

LITTLE MIAMI LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION
REGULAR MEETING
JANUARY 24, 2006
7:00 P.M.

The Little Miami Board of Education of the Little Miami Local School District, Warren County, Ohio met in Regular Session on January 24, 2006 at 7:00 p.m. at the Little Miami High School Media Center, 3001 U.S. 22 & 3, Morrow, Ohio.

Call to Order and Roll Call

Mrs. Cress called the meeting to order at 7:02 p.m.

ROLL CALL:

Mrs. Cress	Present
Mr. Cremeans	Present
Ms. Grice	Present
Mr. Stern	Present
Mrs. Hamburg	Present

Resolution 06-012 Adopt the Agenda

Ms. Grice moved and Mr. Cremeans seconded a motion to adopt the agenda as presented.

ROLL CALL VOTE:

Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes

MOTION CARRIED.

Resolution 06-013 Reading of Minutes

Mrs. Hamburg moved and Mr. Stern seconded a motion to approve the minutes of the December 20, 2005 regular session and the January 10, 2006 organizational meeting.

ROLL CALL VOTE:

Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes

MOTION CARRIED.

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Mr. John Spieser, Little Miami High School Principal, and Mr. Greg Power, Little Miami High School Assistant Principal, presented the Board with the High School Strategic Plan supporting programs for freshman students.

Resolution 06-14 Financial Reports

Ms. Grice moved and Mrs. Hamburg seconded a motion to approve the December 2005 financial reports and the following appropriation modifications:

Fund	New Appropriation	Amount of Increase
002	\$ 1,266,474.10	\$ 100,000.00
003	503,813.59	200,000.00
004	1,570,000.00	1,565,000.00
007-9001	1,000.00	1,000.00
020	21,112.41	2,683.57
460-9005	17,718.41	<u>1,677.47</u>
		\$ 1,870,361.04

ROLL CALL VOTE:

Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes

MOTION CARRIED.

Resolution 06-015 Establishment of New Fund

Mrs. Cress moved and Mr. Cremeans seconded a motion to establish the following new fund as an addition to the appropriations.

Schoolnet Professional Development	452-9006	\$3,300.00
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ROLL CALL VOTE:

Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes

MOTION CARRIED.

Resolution 06-016 Lease/Purchase Authorization

Mrs. Hamburg moved and Ms. Grice seconded a motion to adopt the following resolution:

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WHEREAS, the Board of Education of the Little Miami Local School District, Ohio (the "School District") desires to finance the acquisition of Real Estate for use by the District; and

WHEREAS, the financing and leasing of the Project (as hereinafter defined) will be in the best interest of the School District; and

WHEREAS, Fifth Third Bank ("Fifth Third") has agreed, subject to credit approval, to finance the Project as described in *Appendix A* hereto (the "Project") and to lease the Project to the School District; and

WHEREAS, the School District has agreed to lease the Project from Fifth Third; and

WHEREAS, the School District and Fifth Third have agreed, subject to credit approval, to a Ground Lease dated as of the date of closing (the "Ground Lease") as a means to facilitate the acquisition of the Project; and

WHEREAS, the School District and Fifth Third have agreed, subject to credit approval, to enter into a Lease Purchase Agreement dated as of the date of closing (the "Agreement") as a means to facilitate the acquisition of the Project; and

NOW THEREFORE, IT IS RESOLVED BY THE BOARD OF EDUCATION OF THE LITTLE MIAMI LOCAL SCHOOL DISTRICT, COUNTIES OF WARREN AND CLERMONT AND STATE OF OHIO, THAT:

SECTION 1. That for the purpose of acquiring real estate for the School District and the services rendered thereby, this Board hereby determines that it shall lease, pursuant to a Ground Lease, to Fifth Third a parcel of land as more particularly described in Exhibit A attached hereto.

SECTION 2. That for the purpose of acquiring real estate for the School District and the services rendered thereby, this Board hereby determines that it shall lease, under the Agreement, the Project from Fifth Third.

SECTION 3. That the Agreement hereby authorized includes a statement to the effect that the School District's obligations thereunder are not general obligations, debt or bonded indebtedness of the School District or of the State or any political subdivision thereof, and Fifth Third has no right to have excises or taxes levied by the School District or the State or any political subdivision thereof, for the payment of rental payments thereunder and that the right of such payment is limited to the rentals and other revenues pledged for such purpose under the Agreement and such statement is true and correct as it applies to the Agreement.

