

LITTLE MIAMI LOCAL SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL MEETING
FEBRUARY 6, 2010
8:00 A.M.

The Little Miami Board of Education of the Little Miami Local School District, Warren County, Ohio met in special session on February 6, 2010 at 8:00 a.m. at the Little Miami Board of Education Office at 5819 Morrow Rossburg Road, Morrow, OH 45152.

Call to Order and Roll Call

Mrs. Dunbar called the meeting to order at 8:00 a.m.

ROLL CALL:

Mrs. Grice	Present
Mr. Cremeans	Present
Mr. Stern	Present
Mrs. Dunbar	Present
Mrs. Hamburg	Present

Resolution 10-19 Financial Recovery Plan

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

Mrs. Grice moved the adoption of the following resolution:

RESOLUTION NO. 10-19

RESOLUTION REGARDING FINANCIAL RECOVERY PLAN

WHEREAS, the Little Miami School District is facing significant financial challenges in operating its schools, due in part to repeated failure of operating levies and has been placed into Fiscal Caution by the Ohio Department of Education on November 14, 2009,

WHEREAS, once a school district is placed into Fiscal Caution, they are required to submit an acceptable financial recovery plan that eliminates the district's projected deficits within sixty days,

WHEREAS, a school district has the option to receive an extension of thirty days to file an acceptable recovery plan, and Little Miami Local Schools did receive such extension in order to allow time to view the results of the February 2, 2010 operating tax levy,

WHEREAS, the February 2, 2010 operating levy was not passed by the voters, which is the fourth consecutive defeat of an operating tax levy by the Little Miami community from November 2008 to February 2010,

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WHEREAS, the Ohio Auditor of State's office has conducted a Performance Audit of Little Miami Schools and confirmed in their findings that it is not possible to cut enough expenses out of the operating budget to produce an acceptable financial recovery plan that projects the school district as being solvent for the next two fiscal years without the inclusion of additional revenues by way of passing an operating levy,

NOW THEREFORE, the Little Miami Local School District Board of Education asks the Ohio Auditor of State's office to consider placing the district into the next step in the fiscal oversight process, which is Fiscal Watch.

Mrs. Black seconded the motion, and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

ADOPTED this 6th day of February, 2010.

Treasurer

ROLL CALL VOTE:

Mrs. Grice	Yes
Mr. Cremeans	Yes
Mrs. Black	Yes
Mrs. Hamburg	Yes
Mrs. Dunbar	Yes

MOTION CARRIED

Resolution 10-20 Resolution of Necessity 1% Earnings Tax

**A RESOLUTION DECLARING IT NECESSARY TO RAISE
ANNUALLY AN ADDITIONAL AMOUNT FOR SCHOOL
DISTRICT PURPOSES AND REQUESTING THE STATE TAX
COMMISSIONER TO ESTIMATE THE RESPECTIVE RATES
AT WHICH IT WOULD BE NECESSARY TO LEVY AN AD
VALOREM PROPERTY TAX AND A SCHOOL DISTRICT EARNINGS
TAX TO PRODUCE THAT AMOUNT**

WHEREAS, the Board of Education of the Little Miami Local School District (the "Board") finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Board; and

WHEREAS, the Board believes a tax on the school district earnings of individuals as defined in Division (E)(1)(b) of R.C. 5748.01, also known as a tax on the earned income of

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individuals, may be the best means to adequately meet the necessary requirements of the School District; and

WHEREAS, in order to assist it in determining whether to submit to the electors of the School District the question of a school district earnings tax pursuant to Section 5748.02 of the Revised Code, the Board, in accordance with Section 5748.02(A) of the Revised Code, wishes to know the respective rates at which it would be necessary to levy an ad valorem property tax and a school district earnings tax to produce the additional amount that will be adequate to meet the necessary requirements of the School District; and

