

NORTON BOARD OF EDUCATION - 10-02
Special Session of January 25, 2010

President Worthington called the Special Meeting to order at 5:30 p.m. in the High School Library and led the pledge of allegiance.

Those present:

Mrs. Elisa Worthington, President
Mr. Jim Bennett, Vice President
Mrs. Diane Farmer, Member
Mrs. Laura Leonti, Member
Mrs. Cindy Webel, Member
Mr. David Dunn, Superintendent
Mrs. Stephanie Hagenbush, Treasurer

PUBLIC PARTICIPATION

Ron Gerstenmaier reported that the High School Band played at Severance Hall in Cleveland on January 25, 2010. They did a great job and were honored to play at such a remarkable location.

John Steiner, High School Art Teacher, gave details about the photography class and the photographs they have taken. The photos are currently on display in the Norton Library. They also have plans to work with The Metro Parks to take pictures in the Valley and display them in the Metro Parks and plans with a nursing home in Barberton to take pictures and display them in the home.

Charles Breitenstine, a Norton resident, stated that he does support the schools but opposes the levy. He feels the economy is not good and the schools should find alternative ways to get funding. He filled out the questionnaire but feels he cannot afford to live in Norton if the taxes continue to increase.

Don Nicholard, a Norton resident and city councilman, supports the levy and feels that we cannot pass up the opportunity for the state share of (\$23 million). He feels that schools will have to build eventually and now is the time while costs are low - it is a golden opportunity.

MINUTES

10-12 **Mrs. Webel** moved that the Board of Education approve the minutes of the Special Meeting of December 14, 2009.

Mr. Bennett seconded the motion.

ROLL CALL: **AYES: Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington**
NAYS: None – Motion Carries – 5-0

10-13 **Mrs. Leonti** moved that the Board of Education approve the minutes of the Organizational Meeting of January 4, 2010.

Mrs. Farmer seconded the motion.

ROLL CALL: **AYES: Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington,Mr.Bennett**
NAYS: None – Motion Carries – 5-0

10-14 **Mr. Bennett** moved that the Board of Education approve the minutes of the Work Session of January 4, 2010.

Mrs. Webel seconded the motion.

ROLL CALL: AYES: Mrs.Leonti,Mrs.Webel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer
NAYS: None – Motion Carries – 5-0

10-15 **Mrs. Leonti** moved that the Board of Education approve the minutes of the Special Meeting of January 11, 2010.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs.Webel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti
NAYS: None – Motion Carries – 5-0

WARRANTS

10-16 **Mrs. Webel** moved that the Board of Education approve the warrants for the month of December, 2009.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Webel
NAYS: None – Motion Carries – 5-0

FINANCIAL STATEMENT

10-17 **Mr. Bennett** moved that the Board of Education approve the Financial Statement for the month of December, 2009.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington
NAYS: None – Motion Carries 5-0

RESOLUTION

10-18 **Mrs. Farmer** moved that the Board of Education approve the following Resolution authorizing the advance of Local Taxes by the County Fiscal Office for the 2009 tax year payable in 2010:

**A RESOLUTION AUTHORIZING THE ADVANCE OF LOCAL TAXES
BY THE COUNTY FISCAL OFFICE FOR THE 2009 TAX YEAR,
PAYABLE IN 2010.**

WHEREAS, Section 321.34 of the Ohio Revised Code states that all local governments must file a Resolution with the County Fiscal Office each year in order to receive advance payment of local taxes;

NOW, THEREFORE, BE IT RESOLVED by the Norton City School District Board of Education, County of Summit and State of Ohio:

Section 1. That the Norton City School District Board of Education hereby authorizes the advance of local taxes by the County Fiscal Office for the 2009 tax year, payable in 2010, in order to comply with Section 321.34 of the Ohio Revised Code to receive advance payment of local taxes.

Section 2. That it is found and determined that all formal actions of the Board concerning and relating to the adoption of this resolution were adopted in an open meeting of the Board and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with law.

10-18 cont.

Section 3. That the Treasurer be, and she hereby is, authorized and directed to forward a copy of this resolution to the Fiscal Officer of Summit County, Ohio.

Section 4. This resolution is hereby declared necessary for the preservation of the public peace, health, safety, convenience and welfare of the Norton City Schools Board of Education and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to the Board, it shall take effect and be in force immediately upon its passage and approval by the Board; otherwise it shall take effect and be in force at the earliest period allowed by law.

