

## **REGULAR MEETING JUNE 27, 2011**

The Marysville Exempted Village Board of Education met on the above date with the following members present: Jeffrey Mabee, Tracy Greer, Roy Fraker, John Freudenberg and Doug Lassiter.

### **CALL TO ORDER**

President Jeffrey Mabee called the June 27, 2011 meeting to order at 7:00 p.m.

### **PLEDGE OF ALLEGIANCE**

Mr. Mabee led the Pledge of Allegiance.

### **ADOPT THE AGENDA**

Mr. Mabee moved, seconded by Mr. Freudenberg to adopt the agenda, for the regular June 27, 2011 meeting.

**Roll call: Mabee, aye; Freudenberg, aye; Greer, aye; Fraker, aye; Lassiter, aye. Motion passed 5-0.**

### **VISITORS**

Mr. Lassiter gave an Ohio Hi-Point report.

Mrs. Greer gave a report on current laws.

Public Participation:

Cathy Alder, 1757 Creekview Drive Marysville, OH; spoke in support of the Marysville Education Association's stance on reductions and contract extensions.

### **MINUTES**

Mr. Lassiter moved, seconded by Mrs. Greer to approve the May 23, 2011, regular meeting minutes as submitted by Cynthia Ritter, Treasurer/CFO.

**Roll call: Lassiter, aye; Greer, aye; Mabee, aye; Freudenberg, aye; Fraker, aye. Motion passed 5-0.**

### **ITEMS SUBMITTED BY THE TREASURER/CFO**

Mr. Mabee moved, seconded by Mrs. Greer to approve items submitted by the Treasurer/CFO.

a) May 2011 Expenditures

General Fund	\$ 4,519,444.39
Permanent Improvement	\$ 425,236.31
Construction	\$0.00
Food Service	\$ 174,058.05
All Other Funds	\$ 4,896,868.21

b) Financial Statements for May 2011

Financial Summary	(listing of all cash accounts and balances)
Checkpy	(listing of all checks issued for the month)
SM2	(revenues and expenditures for operating funds by category) Includes budgeted vs. actual both revenue and expense
Balance Sheet	(balancing of funds to bank balances)

c) Approve Temporary Appropriations **(Refer to 2010-11 Supplemental Minutes, Item #39, 06/27/11)**

d) Approve Changes to Certificate of Est. Resources and Final Appropriation **(Refer to 2010-11 Supplemental Minutes, Item #40, 06/27/11)**

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

**EXECUTIVE SESSION TO DISCUSS PERSONNEL**

Mr. Mabee moved, seconded by Mrs. Greer to enter into Executive Session at 8:10 p.m. to discuss personnel.

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0**

The Board of Education returned from Executive Session at 9:05 p.m.

**APPROVE STUDENT INSURANCE VENDOR**

Mr. Lassiter moved, seconded by Mrs. Greer to approve N. Carol Insurance Agency, Inc. for Student Accident and Health Insurance for the 2011-12 school year. N. Carol Insurance Agency will provide Student Accident and Health Insurance to those wishing to purchase coverage. The District pays no premium.

**Roll call: Lassiter, aye; Greer, aye; Mabee, aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

**OSBA SERVICES AGREEMENT**

Mr. Mabee moved, seconded by Mr. Fraker to approve N. Carol Insurance Agency, Inc. for Student Accident and Health Insurance for the 2011-12 school year. N. Carol Insurance Agency

will provide Student Accident and Health Insurance to those wishing to purchase coverage. The District pays no premium. [Refer to 2010-11 Supplemental Minutes, Item #41, 06/27/11](#)

**Roll call: Mabee, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye; Greer, nay. Motion passed 4-1.**

### **FLEET, PROPERTY AND GENERAL LIABILITY INSURANCE**

Mr. Freudenberg moved, seconded by Mrs. Greer to approve Trident/Argonaut Insurance (Huntington Insurance Agency) for fleet, property, and general liability insurance in the amount of \$106,825.00 for the time period of July 1, 2011 through June 30, 2012. The insurance rates quoted by Huntington Insurance Agency are extended for the next three years if a District loss ratio is maintained at 25% or less. [Refer to 2010-11 Supplemental Minutes, Item #42, 06/27/11](#)

**Roll call: Freudenberg, aye; Greer, aye; Mabee, aye; Fraker, aye; Lassiter, aye. Motion passed 5-0.**

### **APPROVE SETTLEMENT OF PENDING LEGAL MATTER**

Mr. Mabee moved, seconded by Mr. Lassiter to approve the Resolution for full and final settlement of pending legal matter involving Frost & Co., dba Dick Nagel Electric, Inc. & Ohio Farmers (subject to legal counsel's review of legal document and of a written settlement agreements and signed by the Board President, Treasurer and Superintendent). [Refer to 2010-11 Supplemental Minutes, Item #43, 06/27/11. Resolution #11-09](#)

