

REGULAR MEETING JANUARY 24, 2005

The Marysville Exempted Village Board of Education met on the above date with the following members present: Roy Fraker, Steven Ader, Michael Guthrie, William Hayes and Jane McClain.

ADOPT THE AGENDA

Mr. Ader moved seconded by Mrs. McClain to approve the agenda for the regular January 24, 2005 meeting as presented.

Roll call: Ader, aye; McClain, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

DECEMBER 2004 EMPLOYEE OF THE MONTH RESOLUTION

Mrs. McClain moved seconded by Mr. Guthrie to approve a resolution naming Dawn Terzis as "Employee of the Month" for December, 2004.

Roll call: McClain, aye; Guthrie, aye; Fraker, aye; Ader, aye; Hayes, aye. Motion carried.

APPROVAL OF MINUTES

Mr. Ader moved seconded by Mr. Guthrie to approve the minutes of the Regular December 13, 2004, and January 10, 2005 Organizational meetings as presented.

Roll call: Ader, aye; Guthrie, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

TREASURER'S FINANCIAL REPORT

Mr. Guthrie moved seconded by Mrs. McClain to approve the following:

December Expenditures

December Financial Statements

Audit/Finance Committee Report

5-Year Forecast Update **(Refer to 2004-05 Supplemental Minutes, Item #21, 1/24/05)**

Permanent FY-04 Appropriations Updated and Modified **(Refer to 2004-05 Supplemental Minutes, Item #22, 1/24/05)**

Set-Up "Close Up Washington" Student Activity Fund **(Refer to 2004-05 Supplemental Minutes, Item #23, 1/24/05)**

Issuance and Sale of School Energy Conservation Improvement Notes **(Refer to 2004-05 Supplemental Minutes, Item #24, 1/24/05)**

CERTIFICATE OF MEMBERSHIP

The undersigned, Treasurer of the Board of Education of the Marysville Exempted Village School District, County of Union, Ohio, hereby certifies that the following were the officers and members of the Board of Education during the period proceedings were taken authorizing the issuance of not to exceed \$1,000,000 School Energy Conservation Improvement Bond Anticipation Notes:

PRESIDENT	<u>Mr. Fraker</u>
MEMBER	<u>Mr. Hayes</u>
MEMBER	<u>Mrs. McClain</u>
MEMBER	<u>Mr. Ader</u>
MEMBER	<u>Mr. Guthrie</u>
TREASURER	<u>Ms. Cramer</u>

Treasurer

CERTIFICATE

The undersigned, Treasurer of said Board of Education, hereby certifies that the following constitutes a true and complete transcript of the proceedings authorizing the issuance of the above-identified Obligation.

Treasurer

MARYSVILLE EXEMPTED VILLAGE SCHOOL DISTRICT
Marysville, Ohio

The Board of Education of the Marysville Exempted Village School District, County of Union, Ohio, met in Regular Session at 7:00 p.m. on the 24th day of January, 2004, at 1000 Edgewood Drive, Marysville, Ohio, with the following Members present:

Mr. Guthrie
Mr. Fraker
Mrs. McClain
Mr. Ader
Mr. Hayes

Mr. Guthrie made a motion to adopt the following
Resolution:

RESOLUTION NO. 5-01

A RESOLUTION PURSUANT TO SECTION
133.06(G) OF THE OHIO REVISED CODE
AUTHORIZING THE ISSUANCE OF NOT TO
EXCEED \$1,000,000 OF SCHOOL ENERGY
CONSERVATION BOND ANTICIPATION
NOTES TO PAY THE COST OF ENERGY
CONSERVATION MEASURES IN THE
SCHOOL DISTRICT

WHEREAS, this Board of Education (the "Board") of the Marysville Exempted Village School District (the "District") has contracted with an architect, professional engineer, or other person experienced in the design and implementation of energy conservation measures for an analysis pertaining to installations, modifications of installations, or remodeling that would significantly reduce energy consumption in the buildings of the school district; and

WHEREAS, such report included estimates of all costs of such installation, modifications, or remodeling including costs of design, engineering, installation, maintenance, repairs and debt service, and estimates of the amounts by which energy consumption and resultant operational and maintenance costs, as defined by the Ohio School Facilities Commission (the "Commission") would be reduced; and

WHEREAS, the Board has found after receiving the report that the amount of money the District would spend on such installations, modifications, or remodeling is not likely to exceed the amount of money it would save in energy and resultant operational

and maintenance costs over the ensuing fifteen (15) years, which such period is certified as being the maximum maturity of the obligations issued hereunder; and

