

HURON CITY SCHOOL DISTRICT
REGULAR MEETING

Tuesday, August 15, 2006 – 7:30 p.m.
Huron High Library

The Board of Education, Huron City School District, Erie County, Ohio met in a regular meeting on Tuesday, August 15, 2006, in the Huron High School Library. Mr. Slocum called the meeting to order at 7:30 p.m.

ROLL CALL: The following members were present: Mr. Slocum, Mrs. Hillman, Mr. Caporini, Mrs. Bulea, and Mrs. Green.

NO. 5365

APPROVE MINUTES

Mrs. Bulea moved, seconded by Mrs. Green, to approve the minutes of the July 18, 2006 Regular Meeting.

ROLL CALL: Ayes: Bulea, Caporini, Green, Slocum, and Hillman
Nays: None

NO. 5366

APPROVE MONTHLY FINANCIAL STATEMENTS

Mrs. Hillman moved, seconded by Mrs. Green, to approve the financial statements for July, 2006.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5367

SELECT OSBA DELEGATES

Mr. Caporini moved, seconded by Mrs. Bulea, to make Mrs. Hillman the Board Representative to the OSBA Capital Conference and Mrs. Green the alternate.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5368

APPROVE LEASE PURCHASE RESOLUTION

Mrs. Hillman moved, seconded by Mr. Caporini, to approve the following resolution:

BOARD OF EDUCATION
HURON CITY SCHOOL DISTRICT
ERIE COUNTY, OHIO

The Board of Education (the "Board") of the Huron City School District, Erie County, Ohio (the "School District"), met in regular session on August 15, 2006, at 7:30 PM at the Library of the Huron High School, with the following members present: *Mr. Slocum, Mrs. Hillman, Mrs. Bulea, Mr. Caporini, Mrs. Green*

Mrs. Hillman introduced the following resolution and moved its passage:

A RESOLUTION

AUTHORIZING THE HURON CITY SCHOOL DISTRICT TO ENTER INTO A GROUND LEASE OF SCHOOL DISTRICT LAND AND FACILITIES, AND A LEASE OF SAME BACK TO THE SCHOOL DISTRICT FOR THE PURPOSE OF (A) DEFEASING THE OBLIGATION OF SAID SCHOOL DISTRICT UNDER THE WOODLANDS SCHOOL LEASE PREVIOUSLY ENTERED INTO IN 2001 TO FINANCE THE CONSTRUCTION, EXPANSION, IMPROVEMENT, AND EQUIPPING OF SCHOOL FACILITIES, AND (B) FINANCING CERTAIN ADDITIONAL IMPROVEMENTS TO SUCH FACILITIES, INCLUDING FURNISHING AND EQUIPPING THE SAME; AND APPROVING EXECUTION OF A GROUND LEASE, LEASE, ESCROW AGREEMENT, AND OTHER DOCUMENTS RELATING THERETO

WHEREAS, the Huron City School District, Erie County, Ohio (the "School District") has entered into a Ground Lease Agreement (the "Prior Ground Lease") and a Lease Agreement (the "Prior Lease"), both dated as of October 4, 2001, with Banc One Leasing Corporation (the "Prior Lessor"), to pay the costs of financing the construction, expansion, improvement, and equipping of Woodlands Elementary School (the "Project Facilities"), as permitted under Section 3313.375 of the Ohio Revised Code (the "Revised Code"); and

WHEREAS, the Prior Lease obligates the School District to make Lease Payments on the Lease Payment Dates, as such terms are defined in the Prior Lease; and

WHEREAS, in the Board has determined that it is advisable and in the best interest of the School District to enter into a new Ground Lease (the "Ground Lease") and a new Lease (the "Lease") for the purpose of defeasing the obligation of the School District under the Prior Lease, and to provide

additional funds in connection with the construction, expansion, equipping, and furnishing of the Project Facilities; and

WHEREAS, the estimated amount of the obligation of the School District under the Lease will not exceed \$2,710,000;

NOW THEREFORE, be it resolved by the Board of Education of the Huron City School District, Erie County, Ohio, that:

It is hereby determined to be necessary and in the best interest of the inhabitants of the School District, and the Board hereby agrees, to defease its obligation under the Prior Ground Lease and the Prior Lease, and to enter into a new lease-purchase arrangement with All Points Public Funding, LLC (the "Lessor"). The Project Facilities shall remain on the "Project Site," as such term is more particularly described on Exhibit A to the Prior Ground Lease and the Ground Lease, and which Project Site is located within the boundaries of the School District.

