

New Lexington, Ohio

December 14, 2015

The New Lexington City Board of Education held its 2015 Regular meeting at 6:00 p.m. in the New Lexington High School Media Center, 2547 Panther Drive

Members present: John McGaughey, Steve Burton, Nicole Enright, and Jim Harley.

All members having received a type written copy of the minutes from the November 23, 2015 regular meeting, it was moved by Burton and seconded by Harley that the Treasurer dispense with the reading of the minutes, and further that said minutes be approved.

THE VOTE: Burton, yes; Harley, yes; Enright, abstain; McGaughey, yes. President McGaughey declared the motion carried.

Audience Comments on Agenda Items

Treasurer's Recommendations

It was moved by Harley and seconded by Enright to approve the Treasurer Recommendations as follows:

- A. Approve the November 30, 2015 Financial Report as presented.
- B. Approve the transfer of \$1,518.34 from Class of 2015 to Class of 2016.
- C. Set the date for the January 2016 Organizational and regular meeting to January 11, 2016 for 6:00 pm at New Lexington High School Media Center
- D. Approve the December 2015 Appropriation increases for the 2015-16 school year:

<u>Fund</u>	<u>Fund No.</u>	<u>Amount</u>
Auziliary Services FY 15	401-9015	3.00
TIF Year 5 Award	590-9316	114,863.05
TIF Operating Grant FY 2016	590-9116	4,852.51

THE VOTE: Harley, yes; Enright, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.

Superintendent's Report

Billie Hoag, High school and Middle school Media Specialist, provided an update to the Board on the library activities in all 4 buildings. Mrs. Hoag has secured a grant for

the purchase of library books and is in the process of applying for more to improve the quality of books available for students.

Superintendent’s Recommendations

- A. It was moved by Enright and seconded by Harley to adjourn to Executive Session at 6:46 p.m. under the provision of O.R.C. 121.22(G)(1) to consider the purchase (lease) of property for public purposes and to discuss disputes involving the Board that are the subject of pending or imminent court action.

THE VOTE: Enright, yes; Harley, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.

Board President declared the Board in open session at 7:30 p.m.

It was moved by Enright and seconded by Burton to approve the following agenda items:

- B. Approve 2015-16 Licensed Personnel Supplemental Contracts:

<u>Name</u>	<u>Position</u>	<u>Exp.</u>	<u>Salary</u>
Amber Eck	JCE Music Concerts	0	\$1,280

- C. Approve Retirement resignation of Non-Licensed Personnel Kathy Gall from NLE Title I Reading Aide effective February 26, 2016.
- D. Approve resignation of Non-Licensed Personnel Heather Pargeon from High School Custodian effective December 4, 2015.
- E. Approve Non-Licensed Substitutes for the 2015-16 School Year:

Paula Hammer - cook, aide, secretary, custodian
- F. Approve membership with National Joint Powers Alliance (NPJA)

THE VOTE: Enright, yes; Burton, yes; Harley, yes; McGaughey, yes. President McGaughey declared the motion carried.

- I. It was moved by Burton and seconded by Harley to approve Resolution #15-16:

WHEREAS, it is the statutory duty of the New Lexington City School District Board of Education to deliver the educational programs and services to the school children of the New Lexington City School District, and

WHEREAS, the members of the Board are elected by the New Lexington school community to ensure an effective, efficient, vibrant and productive system, and

WHEREAS, the elected board of education is responsible to the community including taxpayers,

parents and other patrons, as well as the state, and

WHEREAS, the charter school industry now extracts in the range of one billion dollars (\$1,000,000,000) ANNUALLY from public school districts across the State of Ohio, and

WHEREAS, school district boards of education have no control of students, financing, educational programming and student outcomes who enroll in charter schools, and

WHEREAS, charter schools as a group in Ohio demonstrate low academic performance compared to traditional public schools, and

WHEREAS, the fraud and corruption in charter schools, as reported repeatedly in the public media, has made Ohio the laughing stock throughout the nation, and

WHEREAS, Ohio has been dubbed as the “Wild, Wild West” in charter operations, and

WHEREAS, the New Lexington City School District has lost a total of \$4,286,150 in state AND local funding to charter schools over the period FY 2001 to FY 2015, and

WHEREAS, this deduction has reduced programs and services to New Lexington City School District students, and

WHEREAS, the New Lexington City School District Board of Education has a fiduciary responsibility to the students and taxpayers of the District, be it therefore

RESOLVED that the Board of Education direct the Treasurer of the District to invoice the State of Ohio for all the funds extracted from the New Lexington City School District for charter school students.

