

FINNEYTOWN LOCAL SCHOOL DISTRICT

Regular Meeting, March 16, 2020

Secondary Campus Media Center

Open Forum 7:00pm

Regular Meeting 7:30pm

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. FLSD Policy 0165.1

- 1. Call to Order**
- 2. Opening Ceremony**
- 3. Additions to and Approval of the Agenda**
- 4. Approval of Minutes from the Regular Meeting of February 18, 2020 and the Special Meeting of March 6, 2020**
- 5. Administrative Report**
 - **District Update**
- 6. Public Address**
- 7. Board Coordination Matters**
 - **Board Members**

8. Financial Matters

8.1 Adoption of the Consent Calendar

It is recommended that the Board adopt the “Consent Calendar” as follows:

Action by the Board of Education in adoption of the “Consent Calendar” at this point of the agenda means that all items appearing with an asterisk (*) after the title constitute the “Consent Calendar” and are adopted by one single motion, unless a member of the Board of Education or the Superintendent requests that any such item be removed from the “Consent Calendar” and voted upon separately.

a) Monthly Financial Report*

b) Depository and Investment Balances as of February 29, 2020*

U.S. Bank	0.0099%	\$ 271,471.56
STAR Ohio	1.7700%	\$ 13,850,074.19
STAR Plus	1.7400%	\$ 2,487,195.25
U.S. Bank (construction fund)	1.6600%	\$ 21,730,036.46
STAR Ohio (construction fund)	1.7700%	\$ 2,507,084.25

c) Interest Earned on Depository and Investment Accounts as of September 30, 2020*

General Fund	\$ 19,607.38
Construction Fund	\$ 14,372.73

d) Monthly Bond Project Investment and Spending Report*

[See attached]

9. Superintendent's Recommendations

9.1 Adoption of the Consent Calendar

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a) Approval of Contracts – Supplemental 2019-2020*

It is recommended that the Board approve the following supplemental contracts, effective August 1, 2019 through June 30, 2020:

Lark Dudley	Adjunct Coach, Varsity Football	\$2,300.00
Mark Hafner	Head Coach, Boys Varsity Track	\$3,045.00
Mark Hafner	Head Coach, Girls Varsity Track	\$3,045.00
Chevalier Harris	Head Coach, 7th Gade Boys Basketball	\$1,569.00
Dana Lewis	Head Coach, MS Cheerleading	\$1,071.00
Adam Macaluso	Head Coach, Freshman Boys Basketball	\$1,938.00
Mike Rosa	Head Coach, Varsity Baseball	\$2,307.00
Maddie Torbeck	Head Coach, Reserve Volleyball	\$1,569.00
Gerald Warmack	Adjunct Asst. Coach, Girls Varsity Track	\$1,650.00
Gerald Warmack	Adjunct Asst. Coach, Boys Varsity Track	\$1,650.00
Dave Wolferst	Head Coach, Varsity Softball	\$4,430.00
Rashawn Young	Head Coach, 8th Grade Boys Basketball	\$1,569.00

b) Approval of Administrative Contracts*

It is recommended that the Board approve the following Administrative Contracts, effective August 1, 2020 through July 31, 2023:

Grant Anderson	Principal	\$104,978.00
Laurie Banks	Assistant Superintendent	\$113,568.00
Anton Walker	Assistant Principal	\$85,696.00

c) Approval of Family and Medical Leave*

It is recommended that the Board approve the following Family Medical Leave:

Deborah Hartlaub, Teacher, intermittently, beginning February 28, 2020 and continuing for a maximum period of twelve weeks.

d) Approval of Overnight Student Trip*

It is recommended that the Board approve the following overnight student trip:

Michigan Speech Coaches, Inc. Mackinac Tournament

Destination: Mackinac Island, MI

Depart: Friday, May 15, 2020

Return: Sunday, May 17, 2020

Transportation: District Van, driven by staff members certified as drivers

Supervision: Two staff members

Anticipated Cost per Student (limit of 7): approximately \$400-\$500

e) Approval of Agreement - Plymouth Rock Energy, LLC (an ENGIE company)*

It is recommended that the Board approve the following agreement:

Finneytown Local School District with Plymouth Rock Energy, LLC (an ENGIE company), for a sales agreement, to provide natural gas from November 1, 2023 through October 31, 2025. Natural gas will be supplied at the fixed rate of \$0.3216 / CCF. Price includes firm, full requirements and fixed price gas regardless of volume. Firm transportation is a non-interruptible supply.

