

APPROVED
7-2013

Rockville, Maryland
February 19, 2013

The Board of Education of Montgomery County held a special business meeting at the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, on February 19, 2013 beginning at 6:03 p.m.

Present: Mr. Christopher Barclay, President
in the Chair
Ms. Shirley Brandman
Dr. Judy Docca
Mr. Philip Kauffman
Mr. John Mannes
Mrs. Patricia O'Neill
Mrs. Rebecca Smondrowski
Mr. Larry Bowers, Acting Secretary/Treasurer

Absent: Mr. Michael Durso
Dr. Joshua Starr

or () indicates student vote does not count. Four votes needed for adoption.

With a quorum present, the Board of Education met in open session at 6:03 p.m.

RESOLUTION NO. 75-13 Re: **RESOLUTION FOR CLOSED SESSION**

On recommendation of the superintendent and on motion of Mrs. Smondrowski seconded by Mr. Kauffman, the following resolution was adopted unanimously by members present:

WHEREAS, The Board of Education of Montgomery County is authorized by the *Education Article* and *State Government Article* of the *Annotated Code of Maryland* to conduct certain meetings or portions of its meetings in closed sessions; now therefore be it

Resolved, That the Board of Education of Montgomery County conduct a closed session on February 19, 2013, in Room 120 of the Carver Educational Services Center, 850 Hungerford Drive, Rockville, Maryland, from 6:00 to approximately 6:30 p.m.; and be it further

Resolved, That the Board receive legal advice and discuss pending litigation regarding the Board property located at Brickyard Road, as permitted under Section 10-508(a)(7) and 10-508(a)(8) respectively of the *State Government Article*; and be it further

Resolved, That the meeting continue in closed session until the completion of business.

Re: OPEN SESSION

The Board of Education met in closed session from 6:05 to 6:45 p.m. After a break, the Board of Education reconvened in open session at 6:48 p.m.

To view specific sections or the entire meeting, please watch at <http://www.montgomeryschoolsmd.org/boe/meetings/archive/2013/2013-0219.shtm>

Re: PLEDGE OF ALLEGIANCE

"I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

RESOLUTION NO. 76-13 Re: APPROVAL OF AGENDA

On recommendation of the superintendent and on motion of Mrs. O'Neill seconded by Mr. Kauffman, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education approve its agenda for February 19, 2013.

RESOLUTION NO. 77-13 Re: BRICKYARD PROPERTY LEASE

On recommendation of the superintendent and on motion of Mr. Barclay seconded by Mr. Kauffman, the following resolution was adopted unanimously by members present:

WHEREAS, On April 19, 2011, the Board of Education of Montgomery County approved the lease to Montgomery County of a property known as the Brickyard Road School Site for the purpose of constructing ball fields; and

WHEREAS, On February 19, 2013, the Board President received correspondence from the Montgomery County Executive in which the County Executive states that the County has decided not to proceed with the development of any recreational facilities on the site; and

WHEREAS, The County Executive further states that the County surrenders the lease and requests that the Board accept the surrender; now therefore be it

Resolved, That the Board of Education of Montgomery County accept the surrender by Montgomery County of the Brickyard Road School Site lease; and be it further

Resolved, That the Brickyard Road School Site lease approved April 19, 2011, between the Board and Montgomery County is hereby rescinded and of no force and effect.

RESOLUTION NO. 78-13

Re: **ADJOURNMENT**

On recommendation of the Superintendent and on motion of Mrs. O'Neill seconded by Dr. Docca, the following resolution was adopted unanimously by members present:

Resolved, That the Board of Education adjourn its meeting of February 19, 2013, at 6:52 p.m.

PRESIDENT

SECRETARY

JPS:gr