WHEREAS, in accordance with Division (A) of Section 5748.02 of the Revised Code, upon receipt of a certified copy of this Resolution declaring the necessity of raising annually a specified amount of money for school district purposes, the State Tax Commissioner is to estimate the property tax rate that would have to be imposed by this Board in the current year to produce an equivalent amount of money from an ad valorem property tax and the earnings tax rate that would have had to have been in effect for the current year to produce an equivalent amount of money from a school district earnings tax.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Little Miami Local School District that:

SECTION I

This Board finds, determines and declares that it is necessary to raise annually the additional amount of \$6,457,580 for school district purposes and to levy either an additional ad valorem property tax outside the ten mill limitation or a school district earnings tax on the school district earnings of individuals as defined in Division (E)(1)(b) of R.C. 5748.01, also known as a tax on the earned income of individuals, for the purpose of providing for the current expenses of the Board of Education.

SECTION II

In accordance with Section 5748.02(A) of the Revised Code, the Board requests the State Tax Commissioner to estimate both (a) the property tax rate that would have to be imposed by this Board in the current year to produce an amount equivalent to the amount specified in Section I from an additional ad valorem property tax; and (b) the earnings tax rate that would have had to have been in effect for the current year to produce an amount equivalent to the amount specified in Section I from a school district earnings tax.

SECTION III

The Treasurer of this Board is authorized and directed to deliver a certified copy of this resolution to the State Tax Commissioner at the earliest possible time.

SECTION IV

This resolution shall be effective immediately upon its adoption. The tax levy shall be for current expenses and shall be placed before the voters on May 4, 2010.

SECTION V

IT IS FOUND AND DETERMINED that all formal action of this Board of Education concerning or related to the adoption of this Resolution was adopted in an open meeting of this Board, and all deliberations of this Board that resulted in such formal action were adopted in meetings open to the public, in compliance with all applicable requirements of the Ohio Revised Code.

Mrs. Grice moved and Mrs. Black seconded the motion that the above Resolution be adopted.

Upon roll call and the adoption of the Resolution, the vote was as follows:

Yeas: 5

Nays: 0

ADOPTED this 6th day of February, 2010.

Treasurer

Resolution 10-21 Resolution of Necessity 6.483 Mill Emergency Levy

Mr. Cremeans moved the adoption of the following resolution:

LITTLE MIAMI LOCAL SCHOOL DISTRICT

RESOLUTION NO. 10- 21

RESOLUTION DECLARING IT NECESSARY
TO LEVY A TAX IN EXCESS OF THE
TEN-MILL LIMITATION

NOW THEREFORE BE IT RESOLVED by the Board of Education of the Little Miami Local School District:

SECTION 1. That the amount of revenue which may be raised in this school district by all tax levies which this school district is authorized to impose, when combined with all revenues to be received from the State of Ohio and the Federal Government, will be insufficient to avoid an operating deficit for this school district.

SECTION 2. That pursuant to the provisions of Section 5705.194 of the Ohio Revised Code, it is necessary that a tax be levied in excess of the ten-mill limitation for the benefit of this

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school district, for the purpose of avoiding an operating deficit for the Little Miami Local School District, in the amount of \$4,924,999 per year for a five (5) year period.

SECTION 3. That the question of the passage of said tax levy shall be submitted to the electors of the school district at an election to be held on May 4, 2010. If approved by the electors, said tax levy shall first be placed upon the 2010 tax list and duplicate, for first collection in calendar year 2011.

SECTION 4. That the treasurer of this board of education be and is hereby directed to certify forthwith a copy of this resolution to the county auditor at least eighty (80) days prior to said election as required by law requesting that said county auditor calculate and certify to this board of education the total current tax valuation of the school district and to calculate the annual tax levy which will be required to produce the annual amount set forth in Section 2 hereof, in accordance with Section 5705.195 of the Ohio Revised Code and Section 5705.03 of the Ohio Revised Code.

SECTION 5. 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, and the rules of this board of education adopted in accordance therewith.

Mrs. Hamburg seconded the motion, and the roll being called upon the question of adoption of the resolution the vote resulted as follows:

AYE: 5

NAY: 0

ADOPTED this 6th day of February, 2010.

Treasurer

108884/TAW/skk

Meeting adjourned at 11:40 a.m.

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