f) Approval of Revised Policy*

It is recommended that the Board approve revisions to the following policy, which was first presented for consideration at the February 18, 2020 regular meeting of the Board:

Policy 2105

Mission of the District

g) Approval of 2020-2021 School Calendar*

It is recommended that the Board approve the following 2020-2021 school calendar, which was first presented for consideration at the February 18, 2020 regular meeting of the Board:

August 17, Monday	Staff In-Service Day
August 18, Tuesday	Staff In-Service Day
August 19, Wednesday	Staff In-Service Day
August 20, Thursday	First Day for Students
September 7, Monday	Labor Day - No School
October 12, Monday	Staff In-Service Day - No School
October 16, Friday	1st Quarter Ends (40 days)
November 23 & 24, Monday & Tuesday	Staff In-Service Days - No School
November 25, Wednesday	Conf. Release Day - No School
November 26 & 27, Thursday & Friday	Thanksgiving Break - No School
December 18, Friday	2nd Quarter Ends (40 days)
December 21, Monday-January 1, Friday	Winter Break - No School
January 4, Monday	School Resumes
January 15, Friday	Staff In-Service Day - No School
January 18, Monday	Dr. MLK, Jr. Day - No School
February 12, Friday	Conf. Release Day - No School
February 15, Monday	Presidents Day - No School
March 19, Friday	3rd Quarter Ends (51 days)
March 22, Monday–March 26, Friday	Spring Break - No School
March 29, Monday	School Resumes
April 5, Monday	Staff In-Service Day - No School
May 28, Friday	Last Day for Students
	4th Quarter Ends (44 days)
May 31, Monday	Memorial Day
June 1, Tuesday	Staff In-Service Day
	Last Day for Staff

Note: Easter Sunday is April 4, 2021.

h) Adoption of Resolution - Payment In Lieu of Transportation*

It is recommended that the Board adopt the following resolution declaring transportation impractical for a certain pupil, pursuant to the requirements of Ohio Revised Code §3327 and the procedures set forth by the Ohio Department of Education:

WHEREAS the student identified below has been determined to be a resident of this school district, and eligible for transportation services; and

WHEREAS after a careful evaluation of all available options, it has been determined that it is impractical to provide transportation for this student to the selected schools; and

WHEREAS the following factors as identified in Revised Code §3327.02 have been considered:

1. The time and distance required to provide the transportation
2. The number of pupils to be transported
3. The cost of providing transportation in terms of equipment, maintenance, personnel, and administration
4. Whether similar or equivalent service is provided to other pupils eligible for transportation
5. Whether and to what extent the additional service unavoidably disrupts current transportation schedules
6. Whether other reimbursable types of transportation are available; and

WHEREAS the option of offering payment-in-lieu of transportation is provided in Ohio Revised Code:

THEREFORE, be it resolved that the Finneytown Local School District Board of Education hereby declares that it is impractical to transport the student identified below and offers the parent/guardian of said student payment-in-lieu of transportation:

Joseph White (parent Wonita Scott)

i) Acceptance of Donations*

It is recommended that the Board accept the following donations:

A \$100 cash donation to the Finneytown Local School District athletic department from Mark and Melissa Carris, 4420 Blue Sage Dr., Whitewater, CO 81527 to purchase equipment for the Middle School wrestling program on February 9, 2020.

A \$500 cash donation to the Finneytown Local School District social work fund from Faith Lutheran Church, 8265 Winton Rd., Cincinnati, OH 45231 to help needy students on March 5, 2020.

j) Approval of Agreement - Constellation NewEnergy, Inc.*

It is recommended that the Board approve the following agreement:

Finneytown Local School District with Constellation NewEnergy Inc., for an electricity supply agreement with a competitive retail electric supplier to provide electric generation service at a fixed, full requirements price that includes capacity, ancillary, line losses and RPS charges and is good for any amount of electricity consumed during the month, from the November 2023 meter read through the September 2025 meter read. Power will be supplied at the fixed rate of 3.77 cents per kWh and will be utility billed.

k) Approval of Contract – Emersion Design*

It is recommended the Board approve the following contract:

Finneytown Local School District with Emersion Design to provide architect/engineer professional services in connection with the new district's K-6 Building Construction Project. This project qualifies as an Ohio Facilities Construction Commission Expedited Local Partnership Project.

l) Approval of Contract – Skanska*

It is recommended the Board approve the following contract:

Finneytown Local School District with Skanska to provide construction manager at risk professional services in connection with the new district's K-6 Building Construction Project. This project qualifies as an Ohio Facilities Construction Commission Expedited Local Partnership Project.

