

**LIBERTY UNION-THURSTON BOARD OF EDUCATION
REGULAR MEETING**

November 9, 2009

7:00 P.M. - Liberty Union High School Library

If you need to use the elevator to go to the library on the second floor of the high school, please call the District Office at 862-4171 on the day of the meeting.

- 1. ROLL CALL:**
 - Art Brate _____
 - Joe Farmer _____
 - Shaun Hochradel _____
 - John Hutton _____
 - Mike Raver _____

2. PLEDGE OF ALLEGIANCE

3. RECOGNITION

A. STUDENTS OF THE MONTH: Nick Tennant & Aaron Young

B. TEACHER OF THE MONTH: Mrs. Katie Hochradel, Middle School Intervention Specialist

C. OSBA MEDIA HONOR ROLL: Charles Prince; Buckeye Lake Beacon

4. PUBLIC PARTICIPATION AT BOARD MEETINGS

File: KD (Also BDDH)

All meetings of the board and board-appointed committees are open to the public. Delegations or individuals are welcome at board meetings, subject to the following regulations designed to expedite deliberations and provide for full consideration of problems and questions:

- A. Establish appointment to present communications or petitions to the board three working days before the board meeting.
- B. Submit communications in writing at the time of requesting an appointment so that they may be duplicated and given to board members in the agenda materials.
- C. Limit presentations to 30 minutes with additional time to be granted by a vote of the majority of the Board. Each individual will be allotted three minutes until the total time of 30 minutes is used.
- D. Only upon the request of the board members will communications from the public be read aloud at the board meetings. These communications will be read by the board president, unless it is in violation of board policy. Such violation will be determined through consultation between the board president or treasurer and the superintendent.
- E. Each person addressing the Board shall give his/her name, address, and who they represent. If several people wish to speak, each person is allotted three minutes until the total time of 30 minutes is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. Persons desiring more time should follow the procedure of the Board to be placed on the regular agenda. The period of public participation may be extended by a vote of the majority of the Board.
- F. The board will take questions and problems under advisement and issue responses after due deliberations, usually at the next meeting.
- G. If questions or problems relate to personnel, the Board will go into executive session to receive such presentations.

Board agendas are available to all those who attend board meetings. The section on the agenda for public participation shall be indicated. Noted in each agenda shall be a short paragraph outlining the board policy on public participation at board meetings.

[Adoption date: January 10, 2000]

[Revised: October 9, 2000]

[Revised: April 9, 2001]

LEGAL REFS.: ORC 121.22
3313.20

CROSS REFS.: BCE, Board Committees
BD, School Board Meetings
BDDB, Agenda Format

5. REFRESHMENTS: Prepared by the Food Services Department

6. MINUTES

Motion by _____, seconded by _____, to approve the minutes of the Liberty Union-Thurston Board of Education Regular Meeting held on October 12, 2009, as printed below: **Brate**, _____; Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____.

**LIBERTY UNION-THURSTON BOARD OF EDUCATION
REGULAR MEETING**

October 12, 2009

7:00 P.M. - Liberty Union High School Library

ROLL CALL:

Art Brate	Absent
Joe Farmer	Present
Shaun Hochradel	Present
John Hutton	Arrived 7:44 pm
Mike Raver	Present

PLEDGE OF ALLEGIANCE

RECOGNITION

A. STUDENTS OF THE MONTH: Ryan King & Evan Schaffner

B. TEACHER OF THE MONTH: Angie Linscott, Elementary Teacher

PUBLIC PARTICIPATION AT BOARD MEETINGS

File: KD (Also BDDH)

REFRESHMENTS: Prepared by the Food Services Department

MINUTES

093-09 Motion by Shaun Hochradel, seconded by Mike Raver, to approve the minutes of the Liberty Union-Thurston Board of Education Regular Meeting held on September 14, 2009, as printed. Brate, **absent**; Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes. Motion carried.

MONTHLY FINANCIAL STATEMENTS

094-09 Motion by Joe Farmer, seconded by Shaun Hochradel, to approve monthly financial items A, B, C and D below: Farmer, yes; Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, **absent**. Motion carried.