### **RESOLUTION # 11-09**

**WHEREAS**, the Board entered into a certain contract with Frost & Co., Inc., dba Dick Nagel Electric, Inc. ("Nagel") dated on or about January 30, 2007 (the "Contract") whereby Nagel agreed to perform certain electrical services for the Board at the Bunsold Building (the "Site"); and

**WHEREAS**, Nagel defaulted on its Contract with the Board in its failure to timely pay its subcontractors and material suppliers, which resulted in numerous claims, liens, and at least one lawsuit being filed against the Board; and

**WHEREAS**, Nagel also failed to complete performance under the Contract by the contractually required substantial completion date; and

**WHEREAS**, as a result of these and other defaults, the Board has incurred substantial expenses, including, but not limited to additional fees owing to its construction manager, its architect, and the Board has also incurred attorney's fees, none of which fees and expenses would have been incurred had Nagel performed on the parties' Contract; and

**WHEREAS**, the Contract has a provision for the recovery of liquidated damages in the event Nagel defaulted on the Contract; and

**WHEREAS**, the Board, with the assistance of its legal counsel, made a claim against Nagel and its bonding company, to-wit: Ohio Farmers Insurance Company (“Ohio Farmers”), seeking the recovery of the Board’s damages as a result of Nagel’s breach of its Contract with the Board; and

**WHEREAS**, Nagel and Ohio Farmers have disputed the Board’s claims against Nagel and Ohio Farmers; and

**WHEREAS**, Nagel and Ohio Farmers have collectively offered to the Board a full and final settlement of the Board’s existing claims against Nagel and Ohio Farmers; and

**WHEREAS**, the contemplated settlement as referenced hereinabove has received the recommendation of the Board’s legal counsel; and

**WHEREAS**, upon recommendation of legal counsel, the Board believes that it is in the best interest of the Board and the School District to approve of the contemplated settlement; and

**BE IT THEREFORE RESOLVED**, that the Board hereby approves of the contemplated settlement, which includes the payment to the Board of the full and final settlement of the Board’s existing claims against Nagel and Ohio Farmers, subject however, to the Board’s legal counsel’s review and approval of a written Settlement Agreement, which Settlement Agreement shall be reviewed and signed by the Board President, Treasurer, and the Superintendent; and

**BE IT FURTHER RESOLVED**, that the Board hereby authorizes the Board President, Treasurer, Superintendent, and its attorneys to take those actions and to sign those documents deemed necessary to complete the contemplated settlement as aforesaid.

**Roll call: Mabee, aye; Lassiter, aye; Greer, aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

### **2011-2012 MIDDLE SCHOOL STUDENT INSTRUCTIONAL/SCHOOL FEES**

Mr. Freudenberg moved, seconded by Mrs. Greer to approve the 2011-2012 Instructional/School Fees for the district’s seventh and eighth grades. Student fees are designed to cover the cost of consumable materials used in the schools as allowed in Section 3313.642 of the Ohio Revised Code. **[\(Refer to 2010-11 Supplemental Minutes, Item #44, 06/27/11\)](#)**

**Roll call: Freudenberg, aye; Greer, aye; Mabee, aye; Fraker, aye; Lassiter, aye. Motion passed 5-0.**

### **2011-2012 SCHOOL HANDBOOKS**

Mrs. Greer moved, seconded by Mr. Mabee to approve the 2011-2012 Intermediate School Student Handbook and the High School Parent/Student Handbook. Notable change to the

Intermediate School Handbook is the included Gifted Criteria. There are no notable changes to the High School Handbook. **(Refer to 2010-11 Supplemental Minutes, Item #45, 06/27/11)**

**Roll call: Greer, aye; Mabee, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

### **STAFF RESIGNATIONS**

Mr. Mabee moved, seconded by Mrs. Greer to accept the following staff resignations.

- a) The resignation of Jessica Poland as Reading Specialist, effective the end of the 2010-2011 school year.
- b) The resignation of Judy Petkevicius as SACC Team Leader, effective June 15, 2011.
- c) The resignation of Wade Dewitt as SACC Staff, effective June 17, 2011.
- d) The resignation of Megan Sheffield as Teacher at Creekview, effective the end of the 2010-2011 school year.