SECTION 4. That the School District is authorized to lease the Project from Fifth Third in an amount not to exceed \$1,500,000 at an annual interest rate of not to exceed four and fifty hundredths percent (4.50%) per annum. The School District is authorized to make annual lease payments as set forth in the schedule attached to the

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Agreement, execution of which shall be evidence of acceptance of the Payment Schedule, provided that all lease payments shall be subject to appropriation by the Board.

SECTION 5. That, for the purpose of providing the Project and payment of costs of issuance to the School District, this Board of Education hereby authorizes and directs the President of the Board and the Treasurer of the School District, to execute, on behalf of the School District, the Ground Lease and the Agreement, in a total principal amount not to exceed \$1,500,000, and any exhibits thereto, pursuant to the Agreement, substantially in the form presented to the Board and on file with the Treasurer and all other documents considered necessary by bond counsel to effectuate the lease of the Project and the agreements, covenants and promises therein made on behalf of the School District shall be conclusively binding on the School District and in full force and effect from and after the execution of the Agreement.

SECTION 6. That this Board hereby authorizes and directs the President of the Board and the Treasurer of the School District, or either of them, to execute and deliver a non-arbitrage certificate and such other documents and certificates and to do all the acts and things required of it by the provisions of the Agreement to the end that full and complete performance of all of the terms, covenants and provisions of the Agreement shall be effected.

SECTION 7. That the Ground Lease, the Agreement, and other documents and certificates authorized by this resolution shall be subject to such changes, insertions and omissions, and approval of any changes, insertions and omissions shall be conclusively evidenced by the execution of said documents by the President of the Board and the Treasurer of the School District, or any one of them.

SECTION 8. That this Board hereby covenants that it will take such actions in such manner and to such extent, if any, as may be necessary to cause the interest component of rental payments under the Agreement to be and remain excludable from gross income for federal income tax purposes. This Board will also submit the appropriate statements or filings to the Internal Revenue Service containing the information required by the Internal Revenue Code, including IRS Form 8038G.

SECTION 9. That, the obligations under the Ground Lease and the Agreement are designated "qualified tax-exempt obligations" for the purpose set forth in Section 265 of the Internal Revenue Code.

SECTION 10. This Board hereby approves the issuance of the obligations for the financing of the Project, as more particularly described in *Appendix A* attached hereto.

SECTION 11. That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board, and of any of its committees that resulted in such formal action were in meetings open to the public, in

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compliance with all legal requirements including Section 121.22, Ohio Revised Code, and the rules of this Board adopted in accordance therewith.

SECTION 12. That the Treasurer is hereby directed to certify a copy of this resolution to the County Auditor of Warren County and the County Auditor of Clermont County.

ROLL CALL VOTE:

Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes

MOTION CARRIED.

Resolution 06-017 Fiscal Officer to Certify Maximum Maturity of Bonds

Mrs. Hamburg moved and Ms. Grice seconded a motion to adopt the following resolution:

WHEREAS, this Board of Education contemplates the issuance of bonds in the sum of \$62,500,000 for the purpose of new construction, improvements, renovations and additions to school facilities, the acquisition of real property, provide equipment, furnishings, transportation equipment, communication technology improvements and site improvements therefore:

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Little Miami Local School District (hereinafter called the "Board of Education"), Counties of Warren and Clermont, Ohio:

SECTION 1: That the treasurer of this Board of Education, as fiscal officer thereof, is hereby requested to certify to this Board of Education the estimated life of the improvements, assets and/or property to be made and/or acquired with the proceeds of the sale of the bonds referred to in the preambles hereof and the maximum maturity of said bonds as provided in Sections 133.19 and 133.20 of the Ohio Revised Code.

SECTION 2: 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 all legal requirements including Section 121.22 of the Ohio Revised Code.

ROLL CALL VOTE:

Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes

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Mr. Stern	Yes
Mrs. Hamburg	Yes

MOTION CARRIED.

Resolution 06-18 Special Needs District

Mrs. Hamburg moved and Mr. Cremeans seconded a motion to approve the following resolution:

WHEREAS, this Board of Education desires to avail itself of the provisions of Section 133.06 (E) of the Ohio Revised Code and has determined to declare this school district to be a special needs district;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Little Miami Local School District (hereinafter called the "Board of Education"), Counties of Warren and Clermont, Ohio:

SECTION 1: That this Board of Education hereby determines that the student population of the Little Miami Local School District (the "District") is not being adequately serviced by the existing permanent improvements of the District.