A. TREASURER’S FINANCIAL REPORT

- 1. MONTHLY FUNDS BALANCE**
- 2. RECEIPT OF FUNDS**
- 3. STATUS OF APPROPRIATIONS**
- 4. MONTHLY BANK RECONCILIATION**

B. BILLS

C. STUDENT ACTIVITY MONTHLY APPROPRIATIONS

<u>FUND</u>	<u>AMOUNT</u>
018	\$ 3,355.76
200	15,138.92
300	31,423.66
Total Changes	\$49,918.34

D. DONATIONS: (For information only)

<u>Amount</u>	<u>Donor</u>	<u>Fund</u>
\$129.42	5 th Grade Activity Acct	MS Principal
241.68	Target: Take Charge of Education	Elementary Principal
41.16	Target: Take Charge of Education	MS Principal
146.55	Target: Take Charge of Education	Renaissance
100.00	Ohio Poultry Assoc	FFA
100.00	Dedicated Mortgage: 5-K Race	Cross Country
500.00	Booster Bingo	MS Football
\$1,258.81	Total	

NEW BUSINESS: FINANCIAL

095-09 Motion by Shaun Hochradel, seconded by Mike Raver, to approve the New Business items listed below: Hochradel, yes; Hutton, **absent**; Raver, yes; Brate, **absent**; Farmer, yes. Motion carried.

A. FIVE-YEAR FORECAST: The Ohio Department of Education requires all public school districts to prepare a five-year financial forecast. The Treasurer and Superintendent have revised the forecast and have reviewed it with the Finance Committee.

Approved the five-year forecast as requested.

B. TAX ABATEMENT REQUEST: In April, 2008, the LU-T District supported the development of an "Agricultural Security Area" in Walnut Township. This provided the potential for farmers within that zone to receive tax abatement opportunities for reinvestment in equipment and facilities.

Resident, **Roger Wolfe**, has requested abatement for a proposed grain storage facility, at an estimated cost of \$60,000. The Fairfield Soil and Water Conservation District estimates that the amount of abatement would be \$200 per year, and request board approval for this abatement request.

Approved the abatement periods through April, 2018.

C. PURCHASED SERVICE AGREEMENTS:

1) Approved the following purchased service agreements is requested:

SERVICE PROVIDER: CompManagement, Inc.
 CONTRACT PERIOD: One Year
 SERVICE PROVIDED: Workers Compensation Cost-Containment Services
 COST: \$2,226 (This has already been paid to OSBA;
 CompMangaement is the new service provider selected by OSBA .)

2) SERVICE PROVIDER: Study Island
 CONTRACT PERIOD: 2009 / 2010 School Year
 SERVICE PROVIDED: 30 Software Site Licenses for Full OGT Remediation
 COST: \$783

NEW BUSINESS - PERSONNEL:

096-09 Motion by Mike Raver, seconded by Shaun Hochradel, to approve the New Business - Personnel items listed above. Hutton, **absent**; Raver, yes; Brate, **absent**; Farmer, yes; Hochradel, yes. Motion carried.

A. RESIGNATION: Accepted the resignation of Athletic Director, **Scott Williamson**, for retirement purposes, effective at the end of the 2009/2010 school year.

B. TERMINATION: Approved termination of Middle School Cheerleading Advisor, **Sirina Mirick**; 50% pay is approved.

- C. **CHANGE OF CLASSIFICATION:** Rick Delynko, Building Services Supervisor, requests a change in classification for employee **Chad Kille**. **Chad** has been employed for one year as a “Cleaner”, and is now recommended “Custodian.”

Approved **Chad Kille** “Custodian” effective October 19, 2009.

- D. **EMPLOY CLASSROOM AIDE:** Approved for employment, the following candidate, as recommended by the elementary school principal:

Name: **Krystal Washburn**
 Position: Third-Grade Teacher Aide
 Hours: 6 ¾ Hours Daily When School is in Session
 Compensation: \$13.51 per hour - Step 0
 Starting Date: October 19, 2009

- E. **SUPPLEMENTAL CONTRACT POSITIONS:** Approved the following candidates for supplemental positions as listed, contingent upon obtaining “Pupil Activity Validation Permits” issued by the Ohio Department of Education.

