

REGULAR MEETING FEBRUARY 26, 2007

The Marysville Exempted Village Board of Education met on the above date with the following members present: Roy Fraker, Jeffrey Mabee, William Hayes, Thomas Brower, and Scott Johnson.

ADOPT THE AGENDA

Mr. Hayes moved seconded by Mr. Brower to approve the agenda with addenda for the regular February 26, 2007, meeting as presented.

Roll call: Hayes, aye; Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion carried.

JANUARY 2007 EMPLOYEE OF THE MONTH RESOLUTION

Mr. Brower moved seconded by Mr. Mabee to approve a resolution naming Phyllis Simpson as "Employee of the Month" for January, 2007.

Roll call: Brower, aye; Mabee, aye; Fraker, aye; Hayes, aye; Johnson, aye. Motion carried.

APPROVAL OF MINUTES

Mr. Mabee moved seconded by Mr. Johnson to approve the minutes of the January 29, 2007, special meeting as presented.

Roll call: Mabee, aye; Johnson, aye; Fraker, aye; Brower, aye; Hayes, aye. Motion carried.

TREASURER'S FINANCIAL REPORT

Mr. Johnson moved seconded by Mr. Mabee to approve the following:

January Expenditures
January Financial Statements
Audit/Finance Committee Report
Five-Year Forecast Update
Permanent FY07 Appropriations as Modified. **(Refer to 2006-07 Supplemental Minutes, Item #40, 2/26/07)**

Roll call: Johnson, aye; Mabee, aye; Fraker, aye; Brower, aye; Hayes, aye. Motion carried.

LEAVES OF ABSENCE

Mr. Fraker moved seconded by Mr. Hayes to approve unpaid leaves of absence.

- a. Unpaid leave of absence to Lisa Cotner, anticipated effective dates of May 3-14, 2007.
- b. Unpaid leave of absence to Abigail Helmuth, anticipated effective dates of April 16 through June 1, 2007.

Roll call: Fraker, aye; Hayes, aye; Mabee, aye; Brower, aye; Johnson, aye. Motion carried.

ADDITIONAL SALARY CATEGORY

Mr. Brower moved seconded by Mr. Johnson to add the salary classification of Food Service Support to the Substitute and Other Hourly Rate salary schedule, effective March 5, 2007.

Roll call: Brower, aye; Johnson, aye; Fraker, aye; Mabee, aye; Hayes, aye. Motion carried.

EMPLOY DISTRICT STAFF

Mr. Hayes moved seconded by Mr. Brower to employ district staff. 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.

- a. Award a three-year limited administrator contract (260 days) to Matthew Chrispin as Principal, effective August 1, 2007.
- b. Employ Ann Leonard as cashier, under a one-year limited contract, effective January 31, 2007.
- c. Employ the below named individuals as Food Service Support staff during the 2006-07 school year, on an as-needed basis.

Ann Anderson
Christine Fischer
Jackie Stanford
Ann Musto
Robin Wright

Becky Blankenship
Adrienne Gwilliams
Linda Shilling
Melissa Johnson
Connie Nichols

Mary Feurer
Bethany McAdow
Marcia Rausch
Nicky Shumway

- d. Employ Jeff Gafford as a teacher, under a one-year limited contract, effective with the 2007-08 school year.

Roll call: Hayes, aye; Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion carried.

EMPLOY DISTRICT SUBSTITUTES/HOME INSTRUCTORS

Mr. Mabee moved seconded by Mr. Johnson to employ district substitutes/home instructors during the 2006-07 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.

<u>Certified:</u>	Crystal Canfield Angela Lenhart Lisa Spyker	Valerie Fuller Chris Pope	Sharon Kennedy Shari Rice
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<u>Classified:</u>	April Grubb Carol Smith	Suzanne McGill Delores Wootchie	Brenda Schlecht Lisa Phillips
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Roll call: Mabee, aye; Johnson, aye; Fraker, aye; Brower, aye; Hayes, aye. Motion carried.

AWARD SUPPLEMENTAL CONTRACTS

Mr. Brower moved seconded by Mr. Mabee to employ certificated and non-certificated individuals in supplemental positions for the 2006-07 school year, on an as-need basis. Each recommendation is being made in accordance with Section 3315.53 of the Ohio Revised Code and Chapter 3301-27 of the Ohio Administrative Code.

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. Employment is also contingent upon completion of CPR training and Sports Medicine as required by the State of Ohio.

