

Agenda of Special Meeting

The Board of Trustees Lone Oak Independent School District

A Special Meeting of the Board of Trustees of Lone Oak Independent School District will be held May 6, 2021, beginning at 6:00 PM in the Lone Oak ISD Administration Building 8162 Highway 69 South Lone Oak, TX 75453.

The subjects to be discussed or considered or upon which any formal action may be taken are listed below. Items do not have to be taken in the same order as shown on this meeting notice. Unless removed from the consent agenda, items identified within the consent agenda will be acted on at one time.

1. Establish a quorum and call meeting to order
2. Opening Prayer & Pledges
3. Forum for community input
4. Reorganize Board Officers
5. Discuss and possible act on Elementary repairs outside the scope of the mold remediation. 2
6. Discuss and possibly act on sale and purchase of school property 4
7. Discuss Director of Academics and Accountability Pay Increase
8. Executive Session
 1. 551.074 Discuss personnel or to hear complaints against personnel
9. Adjournment

If, during the course of the meeting, discussion of any item on the agenda should be held in a closed meeting, the board will conduct a closed meeting in accordance with the Texas Open Meetings Act, Government Code, Chapter 551, Subchapters D and E or Texas Government Code section 418.183(f). Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting. [See BEC(LEGAL)]

The notice for this meeting was posted in compliance with the Texas Open Meeting Act on:

For the Board of Trustees

Insurance

1500	Cadenhead Commercial - Northside Drywall
7200	
11080	All Star Exterior -Northside Drywall
5000	Labor Moving & Cleaning Out
10000	Relocation cost for a temp. Location (Windows...)
2000	Misc. Boxes, tape, tarps, trash bags,cleaning supplies

30000	All Star Exterior - Northside Painting
15000	Labor Moving & Cleaning In
10000	Replace Cabinets & Lockers
30000	Awnings
10000	Air Tec - Foam Insulation
99,000	Apex - Flooring

230780	Total
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Paid	Items paid for at this time	36780
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Approve Allowance of \$365,000 per Insurance Estimate

Mold Remediation & Prevention

10000	AirTec - Change orders (Debris removal, foam, extra cleaning and added areas etc)	LO Funds
10000	Romo - Mold Assessment Survey	ESSER \$
72000	AirTec - Mold Removal	ESSER \$
60,000	APEX Carpet Remove & Replace Tile Southside	ESSER FUNDS
39600	Herrerias - Build Sealant	LO Funds
6000	All Star Exteriors - Southside Drywall	LO Funds
0	Grading - Phase 1 Donated - All Star & M5X	LO Funds
37000	Hunt Construction Southside Painting	LO FUNDS
234600	Total	

152,000	ESSER \$
82600	LO Funds
Paid	Items paid at this time
Approve a total of \$300,000 for mold remediation.	

Note: For legal requirements applicable to the disposition of real property acquired with federal funds, see CBB.

Sale or Exchange of Real Property

A board may, by resolution, authorize the sale of any property, other than minerals, held in trust for free school purposes. The board president shall execute a deed to the purchaser reciting the board resolution authorizing the sale. A district may employ, retain, contract with, or compensate a licensed real estate broker or salesperson for assistance in the acquisition or sale of real property. *Education Code 11.154*

Publication of Notice and Bidding Requirements

Except for the types of land and interests described at Exceptions, below, before land owned by a district may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation in either the county in which the land is located or, if there is no such newspaper, in an adjoining county. The notice must include a description of the land, including its location, and the procedure by which sealed bids to purchase the land or offers to exchange the land may be submitted. The notice must be published on two separate dates and the sale or exchange may not be made until after the 14th day after the date of the second publication. Local Government Code 272.001 does not require the board to accept any bid or offer or to complete a sale or exchange. *Local Gov't Code 272.001(a), (d)*

Open-Enrollment Charter School Offer

The board of a district that intends to sell, lease, or allow use for a purpose other than a district purpose of an unused or underused district facility must give each open-enrollment charter school located wholly or partly within the boundaries of the district the opportunity to make an offer to purchase, lease, or use the facility, as applicable, in response to any terms established by the board, before offering the facility for sale or lease or to any other specific entity. The board is not required to accept an offer made by an open-enrollment charter school. *Education Code 11.1542*

Exceptions
Generally

The notice and bidding requirements set out above do not apply to the types of land and real property interests described below and owned by a district. The land and those interests described below may not be conveyed, sold, or exchanged for less than the fair market value of the land or interest unless the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple. The fair market value is determined by an appraisal obtained by the district that owns the land or interest. The appraisal price is conclusive of the fair market value of the land or interest. This applies to:

OTHER REVENUES
SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

CDB
(LEGAL)

1. Narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances;
2. Streets or alleys, owned in fee or used by easement;
3. Land or a real property interest originally acquired for streets, rights-of-way, or easements that the district chooses to exchange for other land to be used for streets, rights-of-way, easements, or other public purposes, including transactions partly for cash;
4. Land that the district wants to have developed by contract with an independent foundation;
5. A real property interest conveyed to a governmental entity that has the power of eminent domain; or
6. The land or interests described by items 1 and 2, above, may be sold to abutting property owners:
 - a. In the same subdivision if the land has been subdivided; or
 - b. In proportion to their abutting ownership, and the division between owners must be made in an equitable manner.