10. Resolution Authoring Issuance of Not to Exceed \$24,250,000 of Bond Anticipation Notes After Submission to Electors

RESOLUTION AUTHORIZING ISSUANCE OF
NOT TO EXCEED \$24,250,000 OF BOND ANTICIPATION NOTES
AFTER SUBMISSION TO ELECTORS

WHEREAS, pursuant to a resolution heretofore duly adopted by this board of education, an election was held on November 5, 2019 upon the question of issuing bonds in the sum of \$27,870,000 for the purpose of new construction, improvements, renovations and additions to school facilities and providing equipment, furnishings, and site improvements therefor and of levying a tax outside of the ten-mill limitation to pay the principal of and interest on such bonds, of which election due notice was given according to law and at which election more than a majority of the electors voting on said proposition voted in favor thereof; and

WHEREAS, the fiscal officer of this school district has heretofore certified to this board of education the estimated life of the permanent improvement hereinafter described as thirty-seven (37) years; and

WHEREAS, this Board has previously authorized and issued notes which are about to mature and which should be refinanced in the same or reduced principal amount; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Finneytown Local School District (the "School District"), County of Hamilton, Ohio:

SECTION 1. That it is necessary to issue bonds of this board of education in the principal sum of not to exceed \$24,250,000 for the purpose of permanently financing outstanding bond anticipation notes originally issued for the purpose of new construction, improvements, renovations and additions to school facilities and providing equipment, furnishings, and site improvements therefor.

SECTION 2. That bonds of this board of education shall be issued in said principal sum of not to exceed \$24,250,000 for the above-described permanent improvement 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 December 1, 2020, shall bear interest not to exceed a rate now estimated at five per centum (5%) per annum, and shall mature in substantially equal semiannual or annual installments over a period not exceeding thirty-seven (37) years after their issuance.

SECTION 3. That notes of this board of education shall be issued in anticipation of the issuance of said bonds in the principal sum of not to exceed \$24,250,000, which does not exceed the amount of the bonds to be issued for the purpose aforesaid, under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Ohio Revised Code. Said notes may be issued in one or more series not exceeding an aggregate amount of \$24,250,000. Said notes shall be dated the dates of issuance, shall bear interest at a rate of interest not to exceed four percent (4%) per annum as determined by the treasurer of this board of education (the "Treasurer") after negotiation (as evidenced by his execution of the notes) and without further action by this board of education, payable at maturity, and shall mature not later than one year

after their date of issuance. The notes shall be of such number as may be requested by the purchaser thereof, provided that the notes shall be issued in denominations equal to or greater than \$100,000. The final terms of the notes shall be set forth in one or more certificates of award (each a "Certificate of Award") which is hereby authorized and which shall be executed by the Treasurer without further legislative action of this Council. The execution of such Certificate of Award by such authorized official shall evidence acceptance of the final terms of the notes and that such terms are consistent with this resolution.

The treasurer of this board of education is hereby authorized, if he determines that it would be in the best interest of the board of education, to issue the notes on a "book entry only" basis and to execute and deliver a letter of representation to the Depository Trust Company on behalf of the board of education in connection therewith.

SECTION 4. That said 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 of the Board and the Treasurer, shall be designated "School Improvement General Obligation Bond Anticipation Notes" with such other distinguishing words or phrases as determined by the Treasurer, and shall be payable at such bank or trust company as designated by the Treasurer.

SECTION 5. That said notes shall be sold to RBC Capital Markets, LLC at a price of not less than 97% of the par value thereof. The treasurer is hereby authorized to execute one or more contracts of purchase with the purchaser, if requested by the purchaser, upon such terms as shall not be inconsistent with this resolution. The proceeds from the sale of said notes, except the premium and accrued interest, shall be used for the purpose aforesaid and for no other purpose and shall be deposited in the note retirement fund, which is hereby established; and any premium or accrued interest shall be transferred to the note retirement fund to be applied to the payment of the principal of and interest on said notes in the manner provided by law.

SECTION 6. That said notes shall be the full general obligations of this board of education, and the full faith, credit and revenue of this board of education are hereby irrevocably pledged for the prompt payment of the principal and interest at maturity. The par or discounted value to be received from the sale of the bonds anticipated by said notes and any excess funds resulting from the issuance of said notes, shall, to the extent necessary, be used only for the retirement of said notes at maturity, together with interest thereon, and are hereby pledged for such purpose.