The School District shall lease the Project Site to the Lessor pursuant the Ground Lease, to be executed on behalf of the School District by the Board President and Treasurer. The term of the Ground Lease shall be for one initial term and not more than twenty-five (25) one-year (or partial year) renewal terms, as determined by the Treasurer and reported to this Board. Lease Payments shall be in such amount as determined by the Treasurer and certified to this Board.

The School District shall sublease the Project Site and related grounds, including the Project Facilities, from the Lessor pursuant to the Lease, dated of even date with the Ground Lease, and to be executed by the Board President and Treasurer. The Lease shall require the School District, as agent for the Lessor, to acquire or cause to be acquired on the Project Site, the Project Facilities, and shall provide, among other things, for the payment of Lease Payments from the School District to the Lessor. Lease Payments shall be payable in periodic installments over the term of the Lease, in such amounts and at such times as shall be determined by the Treasurer and reported to this Board, provided that the actual Base Rent (as such term is defined in the Prior Lease) shall not exceed in any year the amounts that would be required if the applicable interest rate were eight per centum (8.00%) per annum applied on a principal amount of not to exceed \$2,710,000. The term of the Lease shall be for one initial term and not more than twenty-five (25) one-year (or partial year) renewal terms, all as determined by the Treasurer and reported to this Board. The Lease shall provide for termination in the event the School District fails to appropriate funds adequate to pay rent due with respect to any renewal term. The School District agrees to execute and perform the Ground Lease and the Lease in accordance with the terms thereof. The School District agrees to comply with the terms and conditions of such additional documents and agreements relating thereto as shall be deemed, by the Treasurer or Board President, in their discretion, necessary or appropriate in connection with the financing herein described.

In connection with the defeasance of the School District's obligation under the Prior Lease, the Treasurer is hereby authorized and directed to execute on behalf of the School District an Escrow Agreement (the "Escrow Agreement") with a bank or trust company to be selected by the Treasurer (the "Escrow Trustee"), setting forth the terms by which the Escrow Fund shall be held and disbursed, which Escrow Agreement shall be in such form, not inconsistent with this resolution, as the Treasurer shall determine. Pursuant to the Escrow Agreement, the Escrow Trustee shall apply the moneys deposited in the Escrow Fund to the purchase of direct obligations of the United States of America of

such maturities and interest payment dates and bearing interest at such rates as will, as certified by such independent public accounting firm as shall be acceptable to the Treasurer and the Lessor without further investment or reinvestment of either the principal amount thereof or the interest earnings therefrom, be sufficient to pay the Lease Payments which are due and payable on each April 4 and October 4, commencing on such date as determined by the Treasurer, and continuing through October 4, 2007, which date is the earliest Purchase Date (as defined in the Prior Lease).

The Treasurer and Board President are hereby authorized and directed to execute and deliver, on behalf of the School District, the Ground Lease, the Lease, and such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution. Such documents shall be in the form consistent with the terms of this Resolution, as such officers in their discretion shall deem necessary or appropriate.

Nothing in the Ground Lease, the Lease, or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt or bonded indebtedness or a general obligation of the School District or any agency of the School District. Neither the taxing power nor the full faith and credit of the School District are pledged or shall be pledged for the payment or security of the Ground Lease, the Lease, or any other related agreement or document.

The School District hereby covenants that it will comply with all existing and future laws applicable to the exemption of interest portion of the rent due on the Lease from federal income taxation. The School District further covenants that it will restrict the use of the proceeds of the Lease in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Lease is executed, so that it will not constitute an arbitrage bond under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder (the "Regulations").