<u>Staff</u>	<u>Position</u>
Elizabeth Fraker	MS Softball
Rebecca Shaefer	MS Softball
Christina Raymond	MS Softball
Tara Gilbert	MS Softball
Todd Wilcox	HS Baseball

Roll call: Brower, aye; Mabee, aye; Fraker, abstain; Hayes, aye; Johnson, aye. Motion carried.

DISTRICT VOLUNTEERS

Mr. Hayes moved seconded by Mr. Johnson to recognize the following as district volunteers, effective with the 2006-07 school year. We recognize volunteers so they can be covered under our liability insurance.

Mary Gore	HS Softball
Randy Coder	HS Softball
Larry Fox	HS Softball
Bob Luzenski	HS Softball

Roll call: Hayes, aye; Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion carried.

DONATION TO DISTRICT

Mr. Fraker moved seconded by Mr. Brower to accept the donation of new uniforms for the baseball program (grades 9-12). The Diamond Club is making the donation and the value of the uniforms is approximately \$15,000.

Roll call: Fraker, aye; Brower, aye; Mabee, aye; Hayes, aye; Johnson, aye. Motion carried.

RESOLUTION TO PURCHASE/INSTALL NEW CONTROLS FOR HVAC SYSTEM

Mr. Hayes moved seconded by Mr. Mabee to approve the resolution to purchase new controls from Aleron and install them on the HVAC system at Edgewood Elementary School. **(Refer to 2006-07 Supplemental Minutes, Item #41, 2/26/07) (Resolution #7-03)**

RESOLUTION #7-03

WHEREAS, the Board had determined that there is a need to purchase and install new controls for the HVAC system at Edgewood School; and

WHEREAS, in connection with the required purchase and installation, the Board wishes to avail itself of Section 125.04 of the Ohio Revised Code, which enables the Board to purchase necessary supplies and services, without complying with the normal competitive bidding requirements set forth in Section 3313.46 of the Ohio Revised Code; and

WHEREAS, Section 125.04 of the Ohio Revised Code specifically exempts from the requirements of competitive bidding the Board's purchase of supplies and services purchased by the Ohio Department of Administrative Services pursuant to state contracts with approved vendors; and

WHEREAS, the Board has confirmed that Aleron is presently on the approved list of contractors with the Ohio Department of Administrative Services to provide the supplies and services that are required and desired to be purchased by the Board; and

WHEREAS, the Board has had discussions with Aleron, concerning the purchase and installation of the HVAC system controls at the Edgewood School and Aleron has indicated a desire and an ability to provide and install the controls according to the terms and conditions outlined in a proposal received on January 31, 2007, which is consistent with the contract between Aleron and the Ohio Department of Administrative Services; and

BE IT HEREBY RESOLVED, that the Board hereby elects to proceed under Section 125.04 of the Ohio Revised Code to purchase the supplies and services that shall be required of the Board through the contract currently in existence between the Ohio Department of Administrative Services and Aleron and the January 31, 2007 proposal; and

BE IT FURTHER RESOLVED, that the Board hereby agrees that it will be bound by the terms and conditions set forth in the contract between the Ohio Department of Administrative Services and Aleron; and

BE IT FURTHER RESOLVED, that the Board agrees that it will pay directly Aleron, for the supplies and services provided, and further that the Board shall pay to the Department of Administrative Services any reasonable fee charged by the Department to cover the administrative costs associated with the Board's purchase of these supplies and services; and

BE IT FURTHER RESOLVED, that the Treasurer and Superintendent are hereby authorized to sign all necessary documents and to take all other actions necessary to carry this resolution into effect, and to incur any incidental expenses on behalf of this Board.

Roll call: Hayes, aye; Mabee, aye; Fraker, aye; Brower, aye; Johnson, aye. Motion carried.

RESOLUTION TO SELL BATTING CAGE

Mr. Hayes moved seconded by Mr. Johnson to approve of the resolution to sell the Batco Batting Cage, with an estimated value of zero dollars, to the North Union Local School District for the total sum of \$25.00. **(Refer to 2006-07 Supplemental Minutes, Item #42, 2/26/07) (Resolution #7-04)**

RESOLUTION TO SELL BATTING CAGE #7-04

WHEREAS, the Board of Education of the Marysville Exempted Village School District currently owns quantity one Batco Batting Cage which has an estimated value of zero dollars; due to being totally depreciated out [hereinafter "said items"]; and

WHEREAS, said item is no longer needed by the Board of Education; and

WHEREAS, said item has a collective value of less than \$10,000.00 dollars;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education intends to sell said item, pursuant to Ohio Revised Code Section 3313.41, to the North Union Local School District for the total sum of \$25.00; and

BE IT FURTHER RESOLVED, that said item is being sold “**as is**”, with no express or implied warranties as to its condition, “fitness” or useability, and that said item has been examined by representative(s) of the North Union Local School District prior to it expressing an interest in purchasing the identified item and determined by such representative(s) to be in acceptable condition; and

BE IT FURTHER RESOLVED, that this sale shall be contingent upon this Board’s receipt of written acknowledgment, within thirty (30) days of the date of this Resolution, from the North Union Local School District that the terms of sale set forth herein are acceptable; and

BE IT FURTHER RESOLVED, that the Treasurer is directed to take such further action as is necessary to complete the above described sale of personal property to the North Union Local School District.

