



Staking A Claim in Our Students' Future

Mike Simpson, Ed.D.
Superintendent

Phone 405-282-8900

August 20, 2024

Charlie Meadows
Logan County Commissioner, District #2
312 E. Harrison
Guthrie, OK 73044

Commissioner Meadows:

Recently, I was made aware of comments you made on August 12, 2024 at a forum supporting your re-election campaign. The comments I'm specifically referencing are in regard to establishing a secondary access roadway to Charter Oak Elementary located at 4900 E. Charter Oak Road within your road district. I reviewed video of your comments where you said, "I'm disgusted to say he (meaning me) didn't commit \$300,000 to paving that road." In this forum, you use loose figures and facts to support your point. When I reviewed my calendar, the only meeting we had regarding traffic around the school occurred on July 6, 2023. Since that date, we have had no conversations about this issue and I assumed it was down on your list of priorities. The acquisition of land for a second roadway was strategic long before passage of a bond or construction of a school to allow for growth and traffic flow but always meant to ultimately become a public roadway so traffic laws may be enforced by local law enforcement agencies.

You said in your comments that we cannot make the road a county responsibility. Attached, you will see a letter from our attorney regarding a legal pathway where we actually could make it a county responsibility as well as why the school cannot pay for work done to a county road. The budget figure you shared in the video to construct this road was \$300,000. When I heard that figure, I was shocked because I believed the cost to be much higher. At that point, I asked Crossland Construction, our Construction Management firm who is doing a remarkable job at Cotteral Elementary to have their road construction division provide a budget figure. I've attached their budget figure after they did a site visit to determine terrain and needed dirt work. Since I heard of this, I saw a social media post you made to a private group that includes a nearby subdivision where you admit, the actual cost could be between \$300,000 and \$600,000. Your initial figure was highly concerning because after one year in your job, I would hope you had a better grasp on the actual costs for paving a ½ mile section. It seems you had that understanding but didn't share it fully with the audience you had on August 12th. Crossland provided an itemized budget figure of just under \$1.2 million. With all of this being said, I also consulted our bond attorney about what was included on the proposition that will be voted on by the members of our district. They have determined funds from the bond issue earmarked for maintenance could be used for construction of the road. Such decisions would naturally be subject to approval by the Board of Education.

In your video, you also referenced interest rates that are possibly trending down. Thank you for that reference. If this issue is approved, the earliest we could sell the bonds is projected to be April, 2025. If

your projections are correct, we will have lower interest rates which will give the community more bang for their buck on this bond issue.

I'm curious if you have explored any solutions over the 13 months since we last discussed this issue. Over the past eight days, it seems I've been able to generate several viable options while working overtime at one of the busiest times of the year. I look forward to working with you to provide for our community and hope you will come to the table of discussion about this and other matters that are important to our students.

Respectfully,

A handwritten signature in black ink that reads "Mike Simpson". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Simpson".

Mike Simpson, Ed. D.
Superintendent of Schools

cc: Guthrie Public Schools Board of Education
Logan County Commissioners

Attachments

ROSENSTEIN, FIST & RINGOLD

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OF COUNSEL

ALISON A. PARKER
LINDSEY E. ALBERS
MORGAN L. MEDDERS

August 19, 2024

Dr. Mike Simpson, Superintendent
Guthrie Public Schools
802 East Vilas
Guthrie, OK 73044

Re: Street Access to Charter Oak Elementary School

Dear Dr. Simpson:

This letter is in response to your recent request for information regarding the School District's options to improve access to Charter Oak Elementary School. At present, the only access to Charter Oak Elementary School is from East Charter Oak Road. East Charter Oak Road is a two lane road without turn lanes or acceleration lanes. As a result, there exists a substantial amount of traffic congestion along East Charter Oak Road during drop off and pick up of students in the mornings and afternoons.