<u>Name</u>	<u>Position</u>	<u>Level</u>	<u>Step</u>	<u>Salary</u>
Susan Steffen	MS Cheerlead Advisor (2009 FB)	7	11+	(50%) 629.65
Chuck Bauer	Asst Football (2009)	3	7	2,729.50
Kevin Burns	HS Boys Basketball	-	-	Volunteer
Matt Altiers	Co-8 th Gr Boys Basketball	4	0	(50%) 620.34
Brian Arnold	Co-8 th Gr Boys Basketball	4	0	(50%) 620.34
Christopher Staten	7 th Gr Boys Basketball	4	0	1,240.68
David May	Head Girls Varsity Basketball	1-A	8	5,148.83
Mark Chapman	HS Girls Basktkball	-	-	Volunteer
Bill Moore	HS Girls Basketball	-	-	Volunteer
Justin Myers	JV Girls Basketball	3	0	1,861.02
Kelley Savage	8 th Gr Girls Basketball	4	3	1,643.90
Mark McEvoy	MS Girls Basketball	-	-	Volunteer
James Peck	7 th Gr Girls Basketball	4	7	2,047.12
Tony Caito	MS Girls Basketball	-	-	Volunteer
Julie Mirick	Var Basket Cheerleading	4	0	1,240.68
Julie Mirick	JV Basket Cheerleading	5	0	1,023.56
Brett Bressler	Head Varsity Wrestling	2	11	5,272.89
Miles Haines	HS Wrestling	-	-	Volunteer
Curtis Milan	MS Wrestling	-	-	Volunteer
Brian Doner	Var Swimming	-	-	Volunteer
Kelly Doner	Var Swimming	-	-	Volunteer
Jared Stewart	Var Baseball	2	5	3,908.14
Christopher Staten	Baseball	-	-	Volunteer
Michael Schmidt	JV Baseball	3	8	3,163.74
Bill Putnam	Var Softball	2	11+	5,272.89
Doug Mix	Softball	-	-	Volunteer
Jennifer Lauvray	JV Softball	3	2	2,295.26
Krista Azeltine	Head Boys Track	2	11	5,272.89
Jon Morris	Head Girls Track	2	11	5,272.89
Tim Smith	Co-Asst Track	3	2	(50%) 1,147.63
Jacob Kemmerer	Co-Asst Track	3	1	(50%) 930.51
Ashleigh Miller	Asst Track	3	4	2,295.26
Jeff Smolewski	Track	-	-	Volunteer
Susan Steffen	MS Girls Track	4	8	2,450.34
Renee Mangette	MS Boys Track	4	7	2,047.12
Ed Miller	HS Student Council Advisor	8	0	349.19

- F. **CERTIFIED SUBSTITUTE LIST:** Approved the substitute teacher list for October,

2009, as nominated by the Fairfield County Superintendent.

NEW BUSINESS: OTHER

097-09 Motion by Shaun Hochradel, seconded by Joe Farmer, to approve the Other New Business items listed below: Raver, yes; Brate, **absent**; Farmer, yes; Hochradel, yes; Hutton, **absent**. Motion carried.

A. CONSTRUCTION DOCUMENT REVIEW: Approved the Construction Document as required by The Ohio School Facilities Commission.

The high school “construction document” phase submittals have been completed, which represent the final design drawings.

**RESOLUTION NO. 097-09
 APPROVING CONSTRUCTION DOCUMENTS DESIGN PHASE SUBMISSION
 FOR THE HIGH SCHOOL RENOVATIONS PROJECT AND APPROVING
 THE PLACEMENT OF ADVERTISEMENTS TO SOLICIT BIDS FOR THE WORK**

WHEREAS, the Board of Education of the Liberty Union-Thurston Local School District (the “District”) is a participant in the Ohio School Facilities Commission’s Classroom Facilities Assistance Program and through that program is constructing a new middle school building and renovating the existing high school building (the “Project”); and

WHEREAS, Feinknopf Macioce Schappa Architects, the Board’s Architect for the Project, prepared the construction documents design phase drawings and related documents for the high school renovations included in the Project, based upon the design development design phase documents approved by the Board in April 2009, and Smoot Construction, the Construction Manager for the Project, reviewed the drawings and other documents prepared by the Architect and provided comments for conformity with the OSFC design phase submission requirements; and

WHEREAS, all of the comments have been reviewed and resolved with respect to the construction documents design phase drawings and documents, and the Construction Manager has assembled a construction documents design phase submission notebook for the Project, following the OSFC phase submission requirements, which includes an updated estimate of construction cost compared to the budget included in the OSFC Master Plan, the proposed Project Schedule prepared by the Construction Manager for the work required for the Project, the LFI MOU document describing the improvements that are outside the scope of the co-funded project, and other required documents; and

WHEREAS, following approval of the construction documents design phase by the Core Team, including the OSFC Project Administrator, the advertisement to solicit bids for the high school renovations work was placed in the Lancaster Eagle Gazette, with the first advertisement appearing on September 5, 2009, and bids were received for the work on October 2, 2009; and

WHEREAS, the Board wishes to give its formal approval of the construction documents design phase submission notebook for the Project, as presented by the Construction Manager, and approve the action taken to place the advertisements to solicit bids for the work;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Liberty Union-Thurston Local School District as follows:

1. The construction documents design phase submission for the Project, which includes the construction documents design phase drawings and related documents prepared by the Architect and other required documents, all of which has been assembled by the Construction Manager, is approved by the Board.
2. The placement of the advertisements to solicit bids for the high school renovations work is approved, with the understanding that two advertisements were place as required by the Ohio Revised Code for public school construction projects and bids were received on October 2, 2009, for the work and are currently being evaluated.
3. The Superintendent and Treasurer are authorized to sign the LFI MOU document describing the locally funded initiative improvements included in the high school renovations work for the construction documents design phase.