SECTION 2: That this Board of Education hereby determines that the District cannot obtain sufficient funds by the issuance of securities within the limitations of division (B) of Section 133.06 of the Ohio Revised Code to provide additional or improved needed permanent improvements in time to meet the aforementioned needs.

SECTION 3: That the Treasurer of this Board of Education be and is hereby directed to certify a copy of this resolution to the Superintendent of Public Instruction, together with a statistical report as described in division (E)(2) of Section 133.06 of the Ohio Revised Code.

SECTION 4: That it is found and determined that all formal actions of the 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 all legal requirements, including section 121.22 of the Ohio Revised Code.

ROLL CALL VOTE:

Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes

MOTION CARRIED.

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Resolution 06-019 Necessity of Issuing Bonds

Ms. Grice moved and Mr. Cremeans seconded a motion to adopt the following resolution:

WHEREAS, this Board of Education proposes to submit to the electors of this school district at the election to be held on the 2nd day of May, 2006, the question of issuing bonds of improvements, renovations and additions to school facilities, the acquisition of real property, providing equipment, furnishings, transportation equipment, communication technology improvements and site improvements therefore, and the question of levying an annual direct tax on all of the taxable property in this school district outside of the ten-mill limitation to pay the interest on and to retire said bonds, under authority of the Uniform Public Securities Law of the Ohio Revised Code, particularly Section 133.18 thereof; and

WHEREAS, this Board of Education desires to adopt a resolution declaring the necessity of said issue, said direct tax and said election; and

WHEREAS, this Board of Education desires to avail itself of the provisions of Section 133.06 (E) of the Uniform Public Securities Law of the Ohio Revised Code to become a special needs district; and

NOW THEREFORE, BE IT RESOLVED by the Board of Education of the Little Miami Local School District (hereinafter called the "Board of Education"), Counties of Warren and Clermont, Ohio:

SECTION 1. That it is necessary to issue bonds of this Board of Education in the principal amount of \$62,500,000 for the purpose described in the Preambles hereof. Said bonds shall be dated approximately August 1, 2006, shall bear interest at the rate now estimated at five per cent (5.00%) per annum, and shall mature in substantially equal annual or semiannual installments over a period not exceeding twenty-eight (28) years after their issuance.

SECTION 2. That it is necessary that there shall be annually levied on all of the taxable property in this school district, a direct tax outside the limitation imposed by Section 2 of Article XII of the Constitution of the State of Ohio to pay the interest on and to retire said bonds.

SECTION 3. That the question of issuing said bonds and of levying said direct tax shall be submitted to the electors of this school district at the election to be held on the 2nd day of May, 2006, pursuant to Section 133.18 of the Uniform Public Securities Law of the Ohio Revised Code.

SECTION 4. That this Board of Education hereby applies to the Department of Taxation of Ohio and the Superintendent of Public Instruction for consent to submit to

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popular vote at the election to be held on the date described in Section 3 hereof, the question of issuing the bonds described in the Preambles hereof.

SECTION 5. That the Treasurer of this Board of Education be and is hereby directed to certify a copy of this resolution to the County Auditor for the calculation of the average annual levy that will be required to pay the interest on and retire said bonds. The County Auditor is hereby requested to certify the Board of Education the total current tax valuation of this School District and the number of mills required to generate an amount of revenue sufficient to pay the interest on and retire said bonds.

SECTION 6. That the Treasurer of this Board of Education be and is hereby directed to certify to said Department of Taxation and said Superintendent of Public Instruction a copy of this resolution, together with a financial statement and such other pertinent data as may be required by said agencies.

SECTION 7. 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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

ROLL CALL VOTE:

Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes

MOTION CARRIED.

Resolution 06-020 Contracts

Mrs. Cress moved and Mr. Cremeans seconded a motion to approve the following contracts:

	<u>COMPANY</u>	<u>AMOUNT</u>	<u>PERIOD</u>	<u>TYPE</u>	<u>PURPOSE</u>
06-01-01	Larry Redfern	\$15,989	01/30/06-04/28/06	Consultant	Oversee JHS testing

ROLL CALL VOTE:

Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes

MOTION CARRIED.