Roll call: Hayes, aye; Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion carried.

STUDENT OVERNIGHT TRIP

Mr. Brower moved seconded by Mr. Mabee to allow selected members of the High School wrestling team to take an overnight trip to participate in the OHSAA State Wrestling Championships in Columbus, Ohio, on March 1 and 2, 2007.

Roll call: Brower, aye; Mabee, aye; Fraker, aye; Hayes, aye; Johnson, aye. Motion carried.

RESOLUTION TO ADVERTISE FOR BIDS

Mr. Fraker moved seconded by Mr. Johnson to approve the resolution to advertise for bids for the High School Addition construction project. **(Refer to 2006-07 Supplemental Minutes, Item #43, 2/26/07) (Resolution #7-05)**

RESOLUTION #7-05

WHEREAS, the Board has determined that additional school facilities, equipment, furnishings and site improvements, together with all necessary appurtenances are necessary for the provision of a public educational program for the students in the Marysville Exempted Village School District and the Board plans to proceed with additions and renovations to High School (the “Project”); and

WHEREAS, the Board has sufficient funds to accomplish the Project; and

WHEREAS, the Board has retained a qualified professional design firm, Steed Hammond Paul, Inc. (“Architect”) under Sections 153.65 to 153.71 ORC to prepare plans, specifications, and estimates of cost, and such data as the Board deems necessary for the Project; and

WHEREAS, the Board has retained a qualified construction management firm, Ruscilli Construction Company (“Construction Manager”) under Sections 9.33, 9.331, and 9.332 ORC related to the planning documents, estimates of cost, bid packaging, bidding, contract award, administration and close-out, including, but not limited to the scheduling and coordination of multiple prime contractors for the Project; and

WHEREAS, the Construction Manager, with the assistance of the Architect and the Board, has completed the Scope of Work necessary to facilitate the bidding and awarding of the following Bid Packages: Bid Package No. 2 (Site Work Package), Bid Package No. 3 (General Trades), Bid Package No. 4 (Masonry), Bid Package No. 5 (Steel), Bid Package No. 6 (Roofing), Bid Package No. 7 (Fire Protection), Bid Package No. 8 (Plumbing), Bid Package No. 9 (HVAC), and Bid Package No. 10 (Electrical) (the “Bid Packages”) for the Project, taking into consideration factors including, but not limited to, time of performance, availability of labor, and overlapping trade jurisdictions; and

WHEREAS, the Architect, with the assistance of the Construction Manager, has prepared and submitted to the Board a draft of the Bid Packages for the Project consisting of drawings and specifications setting forth in detail the requirements for the Project. Said drawings and specifications are based on the Scope of Work provided by the Construction Manager; and

WHEREAS, the Board wishes to commence the competitive bidding process for the Bid Packages for the Project subject to the Board and the Board’s legal counsel’s review and approval of the specifications, plans, contract documents, and cost estimate for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board that, once the Board and the Board’s legal counsel have approved the specifications, plans, contract documents and cost estimate for the Project, the following Resolution shall be deemed adopted:

Subject to the approval of the Board and the Board’s legal counsel of the specifications, plans, contract documents, and cost estimate for the Project, the Board hereby authorizes the commencement of the competitive bidding process for the Bid Packages for the Project, and the Treasurer shall arrange for the publication of a notice of said work to be published once each week for a period of at least two consecutive weeks in a newspaper published in and of general circulation in the School District, with the last said notice published at least eight (8) days prior to the date specified for receiving bids.

Following the opening of all bids, a responsibility investigation of the apparent low bidders shall be conducted and upon completion of said investigation, the bid of the lowest responsible bidder for each Bid Package shall be submitted to the Board for acceptance or rejection in accordance with applicable law.

The Board hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken at an open meeting of this Board of Education;

All deliberations of the Board and of its committees, if any, which resulted in formal action were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 ORC.

This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of the Board which may be inconsistent with or duplicative of the provisions of this resolution.