B. HIGH SCHOOL MODEL UNITED NATIONS: Approved the request for high school student participation in a Model United Nations program.

Dates: January 10 - 12, 2010
Location: Hyatt Regency Hotel - Columbus, Ohio
Transportation: Parent Transportation
Chaperones: Parents and Advisor
Student Cost: Approximately \$250

C. MIDDLE SCHOOL MODEL UNITED NATIONS: Approved the request for middle school participation in a Model United Nations program.

Dates: March 21 - 23, 2009
Location: Hyatt Regency Hotel - Columbus, Ohio
Transportation: School Buses
Chaperones: Parents and Advisor
Student Cost: Approximately \$200 per Student

EXECUTIVE SESSION: An executive session was requested, in order to discuss labor negotiations.

GO INTO EXECUTIVE SESSION:

098-09 Motion by Mike Raver, seconded by Joe Farmer, to go into Executive Session at 7:44 p.m. Brate, **absent**; Farmer, yes; Hochradel, yes; Hutton (**arrived at 7:44 pm**), yes; Raver, yes. Motion carried.

Shaun Hochradel excused himself during this discussion due to his wife being a teacher and a member of the LU-TEA.

RETURN FROM EXECUTIVE SESSION:

099-09 Motion by John Hutton, seconded by Mike Raver, to return from Executive Session at 8:00 p.m. Farmer, yes; Hochradel, yes; Hutton, yes; Raver, yes; Brate, **absent**.

NEGOTIATED CONTRACT: A tentative agreement with LUTEA for a negotiated contract, retro-active, July 1, 2009, through June 30, 2010, has been reached. The Board of Education approved the contract, as outlined in the tentative agreement.

100-09 Motion by Joe Farmer, seconded by John Hutton, to approve the LUTEA negotiated contract. Hochradel, **abstain**; Hutton, yes; Raver, yes; Brate, **absent**; Farmer, yes. Motion carried.

INFORMATION: CONSTRUCTION PROJECT UPDATE

TAX LEVY DISCUSSION: The half-percent income tax levy which passed by local voters in 2005, will expire in 2010. The Strategic Planning Committee and Finance Committee have looked at options.

The full Board of Education used this opportunity for discussion ONLY regarding tax levy options.

NEXT REGULAR MEETING: The next regular meeting of the Liberty Union-Thurston Board of Education will be held on Monday, November 9, 2009, at 7:00 p.m. in the high school library.

ADJOURN:

101-09 Motion by Shaun Hochradel, seconded by John Hutton, to adjourn at 8:12 p.m. Hutton, yes; Raver, yes; Brate, **absent**; Farmer, yes; Hochradel, yes. Motion carried.

7. MONTHLY FINANCIAL STATEMENTS

A. TREASURER’S FINANCIAL REPORT

- 1. MONTHLY FUNDS BALANCE**
- 2. RECEIPT OF FUNDS**
- 3. STATUS OF APPROPRIATIONS**
- 4. MONTHLY BANK RECONCILIATION**

B. BILLS

C. STUDENT ACTIVITY MONTHLY APPROPRIATIONS

<u>FUND</u>	<u>AMOUNT</u>
018	\$14,192.22
200	4,577.45
300	35,223.82
Total Changes	\$53,993.49

D. DONATIONS: (For information only)

<u>Amount</u>	<u>Donor</u>	<u>Fund</u>
\$ 50.00	Fast Max	Renaissance
100.00	OAPSE 494	Renaissance
1,750.00	Pepsi	Elem Principal
2,000.00	Pepsi	Middle Principal
1,000.00	Pepsi	Renaissance
2,250.00	Pepsi	Renaissance
5,000.00	Pepsi	Tech Vending
100.00	5K Run - Dennis Long / Layman Chevy	Cross Country
600.00	Anonymous	Band
500.00	Central District Athletic Board School Bonus	Athletics
77.52	Max & Erma's Restaurant	Soccer
202.27	Booster BINGO	Athletics
500.00	Booster BINGO	Football
500.00	Booster BINGO	Boys Golf
297.73	Booster BINGO	Girls Soccer
100.00	In Memory of Paul Wooster by Connie Leitnaker	Football
50.00	In Memory of Paul Wooster by Patrick & Lynda O'Brien	Football
\$15,077.62	Total	

Motion by _____, seconded by _____, to approve monthly financial items A, B & C as stated above; D is for information only. **Farmer**, _____; Hochradel, _____; Hutton, _____; Raver, _____; Brate, _____.

