

NORTON BOARD OF EDUCATION – 09-19
Regular Meeting of September 21, 2009

President Farmer called the meeting to order at 7:30 p.m. in the High School Library and led the pledge of allegiance.

Those present:

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

PUBLIC PARTICIPATION

Mr. Scott Rader, Director of Career Tech and Tina Chapman, High School CBE Teacher presented an award (Box made especially for Sean Bryant with picture and logos) to Sean Bryant who attained first place in the nation for an advanced spreadsheet competition.

BOARD BUSINESS

Mrs. Leonti asked to table Agenda Item I under Consent Agenda for further discussion with the Curriculum Committee regarding the Health Class taught at the Middle School.

CONTRACT

09-189 **Mr. Bennett** moved that the Board of Education approve David Dunn, as Superintendent for a three year administrative contract, effective August 1, 2010 through July 31, 2013.

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

09-190 **Mrs. Webel** moved that the Board of Education upon the recommendation of the Superintendent approve the following resolution:

A RESOLUTION STATING THE BOARD'S INTENTION TO CANCEL THE REMAINING YEARS OF COLLECTION OF ITS EXISTING 3.0-MILL PERMANENT IMPROVEMENT TAX LEVY IF THE PROPOSED NEW 2.0-MILL PERMANENT IMPROVEMENT TAX LEVY IS APPROVED BY THE VOTERS OF THIS SCHOOL DISTRICT AT THE NOVEMBER 3, 2009 ELECTION.

WHEREAS, on August 10, 2009 and August 12, 2009, this Board adopted Resolutions pursuant to Section 5705.218 of the Ohio Revised Code, submitting to the electors of this School District at the election to be held on November 3, 2009, the question of, among other things, an additional 2.0-mill permanent improvement tax levy, which, if approved by the electors, would be first placed on the tax list and duplicate for calendar year 2009 for first collection in calendar year 2010; and

09-190 cont.

WHEREAS, this Board is currently authorized to levy a 3.0-mill permanent improvement tax levy which will have its last year of collection in 2012; and

WHEREAS, the Board expects to be able to meet its permanent improvement needs in calendar years 2010-2012 with the proceeds of the aforesaid 2.0-mill tax levy and other resources, thus obviating the need for the 3.0-mill levy for those calendar years if the aforesaid November 3, 2009 ballot question is approved;

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

Section 1. This Board hereby states its intention to cancel the final three years of collection (calendar years 2010, 2011 and 2012) of the District's existing 3.0-mill permanent improvement tax levy if the proposed additional 2.0-mill permanent improvement tax levy is approved by the voters of this School District at the November 3, 2009 election. The Treasurer is hereby directed to notify the County Auditor's office and County Budget Commission of this intention and request that, if the District's ballot question is approved by the electors on November 3, 2009, the amended tax rate resolution that may be produced by the County for approval by this Board for the 2010 collection year exclude the 3.0-mill permanent improvement levy while it includes all millage shown on said ballot.

Section 2. 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 all deliberations of this Board and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code.

Section 3. This Resolution shall be in full force and effect from and immediately upon its adoption.

Mrs. Worthington seconded the motion.

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

MINUTES

09- 191

Mrs. Worthington moved that the Board of Education approve the minutes of the Work Session of August 17, 2009.

Mr. Bennett seconded the motion.

ROLL CALL: AYES: Mrs.Webel,Mrs.Worthington,Mr.Bennett,Mrs.Farmer
NAYS: None – Motion Carries – 4-0-1
ABSTAIN: Mrs. Leonti

09- 192

Mrs. Webel moved that the Board of Education approve the minutes of the Regular Meeting of August 17, 2009.

Mrs. Leonti seconded the motion.

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

09- 193

Mr. Bennett moved that the Board of Education approve the minutes of the Special Session of August 31, 2009.

Mrs. Leonti seconded the motion.

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

09- 194 Mrs. Leonti moved that the Board of Education approve the minutes of the Committee of the Whole Meeting of September 14, 2009.

Mrs. Worthington seconded the motion.

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

WARRANTS

09-195 Mr. Bennett moved that the Board of Education approve the warrants for the month of August, 2009.

Mrs. Webel seconded the motion.

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

FINANCIAL STATEMENT

09-196 Mrs. Worthington moved that the Board of Education approve the Financial Statement for the month of August, 2009.

Mrs. Leonti seconded the motion.

