

RECORD OF PRECEEDINGS
Special Meeting
July 28, 2009

The Shelby City Schools, Board of Education met in special session on Tuesday, July 28, 2009 at 7:00 A.M. in the Professional Development and Technology Center, 39 S Gamble St, Shelby Ohio 44875.

1. Meeting called to Order

- 1.1 The meeting opened with the Pledge of Allegiance to the flag.
- 1.2 The following board members were present; Bruce Briggs, JoAnn Nelson, Doug DeVito and Lorie White. Administrative personnel present included Diane Ervin, Assistant Superintendent; and Elizabeth Anatra, Treasurer.
- 1.3 Those present affirmed the district’s vision statement.
 The Shelby City Schools will be a place:
 - where all students are proud to attend
 - where the staff is proud to work
 - where parents are proud to send their children
 - that the community is proud to support

2. Public Concerns/Acceptance of Agenda

- Mr. Briggs advised those present that anyone wishing to address the Shelby City Board of Education on school matters may do so by being recognized by the chairperson. Persons are requested to identify themselves and give their address before speaking. A maximum of thirty minutes is established for public input. If there are several speakers, each one should be concise and limit remarks to three minutes.
- 2.1 Visitors were recognized. A request was made that anyone wishing to comment on any agenda item notify the president so that an opportunity to speak on the item during discussion could be given. No one requested an opportunity to speak.
 - 2.11 A request was also made that anyone wishing to comment or make suggestions on items not on the agenda notify the president so that a time now or later in the agenda could be assigned for discussion. No one requested an opportunity to speak
 - 2.2 Additions or corrections to the agenda were requested. Mr. Briggs noted that a time would be discussed for a meeting to be held on August 11th. Mr. DeVito asked for an opportunity to speak to an issue of concern and was assigned to do so following item 3.1 under New Business

3. New Business

48-09

- 3.1 A motion was made by Mr. DeVito and seconded by Mrs. White to approve the following:
A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING TO THE ELECTORS OF THE SHELBY CITY SCHOOL DISTRICT THE QUESTION OF THE ISSUANCE OF SCHOOL FACILITIES IMPROVEMENT BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$24,645,000, PURSUANT TO SECTION 133.18 OF THE REVISED CODE.

WHEREAS, pursuant to Chapter 3318 of the Revised Code, this Board has submitted an application for the conditional approval of the Ohio School Facilities Commission (the Commission) to participate in the Commission’s Classroom Facilities Assistance Program (CFAP) by constructing, acquiring, reconstructing or making additions to classroom facilities (as defined in Section 3318.01(B) of the Revised Code) (the Project); and

WHEREAS, at its meeting on July 23, 2009, the Commission conditionally approved, this Board’s application to participate in the Commission’s Classroom Facilities Assistance Program (the CFAP Program), and has advised this Board that the State Controlling Board is scheduled to approve the Commission’s determination on August 10, 2009, and the Commission will thereafter certify to this Board the conditional approval by the State, for acceptance by this Board promptly thereafter, in accordance with Section 3318.05 of the Revised Code; and

WHEREAS, the basic project cost (as defined in Section 3318.01(L) of the Revised Code) of the Project (which is a “project” as defined in Section 3318.01(C) of the Revised Code) has been estimated by the Commission to be \$42,907,042, of which the State’s portion is estimated to be \$21,453,521 and the School District’s portion, as calculated in accordance with Section 3318.032 of the Revised Code, is also estimated to be \$21,453,521 and;