SECTION 7. That for the purposes of providing the necessary funds to pay the interest on and to retire said notes promptly when and as the same fall due, during the year or years while such notes run, there shall be levied on all taxable property in this

school 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.

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 levies hereby required shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the interest on and principal of said notes, or the bonds in anticipation of which said notes are issued, when and as the same fall due.

SECTION 8. That this board of education, for and on behalf of the Finneytown Local School District, 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, and take such other action as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute obligations the interest on which is subject to federal income taxation or "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. The Treasurer, or any other officer having responsibility with respect to the issuance of the notes, is authorized and directed to give an appropriate certificate on behalf of the school district, 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 said Sections 103(b)(2) and 148 and regulations thereunder.

SECTION 9. That this board of education hereby authorizes the Treasurer to participate in the Ohio Market Access Program – Note Wrap - offered by the Treasurer of the State of Ohio (the "Program"), provided that (a) participation in the Program is in the best interests of the School District and (b) the Treasurer affirmatively elects to participate in the Program in the Certificate of Award.

SECTION 10. That the Standby Note Purchase Agreement (the "Note Purchase Agreement") required as part of the Program is hereby authorized in the form presented to this board of education with such changes not materially adverse to the School District as may be approved by the authorized signatories of the School District executing the Note Purchase Agreement, as provided in this ordinance. The School District acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the School District is unable to repay the principal amount and accrued and unpaid interest of the notes at maturity, whether through its own funds or through the issuance of other obligations of the School District, the Treasurer of State agrees (a) to purchase the notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (b) to purchase renewal notes of the School District in a principal amount not greater than the principal amount of the Notes plus interest due at maturity,

with such renewal notes bearing interest at a rate of the lower of the maximum interest rate provided by law or the 1-year MMD (Municipal Market Data) Index for “AAA”-rated obligations plus 400 basis points (or such other rate methodology in effect as part of the Program), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the School District shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid, and binding general obligations of the School District, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes levied within the ten-mill limitation imposed by law on all property subject to ad valorem taxes levied by the School District and (ii) interest on the renewal notes is includible in gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended to the same extent that interest on the notes is so excluded.

In addition, the School District acknowledges that the Treasurer of State will establish an “After Maturity Interest Rate,” as generally provided for as part of the Program and as specifically provided for within the Note Purchase Agreement.

The president of the board of education and the Treasurer, as the officers signing the notes, are authorized to take all actions that may in their judgment reasonably be necessary to provide for such Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the notes providing notice to the holders or beneficial owners of the existence of such Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the notes for purchase by the Treasurer of State at stated maturity.

This board of education hereby authorizes further representations, warranties, and/or covenants to be made regarding the School District's participation in the Program by virtue of the Certificate of Award and/or other Program documents, subject to review and approval by legal counsel to the School District.

SECTION 11. That the Treasurer is hereby authorized to apply, if he deems it appropriate, for a rating on the notes from either Standard & Poor's Corporation or Moody's Investors Service, and to pay the fee for said rating to the extent authorized by law and approved by bond counsel.

SECTION 12. All appropriate officers of the School District are further authorized to make, execute, acknowledge and deliver such closing certificates, financing statements and other instruments or agreements as are, in the opinion of bond counsel, necessary or appropriate, in order to effect the issuance of the notes and to carry out the purposes of this resolution, including one or more note purchase agreements between the School District and the purchaser of the notes, if requested by said purchaser.

SECTION 13. That the firm of Dinsmore & Shohl LLP (“Dinsmore”) or their successor is hereby engaged as the School District’s “bond counsel” and that the Treasurer pursuant to the engagement letter of Dinsmore on file with the School District.

SECTION 14. That it is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuance of said notes in order to make the same legal, valid and binding general obligations of this board of education, have been done, have happened and have been performed in regular and due form as required by law, and that the said issue of the notes and the tax for the payment of the principal and interest as the same fall due and are payable do not exceed any limitations in indebtedness or taxation as fixed by law.

SECTION 15. That the treasurer of this board of education be and is hereby directed to forward a certified copy of this resolution to the county auditor, as required by law.

SECTION 16. That it is found and determined that all formal actions of this board of education concerning and relating to the adoption of this resolution were adopted in an open meeting of this board of education, and that all deliberations of this board of education and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

11. Announcements

The next regular meeting of the Finneytown Board of Education will take place on Monday April 20, 2020 at 7:30pm in the Media Center of the Finneytown Secondary Campus, 8916 Fontainebleau Terrace, Cincinnati, OH 45231. Open forum will begin at 7:00pm.

12. Adjournment