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington,Mr.Bennett
NAYS: None – Motion Carries – 5-0

PERSONNEL

SUBSTITUTE PERSONNEL (Certified) – Pending background and license check

10-19

Mrs. Webel moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Brittany Bruce
2. Christina Carabotta, effective January 4, 2010.
3. Deborah Cowart
4. Nate Eicher, effective January 4, 2010.
5. Jonathan Klein
6. Korin Rowell
7. Brittany Wellert

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs.Leonti,Mrs.Webel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer
NAYS: None – Motion Carries – 5-0

SUPPLEMENTAL CONTRACT

10-20

Mrs. Farmer moved that the Board of Education upon the recommendation of the Superintendent approve the following supplemental contract:

Dennis Oswald – National Junior Honor Society

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mrs.Webel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti
NAYS: None – Motion Carries – 5-0

HOME INSTRUCTOR

10-21

Mrs. Webel moved that the Board of Education upon the recommendation of the Superintendent approve Brittany Wellert as a home instructor on an as needed basis at the current tutor rate.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Webel
NAYS: None – Motion Carries – 5-0

DISTRICT CALENDAR

10-22 **Mrs. Farmer** moved that the Board of Education upon the recommendation of the Superintendent approve the district calendar for the 2010-2011 school year.

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Weibel,Mrs.Worthington
NAYS: None – Motion Carries – 5-0

10-23 **Mrs. Weibel** moved that the Board of Education upon the recommendation of the Superintendent approve the district calendar for the 2011-2012 school year.

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mrs.Farmer,Mrs.Leonti,Mrs.Weibel,Mrs.Worthington,Mr.Bennett
NAYS: None – Motion Carries – 5-0

NEONET CONTRACT

10-24 **Mrs. Weibel** moved that the Board of Education upon the recommendation of the Superintendent approve the contract with Northeast Ohio Network for Educational Technology Service Provider for Internet Service.

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mrs.Leonti,Mrs.Weibel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer
NAYS: None – Motion Carries – 5-0

A T & T CONTRACT

10-25 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent approve the contract with A T & T for long distance charges.

Mrs. Farmer seconded the motion.

ROLL CALL: AYES: Mrs.Weibel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti
NAYS: None – Motion Carries – 5-0

AMEND MOTION #09-245

10-26 **Mrs. Weibel** moved that the Board of Education upon the recommendation of the Superintendent amend motion #09-245 from a Special Education II Aide position to a Special Education I Aide position.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs.Worthington,Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Weibel
NAYS: None – Motion Carries – 5-0

RESOLUTION

10-27

Mrs. Farmer moved that the Board of Education approve a Resolution of Necessity for a May 2010 Bond Issue.

A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING THE SINGLE QUESTION OF (A) THE ISSUANCE OF SCHOOL IMPROVEMENT BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$ 27,505,239 FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING, ADDING TO, RENOVATING, REMODELING, REHABILITATING, AND IMPROVING SCHOOL DISTRICT BUILDINGS AND FACILITIES, AND ACQUIRING, CLEARING, IMPROVING AND EQUIPPING REAL ESTATE FOR SCHOOL PURPOSES, AND (B) THE LEVY OF AN ADDITIONAL TAX OF 2.0 MILLS TO PROVIDE FUNDS FOR THE ACQUISITION, CONSTRUCTION, ENLARGEMENT, RENOVATION, AND FINANCING OF GENERAL PERMANENT IMPROVEMENTS TO THE ELECTORS OF THE SCHOOL DISTRICT PURSUANT TO SECTION 5705.218 OF THE REVISED CODE.

WHEREAS, pursuant to Chapter 3318 of the Revised Code, on September 24, 2009, the Ohio School Facilities Commission (the Commission) conditionally approved the participation of the Norton City School District in a segmented Classroom Facilities Assistance Program (CFAP) project involving constructing, acquiring, reconstructing and/or making additions to classroom facilities as defined in Chapter 3318 of the Revised Code (the OSFC Project), and on October 19, 2009, the Ohio Controlling Board approved the determination and conditional approval of the Commission; and

WHEREAS, the aggregate master facilities plan cost of the OSFC Project has been determined to be \$61,490,846, of which the State's portion is \$23,366,521 and the School District's portion is \$38,124,325; and

WHEREAS, this Board has determined to supplement the OSFC Project by constructing, furnishing, equipping, adding to, renovating, remodeling, rehabilitating, and otherwise improving School District buildings and facilities, and acquiring, clearing, improving and equipping real estate for school purposes (the Locally Funded Initiatives or LFIs); and

WHEREAS, this Board has determined it to be necessary to levy a 2.0-mill tax in excess of the ten-mill limitation to provide funds for the acquisition, construction, enlargement, renovation, and financing of general permanent improvements, for a continuing period of time, 0.5-mills of which (or otherwise, as may be required) may be committed and pledged to the maintenance of the classroom facilities that are part of the OSFC Project for the requisite time period under Chapter 3318 of the Revised Code, if the District does not otherwise meet the CFAP maintenance requirement; and