Approve
 Resolution of
 Necessity for
 Facilities
 Improvement
 Bonds

RECORD OF PROCEEDINGS
Special Meeting
July 28, 2009

<p>Approve Resolution of necessity Facilities Improvement Bonds</p>	<p><i>Motion 48-09 continued</i></p> <p>WHEREAS, the Board has determined to supplement and enhance the Project with certain improvements all of the costs of which must be funded locally by the District (the LFIs); and</p> <p>WHEREAS, at an election on November 7, 2000, the electors of this School District approved an additional 2.0-mill ad valorem property tax (the Existing Levy) outside of the ten-mill limitation for the purpose of general permanent improvements for a continuing period of time pursuant to Section 5705.21 of the Revised Code; and</p> <p>WHEREAS, this Board has determined that, if the question referred to in Section 1 of this Resolution is approved by the electors of the District, it will agree to earmark, apply and pledge for the purpose of paying costs of maintaining the classroom facilities that are part of the Project that portion of the proceeds of the Existing Levy that is necessary and sufficient to meet the maintenance levy requirements of Chapter 3318 of the Revised Code;</p> <p>WHEREAS, pursuant to Section 133.18 of the Revised Code and as provided in this resolution, this Board has determined to submit to the electors of this School District, at the election to be held on November 3, 2009, the question of issuing bonds for the purpose stated in Section 1 of this Resolution (in order to provide funds that are intended to pay the local share of the basic project cost of the Project and the cost of the LFIs), and levying a tax to pay debt charges on such bonds and any securities issued in anticipation thereof;</p> <p>NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Shelby City School District, Richland County, Ohio, that:</p> <p>Section 1. This Board finds, determines and declares that it is necessary to issue general obligation bonds of the Shelby City School District in the aggregate principal amount of \$24,645,000 for the purpose of constructing, adding to, renovating, remodeling, furnishing, equipping and otherwise improving School District buildings and facilities and improving and equipping real estate for school purposes (the Bonds), and to levy a tax outside of the ten-mill limitation imposed by Section 2 of Article XII of the Ohio Constitution to pay the debt charges on those Bonds and any anticipatory securities. Pursuant to Section 133.18 of the Revised Code, the question of the issuance of the Bonds and the levy of that tax shall be submitted to the electors of the School District at an election to be held in the School District on November 3, 2009. The approximate date of the Bonds will be January 1, 2010. The maximum number of years over which the principal of the Bonds may be paid is twenty-eight, and the Bonds will bear interest at a rate now estimated at 4.50% per year, payable semiannually.</p> <p>Section 2. The Treasurer of this Board is directed to certify a copy of this Resolution to the County Auditor of Richland County for the certification of the total current tax valuation of the School District and the estimated average annual property tax levy, expressed in dollars and cents for each \$100 of tax valuation and in mills for each one dollar of tax valuation, that the County Auditor estimates to be required throughout the stated maturity of the Bonds to pay debt charges on the Bonds, assuming that they are all issued in one series bearing interest and maturing in substantially equal principal amounts in each year over the maximum number of years over which the principal of the Bonds may be paid, both as stated in Section 1, and that the amount of the tax valuation of this School District for the current year remains the same throughout the maturity of the Bonds (except as otherwise provided in Section 133.18(C)(2) of the Revised Code providing that, when considering the tangible personal property component of the tax valuation of the School District, the County Auditor shall take into account the assessment percentages prescribed in Section 5711.22 of the Revised Code, and further provides that the Tax Commissioner may issue rules, orders, or instructions directing how the assessment percentages must be utilized).</p> <p>Section 3. In accordance with Section 133.06(C) of the Revised Code, this Board hereby requests the consents of the State Tax Commissioner and the State Superintendent of Public Instruction to the submission of this question, as the School District's net indebtedness after the issuance of the Bonds will exceed an amount equal to 4% of the School District's tax valuation. The Treasurer is directed to certify copies of this Resolution to the State Tax Commissioner and State Superintendent of Public Instruction, together with such other information as they may require for the purpose.</p> <p>Section 4. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.</p>
---	--

RECORD OF PRECEEDINGS
Special Meeting
July 28, 2009

Motion 48-09 continued

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

Vote Yes; Mr. DeVito, Mrs. Nelson, Mrs. White and Mr. Briggs

3.2 Mr. DeVito was invited to speak. He addressed the topic of racial bullying and harassment. He explained a recent situation of a child going to a parent on this topic, and stated that it was not an isolated incident or particular to a single child or family. It was suggested that failure to address such an issue indicates either agreement with the expression or fear of retribution. Mr. DeVito explained that his goal in this matter is that every child be able to attend school without fear of bullying or harassment. He asked that the district write a policy that clearly states the consequences for such behavior. Mrs. Ervin responded that existing policies and procedures will be reviewed new material developed as needed for the board's review.

4. Old Business

49-09

4.1 A motion was made by Mrs. White and seconded by Mrs. Nelson to approve an Activity Fee for extra curricular / co-curricular activities will be assessed a \$25 activity fee per year, with a maximum yearly family amount of \$50.00 annually for the following:

- All Middle School & High School Athletics
- High School Cheerleading

Mr. Briggs began the discussion by outlining the history of certain activity related student fees from the beginning of the districts recent fiscal emergency. In response to questions Mrs. Anatra explained that the fee under consideration generated \$12,257 last year, which was deposited in the general fund to offset transportation expenses for students participating in athletic activities, an additional \$30,450 was raised for the general fund by transportation fees paid by the PTO, Boosters organizations and others. She expressed some reservations about additional expense to the general fund should student fees or auxiliary group payments for such items be discontinued. Board members and others present spoke of their concerns about the impact of fees on students, families and programs within the district. After further discussion the motion was amended to read as follows:

Approve a transportation fee for extra-curricular/athletic activities to be assessed at \$25.00 per year,
with a maximum yearly family amount of \$50.00 for the following:

- All Middle School and High School Athletics
- High School Cheerleading

Vote Yes; Mrs. Nelson, Mrs. White, Mr. DeVito and Mr. Briggs

4.2 A Special Board Meeting was set for Tuesday, August 11, 2009 at 7:00 AM at the Professional Development and Technology Center, 39 South Gamble Street to consider a Resolution to Proceed with a bond issue on the November 2009 Ballot.

5. Adjourn

A motion to adjourn was made by Mrs. White at 7:55 a.m. and seconded by Mr. DeVito
Vote Yes; Mrs. White, Mr. DeVito, Mrs. Nelson and Mr. Briggs

Bruce Briggs, Jr., Board President

Elizabeth Anatra, Treasurer

Approve
Resolution of
Necessity for
Facilities
Improvement
Bonds

Approve
Extra-
Curricular/Athletic
Transportation Fee

Special Board
Meeting on
August 11, 2009

RECORD OF PROCEEDINGS
Special Meeting
July 28, 2009