Roll call: Fraker, aye; Johnson, aye; Mabee, aye; Brower, aye; Hayes, aye. Motion carried.

RESOLUTION TO ACCEPT BIDS

Mr. Hayes moved seconded by Mr. Johnson to approve the resolution to accept casework, kitchen equipment and technology bids for the new Middle School/Intermediate School.

(Refer to 2006-07 Supplemental Minutes, Item #44, 2/26/07). (Resolution #7-06)

RESOLUTION #7-06

WHEREAS, the Board, at a Meeting on December 18, 2006, authorized the commencement of the bidding process for Bid Package #6 (Casework), Bid Package #7 (Kitchen Equipment), and Bid Package #12 (Technology) (hereinafter referred to collectively, as the "Bid Packages"), based upon drawings and specifications setting forth in detail the requirements for the project known as the new intermediate school building and a new middle school building (collectively, "Project") which were prepared by the Architect Steed Hammond Paul, Inc. (hereinafter called the "Architect"), with the assistance of Thomas & Marker Construction Company (hereinafter called the "Construction Manager") pursuant to all applicable laws; and

WHEREAS, the Construction Manager, with the assistance of the Architect, commenced the bidding process for the Bid Packages; and

WHEREAS, the Construction Manager, with the assistance of the Architect, held a Pre-Bid Conference for prospective bidders, on January 4, 2007, wherein prospective bidders were briefed on the Bid Packages; and

WHEREAS, on January 25, 2007, the Board, Office of the Treasurer received bids in response to the Bid Packages, at the time and place established for the receipt of bids for the Bid Packages in the Notice to Bidders and opened and read aloud said bids immediately thereafter, in compliance with Instructions to Bidders ("IB"), paragraph 3.18; and

WHEREAS, the Construction Manager, on behalf of the Board and with the Assistance of the Architect, performed a detailed post-bid review of the sealed bids and the Construction Manager and the Architect recommended that the Board accept the bids on the Bid Packages as set forth below as being the lowest responsive and responsible bids; and

WHEREAS, the Superintendent of the Board, with the assistance of the Construction Manager and the Architect, has reviewed the bids received for the Bid Packages for said portion of the Project and the responsibility investigations of the apparent low Bidders in compliance with Sections 153.12, 3313.46(A)(6) and 3318.10, ORC, and any other authorizing provisions of law; and

NOW, THEREFORE, BE IT RESOLVED by the Board that after careful consideration and evaluation of the information before it:

Section 1. The Board hereby accepts the recommendation of the Construction Manager and Architect to award the bids for the Bid Packages set forth below as being the lowest responsible Bidders in compliance with IB paragraph 3.14 and Sections 3313.46(A)(6) and 3318.10, ORC, and any other authorizing provisions of law, contingent upon compliance with all conditions precedent to contract execution under paragraphs 3.14 and 3.15:

<u>Contract No. 6 (Casework)</u> The Farnham Company 275 Old County Line Road, Suite 1 Westerville, Ohio 43081	Base Bid: \$605,500.00 Total Contract Amount: \$605,500.00
<u>Contract No. 7 (Kitchen Equipment)</u> Breckenridge Kitchen Equipment & Design, Inc. 240 1 Sawmill Parkway, Suite 7 Huron, Ohio 44839	Base Bid: \$477,800.00 Total Contract Amount: \$477,800.00
<u>Contract No. 12 (Technology)</u> Knight Electric 858 Distribution Drive Columbus, Ohio 43228	Base Bid: \$1,100,500.00 Total Contract Amount: \$1,100,500.00

Section 2. The Board hereby authorizes the Construction Manager, on its behalf, to forward a Notice of Intent to Award Contracts for said portion of the Project, with the appropriate Contract Forms, to the lowest responsible Bidders referenced in Section 1. The Construction Manager shall simultaneously notify the surety and agent of the surety of said lowest responsible Bidders of the intent to award pursuant to Section 9.32, ORC.

Section 3. Subject to the approval of the Board's construction counsel, and upon compliance with all conditions precedent to Contract execution under paragraph IB 3.14 and 3.15, the Board hereby authorizes the President and Treasurer to sign said Contracts.

Section 4. The Board hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of said Contracts, and attach to said Contracts, along with a copy of this resolution.

Section 5. The Board hereby authorizes the Construction Manager, at a time determined appropriate by the Construction Manager, after the Construction Manager's receipt of said Contracts signed by the Contractors, to forward a Notice to Proceed for said Contracts.