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Resolution 06-021 Personnel

Ms. Grice moved and Mrs. Hamburg seconded a motion to approve the following personnel issues as submitted for the 2005-2006 school year. Employment is contingent upon the school system receiving the results of the mandated criminal records background check as required by O.R.C. 3319.311 which indicates that no conviction or pleas of guilty were entered into by any persons being employed:

CERTIFIED PERSONNEL—SUBSTITUTE TEACHERS

Debbie Combs

Amy Barton

Edward Gray

Tracy Winhoven

CERTIFIED PERSONNEL—LEAVE OF ABSENCE

Dana Albrecht—maternity leave of absence from March 5, 2006 through May 1, 2006.

CLASSIFIED SUBSTITUTE PERSONNEL—EMPLOYMENT

Janet Jeffers—substitute teacher's aide

CLASSIFIED PERSONNEL—RESIGNATION

Kim Ertel—Custodian—effective as of January 16, 2006

SUPPLEMENTAL CONTRACT

Amend resolution 05-147 – Dan Cleaver ½ stipend for Fall Drama

Sarah Baker ½ stipend for Spring Drama

ROLL CALL VOTE:

Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes

MOTION CARRIED.

Resolution 06-022 Payment in Lieu of Transportation

Mrs. Hamburg moved and Ms. Grice seconded a motion to adopt the following resolution:

WHEREAS, after careful examination of the existing routes, time schedules, student residence locations, school locations and available conveyances, and;

WHEREAS, the Little Miami Board of Education seeks to declare it impractical to transport any eligible students to state approved private schools; and

WHEREAS, in lieu of providing such transportation will seek to pay the parent, guardian or other person in charge of such child, an amount not to exceed the state average cost per pupil to transport all pupils in Ohio the preceding year as provided in Section 3327.01 O.R.C., and the superintendent recommends adoption of the following resolution for payment in lieu of transportation:

THEREFORE BE IT RESOLVED, that under the provisions of O.R.C. 3327.01, the Little Miami Board of Education declares the following students impractical to transport and shall compensate the parent(s) and/or guardian(s) or other persons

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charged with the care of the following students attending state approved private schools after the conclusion of the 2005-2006 school year:

Natalie Lynne Lewis (K) – The Little Schoolhouse at Hope Church
Parents: Trisha and Steven Lewis, 304 Wyndham Drive, Maineville, Ohio 45039

Zachary Voge (K) – The Little Schoolhouse at Hope Church
Parents: Joellyn Voge, 1796 Amberwood Way, Maineville, Ohio 45039

ROLL CALL VOTE:

Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes

MOTION CARRIED.

Resolution 06-023 Softball Field Trip

Mr. Cremeans moved and Mr. Stern seconded a motion to approve the high school's varsity softball team members, coaching staff and chaperones to participate in an out of state game in Myrtle Beach, South Carolina and participate in the Grand Strand Softball Classic Tournament. This field trip will be during Spring Break and will be of no cost to the Little Miami Local School District.

ROLL CALL VOTE:

Mr. Cremeans	Yes
Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes

MOTION CARRIED.

Ms. Bobbie Grice gave the Warren County Career Center report:

- Two new board members were welcomed at the January organizational meeting, David Barton from Waynesville and Heidi Fella from Franklin.
- Ms. Grice and Mr. Bennett advocated the benefits of the Oho College Access Network (OCAN).
- Ms. Grice commented on various events at the Warren County Career Center.

Mr. Bill Nicholson, Treasurer of Citizens Against Unfair Taxes (CAUT), commented that Mr. John Stern, Board Member, is not a member of the Citizens Against Unfair Taxes. Mr. Bill Maynor spoke.

Resolution 06-024 Executive Session

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Ms. Grice moved and Mr. Cremeans seconded a motion to enter executive session for the purpose of discussing personnel issues.

ROLL CALL VOTE:

Ms. Grice	Yes
Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes

MOTION CARRIED.

The Board entered executive session at 7:43 p.m.

The Board came out of executive session at 8:04 p.m.

Adjournment

Mrs. Hamburg moved and Mr. Cremeans seconded a motion to adjourn the meeting.

ROLL CALL VOTE:

Mr. Stern	Yes
Mrs. Hamburg	Yes
Mrs. Cress	Yes
Mr. Cremeans	Yes
Ms. Grice	Yes

MOTION CARRIED.

The Board Meeting adjourned at 8:06 p.m.

Nona Cress, President

Robert Giuffré, Treasurer