THE VOTE: Burton, yes; Harley, yes; Enright, yes; McGaughey, yes. President McGaughey declared the motion carried.

J. It was moved by Burton and seconded by Harley to approve Resolution #15-17:

WHEREAS, Ohio Revised Code Sections 3313.33 and 3313.37 authorize a board of education to enter into contracts and specifically leases as pertaining to real property; and

WHEREAS, the New Lexington City School District Board of Education (“Board”) is party to a Lease of real property for approximately 18,286 square feet and consisting of the 1994 addition and four adjoining classrooms of the 1960 addition, including the basement area below the addition, the gymnasium and locker rooms, nurses clinic and restroom located in the nurses clinic in the building located at 101 Third Avenue, New Lexington, Ohio 43764 (“Leased Premises”), together with the non-exclusive right to use the parking lot located at the Leased Premises together with the land on which the Leased Premises is situated, all of which are described more fully in the Lease attached hereto as Exhibit “A”; and

WHEREAS, such Lease was executed on March 21, 2003 and in accordance with Article XIV of the Lease, a fully executed Memorandum of Lease was recorded in accordance with Ohio Revised Code Chapter 5301 in the office of the County Recorder of Perry County, Ohio; and

WHEREAS, the term of such Lease is for a full ninety-nine (99) years, commencing on March 21, 2003 and ending on March 20, 2102, subject to the Board's option to renew said Lease for one additional term of ninety-nine (99) years upon the same terms and conditions as the Lease, including base rent; and

WHEREAS, in accordance with the terms of the Lease, the annual base rent payable by the Board under the Lease for the Lease Premises is one dollar (\$1.00); and

WHEREAS, Article XV of the Lease provides, in pertinent part, that should the Lessor, during the term of the Lease, grant, bargain, sell, convey, transfer or otherwise dispose of the Leased Premises, the obligations of Lessor under the Lease shall thereafter be binding upon each transferee of the interest of Lessor being transferred; and

WHEREAS, in accordance with Article XIII of the Lease, the Board may cancel the Lease or a portion of the Leased Premises for any reason whatsoever upon not less than thirty (30) days notice given to the Lessor; and

WHEREAS, the Board has been presented with a request from the transferee of interest of Lessor under the Lease to issue a new lease for a portion of the Leased Premises, more fully described in the attached Exhibit "B," in exchange for an annual base rent payable by the Board in the amount of no charge for five years; and

WHEREAS, the Board has been presented with the new lease ("New Lease") as proposed for review, the terms of which are attached as Exhibit "C"; and

WHEREAS, the Superintendent recommends cancellation of the Lease in favor of approval of the New Lease by the Board;

NOW, THEREFORE BE IT RESOLVED that the New Lexington City School District Board of Education ("Board") hereby acts, in accordance with Article XIII of the Lease attached hereto as Exhibit "A", as well as in accordance with Ohio Revised Code Sections 3313.33 and 3313.37 to cancel the Lease effective upon thirty (30) days notice to the Lessor;

BE IT FURTHER RESOLVED that the Board hereby directs its Treasurer to issue written notice of this action to the Lessor under the Lease, in accordance with Article XVI of the Lease;

BE IT FURTHER RESOLVED that the Board hereby directs its Superintendent to ensure the proper recording of this action with the County Recorder of Perry County, Ohio;

BE IT FURTHER RESOLVED that the Board hereby approves entering into the New Lease as presented to it on the terms as reflected in the attached Exhibit "C";

BE IT FURTHER RESOLVED that the Board hereby directs its Superintendent to ensure the proper execution and recording of the New Lease forthwith with the County Recorder of Perry County, Ohio.

THE VOTE: Burton, yes; Harley, yes; Enright, yes; McGaughey, yes. President McGaughey declared the motion carried.

Items for Discussion/Research Prior to Action

- Mr. Coffey reminded the Board that meat and cheese trays will be delivered to the staff on Thursday, December 17th. All board members are invited to join in the delivery if they wish.

It was moved by Enright and seconded by Burton to adjourn the meeting.

**THE VOTE: Enright, yes; Burton, yes; Harley, yes; McGaughey, yes.
President McGaughey declared the motion carried.**

President

Treasurer