WHEREAS, the Board intends to submit to the Department of Education of the State of Ohio (the "DOE") a copy of its findings and request for approval to incur indebtedness to finance the purchase and installation of such energy conservation measures for the purpose of significantly reducing energy consumption; and

WHEREAS, the DOE is expected to determine that the Board's findings are reasonable and the DOE is expected to approve the Board's request for approval to incur indebtedness to finance such energy conservation measures; and

WHEREAS, the Treasurer of the Board has estimated that the life of the improvements to be acquired and installed with the proceeds of the notes hereinafter referred to is at least five (5) years, and has certified that the useful life of the improvements and the maximum maturity of the bond anticipation notes is fifteen (15) years; and

WHEREAS, the Board has deemed it to be in the best interests of the District, pursuant to Section 133.06 of the Ohio Revised Code, to incur indebtedness without a vote of the people in an amount not to exceed nine-tenths of one per cent (9/10ths of 1%) of the total value of all property in the District as listed and assessed for taxation for the purpose of making such installations, or modifications, or remodeling, provided that the total net indebtedness without a vote of the people under said provisions and all other sections of the Ohio Revised Code shall never exceed one per cent (1%) of the total value of all property in the District as listed and assessed for taxation; and

NOW THEREFORE BE IT RESOLVED by the Board of Education of the Marysville Exempted Village School District (the "District"), County of Union, Ohio:

SECTION 1. That it is necessary to issue and sell the bonds of the District in the principal sum of not to exceed \$1,000,000 pursuant to Section 133.06(G) of the Ohio Revised Code for the purpose of purchasing and installing energy conservation measures in the District.

SECTION 2. That the bonds of this Board shall be issued in said principal sum for the above-described permanent improvements under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Ohio Revised Code. Said bonds shall be dated approximately January 1, 2006, shall bear interest at the rate now estimated at five and one-half per centum (5.50%) per annum, and shall mature over a period of not to exceed fifteen (15) years.

SECTION 3. That notes of this Board shall be issued in anticipation of the issuance of said bonds in the principal sum of not to exceed \$1,000,000, which does not exceed the amount of bonds to be issued for the purposes aforesaid, under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Ohio Revised Code. The notes shall be dated their date of issuance, and shall bear interest at a rate of interest not to exceed four per centum (4.0%) per annum, with such interest rate to be determined by the Treasurer of this Board. The notes shall be payable at maturity and shall mature on or before one year from their date of issuance, and shall be of such number and denomination as requested by the purchaser, provided the denomination is \$5,000 or an integral multiple thereof.

SECTION 4. That for purposes of this resolution, the following terms shall have the following meanings:

“Book entry form” or “book entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the notes may be transferred only through a book entry, and (ii) physical note certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with the notes “immobilized” to the custody of the Depository, and the book entry maintained by others than this board of education is the record that identifies the owners of beneficial interests in those notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in notes or principal and interest, and to effect transfers of notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

“Resolution” means this resolution.

All or any portion of the notes may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such notes, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such notes: (i) there shall be a single note of each maturity; (ii) those notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of notes in book entry form shall have no right to receive notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this board of education. Debt service charges on notes in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this board of education’s agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of notes as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this board of education, enter into an agreement with the beneficial owner or registered owner of any note in the custody of a Depository providing for making all payments to that owner of principal and interest on that note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the note, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this board of education. That payment in any event shall be made to the person who is the registered owner of that note on the date that

principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the notes and to this board of education. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The Treasurer is authorized and directed without further action of this board of education to execute, acknowledge and deliver, in the name of and on behalf of this board of education, a blanket letter agreement between this board of education and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of the notes to the Depository for use in a book entry system, and to take all other actions the Treasurer deems appropriate in issuing the notes under a book entry system.

If any Depository determines not to continue to act as Depository for the notes for use in a book entry system, this board of education and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this board of education and the Paying Agent and Registrar do not or are unable to do so, this board of education and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the notes from the Depository and authenticate and deliver note certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive notes), if the event is not the result of action or inaction by this board of education or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 5. That the notes shall specify on their faces the purpose for which they are issued and that they are issued in pursuance of this resolution and under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Ohio Revised Code. They shall be signed by the President and Treasurer of this Board, shall be designated "School Energy Conservation Improvement Bond Anticipation Notes" and shall be payable in lawful money of the United States of America at the office of the bank or trust company selected by the Treasurer to serve as paying agent for the notes.

