



***BAMS Board of Directors Meeting
Motions and Minutes
Thursday, July 1, 2021 6:30 pm***

Minutes of the BAMS Board of Directors Special Meeting July 1, 2021

Board Members Present: In person: Kevin Mulling, Brian Cogswell, Ryan Taylor, Bill Allen, Dustin Everitt, Bill Fienga, April Mole, Jeff Spencer Jill Bolender - President
Other present: Brian Sawyer, Assistant Principal (in person), Marie Borglund - Board Accountant (via Zoom)
Absent: Carlen McKenzie-Coley

Minutes of the BAMS Board of Directors Meeting on June 22, 2021

MOTION: Approval of the minutes of June 22, 2021 – B. Fienga

SECOND: D. Everitt

FOR: All

AGAINST: None

RESULT: Passed unanimously

Update on Motion for Legal Opinion from June 22, 2021 meeting • Discussion

Chair Mulling informed the Board of the progress of receiving a legal opinion based on action taken at the June 22, 2021 meeting. Tim Campbell with Clark, Campbell, Lancaster & Munson, P.A. (Lakeland, Florida) was contacted to review requisite documents and provide a legal opinion on courses of action available to the BAMS Board of Directors based on recent developments with Polk Pre-Collegiate Academy (PPCA).

Based on the Chair's discussion with Mr. Campbell's on his legal review:

- BAMS Board of Directors have the right to terminate the operating agreement with PPCA.
- Both parties would be better served by making a new agreement to better define the terms and responsibilities.
- If both parties can develop and agree to a new agreement, then the termination could be rescinded.

Board members were concerned for teachers hired by BAMS, whose employment contract is with BAMS, and provided to PPCA. As part of the legal opinion, the Board was advised that the PPCA principal would have no authority to evaluate, discipline, terminate or place any related documents in a teacher's personnel file. The Board did reach a consensus that the principal should have access to the campus, access to staff (teachers) employed by BAMS, work in good faith for students at PPCA once an employment agreement has been fully executed by the principal, PPCA and the Polk County School Board.

Chair Mulling expects to have the letter from Tim Campbell by July 5, 2021. The Chair will sign the letter on behalf of the Board and deliver the letter to the PPCA Board Chair Henry Manson.

The BAMS Board also extended an invitation to the PPCA Board to present their future plans at the next BAMS Board meeting on August 17, 2021. Based on the PPCA presentation of their plans, BAMS will be better suited to determine its future needs.

- MOTION: Based on the legal opinion, motion to terminate the current agreement with Polk Pre-Collegiate Academy- J. Spencer
- SECOND: B. Fienga
- FOR: All
- AGAINST: None

- RESULT: Passed unanimously

Miscellaneous • Discussion

Board members discussed with Mrs. Bolender the need to inform teachers of the action taken by the Board at this meeting and addressing any concerns brought forward by the teachers. Mrs. Bolender plans to advise teachers of the Board's action.

Adjournment: 7:43pm

MOTION: Motion to adjourn - J. Spencer

SECOND: B. Cogswell

Next meeting will be August 17, 2021 at 6:30pm

Minutes posted to website July 12, 2021.

Board of Director's Current Terms:

2021-2024- Fienga, Spencer (Treasurer), Allen

2021-2023- McKenzie-Coley, Mole

2021-2022- Taylor (Secretary)

2019-2022- Mulling (Chairman), Cogswell (Vice Chairman), Everitt

Audit Committee: McKenzie-Coley, Allen, Spencer, Bolender