8. NEW BUSINESS: FINANCIAL

A. ARCHITECTURAL DESIGN AMENDMENT:

AMENDMENT TO AGREEMENT FOR
 PROFESSIONAL DESIGN SERVICES (CONSTRUCTION MANAGER INVOLVED)
 BETWEEN
 THE LIBERTY UNION-THURSTON LOCAL SCHOOL DISTRICT BOARD OF EDUCATION
 AND FEINKNOPF MACIOCE SCHAPPA ARCHITECTS
 FOR ADDITIONAL SERVICES

The Liberty Union-Thurston Local School District Board of Education (“School District Board”) and Feinknopf Macioce Schappa Architects (“Architect”) entered into an Agreement for Professional Design Services (Construction Manager Involved) (“Agreement”) between the School District Board and Architect effective as of April 14, 2008, for services related to design and construction of the School District Board’s Master Facilities Plan with the Ohio School Facilities Commission (“Commission”), which is being pursued through the Commission’s Classroom Facilities Assistance Program, including some improvements that are not part of the co-funded building program (all of which is referred to as the

“Project”); and the School District Board and the Architect now wish to amend the Agreement, pursuant to Subparagraph 9.5.2 of the Agreement, as provided in this Amendment to Agreement, effective as the date of the Amendment (referred to as the “Amendment”), which is the later of the dated signed by the Architect or the School District Board.

WHEREAS, the bids received for the high school portion of the Project were significantly under budget, and the Board, with the approval of the Commission and after completion of the design drawings for the middle school building, determined to change the heating design at that building to a complete geothermal well system; and

WHEREAS, the Architect requested compensation for the redesign services, and the Board wishes to adjust the compensation provided in the Agreement to include these redesign services;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Total Compensation. The total compensation to be paid to the Architect under the Agreement, including services described in this Amendment, as described on page 2 of the Agreement and in Section 5.1, is increased by \$21,700.00, from \$1,545,981.62 to \$1,567,681.62. This amount represents the services provided for redesign of the mechanical system at the middle school project to provide for a complete geothermal well system, after the design drawings and specifications had been completed and approved.

2. Additional Services. Add the following Additional Services in Paragraph 5.3:

<u>Additional Services</u>	<u>Compensation</u>
Redesign of the mechanical system	\$21,700.00

3. Additional Services. Increase the total amount payable under the Agreement for Additional Services as stated in Section 5.3 by \$21,700.00, from \$164,497.62 to \$186,197.62

4. All other terms of the Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment this ____ day of November, 2009.

Recommend approval.

B. ESTABLISH STUDENT ACTIVITY ACCOUNT: Athletic Director, Scott Williamson, requests establishment of a student activity account for the **Girls’ Soccer Team**. Recommend approval.

C. PURCHASE OF SCHOOL BUS - The Finance Committee and Transportation Committee have previously recommended budgeting for the purchase of a handicap-equipped bus during this fiscal year. Competitive bids for buses, through our membership in the Metropolitan Educational Council have resulted in a low bid of \$_____ for a _____ passenger bus with capacity for one wheelchair. Purchase of this bus from _____ is recommended.

D. PURCHASED SERVICE AGREEMENTS: Approval for the following purchased service agreement(s) is requested:

SERVICE PROVIDER: **Ohio Casualty**

CONTRACT PERIOD: Twenty-Five Months from Start Date
 SERVICE PROVIDED: Builders Risk Insurance (High School Renovation)
 COST: \$14,800

Recommend approval.

Motion by _____, seconded by _____, to approve the New Business item listed above. **Hochradel**, _____; Hutton, _____; Raver, _____; Brate, _____; Farmer, _____.

9. NEW BUSINESS - PERSONNEL:

A. RESIGNATION: Girls’ JV Basketball Coach, **Justin Myers**, has submitted his resignation. Recommend approval.

B. CHANGE OF CLASSIFICATION: Rick Delynko, Building Services Supervisor, requests a change in classification for employee, **Yvonne Bidwell**, effective November 15, 2009. Yvonne has been employed for one year as a “Cleaner”, and is now recommended to be approved as “Custodian”. Recommend approval.

C. SUPPLEMENTAL CONTRACT POSITIONS: The following candidates are recommended for supplemental positions as listed, contingent upon sufficient numbers of student participants, and obtaining “Pupil Activity Validation permits, issued by the Ohio Department of Education.

<u>Name</u>	<u>Position</u>	<u>Level</u>	<u>Step</u>	<u>Salary</u>
Jennifer Bauer	Jr Hi Basketball Cheerleading	6	0	\$ 787.06
Tony Hatem	Fresh Boys Basketball	4	0	1,259.29
Mark Chapman	JV Girls Basketball	3	3	2,329.69

Recommend approval.