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

### **EMPLOY DISTRICT STAFF**

Mr. Fraker moved, seconded by Mrs. Greer to approve the following individuals for a one-year limited contract for the 2011-12 school year. Any contracts filling in for a leave of absence shall be automatically non-renewed. ***\*\*Contingent upon verification of teaching experience and education.***

- a) Joshua White  
Custodian at Bunsold – Replace  
Step 0 - \$14.87 per hour  
Effective 7/1/11
- b) Barbara Patterson  
Social Worker at MHS  
Step 5 - \$41,724.00  
Effective 8/18/11
- c) Ryckalene Sule  
Intervention Specialist at Creekview – Replace  
MA - Step 3 - \$42,676.00  
Effective 8/18/11
- d) Jena Leber  
Intervention Specialist at Bunsold- Replace  
BA/150 – Step 1 - \$37,313.00  
Effective 8/18/11

- e) Michelle Kaffenbarger  
Assistant Principal at Bunsold Middle School – Replace  
\$84,117.00 – 3 year contract  
Effective 8/1/11
- f) Sean Saffell  
Math Teacher at Marysville High School – Replace  
BA – Step 3 - \$37,708.00  
Effective 8/18/11
- g) Terri McKenzie  
FCS Teacher at Marysville High School – Replace  
MA – Step 4 - \$44,287.00  
Effective 8/18/11
- h) Joseph Bline  
Athletic Director – Replace  
\$79,000.00 – 2 year contract  
Effective- TBD/August
- i) Employ Deborah Streng as Auxiliary Secretary at Trinity Lutheran School for the 2011-2012 school year and paid for by Auxiliary Funds. This approval is pending receipt of 2011-2012 funds.
- j) Employ Nancy Schrock as Auxiliary Tutor at Trinity Lutheran School for the 2011-2012 school year and paid for by Auxiliary Funds. This approval is pending receipt of 2011-2012 funds.
- k) Employ Nancy Schrock as Title 1 Tutor at Trinity Lutheran School for the 2011-2012 school year and paid for by Title 1 funds. This approval is pending receipt of 2011-2012 funds.
- l) Employ Melissa Vollrath as Title 1 Tutor at St. John’s Lutheran School for the 2011-2012 school year and paid for by Title 1 funds. This approval is pending receipt of 2011-2012 funds.
- m) Employ John Merriman as Attendance Officer for the 2011-2012 school year.
- n) Employ Maria DeMatteo as ESL Tutor for the 2011-2012 school year.
- o) Employ Michael Leininger as Technology Coordinator for the 2011-2012 school year.

**Roll call: Fraker, aye; Greer, aye; Mabee aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

### **EMPLOY SUMMER SCHOOL STAFF**

Mr. Mabee moved, seconded by Mr. Freudenberg to employ, on as-needed basis, the following as Summer School staff for 2010-2011.

#### **High School:**

Amber Powers –OGT Math Intervention Class Teacher and Math Test Proctor  
Craig Conley- Substitute  
Mary Ann Corbin- Business Teacher  
Linda Curry- Business Teacher  
Aaron Peitsmeyer- Business Teacher  
Ricki Schultz- Social Studies Teacher

#### **Autism Program:**

Anne Annan- Substitute

**Roll call: Mabee, aye; Freudenberg, aye; Greer aye; Fraker, aye; Lassiter, aye. Motion passed 5-0.**

### **EMPLOY SEASONAL SUMMER STAFF**

Mrs. Greer moved, seconded by Mr. Lassiter to employ, on as-needed basis, the following as Seasonal Summer staff for 2010-2011.

Adam Lotycz- Maintenance/Grounds  
Colleen Bradley- Maintenance/Painting

**Roll call: Greer, aye; Lassiter, aye; Mabee aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

### **DISTRICT SUBSTITUTES/HOME INSTRUCTORS**

Mr. Mabee moved, seconded by Mrs. Greer to employ the following substitutes/home instructors during the 2011-2012 school year, on an as-needed basis. Employment is expressly conditioned upon receipt of the employee's BCI report, and completion of the declaration required by Ohio Revised Code Section 2909.34, and will be immediately terminated without resort to Ohio Revised Code Section 3319.16 should such report indicate a prohibited conviction or unsatisfactory completion of the declaration.

#### **Classified:**

Rebecca McComas

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

**REINSTATE CONTRACT**

Mr. Freudenberg moved, seconded by Mr. Fraker to reinstate the contract of Tina Garrison, Teacher, previously suspended on April 25, 2011. Reinstatement is due to increase in number of pupils at the Kindergarten level and resignation of Reading Teacher at Edgewood.

**Roll call: Freudenberg, aye; Fraker, aye; Mabee, aye; Greer, aye; Lassiter, aye. Motion passed 5-0.**

**CONTRACT**

Mrs. Greer moved, seconded by Mr. Lassiter to approve the following contract.

Catherine L. Wright Service Contract: Contract with Catherine L. Wright PT, to provide Physical Therapy Services during the 2011-2012 school year.

**Roll call: Greer, aye; Lassiter, aye; Mabee, aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

**STUDENT TEACHERS**

Mr. Mabee moved, seconded by Mrs. Greer to approve the following as student teachers.