Your options are limited with respect to improvements to East Charter Oak Road. Since this is a County road, any widening or other improvement to reduce congestion must be funded by the County. The Oklahoma Attorney General has consistently held that a school district may not expend funds to pay the cost of improving municipal or county infrastructure. For example, school district funds cannot be used to pay for any portion of the cost of constructing a bridge across a stream on a street leading to school property. *Attorney General Opinion* dated November 6, 1959. School districts may not pay for or contribute to the cost of installing traffic lights on a public street when the lights will not belong to or be maintained by the school district. *Attorney General Opinion* dated April 21, 1967. Given the Attorney General's consistent treatment of this issue, I am of the opinion that it would be an unlawful expenditure of School District funds to pay the cost of widening or making other improvements to East Charter Oak Road.

We have discussed other alternatives to address the traffic issues with Charter Oak Elementary School. It would appear that the most viable alternative is to extend a second entrance to the school site from South Douglas Boulevard. When the School District acquired this site, it acquired fee ownership of a 36 foot wide tract of land extending East from South

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Douglas Boulevard to the school site. Paving this tract would provide a second means of ingress and egress to the school site.

The School District has the authority to convey this property to a local political subdivision of the state (Commissioners of Logan County) without consideration. 70 O.S. § 5-117(11). Conveying the land to the County would permit the County to construct a public road on the property providing ingress and egress to the School site from South Douglas Boulevard. It would also be possible for the School District and the County to jointly undertake the paving of this tract of land as a private drive under the provisions of the Interlocal Cooperation Act. 74 O.S. §§ 101 et seq. For example, under the Interlocal Cooperation Act, it would be possible for the County to provide labor and equipment for a paving project, with the School District providing materials.

If you have additional questions regarding the matter, or need further review or assistance with the project, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "EPN", is written over the word "Sincerely,".

Eric P. Nelson
For Rosenstein, Fist & Ringold

EPN:rr



Mike Simpson <mike.simpson@guthrie.net>

Bond Proceeds Projects

1 message

jd@hilborneandweidman.com <jd@hilborneandweidman.com>

Mon, Aug 19, 2024 at 11:09 AM

To: Mike Simpson <mike.simpson@guthrie.net>

Cc: Jericah Dawson <jericahdawson@mfsok.com>, Missy Westfall <missy@hilborneandweidman.com>, Michelle Chapple <michelle.chapple@guthrie.net>

Dr. Simpson,

We will confirm that you would be able to use Bond proceeds from your upcoming election to build a road as another entrance at one of your schools under the project description of "repairs, renovations, and improvements to sites throughout the District, including but not limited to, HVAC replacement and upgrades, parking lot needs, and roofing needs" under the designated amount of \$5 million. Please let us know if you have any further questions.

John David Weidman II

Attorney

Hilborne & Weidman, P.C.

JD@HilborneAndWeidman.com

(918) 749-0111

Detailed Estimate

Project: Charter Oak Road
 Date: August 19, 2024



Estimate Detail	Description	Quantity	Unit	Unit Cost	Amount
Site Work					
	Site Clearing (~50 trees)	1	EA	-	\$ 15,000.00
	3ft Road Base (30ft wide)	2,000	LF	-	\$ 575,000.00
	Drainage Ditch Grading	4,000	LF	-	\$ 8,250.00
	30" Tinhorns	2	EA	-	\$ 4,200.00
					Site Work \$ 602,450.00
Concrete Paving					
	Curb and Gutter	4,000	LF	28.00	\$ 112,000.00
	Concrete Apron	2	EA	5,000.00	\$ 10,000.00
					Concrete Paving \$ 122,000.00
Asphalt Paving					
	8" Stabilization	56,000	SF	1.25	\$ 70,000.00
	6" Asphalt Paving	48,000	SF	5.00	\$ 240,000.00
		-	EA		\$ -
		-	EA		\$ -
					Asphalt Paving \$ 310,000.00
Subtotal Direct Costs \$ 1,034,450.00					
	Construction Contingency	1	EA		\$ 31,033.50
	General Conditions	1	EA		\$ 51,722.50
	Project Requirements	1	EA		\$ 20,689.00
	CM Bonding	1	EA		\$ 5,689.48
	Insurance	1	EA		\$ 6,723.93
	CM Fee	1	EA		\$ 41,378.00
		-	EA		\$ -
					\$ 157,236.40
					TOTAL \$ 1,191,686.40