D. SUBSTITUTE LISTS:

1) **CERTIFIED SUBSTITUTE LIST:** Recommend approval of the substitute teacher list for November, 2009, as nominated by the Fairfield County Superintendent.

2) **CLASSIFIED SUBSTITUTE LIST:** Recommend approval of the classified substitute list for November, 2009, with the addition of the following name(s).

<u>Name</u>	<u>Address</u>	<u>Classification</u>
Julie Ulrich	965 Leonard Rd Baltimore, Oh	Handicap Aide / Teacher Aide

Motion by _____, seconded by _____, to approve the New Business - Personnel items listed above. **Hutton**, _____; Raver, _____; Brate, _____; Farmer, _____; Hochradel, _____.

10. NEW BUSINESS: OTHER

A. TAX LEVY RESOLUTION:

**RESOLUTION REQUESTING CERTIFICATION
OF ALTERNATIVE TAX RATES
(R.C. § 5748.02)**

WHEREAS, Ohio Revised Code Section 5748.02 authorizes school districts to impose voter-approved income taxes upon their residents; and

WHEREAS, the School District is currently levying a one-half percent (0.50%) per annum, five-year income tax approved by the voters of the School District on May 3, 2005 (the "Existing Income Tax") for the purpose of providing for current operating expenses of the School District, with the last year of collection of the Existing Income Tax being 2010; and

WHEREAS, a resolution declaring the necessity to raise additional School District revenue must be adopted and certified to the Tax Commissioner for the State of Ohio (the "Tax Commissioner") in order to permit the Board to consider the renewal of an income tax and to preserve the right to submit the question of levying such a renewal income tax to the electors of the School District at the election to be held May 4, 2010;

NOW, THEREFORE, BE IT RESOLVED and hereby determined by the Board of Education of the Liberty Union-Thurston Local School District, Fairfield County, Ohio, a majority of the members thereof concurring, that:

Section 1. The Board determines that it is necessary to renew the Existing Income Tax to raise annually the additional sum of Six Hundred Thirty Thousand Dollars (\$630,000) for five (5) years for the purpose of providing for the current operating expenses of the School District (the "Income Tax").

Section 2. The income that shall be subject to the Income Tax is the taxable income of individuals and estates as defined in Ohio Revised Code Section 5748.01(E)(1)(a) and (2).

Section 3. Not later than November 30, 2009, the Treasurer is directed to certify a copy of this resolution to the Tax Commissioner together with a request that the Tax Commissioner determine and certify to the Board the property tax rate that would have had to be imposed by the School District in the current year to produce the amount of money set forth above and the income tax rate that would have had to have been in effect for the current year to produce the amount of money set forth above.

Section 4. All formal actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

B. AWARD CONSTRUCTION CONTRACTS:

AWARDING CONTRACTS FOR THE HIGH SCHOOL RENOVATIONS PROJECT

WHEREAS, bids were received on October 2, 2009, for the building trades packages for the Liberty Union High School Renovations, which is being designed and constructed as part of the Ohio School Facilities Commission's Classroom Facilities Assistance Program project (the "Project"); and

WHEREAS, the Construction Manager met with representatives of the apparent low bidder for each bid package, reviewed the bid to verify that the bidder had included the work, equipment, and materials specified in the bid amount, evaluated the experience and qualifications of the bidder to perform the specified work, and prepared, in consultation with the Architect, the attached letters of recommendation dated November ____, 2009, recommending that the contracts for the work be awarded to the following contractors, each of which has been evaluated and determined to be the lowest responsible bidder for the specified work, including the alternate items listed:

CONTRACT	CONTRACTOR	BASE BID	ALTERNATES	TOTAL CONTRACT
BP-201 General Trades	Robertson Corporation Services,	\$1,680,400.00	Alt. \$2,121.00	\$1,682,521.00

	Inc			
BP-202 Plumbing	Oakland Plumbing	243,113.00	None	234,113.00
BP-203 Fire Protection	TP Mechanical Contractors	80,867.00	None	80,867.00
BP-204 HVAC	Gutridge Plumbing	1,022,000.00	None	1,022,000.00
BP-205 Electrical	City Electric Services, Inc	873,500.00	None	873,500.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Liberty Union-Thurston Local School District as follows:

1. Based upon the recommendation of the Construction Manager and Architect, the Board awards the contracts for the building trades packages work to each of the contractors listed above, in the total amount stated, including the alternates noted in the chart, as the lowest responsible bidder for the specified work, subject to the approval of the OSFC.
2. The Board President or his designee, the Superintendent, and the Treasurer are authorized to sign, as required, a Contract between the Board and each of the contractors listed above and any related documents, to document the award of the building trade contracts for the CFAP project work.

Recommend approval.

