuss an appeals process for BEST grant applicants. The CCAB briefly discussed the issue, noting that they were not sure how the process would work and how only one or two extreme extraordinary situations have occurred. The CCAB discussed the previous issues and decided it was best to wait and see if any legislative action is made that would affect the BEST Program before they made a decision.
- Discussion on what happens if a charter school with a BEST grant closes. Ted Hughes gave the background of the situation and explained that a Charter School Institute school would revert back to the State. The CCAB Chair asked if the State Treasurer's office had an opinion on the matter. Ted Hughes said he would follow up and see what the State Treasurer's office thinks about the issue.
- Rule 3.1.4 notification: Pete Jefferson – Sheridan 2, Otis R-3 & Elbert 200. Pete Jefferson noted that he had recused himself from the Otis project and was not involved with Elbert or Sheridan at the time of the grant selection meetings.
- Update on Rocky Mountain Deaf School (RMDS). Ted Hughes told the CCAB about the project and issues surrounding RMDS and finding land to build their new school. Ted Hughes introduced Nancy Bridenbaugh, the RMDS Director, to the CCAB.

The CCAB Chair asked Ted Hughes about the current investigation going on regarding the citizens of Lakewood complaint. Ted Hughes said the case was still under investigation and he would follow up with the Attorney General's office.

- Discussion on the BEST Performance Audit. The CCAB Chair introduced the two auditors to the CCAB and explained that they were conducting a statutory mandated audit on the BEST Program that is to be completed within the next year. The CCAB requested to know the scope of the audit and understood they would have to meet in executive session, since the information is classified.
- Discussion on establishing a reserve for lease payments in the event revenues are not adequate. The CCAB discussed the situation and noted that the State Land's revenues would have to drop below \$40 million before there was an issue. The CCAB also noted that they needed to be cautious about holding money in reserves. The CCAB asked the BEST staff to look at what other grant programs do and if they have a reserve.
- Ted Hughes discussed the makeup of the BEST Board and who each one was appointed by. The CCAB discussed adding additional Board members and what would be best for the Board. The CCAB agreed that the current makeup was appropriate and that they were not sure what additional board members could contribute.

IX. Future Meetings

- Select dates for the June grant selection meetings. Ted Hughes reviewed possible dates with the CCAB. The CCAB decided June 25-27, 2013 would be appropriate dates for the June selection meetings. Ted Hughes also mentioned the next three meetings would need to start 15 minutes late due to scheduling conflicts in the State Board room; the CCAB agreed.

X. Public Comment

- The CCAB Chair asked if there was anyone who had questions or would like to speak from the public. There were none.

XI. Adjournment

- The CCAB Chair asked for a motion to adjourn;
 - So moved by Kathy Gebhardt;
 - Dave Van Sant 2nd the motion;
 - No Discussion;
 - Motion carried unanimously;
 - Meeting adjourned at 2:50 p.m.