WHEREAS, pursuant to Section 5705.218 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 May 4, 2010, a single proposal consisting of the question of (i) issuing bonds for the purpose stated in Section 1 of this resolution (in order to provide funds that are intended to pay the School District's portion of the basic project cost of the OSFC Project and the LFIs), and levying a tax to pay debt charges on such bonds and any securities issued in anticipation thereof, and (ii) levying a tax outside the ten-mill limitation to provide funds for the acquisition, construction, enlargement, renovation, and financing of general permanent improvements (0.5 mills of which (or otherwise, as may be required) may be applied to the payment of costs of maintaining the classroom facilities that are a part of the OSFC Project for the requisite time period, if the District does not otherwise meet the CFAP maintenance requirement);

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of Norton City School District, Summit County, Ohio, two-thirds of all members elected thereto concurring, that:

10-27 cont

Section 1. This Board finds, determines and declares that it is necessary to issue general obligation bonds of Norton City School District in the aggregate principal amount of \$ 27,505,239 for the purpose of constructing, furnishing, equipping, adding to, renovating, remodeling, rehabilitating, and improving School District buildings and facilities, and acquiring, clearing, improving and equipping real estate for school purposes, 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. The approximate date of the bonds is July 1, 2010. The maximum number of years over which the principal of the bonds may be paid is 37, and the bonds will bear interest at a rate now estimated at 4.75% per year, payable semiannually.

Section 2. This Board hereby finds, determines and declares that the amount of taxes which may be raised within the ten-mill limitation by levies on the tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of this School District, and that it is necessary to levy a tax in excess of that limitation at the rate of 2.0-mills for a continuing period of time to provide funds for the acquisition, construction, enlargement, renovation, and financing of general permanent improvements, commencing in tax year 2010, for first collection in calendar year 2011.

Section 3. Pursuant to Section 5705.218 of the Revised Code, the single question of the issuance of the bonds and levy of the tax to pay debt charges and the levy of an additional tax of 2.0-mills to provide funds for the acquisition, construction, enlargement, renovation, and financing of general permanent improvements for a continuing period of time shall be submitted to the electors of the School District at an election to be held in the School District on May 4, 2010.

Section 4. The Treasurer of this Board is directed to certify immediately a copy of this resolution to the Summit County Fiscal Officer, and, in accordance with Sections 5705.03 and 5705.218 of the Revised Code, this Board hereby requests the County Fiscal Officer to certify to it (i) the total current tax valuation of this School District, (ii) the estimated average annual property tax levy, expressed in dollars and cents for each one hundred dollars of tax valuation and in mills for each one dollar of tax valuation, that the County Fiscal Officer 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 (or, if that amount is not determined, the estimated amount of that tax valuation submitted by the County Fiscal Officer to the County Budget Commission) remains the same throughout the maturity of the bonds (except as otherwise provided in Revised Code § 133.18(C)(2), which provides that, when considering the tangible personal property component of the tax valuation of the School District, the County Fiscal Officer shall take into account the assessment percentages prescribed in Revised Code § 5711.22, and further provides that the tax commissioner may issue rules, orders, or instructions directing how the assessment percentages must be utilized), and (iii) the dollar amount of revenue that would be generated annually by the additional 2.0-mill tax levy referred to in Section 2.

Section 5. If the electors of this School District approve the question referred to in Section 3 on May 4, 2010, the Board intends to earmark, apply and pledge (i) from proceeds of the voter-authorized securities the amount necessary (at the time of the execution of the initial CFAP Project Agreement) to pay the School District's portion of the basic project cost of the OSFC Project, and (ii) from the proceeds of the tax levy to provide funds for the acquisition, construction, enlargement, renovation, and financing of general permanent improvements the equivalent of one-half mill or, if that requirement should change, that which is necessary and sufficient to meet the requirements of Chapter 3318 of the Revised Code for paying costs of maintaining the classroom facilities that are part of the OSFC Project, for the requisite period of time, if the District does not otherwise meet the CFAP maintenance requirement.

Section 6. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken, and of any of its committees 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.

10-27 cont

Section 7. This resolution shall be in full force and effect from and immediately upon its adoption.

Mrs. Webel seconded the motion.

ROLL CALL: AYES: Mr.Bennett,Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington
NAYS: None – Motion Carries – 5-0

ADJOURNMENT

10-28

Mr. Bennett moved that the Board of Education adjourn the special session at 7:44 p.m.

Mrs. Leonti seconded the motion.

ROLL CALL: AYES: Mrs.Farmer,Mrs.Leonti,Mrs.Webel,Mrs.Worthington,Mr.Bennett
NAYS: None – Motion Carries – 5-0

“Notice of this meeting was given in accordance with the provisions of Policy and Regulations of the Board of Education which was adopted in accordance with §121.11 of the Ohio Revised Code and the Ohio Administrative Procedures Act.”

Elisa Worthington, President

Stephanie Hagenbush, Treasurer