

New Lexington, Ohio

March 24, 2014

The New Lexington City Board of Education held its March 2014 Regular meeting at 6:30 p.m. in the New Lexington High School Media Center, 2547 Panther Drive.

Members present: John McGaughey, Tina Fondale, Mary Dodd, Mike Davisson, and Steve Burton.

Bev Lucas, President of New Lexington Education Association, expressed the union's disapproval of the upcoming recommendations for the Direction of Operations position and the High School Football Head Coach position.

All members having received a type written copy of the minutes from the February 24, 2014 regular meeting and February 27, March 11, and March 20, 2014 special meetings, it was moved by Dodd and seconded by Burton that the Treasurer dispense with the reading of the minutes, and further that said minutes be approved.

**THE VOTE: Dodd, yes; Burton, yes; Davisson, yes; Fondale, yes; McGaughey, yes. President McGaughey declared the motion carried.**

Blake Darnell, student at New Lexington High School, Brun Swick, parent of New Lexington High school student and Audra Koons, parent of New Lexington High School student shared positive comments about Coach Todd Brown.

It was moved by Davisson and seconded by Fondale, to adjourn to Executive Session at 6:44 p.m. under provisions of O.R.C. 121.22(G)(1) to hear Step 3 appeal of grievances filed by AFSCME Local 2020 member, to discuss pending litigation and to hear complaint involving public official and employee.

**THE VOTE: Davisson, yes; Fondale, yes; Dodd, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

Board President McGaughey declared the Board in open session at 8:13 p.m.

### **Treasurer's Recommendations**

It was moved by Fondale and seconded by Dodd to approve the Treasurer Recommendations as follows:

- A. Approve the February 28, 2014 Financial Report as presented.
- B. Approve the following February 2014 Appropriation Increases/(Decreases):
- | <b>Fund</b>     | <b>Fund No.</b> | <b>Amount</b> |
|-----------------|-----------------|---------------|
| General         | 001             | \$244,343.67  |
| Trust           | 007             | (1,300.00)    |
| Special Revenue | 018             | 13,925.00     |

Student Activities	200	29,736.32
Auxiliary Funds FY 14	014-9014	19,556.25
SPDG FY 13	499-9013	11.38
SPDG FY 14	499-9014	448.00
RttT Grant FY 14	506-9014	1,364.21
Part B – IDEA FY 13	516-9013	(.38)
Title I FY 12	572-9012	(244.40)
TIF Supplemental Alloc. FY 14	590-9414	(624.81)
Title VI-B FY 13	599-9113	847.35

**THE VOTE: Fondale, yes; Dodd, yes; Davisson, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

### **Superintendent’s Report**

Robert Dodd, Principal at New Lexington High School, along with Assistant Principal Jay Young and members of his staff, presented updates on core units within the high school.

Linda Jones, Race to the Top and TIF coordinator, presented the board with information regarding the Straight A Grant. The district is part of a consortium made up of 26 school districts that received a grant from the state totaling \$15 million dollars.

Mrs. Sherburne shared that the Drama Department will be planning a trip to New York City on February 12-16, 2015.

Toni Harper, LPDC Chairperson, shared information regarding the LPDC committee. This is a committee comprised of administrators and teachers within the school district that approves continuing education required to renew a professional licensure.

Mike Halaiko and Carol Schaumleffel discussed updates within the School Wellness Committee. They have been surveying the staff to determine what path the committee should take regarding wellness and fitness.

Mrs. Sherburne shared the first reading of the following new and revised Board Bylaws and Policies

Mrs. Sherburne will be meeting with the Calendar Committee on Tuesday, March 25, 2014 to draft a plan for the remaining school year.

### **Superintendent’s Recommendations**

It was moved by Dodd and seconded by Fondale to approve the following agenda items:

- B. Approve David Rupe as Director of Operations, 260 day contract, \$75,000 annual salary
- C. Approve the retirement resignation of Ned Underwood, Social Studies teacher at New Lexington High, effective June 1, 2014.
- D. Approve the retirement resignation of Brenda Cunningham, Title I Teacher at New Lexington Elementary School, effective June 1, 2014.
- E. Approve FMLA for Cortney Fulk, Science teacher at New Lexington Middle School.
- F. Approve FMLA for Chris Treen, Math teacher at New Lexington High School
- G. Approve the following Licensed, supplemental contract for 2013-14 school year:
- | <u>Name</u>         | <u>Position 2013-14</u> | <u>Exp.</u> | <u>Salary</u> |
|---------------------|-------------------------|-------------|---------------|
| Taundra Householder | MS Boys School Track    | 6+          | \$2,879       |
- H. Approve the following Licensed, supplemental contract for 2014-15 school year:
- | <u>Name</u> | <u>Position 2013-14</u> | <u>Exp.</u> | <u>Salary</u> |
|-------------|-------------------------|-------------|---------------|
| David Rupe  | Head Football Coach     | 4           | \$5,438       |
- I. Having found no interested licensed person employed or not employed by the Board of Education pursuant to Section 3319.22 and 3313.53, Revised Code, and upon the recommendation of Superintendent Sherburne, it was moved to adopt the following resolution #**14-04** hereby approving the following non-licensed non-employee pupil activity contracts for the 2013-14 school year. All persons listed have the required CPR and PAV certifications:
- | <u>Name</u>     | <u>Position</u>      | <u>Exp.</u> | <u>Salary</u> |
|-----------------|----------------------|-------------|---------------|
| Mariah Holbrook | Asst. Coach Softball | 0           | \$1,919       |
| Diana Dick      | MS Girls Track       | 0           | \$1,919       |
- J. Approve the Memorandum of Understanding Regarding the Ohio Appalachian Collaborative Straight A Grant Joint Purchasing Agreement with Northern Local School District. Northern Local is the fiscal agent for the Straight A Grant Collaborative.
- K. Approve the following volunteers for the 2013-14 school year:  
 Athletics – Leah Hankinson, Dennis Welch  
 Classroom – Susan Rainey
- L. Approve the following non-certified substitutes for the 2013-14 school year:  
 Brandan Metzger – custodian  
 Melissa Legg – aide, secretary, cook
- M. Approve Resolution #**14-05** – Settlement Agreement with Genflex and Omnova.