SECTION 6. That the notes shall be sold, at not less than ninety-seven percent of par, to Fifth Third Securities, Inc., Columbus, Ohio (the "Purchaser"). The Treasurer of this Board is hereby authorized to execute a certificate awarding the notes at the interest rate stated thereon, subject to the limitations stated herein. The proceeds from the sale of the notes, except any premium or accrued interest thereon, shall be used for the purpose aforesaid, and for no other purpose.

SECTION 7. That the notes shall be the full general obligation of the Board, and the full faith, credit and revenue of the Board are hereby pledged for the prompt payment of the same. Any excess fund resulting from the issuance of the notes shall, to the extent necessary, be used only for the retirement of the notes at maturity, together with interest thereon and is hereby pledged for such purpose.

SECTION 8. That during the period while the notes run there shall be levied upon all of the taxable property in the District in addition to all other taxes, a direct tax

annually not less than that which would have been levied if bonds had been issued without the prior issue of said notes; provided, however, that in each year to the extent that revenues from other sources are available for the payment of the notes and are appropriated for such purpose (such as energy savings), the amount of such tax shall be reduced by the amount of such revenues so available and appropriated.

SECTION 9. That said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof.

The funds derived from said tax levy hereby required or from the other described sources shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the principal and interest on the notes and the bonds in anticipation of which they are issued, when and as the same fall due.

SECTION 10. That the Board hereby covenants that it will restrict the use of the proceeds of the notes hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will to the extent possible, comply with all other applicable provisions of the notes, including any expenditure requirements, investment limitations, rebate requirements or use limitations. The Treasurer of the Board is authorized and directed to give an appropriate certificate on behalf of the Board on the date of delivery of the notes for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and regulations thereunder.

SECTION 11. That the Treasurer of the Board is hereby directed to forward a certified copy of this Resolution to the County Auditor.

SECTION 12. 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 the 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 Revised Code of Ohio.

Mrs. McClain _____ seconded the motion, and roll being called upon the question of adoption of the Resolution, the vote resulted as follows:

AYE: Mr. Guthrie, Mrs. McClain, Mr. Fraker, Mr. Ader and Mr. Hayes

NAY:

ADOPTED this 24th day of January, 2005.

Treasurer

53517

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 24th day of January, 2005, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

The undersigned further certifies that a true and correct copy of said resolution was filed with the county auditor of Union County, Ohio on the 24th day of January, 2005.

Treasurer

(i) RECEIPT

The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing resolution.

County Auditor, Union County, Ohio

Dated: January __, 2005

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CERTIFICATE AS TO MAXIMUM MATURITY OF BONDS

The undersigned, being the fiscal officer of the Board of Education of the Marysville Exempted Village School District, County of Union, Ohio within the meaning of Section 133.01 of the Revised Code of Ohio, hereby certifies that the estimated life of the project financed with the proceeds of the sale of not to exceed \$1,000,000 of bond anticipation notes, for the purpose of energy conservation measures, is at least five (5) years and that the useful life of the improvements and the maximum maturity of said bond anticipation notes is fifteen (15) years as calculated to pursuant to Section 133.20 of the Revised Code of Ohio. The maximum maturity of bonds is also fifteen (15) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of January, 2005.

Treasurer,
Marysville Exempted Village School District

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Roll call: Guthrie, aye; McClain, aye; Fraker, aye; Ader, aye; Hayes, aye. Motion carried.

LEAVES OF ABSENCE

Mr. Ader moved seconded by Mr. Guthrie to approve unpaid leaves of absence.

- (a): Approval of an unpaid leave of absence extending beyond her accumulated sick leave to Cindy Teske, anticipated effective dates of April 11 through May 27, 2005.
- (b): Approval of an unpaid leave of absence extending beyond her accumulated sick leave to Melissa Penhorwood, anticipated effective dates of April 13 through June 7, 2005.
- (c): Approval of an unpaid leave of absence extending beyond her accumulated sick leave to Dannielle Taylor, anticipated effective dates of May 6 through June 6, 2005.

Roll call: Ader, aye; Guthrie, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

STAFF RESIGNATION

Mr. Guthrie moved seconded by Mr. Ader to accept the resignation of Roger Gilkerson, as bus driver, effective January 25, 2005.

Roll call: Guthrie, aye; Ader, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

EMPLOYMENT OF DISTRICT STAFF

Mrs. McClain moved seconded by Mr. Ader to employ the following candidates. Employment is expressly conditioned upon receipt of the employee's BCI report and will be immediately terminated without resort to Ohio Revised Code Section 3319.16 should such report indicate a prohibited conviction.