For 2010-2011 school year-

Autism Summer School: Amanda Wiley, Student Teacher from Mount Vernon Nazarene College. Amanda will be working in the Summer Autism program.

For 2011-2012 school year-

Creekview: Gabrielle Wilson, Field Placement from Ashland University. Gabrielle will be working cooperatively with CIS Intervention Specialist teacher, Ms. Kara Lee.

High School: Chelsea Sheldon, Early Field Experience in Business from Ashland University.  
Amanda Green, Early Field Experience in Special Education from Ashland University.  
Heather Bise, Early Field Experience in English from Ashland University.  
Holly Weller, Early Field Experience in Math from Ashland University.  
Alexander Boyer, Early Field Experience in Social Studies from Ashland University.

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

**DISTRICT VOLUNTEERS**

Mr. Mabee moved, seconded by Mrs. Greer to recognize the following as volunteers during the 2011-2012 school year. We recognize volunteers so they can be covered under our liability insurance.

**Bunsold MS**

Chaperones:

Gene Collins

Terry Gallegos

John Harris

Stephanie Evans

Bob Gruenwald

Josh Howell

Jon Gallegos

Debbie Guthrie

Robyn Jasper



Barbara Johnson  
Gini Thomas

Tammy Penhorwood  
Julie VanHoose

Thomas Sullivan  
Mike Warner

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

### **DONATIONS TO DISTRICT**

Mr. Fraker moved, seconded by Mr. Freudenberg to accept the following donations.

Edgewood 3- Smart Boards (\$10,794.00 value) from the Edgewood PTO.

Northwood 800 Pencils and 750 Folders (\$1,209.00 value) from Libertas Wealth Management Group, Inc.

**Roll call: Fraker, aye; Freudenberg, aye; Mabee, aye; Greer, aye; Lassiter, aye. Motion passed 5-0.**

### **FINANCE COMMITTEE REPORT**

**ACCEPT APPROXIMATELY \$153,000 OF ADDITIONAL REDUCTIONS AND \$153,000 OF ADDITIONAL FEES TO ASSIST WITH BALANCING DISTRICT'S BUDGET. THESE ARE ADDITIONAL TO APPROXIMATELY \$1 MILLION ALREADY REDUCED BY ABSORBING STAFF POSITIONS FOLLOWING RETIREMENTS.**

Mrs. Greer moved, seconded by Mr. Mabee to approve the following reduction:

- a) Recommend an additional \$50.00 pay-to-participate fee for HS and MS.

**Roll call: Greer nay; Mabee, aye; Fraker, aye; Freudenberg, aye; Lassiter, nay. Motion passed 3-2.**

Mr. Mabee moved, seconded by Mr. Lassiter to approve the following reductions:

- b) Recommend the reduction of 16 High School and 8 Middle School coaching/activity positions.
- c) Recommend reduction of approximately 30% of extended time contracts.
- d) Recommend reduction of approximately 30% of summer workers.
- e) Recommend Food Service supporting % of custodial help used during lunch periods.
- f) Recommend \$10 MS and \$30 HS Student Government fee.

**Roll call: Mabee, aye; Lassiter, aye; Greer, aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

**ACCEPT MARYSVILLE EDUCATION ASSOCIATION CONTRACT**

Mr. Mabee moved, seconded by Mr. Lassiter to table the recommendation to accept the agreement with the Marysville Education Association to extend the contract through December 31, 2012 and to forego scheduled one-percent pay increase with the salary schedule being the same as the 2010-2011 school year and to forego scheduled step increases for the school years of 2011-2012 and 2012-2013.

**Roll call: Mabee, aye; Lassiter aye; Fraker, aye; Freudenberg, nay; Greer, aye. Motion passed 4-1.**

**ACCEPT FREEZE OF CLASSIFIED AND ADMINISTRATOR STEPS AND SALARY SCHEDULES**

Mrs. Greer moved, seconded by Mr. Mabee to table the recommendation to approve to freeze the steps and salary of the classified and administrator schedules for the 2011-2012 and 2012-2013 school years at the 2010-2011 levels.

**Roll call: Greer, aye; Mabee, aye; Lassiter, aye; Fraker, aye; Freudenberg, aye. Motion passed 5-0.**

**ADJOURN**

Mr. Mabee moved, seconded by Mrs. Greer to adjourn at 9:40 p.m.

**Roll call: Mabee, aye; Greer, aye; Fraker, aye; Freudenberg, aye; Lassiter, aye. Motion passed 5-0.**

These minutes are hereby approved this 25<sup>th</sup> day of July, 2011.

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Jeffrey Mabee, President

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Cynthia J. Ritter, Treasurer/CFO