WHEREAS, the New Lexington City School District Board of Education (the "Board") completed construction of the new New Lexington High School and renovations of the Junction City Elementary School and New Lexington Elementary School buildings (collectively the "School Buildings") in early 2000.

WHEREAS, there have been persistent water leaks over the course of several years in the roof systems at each of the School Buildings, which result from a premature failure of the roof membranes and the inability of warranty repairs to prevent future leaks;

WHEREAS, a dispute has arisen between the Board, GenFlex Roofing Systems, LLC ("GenFlex"), and Omnova Solutions, Inc. ("Omnova") over the quality of the roof membrane and the scope of the warranty repairs required under the roof system warranty for each of the School Buildings at which GenFlex roof membrane was used;

WHEREAS, the Board commenced a lawsuit on February 12, 2013 in the Perry County Common Pleas Court (the "Lawsuit") against GenFlex and Omnova to determine responsibility under the warranties for the School Buildings and to recover costs and damages for the replacement of the leaking roof systems;

WHEREAS, Firestone Building Products Company, LLC ("Firestone"), an entity with authority to execute a settlement agreement on behalf of GenFlex and Omnova, has agreed to provide sufficient materials to "re-skin" the roof systems for each of the three School Buildings, in consideration of the Board releasing certain claims against GenFlex, Omnova, and Firestone, including all claims set forth in the Lawsuit.

WHEREAS, the Board now desires to resolve said claims and disputes, including all claims related to the Lawsuit; and to approve a proposed settlement agreement with Firestone.

NOW, THEREFORE, BE IT RESOLVED by the New Lexington City School District Board of Education that the Settlement Agreement and Release attached hereto as Exhibit A is approved, and the Superintendent is authorized to sign the Settlement Agreement and Release on behalf of the Board.

- N. Approve the Revised Local Professional development Standards and Guidelines for License Renewal
- O. Approve the MOU with AFSCME local 2020 regarding the reopener for the 2013-14 school year.

Board member Mike Davisson explained that at no time did he or board member Steve Burton say to post the position outside of the school district. They had asked a question regarding the timeframe for the posting if the position was not awarded to a current teacher.

Mrs. Sherburne also clarified that when she spoke with Mrs. Lucas regarding the new position for Director of Operations, she had informed her that there would be a cost savings from the retirements of two teachers, not administrators. And, as of the time of the board meeting, the Board had received a third retirement request from a teacher.

**THE VOTE: Dodd, yes; Fondale, yes; Davisson, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

It was moved by Dodd and seconded by Davisson, to adjourn to Executive Session at 9:47 p.m. under provisions of O.R.C. 121.22(G)(1) to hear Step 3 appeal of grievances filed by AFSCME Local 2020 member, to discuss pending litigation and to hear complaint involving public official and employee.

**THE VOTE: Dodd, yes; Davisson, yes; Fondale, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

Board President McGaughey declared the Board in open session at 10:00 p.m.

### **Board Report**

- A. Legislative Update – Mary Dodd – none at this time
- B. Student Achievement – Mike Davisson – none at this time

### **Items for Discussion/Research Prior to Action**

Mrs. Lucas asked about the statement made by Mrs. Sherburne about the cost savings from 2 retirements. Mrs. Sherburne explained that all positions would be refilled – the savings is from a retiring teacher at the top end of the salary schedule being usually replaced by a teacher at the lower end of the salary schedule.

Mrs. Dodd asked Mrs. Lucas about the statement she made about multiple supplemental positions being taken away. Mrs. Lucas was concerned about the Weight Room Coordinator position being given to a non-union member. Mrs. Sherburne explained that the Weight Room Coordinator position was not on the agenda, and that she had 3 internal applications apply as of the night of the board meeting.

It was moved by Dodd and seconded by Fondale to adjourn the meeting.

**THE VOTE: Dodd, yes; Fondale, yes; Davisson, yes; Burton, yes; McGaughey, yes. President McGaughey declared the motion carried.**

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President

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Treasurer