The Treasurer of the School District shall cause to be kept and maintained adequate records pertaining to investment of all proceeds of the Lease sufficient to permit, to the maximum extent possible and presently foreseeable, the School District to comply with any federal law or regulation now or hereafter having applicability to the Lease which limits the amount of Lease proceeds which may be invested at an unrestricted yield or requires the Board to rebate arbitrage profits to the United States Department of the Treasury. The Treasurer of the School District is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States

Department of the Treasury, to the extent that any federal law or regulation having applicability to the Lease requires any such reports or rebates.

It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted 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 compliance with all legal requirements including Section 121.22 of the Ohio Revised Code. Any prior resolutions of this Board that are inconsistent with this resolution are hereby repealed

Mr. Caporini seconded the motion and, after discussion, a roll call vote was taken and the results were:

Ayes: Mrs. Hillman, Mrs. Green, Mr. Slocum, Mr. Caporini, Mrs. Bulea

Nays: None

The resolution passed.

Passed: August 15, 2006

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

NO. 5369 APPROVE MILLHOUSE SETTLEMENT

Mrs. Bulea moved, seconded by Mrs. Green, to approve the arbitrator's recommendation for her grievance as follows:

SETTLEMENT AGREEMENT
Between
THE HURON CITY SCHOOL DISTRICT BOARD OF EDUCATION,
THE HURON CLASSIFIED EMPLOYEES ASSOCIATION AND
HCEA MEMBER SUSAN MILLHOUSE

WHEREAS, Arbitrator Paul F. Gerhart has disaffirmed the administrative termination of Huron Classified Employees Association member Susan Millhouse in binding arbitration; and

WHEREAS, The arbitrator has provided a remedy that includes immediate reinstatement to Ms. Millhouse's former position, restoration of seniority, and that she be made whole for any loss sustained as a result of her discharge.

The Huron City School Board of Education, the Huron Classified Employees Association and Susan Millhouse do hereby agree to the following:

- 1) Susan Millhouse will return to employment on the Monday following the approval of this Agreement by all parties as a bus driver at Step 15, which is the current step to which she is entitled.
- 2) Ms. Millhouse's continuing contract shall be reinstated. Advancement on the salary schedule shall be determined as if Ms. Millhouse were employed for the full 2005-06 school year.
- 3) Ms. Millhouse shall continue to meet all of the job qualifications for a bus driver set forth in the Ohio Revised Code and the Ohio Administrative Code, including but not limited to sections 3327.10, 3301-83-06, 3301-83-07, and 3301-83-10.
- 4) The Board shall issue Ms. Millhouse all back pay as if her contract had been in effect from the beginning of the 2005-06 school year until the date of her reinstatement to her duties. The Board will make the employer's 14% contribution to SERS on Ms. Millhouse's back pay award.
- 5) The Board shall deduct from the amount it owes Ms. Millhouse for salary from the start of the 2005-06 school year, any amounts paid to Ms. Millhouse by the Bureau of Unemployment Compensation and any employers for whom she worked during the time period after her termination from the Huron City School District. Ms. Millhouse will provide the Treasurer with all records necessary to determine the amount to be deducted from the settlement payment, including but not limited to tax returns, 1099 forms, W-2 forms, and any statements or checks from the Bureau of Unemployment Compensation, or she shall provide a sworn statement that she received no compensation of any kind following her termination and her tax returns. The Treasurer shall have the right to independently verify the information provided by Ms. Millhouse. The Treasurer shall prepare an itemized statement of the reimbursement calculation, and provide a copy of said statement to Ms. Millhouse for her review and concurrence prior to making any settlement payment.
- 6) Ms. Millhouse, on her own behalf and on behalf of her executors, heirs, personal representatives, attorneys, agents, and assigns, does agree to release and forever discharge the Board and each of its individual members, officers, agents, employees, attorneys and other representatives from any and all legal claims of any nature whatsoever arising from or in any way related to her administrative termination in August 2005, specifically including but not limited to the events leading up to this Settlement Agreement, and the entering into of this Settlement Agreement.
- 7) The Treasurer shall remove from her file letters dated September 12, 2003; December 6, 2004; December 13, 2004 and February 25, 2005.
- 8) Ms. Millhouse, the Huron Classified Employees Association, and the Board agree that this Agreement resolves all matters

related to Ms. Millhouse's administrative termination in their entirety.