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

FINAL APPROPRIATION RESOLUTION

09-197 Mrs. Webel moved that the Board of Education approve the Final Appropriation Resolution for Fiscal Year 2010

Fund		Totals
001	General	23,669,716.14
002	Bond Retirement	4,703.09
003	Permanent Improv.	2,277,919.27
006	Food Service	1,412,740.71
007	Trust Fund	107,490.41
009	Uniform Supplies	77,988.79
011	Consumer Serv.	-
012	Adult Education	21,610.98
018	Pub. School Support	217,466.65
019	Other Grants	29,303.67
023	Self-Insurance	59,257.25
024	Employee Benefit	5,290,899.97
031	Ins. Un/Storage	11,000.00
200	Student Act.	107,809.62
300	Athletics	151,302.91
432	E.M.I.S.	9,000.00
440	Entry Year Program	7,000.00
451	One Net	10,000.00
452	School Net Prof Dev	3,380.00
494	Poverty Based Assist.	20,500.00
499	Misc. State Grants	25,906.88
516	Title VI-B	915,153.51
532	Fiscal Stabilization	210,730.32
533	Title II-D	2,223.81
572	Title I	426,560.43
573	Title - V Innovative	4,193.99
584	Drug Free Grant	5,914.90
587	Preschool Grant	19,657.60
590	Title II A	73,224.61
599	Misc Fed Grants	33,075.00

09-197 cont. **Mr. Bennett** seconded the motion.

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

SETTLEMENT AGREEMENT

09-198 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Treasurer approve the following Settlement Agreement with Mac's Convenience Stores, LLC:

This settlement agreement (the "Agreement") is by and between the Norton City School District Board of Education ("BOE") and Mac's Convenience Stores, LLC ("Tenant") (together, "the Parties").

WHEREAS, the BOE filed with the Summit County Board of Revision ("BOR") a complaint against the value of real property for tax year 2008 docketed as Case Number 08-3269 and involving permanent parcel numbers 46-04561, 46-04562 and 46-04563 ("Complaint").

WHEREAS Tenant is responsible for the payment of real property taxes; and

WHEREAS, the BOE and the Tenant now desire to settle the Complaint.

THEREFORE, the BOE and the Tenant understand and agree as follows:

1. Within ten (10) days of this Agreement being fully executed by the Parties, the Tenant shall cause to be issued and delivered to the BOE a payment in the amount of: **Forty-Five Thousand, One Hundred Sixty Dollars and Zero Cents (\$45,160.00)** Such sum represents the real property taxes due to the BOE for the triennial period including the 2008, 2009 and 2010 tax years on the difference between the Auditor's total fair market assessment for the 2008 tax year of \$314,870.00 and the January 18, 2008 sale price of the subject property for \$1,437,715. Such payment shall be made payable to the Norton City School District Board of Education and delivered care of Elizabeth Grooms Taylor, Esq., McGown, Markling & Whalen Co., L.P.A., 1894 N. Cleveland-Massillon Rd., Akron, Ohio 44333.
2. Within seven (7) days of receiving the payment set forth above, the BOE shall file a letter with the BOR dismissing with prejudice the Complaint in its entirety.
3. This Agreement does not bind either of the Parties with respect to complaints or counter-complaints against the value of the real property that is the subject of this Agreement for any tax year after tax year 2010.
4. With respect to tax years 2009 and 2010, the parties acknowledge that the BOE maintains the right to file another complaint regarding the subject property in the event the property is the subject of an arm's length sale.
5. The persons signing below for the Tenant and BOE acknowledge and represent that they do so with the authority to bind the Tenant and BOE, respectively, to all the terms of the Agreement. The parties acknowledge that this agreement is not binding on the BOE until such time as the BOE takes official action approving the Agreement.
6. The BOE further agrees that, if the Summit County Fiscal Officer unilaterally increases the current fair market value assessment of \$314,870.00 for Tax Year 2008, 2009 and/or 2010, the BOE will not oppose the Tenant's effort to maintain the fair market assessment of \$314,870.00. Conversely, the Tenant agrees that, if the Summit County Fiscal Officer unilaterally decreases the current fair market value assessment of \$314,870.00 for Tax Year 2008, 2009 and/or 2010, the Tenant will not oppose the BOE's effort to maintain the fair market assessment of \$314,870.00.
7. This Agreement may not be amended except in writing signed by all of the Parties.
8. Complete performance of each term of this Agreement is essential to achieve the understanding reached by the Parties and accordingly, none of the provisions of this Agreement are severable.
9. This Agreement may be executed in counterparts, all of which taken together shall constitute one agreement binding on all Parties notwithstanding that all parties are not signatories to the original or the same counterpart.

This Agreement shall take effect on the date the document is signed by the Parties. If the Parties do not sign on the same date, this Agreement shall take effect on the date the document is last signed.

09-198 cont. **Mrs. Webel** seconded the motion.

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

PERSONNEL

PERSONNEL (Certified – Pending background and license check

09-199 **Mr. Bennett** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

- 1) Cyndi Tittl, Middle School Tutor, retirement effective August 31, 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

09-200 **Mrs. Webel** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

- 1) Rebecca Smith, Academic Tutor, 5 hrs/day – Cornerstone and Primary Schools at the current tutor rate, effective August 25, 2009.
- 2) Amber Blubaugh, SLD Tutor, 3 hrs/day – High School at the current tutor rate effective August 25, 2009.
- 3) Diana Heckman, Academic Tutor, 3 hrs/day – Grill Elementary at the current tutor rate effective August 25, 2009.
- 4) Ben McRill, Special Education Tutor, full time – Middle School at the current tutor rate, effective September 22, 2009.