Local Gov't Code 272.001(b)–(c)

*Higher Education
Institutions*

A district may donate, exchange, convey, sell, or lease land, improvements, or any other interest in real property to an institution of higher education for less than its fair market value and without complying with the notice and bidding requirements in order to promote a public purpose related to higher education. The district shall determine the terms and conditions of the transaction so as to effectuate and maintain the public purpose. *Local Gov't Code 272.001(j)*

*Other Political
Subdivisions*

A district may donate or sell for less than fair market value and without complying with the notice and bidding requirements a designated parcel of land or an interest in real property to another political subdivision if:

1. The land or interest will be used by the political subdivision to which it is donated or sold in carrying out a purpose that benefits the public interest of the donating or selling district;
2. The donation or sale of the land or interest is made under terms that effect and maintain the public purpose for which the donation or sale is made; and

OTHER REVENUES
SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

CDB
(LEGAL)

3. The title and right to possession of the land or interest revert to the donating or selling district if the acquiring political subdivision ceases to use the land or interest in carrying out the public purpose.

Local Gov't Code 272.001(l)

Sale of Instructional Facility Financed with State Allotment

If an instructional facility financed by bonds paid with state and local funds under Education Code Chapter 46, Subchapter A, is sold before the bonds are fully paid, a district shall send to the comptroller a percentage of the district's net proceeds as determined by Education Code 46.011(a). *Education Code 46.011* [See also CCA]

Lease of Property to a Governmental Entity

To promote a public purpose of the district, a district may:

1. Lease property owned by the district to another political subdivision or an agency of the state or federal government; or
2. Make an agreement to provide office space in property owned by the district to the other political subdivision or agency.

The district:

1. Shall determine the terms of the lease or agreement so as to promote and maintain the public purpose;
2. May provide for the lease of the property or provision of the office space at less than fair market value; and
3. Is not required to comply with any competitive purchasing procedure or any notice and publication requirement imposed by Local Government Code Chapter 272 or other law.

Local Gov't Code 272.005

Sale or Lease of Minerals

Minerals in land belonging to a district may be sold to any person. The sale must be authorized by a resolution adopted by majority vote of the board. *Education Code 11.153(a)–(b)*

After the board determines that it is advisable to lease land belonging to the district, it shall give notice of its intention to lease the land. The notice shall be published once a week for three consecutive weeks in a newspaper published in the county and with general circulation in the county, and shall:

1. Describe the land to be leased; and
2. Designate the time and place at which the board will receive and consider bids for the lease.

Natural Resources Code 71.005

After adoption of a resolution authorizing sale, the board president may execute an oil or gas lease or sell, exchange, or convey the minerals. The mineral deed or lease must recite the approval of the resolution of the board authorizing the sale. *Education Code 11.153(c)*

**Donation of Former
School Campus**

The board may, by resolution, authorize the donation of real property and improvements formerly used as a school campus to a municipality, county, state agency, or nonprofit organization if:

1. Before adopting the resolution, the board holds a public hearing concerning the donation and, in addition to any other notice required, gives notice of the hearing by publishing the subject matter, location, date, and time of the hearing in a newspaper having general circulation in the territory of a district;
2. The board determines that:
 - a. The improvements have historical significance;
 - b. The transfer will further the preservation of the improvements; and
 - c. At the time of the transfer, the district does not need the real property or improvements for educational purposes; and
3. The entity to whom the transfer is made has shown, to the satisfaction of the board, that the entity intends to continue to use the real property and improvements for public purposes.

The board president shall execute a deed transferring ownership of the real property and improvements to the municipality, county, state agency, or nonprofit organization. The deed must:

1. Recite the resolution of a board authorizing the donation; and
2. Provide that ownership of the real property and improvements revert to a district if the municipality, county, state agency, or nonprofit organization:
 - a. Discontinues use of the real property and improvements for public purposes; or
 - b. Executes a document that purports to convey the property.

Education Code 11.1541(a)–(b)

OTHER REVENUES
SALE, LEASE, OR EXCHANGE OF SCHOOL-OWNED PROPERTY

CDB
(LEGAL)

Note: Regarding disposal of school buses, see CNB. Regarding disposal of school-owned personal property, see CI. Regarding geospatial data products, see CQA.

NEWSPAPER ADVERTISEMENT

**REQUEST FOR BID
ON
PROPERTY FOR SALE
BY
Lone Oak Independent School District,
8162 Hwy. 69 S., Lone Oak, Texas 75453
903-662-5247**

NOTICE TO BUYERS:

Lone Oak ISD is advertising for the sale of the surface of the land, including its improvements, generally located at _____, Lone Oak, Hunt County, Texas. The land and improvements are being sold “AS IS, WHERE IS, AND WITH ANY AND ALL LATENT AND PATENT DEFECTS AND FAULTS” and LOISD makes no guarantees of the condition or livability of any structure or system associated with the property.