Total economic value of settlement is \$31,660.89

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

NO. 5370 CHANGE STATUS TO COUNCIL OF GOVERNMENTS

Mrs. Hillman moved, seconded by Mrs. Bulea, to approve conversion of NOECA to a Council of Governments Organization.

**ROLL CALL: Ayes: None
Nays: Green, Slocum, Caporini, Hillman, and Bulea**

The Resolution failed.

NO. 5371 APPROVE CONTINUING CONTRACT

Mrs. Bulea moved, seconded by Mrs. Hillman, to approve a continuing contract to Chad Carter.

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

NO. 5372 APPROVE SUPPLEMENTAL CONTRACTS

Mr. Caporini moved, seconded by Mrs. Green, to approve Supplemental Contracts, as follows:

HS Yearbook	Brooke Lorenz
HS Senior Class Advisor	Brooke Lorenz
MS Firelands Challenge	Sherry Rowen
HS Vocal Music	Jeff Skaggs
HS Assistant Musical/Orchestra	Jeff Skaggs
HS Musical Coordinator	Jeff Skaggs
HS Marching Band	Ryan Smith
HS Instrumental Music	Ryan Smith
HS Student Council	Jennifer Telenko
HS Drill Team	Jennifer Downey

HS Assistant Marching Band	Chris Scherley
HS Assistant Marching Band	Don Flugga
HS Social Studies Academic Advisor	Heather Merckens
HS Language Arts Academic Leader	Kay Shoffner
HS Math Academic Leader	Bill Scott
HS Science Academic Leader	Roger Blevins
MS Science Academic Leader	Tom Knechtges
HS Firelands Challenge	Roger Blevins
MS Cross Country .5	John Post
MS Cross Country .5	Patty Russo
Freshman Basketball	Wes Sellers
Assistant Soccer	Ryan Manner
Assistant Football .5	Paul Ward
Assistant Football .5	Tim Soweke
Ticket Manager	Marta Esposito
Assistant Golf	Al Kares
Girls Varsity Tennis Assistant	Karen Lamb
MS Yearbook Advisor .5	Chris Scherley
MS Yearbook Advisor .5	Megan Ferguson
MS Vocal Music .5	Jeff Skaggs
MS Vocal Music .5	Heather Covert
MS Instrumental Music	Chris Scherley
MS Student Council	Sherry Rowen

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

***NO. 5373* APPROVE RESIGNATIONS**

Mr. Caporini moved, seconded by Mrs. Green, to approve the following resignations:

- Jennifer Vanderwarden, Food Service, effective 7-19-06**
- Gayle Wicker, Food Service, effective 7-24-06**
- Mary Traina, Library Aide, effective 8-8-06, retirement**

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea

***NO. 5374* APPROVE LEAVE OF ABSENCE**

Mr. Caporini moved, seconded by Mrs. Bulea, to approve the following leave of absence, up to one year:

- Betty Hubal, Food Service, effective 8-23-06**

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

NO. 5375

APPROVE TUITION RATE

Mrs. Green moved, seconded by Mr. Caporini, to approve a tuition rate of \$8,480.62 for the 2006-07 School Year.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5376

APPROVE CLASSIFIED SUBSTITUTES

Mr. Caporini moved, seconded by Mrs. Green, to approve the following classified substitutes for the 2006-07 School Year:

Cafeteria

Kathy Wirtz	Kim Riddle	Marlene Gadd
Jana Foust	Gayle Wicker	Donna Joiner
Kristi Joiner	Kristine Stradtman	Jo-Ellen Nickelson

Bus Drivers, Custodial, Maintenance, Bus Aide

Steve Conkey	Rick Gadd	Dan Johnson
Monica Dunfee	Rita Moscioni	William Schnee
George Lehrer	Leonard Korden	Lisa Aust-Olemacher
Dan Clayman	Andrew Viana	Ned Lowe