Mrs. Worthington seconded the motion.

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

PERSONNEL (Classified – Pending background and license check

09-201 **Mrs. Worthington** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

- 1) Kristina Hodkinson, Educational Aide, 4 hrs/Day at Primary School, effective September 22, 2009.

Mr. Bennett seconded the motion.

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

RESIDENT EDUCATION PROGRAM COORDINATOR

09-202 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent approve Alison Blake, Resident Education Program Coordinator for the 2009-10 school year.

Mrs. Webel seconded the motion.

09-202 cont. **ROLL CALL: AYES: Mrs. Webel, Mrs. Worthington, Mr. Bennett, Mrs. Farmer, Mrs. Leonti**
NAYS: None – Motion Carries – 5-0

SUBSTITUTE PERSONNEL (Certified – Pending background and license check

09-203 **Mr. Bennett** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Pasquale Agrusa
2. Debra Barna
3. Kindra Beekman
4. Hannah-Marie Buskirk
5. Lisa Daykin
6. Lawrence Gabler
7. Mitzi Goss
8. Kendra Greenleaf
9. Joshua Harris
10. Michael Hogue
11. David Johnson
12. Traacy McLean
13. Nicole Mann
14. Lindsey Newport
15. Julie Nitzsche
16. Leah Patterson
17. Teri Renner
18. Nicole Roesel
19. Anne Schillig
20. Stephanie Smiach
21. Neil Smith
22. Cari Tennant
23. Paula Warren
24. James Zellia

Mrs. Leonti seconded the motion.

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

SUBSTITUTE PERSONNEL (Classified – Pending background and license check

09-204 **Mrs. Webel** moved that the Board of Education upon the recommendation of the Superintendent approve the following:

1. Roberta Hastings, Bus Driver, effective September 5, 2009
2. Jamie Hoar, Bus Driver, effective September 5, 2009
3. Francis Lieberth – effective September 3, 2009
4. Ernie McGeorge – effective September 8, 2009

Mrs. Worthington seconded the motion.

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

SUPPLEMENTAL CONTRACTS

09-205

Mrs. Leonti moved that the Board of Education upon the recommendation of the Superintendent approve the following supplemental positions:

Jessica Williams	SADD Club
Maria Stewart	Academic Challenge
Barb Moore	Key Club
Jackie Owen	Latin Club
Melanie Simmerman	Admin Office Jr.
Tina Chapman	CBE
Gary Ruckman	CBI
Angela Barnhart	FCCLA
Don Begert	VICA (Bricks/Block)
Sue Ward	VICA (Sports Medicine)
Jennifer Blystone	Vocal
Jobeth Carpenter	High School Graduation
Tina Chapman	High School Graduation
Steve Arlen	M. S. Wrestling

Mrs. Webel seconded the motion.

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

HOME INSTRUCTORS

09-206

Mrs. Worthington moved that the Board of Education upon the recommendation of the Superintendent approve the following home instructors on an as needed basis at the current tutor rate:

1. Amber Blubaugh
2. Paula Warren

Mr. Bennett seconded the motion.

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

CONSENT AGENDA

09-207

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

Contracts

Approve the agreement with Berlitz JR. for up to 15 students at a cost not to exceed \$24,000 for the 2009-2010 school year.

Approve the contract with Success 4 Kidz Therapy, LLC at a rate of \$80/hr on an as needed basis per the student IEP.

Donations

Accept the following donations:

1. Two 32" TV's to be used in the Art/Music Room at Cornerstone donated by Cornerstone PACE valued at \$700.
2. Three Smartboards, three projectors, mounts and cables to be used in three classrooms donated by Cornerstone PACE valued at \$5,699.64.
3. Miscellaneous school supplies valued at approximately \$200.00, donor wished to remain anonymous.
4. Supplies donated to Norton Primary from Staples valued at \$200.00.
5. A DVD/VCR for the Music/Art Room at Cornerstone donated by Cornerstone PACE valued at \$100.00.

09-207 cont. **Mr. Bennett** seconded the motion.

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

CUSTOMER SUPPLY AGREEMENT

09-208 **Mrs. Leonti** moved that the Board of Education upon the recommendation of the Superintendent approve the customer supply agreement with FirstEnergy Solutions.

Mrs. Webel seconded the motion.

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

ADJOURNMENT

09-209 **Mr. Bennett** moved that the Board of Education adjourn the Regular Meeting at 7:46 p.m.

Mrs. Worthington seconded the motion.

ROLL CALL: AYES: Mr. Bennett, Mrs. Farmer, Mrs. Leonti, Mrs. Webel, Mrs. Worthington
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.”

Diane Farmer, President

Stephanie Hagenbush, Treasurer