- (a): Approval to employ Josie Anspach as Health Consultant - RN under a one-year limited contract, effective January 24, 2005.
- (b): Approval to employ Darla Lewis as Latchkey staff, on an as-need basis, effective December 1, 2004.
- (c): Approval to employ Shannon Goode as Latchkey staff, on an as-need basis, effective December 1, 2004.

Roll call: McClain, aye; Ader, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

EMPLOYMENT OF DISTRICT SUBSTITUTES/HOME INSTRUCTORS

Mr. Hayes moved seconded by Mrs. McClain to employ the following as substitutes/home instructors during the 2004-05 school year, on a need basis. Employment is expressly conditioned upon receipt of the employee's BCI report and will be immediately terminated without resort to Ohio Revised Code Section 3319.16 should such report indicate a prohibited conviction.

Teacher: Jeffrey Anderson, Brenda Buffington, Pamela Gibson, Erica Hill, Sara Knox, Shari Moffett, Michael Palumbo

Home Instructors: Kay Bishop, Stacy Boster, Judi Green, Candy Parke

Classified: Lynnette Focht

Roll call: Hayes, aye; McClain, aye; Fraker, aye; Ader, aye; Guthrie, aye. Motion carried.

DISTRICT VOLUNTEERS

Mr. Ader moved seconded by Mr. Guthrie to recognize the following as volunteers. We recognize volunteers so they can be covered under our liability insurance.

Karen Murphy	Special Olympics Basketball
Cynthia Howell	Special Olympics Basketball
Lois Kursey	Special Olympics Basketball
Paul Whiteford	Special Olympics Basketball

Tamara Basi	Special Olympics Basketball
Melissa Thornhill	Special Olympics Basketball
Melissa & David Cook	Special Olympics Basketball
Matthew & Ernestine Marsh	Special Olympics Basketball
Laurie & Harold Parsley	Special Olympics Basketball
Sheree Newton	Special Olympics Basketball
Sherman & Val White	Special Olympics Basketball

Roll call: Ader, aye; Guthrie, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

2005-06 SCHOOL CALENDAR

Mrs. McClain moved seconded by Mr. Ader to approve the 2005-06 school calendar. The calendar presented was selected by a majority of our staff members. **(Refer to 2004-05 Supplemental Minutes, Item #25, 1/24/05)**

Roll call: McClain, aye; Ader, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

APPOINTMENT OF LIBRARY BOARD MEMBER

Mrs. McClain moved seconded by Mr. Ader to appoint Sue Irwin to a seven-year term on the Marysville Public Library Board of Trustees, effective February 2005. All library board members are appointed by the public school Board of Education as prescribed in the Ohio Revised Code.

Roll call: McClain, aye; Ader, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

STUDENT TO TRANSFER SCHOOL OF ATTENDANCE

Mr. Guthrie moved seconded by Mr. Ader to allow Jacob Bowersmith to enroll at Marysville High School on a tuition-basis. Jacob Bowersmith currently resides in the Fairbanks Local School District.

Roll call: Guthrie, aye; Ader, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

RAYMOND ACTION ITEMS

Mrs. McClain moved seconded by Mr. Ader to approve Jennifer Biddinger as Raymond Elementary volunteer effective the 2004-05 school year.

Roll call: McClain, aye; Ader, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

CREEKVIEW ACTION ITEMS

Mr. Ader moved seconded by Mrs. McClain to approve the Creekview Jump Rope for Heart event.

Roll call: Ader, aye; McClain, aye; Fraker, aye; Guthrie, aye; Hayes, aye. Motion carried.

MARYSVILLE MIDDLE SCHOOL ACTION ITEMS

Mr. Guthrie moved seconded by Mr. Ader to approve the 8th Grade Choir to participate in the Fairfield Jr. Crystal Classic choral competition in Fairfield, Ohio, on March 11, 2005.

Roll call: Guthrie, aye; Ader, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.

EXECUTIVE SESSION TO DISCUSS PERSONNEL

Mr. Ader moved seconded by Mr. Hayes to move into Executive Session to discuss personnel.

Roll call: Ader, aye; Hayes, aye; Fraker, aye; Guthrie, aye; McClain, aye. Motion carried.

Executive Session began at 8:30 p.m. with the Board and Superintendent.

The Board and Superintendent returned from Executive Session at 9:35 p.m. after having discussed personnel.

ADJOURNMENT

Mr. Ader moved seconded by Mr. Guthrie to adjourn at 9:35 p.m.

Roll call: Ader, aye; Guthrie, aye; Fraker, aye; Hayes, aye; McClain, aye. Motion carried.