C. AFFIRMING ADOPTION OF MODIFIED ADDITIONAL RESPONSIBLE BIDDER WORKFORCE STANDARDS FOR THE CFAP PROJECT

WHEREAS, the Board of Education of the Liberty Union-Thurston Local School District (“the Board”) is undertaking improvements to the District’s facilities (the “Project”) through the Ohio School Facilities Commission’s Classroom Facilities Assistance Program and including certain improvements funded solely by the Board; and

WHEREAS, the Ohio School Facilities Commission provides Standard Conditions of Contract for Construction (“Standard Conditions”) for use with bid and award of construction contracts with contractors performing work on the Project; and

WHEREAS, the Ohio School Facilities Commission permits boards of education to include additional criteria for evaluation of bidder responsibility in the Standard Conditions and specifically approved eighteen Model Responsible Bidder Workforce Standards on July 26, 2007, which may be adopted by a Board in whole or in part and with modifications when approved by the Ohio School Facilities Commission, and the Board adopted 11 items from the standards, without modification, at its meeting on April 14, 2008; and

WHEREAS, the Superintendent, working with its Architect and Construction Manager, recommend modifying the provisions adopted previously to give the Board flexibility in the application of the additional standards to the determination of the responsibility of bidders to perform the work on the Project, as set forth in the attached document, all of which have been approved by the Ohio School Facilities Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Liberty Union-Thurston Local School District that:

1. The Board approves the modification of the items previously adopted, Items no. 1 through 8, 10, 12, and 16, as described in the attached document.
2. The Board directs the Construction Manager to include these modified additional standards, as revised, in the Standard Conditions included with all bid packages issued for the CFAP improvements after this date and to use these standards in the evaluation of the responsibility of bidders for award of construction contracts for the Project.

**ADDITIONAL
MODEL RESPONSIBLE BIDDER WORKFORCE STANDARDS
FOR THE LIBERTY UNION-THURSTON LOCAL SCHOOL DISTRICT CFAP PROJECT**

The following standards are adopted by the Board of Education of the Liberty Union-Thurston Local School District (referred to as the "School District Board" or "Board") for the improvements to the District's school buildings, including new buildings and additions and renovations to the existing school buildings, which are being constructed in partnership with the Ohio School Facilities Commission through its Classroom Facilities Assistance Program, subject to approval by the Ohio School Facilities Commission. These standards are based upon the Model Responsible Bidder Workforce Standards approved by the Commission in Resolution 07-98, adopted July 26, 2007, with modifications (the number for each standard listed below corresponds with the numbered standard in Resolution 07-98). Upon approval by the Commission, these standards shall be included in the bidding documents issued for all work and shall be used in the evaluation of bids submitted for Work on the Project.

1. As a condition precedent to contract award after bid submission, the School District Board, through the Construction Manager, shall undertake with each apparent low bidder for a construction contract a thorough review to verify that the Bidder has included all specified Work in its bid amount and has the resources and manpower to complete the Work.
2. If the apparent low Bidder's bid amount is more than twenty percent (20%) below the amount of the bid submitted by the next lowest bidder, the School District Board, through the Construction Manager, may require the apparent low Bidder to provide a list of all projects for which it was awarded a contract (1) that was within seventy-five percent (75%) of the estimated construction cost for a similar contract and (2) that was completed by the Bidder not more than five years before the date bids were submitted for the Liberty Union-Thurston Local School District CFAP project (the "Project"). This information shall be provided, if requested, at the post-bid scope review meeting.
3. The Bidder shall certify that it will employ supervisory personnel on this Project who have three (3) or more years in the specific trade and/or maintain the appropriate state license if any. However, the Board reserves the right to award a contract to a Bidder that does not make such a certification if, in the Board's discretion, the Bidder provides sufficient assurance of the qualifications of its supervisory personnel.
4. The Bidder shall certify that it has not been debarred from public contracts for falsified certified payroll records or any other violation of the Fair Labor Standards Act in the last five (5) years.
5. The Bidder shall certify that it has not been debarred from public contracts for prevailing wage violations or found (after all appeals) to have a material violation of prevailing wage laws more than three times in a two-year period during the last ten years. Material compliance with these laws shall be determined in the sole discretion of the Board.
6. As described in Subparagraph 1.2.5 and Subparagraphs 1.2.5.1 and 1.2.5.2 of the General Conditions for this Project, the Bidder and its Subcontractors shall comply with Ohio's Drug-Free Workplace requirements and shall provide evidence of compliance request. The Bidder's certification of this compliance is included as Item 9 on the Bid Form submitted for the contract.
7. The Bidder for a licensed trade contract or fire safety contract (1) shall be licensed pursuant to Ohio Revised Code Chapter 4740 as a heating, ventilating, and air conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronics contractor, or (2) shall be certified by the State Fire Marshall pursuant to Ohio Revised Code Section 3737.65.
8. The Bidder shall certify that it has not had a professional license revoked or surrendered for fraud or negligence in the last five (5) years in Ohio or any other state.
10. The Bidder shall certify that it has materially complied with unemployment and workers compensation laws for at least the two years preceding the date of bid submittal. Material compliance with these laws shall be determined in the sole discretion of the Board.
12. The Bidder shall provide its Experience Modification Rating and a history of its OSHA violations during the post-bid review. If the Bidder's Experience Modification Rating is greater than 1.5 (a penalty rated employer) with respect to the Bureau of Workers Compensation risk assessment rating, the Board reserves the right to evaluate the Bidder's work history and safety record and, within its discretion, may award the contract to the Bidder.
16. The Bidder shall certify that it has not been debarred from any public contract - federal, state, or