All bids will be exclusive of closing costs which shall be the sole responsibility of the buyer.

Bid packets, which may include minimum bid requirements, may be picked up at the LOISD Superintendent’s office at 8162 Hwy. 69 S., Lone Oak, Texas 75453, between 9 AM to 3 PM each day until [day], [date].

Bids will be accepted until 3 PM, [day], [date].

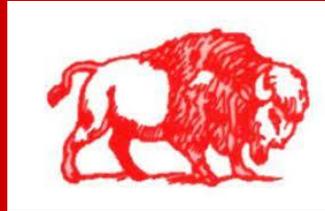
Bids will be opened at 3 PM, [day], [date].

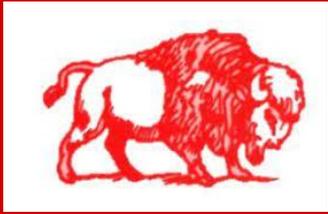
The successful bidder will be notified by phone, so it is necessary to include a phone number with the bid.

LOISD reserves the right to reject any and all bids.

PROPERTY DESCRIPTION – generally located at _____,
Lone Oak, Hunt County, Texas.

Selling District Land Proposal



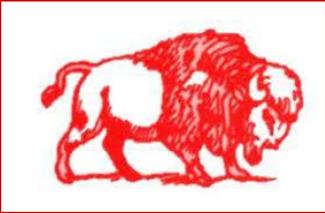


Steps to Sell District Property

The Board of Trustees must take official action to sell the property. I recommend that the initial motions to start the process be worded as follows:

1. “I move that the Board of Trustees determine that the real property described as (legal description of property) and located at (physical location) is no longer necessary for the operation of the school district and that it is in the best interest of the school district to sell the property.”

2. “I move that the Board of Trustees authorize the sale of (legal description of property) located at (physical location) through a sealed bid process and that we authorize the Superintendent to take whatever actions necessary to sell the property.”



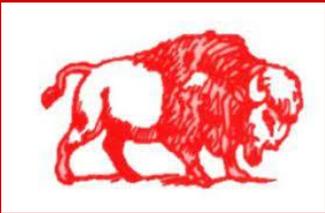
Steps to Sell District Property

The Texas Local Government Code requires that real property be sold through a sealed bid process. Pursuant to Section 272.001(a) of the Texas Local Government Code, the requirements regarding the execution of this bid process are as follows:

- 1. You must publish notice of the bid process in a newspaper of general circulation in the county in which the land is located.**
- 2. The notice must include a description of the land, including its location.** 12
- 3. The notice must set forth the procedure by which sealed bids may be submitted.
(See Attached)**
- 4. The notice must be published on two separate dates, and the sale may not be made until after the 14th day after the date of the second publication.**

Recommend Tuesday May 11th & May 12th

Eligibility of sale date would be Wednesday May 26th

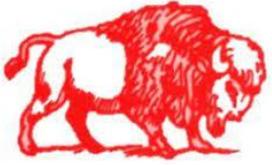


Options for Selling District Property

5 Acres

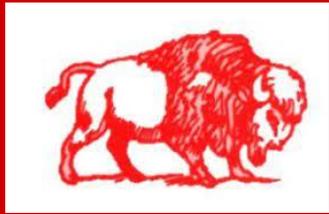


Options for Selling District Property



8 Acres



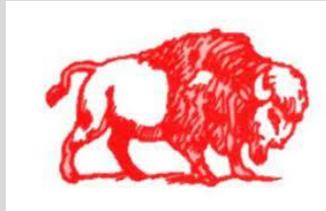


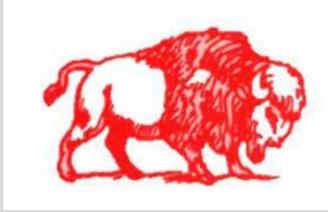
Things to consider before Selling District Property

- | | |
|---|---|
| <ul style="list-style-type: none">● Money from selling of the Land● Commercial Business for LO<ul style="list-style-type: none">-Increase enrollment-Increase city population <p style="text-align: center;">=</p> <p style="text-align: center;">money for district</p> <ul style="list-style-type: none">-Supports city goals | <ul style="list-style-type: none">● Impact on traffic● Limits on future sells● Limits of future use of part of the land |
|---|---|

Buying of Land for the District

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Consider alternate land purchase behind school¹⁷
to open up more opportunities to “phase in”
facility expansions and upgrades.

Land Breakdown

Land #	Acerage	Tax Roll
24767	9.79 ac	\$ 45,130
24768	21.95 ac	\$ 101,190
24769	10.79 ac	\$ 49,740
105803	25.00 ac	\$ 149,010
105805	3.6 ac	\$ 16,650
	71.13 total ac	\$ 361,720