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5377

AUTHORIZE ACTING PRINCIPAL STATUS

Mrs. Hillman moved, seconded by Mrs. Green, to approve Acting Principal status on Tony Munafo, Jr.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea

NO. 5378

APPROVE PAYMENT OF ADDITIONAL DAYS

Mrs. Bulea moved, seconded by Mrs. Green, to approve five (5) additional days for Jan Henning at her daily rate.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5379

RECOGNITION OF VOLUNTEERS

Mr. Caporini moved, seconded by Mrs. Bulea, to recognize the following volunteers:

Nikki Dauch	Shawn Patton	Shawn Rice
Ted Temper	Tim Drumm	Tim Bogden

Jeff Fantozzi

Steve Schaeffer

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5380

APPROVE BUS ROUTES

Mrs. Bulea moved, seconded by Mrs. Green, to approve the Bus Routes, on file in the transportation office, for the 2006-07 School Year. Also see Attachments.

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5381

APPROVE HIRING OF CERTIFIED PERSONNEL

Mr. Hillman moved, seconded by Mrs. Green, to approve the following Certified Personnel:

Dino Caporini, Half- Time Business, HHS
Amy Brown, Remedial Reading, St Peter, 36 Weeks
Kelli Shupe, Half-Time Kg, Woodlands
Jennifer Voight, Part-Time, Auxillary, Firelands Montessori
Jennifer Gallagher, 3rd grade, full-time, Woodlands

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5382

APPROVE HIRING OF CLASSIFIED PERSONNEL

Mrs. Green moved, seconded by Mrs. Hillman, to approve the following Classified Personnel:

Diane Gaydosh, Para-Educator, Part to Full Time
George D. Lehrer, Custodian, High School
Amy Cammelleri, Aide, Full-Time, Step 0

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5383

APPROVE RESIGNATION OF CERTIFIED PERSONNEL

Mrs. Hillman moved, seconded by Mrs. Green, to approve the following resignation of certified personnel:

Sherry Rowen, Academic Advisor, High School

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5384 APPROVE SUPPLEMENTAL POSITION

Mrs. Bulea moved, seconded by Mrs. Green, to approve the following supplemental position:

Yearbook, Woodlands School, .06

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5385 APPROVE MENTORS

Mrs. Hillman moved, seconded by Mrs. Bulea, to approve the following mentors:

Full

Patty Bollenbacher	Karen Berry	Dianne Berryhill
Denise Gockstetter	Leah Lacrosse	Amy Wennes
Rebecca Hoffman	Roger Blevins	Tammy VonThron
Bill Scott		

Buddy

Angie Vogus	Deb Phinney	Sheri Rowen
Chad Carter	Jackie Warren	

ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None

NO. 5386 EXECUTIVE SESSION

Mr. Caporini moved, seconded by Mrs. Bulea, the following resolution is adopted:

WHEREAS, as a public board of education may hold an executive session only after a majority of the quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the

sole purpose of the consideration of any of the following matters:

To consider one or more, as applicable, of the check marked items with respect to a public employee or official:

1. Appointment
2. Employment.
3. Dismissal.
4. Discipline.
5. Promotion.
6. Demotion.
7. Compensation.
8. Investigation of charges/complaints (unless public hearing requested).
9. Evaluations of Treasurer/Superintendent

Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

NOW, THEREFORE, BE IT RESOLVED that the Huron City School District Board of Education by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on items as listed above. Time entered Executive Session was 9:28 p.m.

Mr. Slocum indicated that business would not be conducted after the Executive Session.

ROLL CALL: Ayes: Caporini, Green, Hillman, Slocum, and Bulea
Nays: None

RETURN TO OPEN SESSION:

The Board returned to open session at 11:45 p.m.

Mrs. Hillman moved, seconded by Mrs. Green, to adjourn the meeting at 11:45 p.m.

**ROLL CALL: Ayes: Green, Slocum, Caporini, Hillman, and Bulea
Nays: None**

**Scott Slocum
President**

**Michael Weis
Treasurer**