local - in the past five (5) years.

A material breach of any of the foregoing standards prior to contract award or during contract performance, may subject the Contractor to all contractual remedies available to the School District Board, including, but not limited to, termination for cause if the breach is related to the performance of the Work. The School District Board reserves the right to review each bidder’s circumstances and to exercise its discretion in evaluating each Bidder, with the Construction Manager and Architect, and awarding a contract to a bidder that may not give the certification listed in one of the preceding standards, but who is otherwise determined to be qualified and responsible to perform the specified Work.

Adopted by the Board of Education of the Liberty Union-Thurston Local School District on November 9, 2009 (modifications approved by the Ohio School Facilities Commission).

Recommend approval.

Motion by _____, seconded by _____, to approve the Other New Business items listed above. **Raver**, _____; Brate, _____; Farmer, _____; Hochradel, _____; Hutton, _____.

11. EXECUTIVE SESSION: An executive session is requested, in order to discuss employee negotiations, and to discuss the employment of a public employee. Recommend approval.

A. GO INTO EXECUTIVE SESSION: Motion by _____, seconded by _____, to go into Executive Session at _____ p.m. **Brate**, _____; Farmer, _____; Hochradel, _____; Hutton, _____; Raver, _____.

B. RETURN FROM EXECUTIVE SESSION: Motion by _____, seconded by _____, to return from Executive Session at _____ p.m. **Farmer**, _____; Hochradel, _____; Hutton, _____; Raver, _____; Brate, _____.

12. NEGOTIATED CONTRACT: A tentative agreement with OAPSE/AFSME LOCAL 494 employees for a negotiated contract, retro-active to July 1, 2009, with wage and health care agreement through June 30, 2010, and all other contract language agreement through June 30, 2012, has been reached. Board of Education approval for the contract, as outlined in the tentative agreement, is requested. Recommend approval.

Motion by _____, seconded by _____, to approve the OAPSE / AFSME LOCAL 494 negotiated contract. **Hochradel**, _____; Hutton, _____; Raver, _____; Brate, _____; Farmer, _____.

13. ADJUST EMPLOYEE SALARIES: Salary increases of 1.5%, plus a one-time \$500 payment (matching the negotiated teacher contract) for the remaining fifteen school district employees, which include non-OAPSE employees, supervisors and administrators are recommended, as follows:

<u>Employee</u>	<u>Old Rate</u>	<u>New Rate</u>
Paul Mathews	\$97,001.60	\$98,457.60
Ed Miller	92,454.65	93,842.40
Hank Gavarkavich	86,392.50	87,688.80
Kelli Brownfield	83,360.75	84,612.00
Chet Coleman	74,266.85	75,381.60

Linda Young	68,204.25	69,228.00
David Butler	91,274.40	92,643.60
April Bolyard	61,936.20	62,285.30
Alice Bondurant	27.00	27.41
Linda Wyant	26.29	26.68
Kenny Kosch	30.55	31.00
Rick Delynko	22.73	23.07
Jan Fiedrich	22.00	22.33
Judy Cleland	29.18	29.61
John LaBelle	19.43	19.72

Motion by _____, seconded by _____, to approve the adjusted employees' salaries as listed above. **Hutton**, _____; Raver, _____; Brate, _____; Farmer, _____; Hochradel, _____.

14. INFORMATION:

A. CONSTRUCTION PROJECT UPDATE

B. NEXT REGULAR MEETING: The next regular meeting of the Liberty Union-Thurston Board of Education will be held on Monday, December 14, 2009, at 7:00 p.m. in the high school library.

16. ADJOURN: Motion by _____, seconded by _____, to adjourn at _____ p.m. **Raver**, _____; Brate, _____; Farmer, _____; Hochradel, _____; Hutton, _____.