Section 6. The Board hereby authorizes the Treasurer, at the appropriate time and with the assistance of the Construction Manager, to prepare, and make available upon request, a Notice of Commencement or amendment thereto pursuant to Section 1311.252, ORC, prior to the performance of any work related to said Contracts.

Section 7. That this Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

Section 8. This resolution shall be in full force and effect from and immediately after its adoption and shall supercede any prior resolution or act of this Board, which may be inconsistent or duplicative with the provisions of this resolution.

Roll call: Hayes, aye; Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion carried.

AWARD SUPPLEMENTAL CONTRACT

Mr. Mabee moved seconded by Mr. Brower to employ Jeff Gafford in the supplemental position as Head High School Football Coach for the 2007-08 school year, on an as-needed basis. This recommendation is being made in accordance with Section 3315.53 of the Ohio Revised Code and Chapter 3301-27 of the Ohio Administrative Code.

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. Employment is also contingent upon completion of CPR training and Sports Medicine as required by the State of Ohio.

Roll call: Mabee, aye; Brower, aye; Fraker, aye; Hayes, aye; Johnson, aye. Motion carried.

MOCK TRIAL TEAMS TO ATTEND OVERNIGHT COMPETITION

Mr. Hayes moved seconded by Mr. Johnson to allow two (2) Mock Trial teams to stay overnight in Columbus, Ohio, on March 8, 2007, to participate in the State Championship Competition.

Roll call: Hayes, aye; Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion carried.

EDGEWOOD ELEMENTARY

Mr. Brower moved seconded by Mr. Mabee to approve 2006-07 Edgewood volunteers and Shannon Deam as a student teacher.

Roll call: Brower, aye; Mabee, aye; Fraker, aye; Hayes, aye; Johnson, aye. Motion carried.

MILL VALLEY ELEMENTARY

Mr. Hayes moved seconded by Mr. Johnson to approve Mill Valley student teachers for the winter/spring terms.

Roll call: Hayes, aye; Johnson, aye; Fraker, aye; Mabee, aye; Brower, aye. Motion carried.

NAVIN ELEMENTARY

Mr. Hayes moved seconded by Mr. Mabee to approve Navin Elementary 2006-07 volunteers.

Roll call: Hayes, aye; Mabee, aye; Fraker, aye; Brower, aye; Johnson, aye. Motion carried.

RAYMOND ELEMENTARY

Mr. Fraker moved seconded by Mr. Mabee to approve/accept the following Raymond Elementary items.

- a) 2006-07 Raymond Elementary volunteers.
- b) Donation of two (2) shelving units from Lambert's Jewelers.
- c) Donation of a freezer from the Raymond PTO.

Roll call: Fraker, aye; Mabee, aye; Brower, aye; Hayes, aye; Johnson, aye. Motion carried.

CREEKVIEW INTERMEDIATE

Mr. Fraker moved seconded by Mr. Brower to approve/accept items requested by Creekview Intermediate School.

- a) Sale of DVDs of the upcoming spring 2007 Band & Choir Concert.
- b) Donation of a stretch/exercise bar from Curves.
- c) Donation of \$300 from Bank One (Bank One/Chase) for participation in the "Family Life Essay Contest.

Roll call: Fraker, aye; Brower, aye; Mabee, aye; Hayes, aye; Johnson, aye. Motion carried.

MARYSVILLE MIDDLE SCHOOL

Mr. Johnson moved seconded by Mr. Mabee to approve items requested by Marysville Middle School.

- a) 2006-07 Marysville Middle School volunteers.
- b) Marysville Middle School Mini Swingers to attend the Fairfield Crystal Classic.

Roll call: Johnson, aye; Mabee, aye; Fraker, aye; Brower, aye; Hayes, aye. Motion carried.

MARYSVILLE HIGH SCHOOL

Mr. Fraker moved seconded by Mr. Mabee to approve 2006-07 Marysville High School volunteer to work with the MHS band program.

Roll call: Fraker, aye; Mabee, aye; Brower, aye; Hayes, aye; Johnson, aye. Motion carried.

EXECUTIVE SESSION

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

Roll call: Hayes, aye; Brower, aye; Fraker, aye; Mabee, aye; Johnson, aye. Motion carried.

Executive Session began at 8:26 p.m. with the Board and Superintendent to discuss personnel.

The Board and Superintendent returned from Executive Session after having discussed personnel at 9:20 p.m.

ADJOURNMENT

Mr. Brower moved seconded by Mr. Fraker to adjourn at 9:20 p.m.

Roll call: Brower, aye; Fraker, aye; Mabee, aye; Hayes, aye; Johnson, aye. Motion carried.