

RECORD OF PROCEEDINGS
Minutes of the Bright Local Board of Education Meetings
Held on March 21, 2018 at 6:00 pm

REGULAR MEETING

Call to Order

President Wright called the meeting to order and Mr. Drewyor called roll. Present for roll call were Mr. Ames, Mr. Cox, Mrs. Hauke, Mr. Gillespie and Mrs. Wright.

#029-2018 Approval of Board Agenda

It was moved by Mr. Cox and seconded by Mr. Ames to adopt the agenda for the March 21, 2018 Board of Education Regular Meeting as presented. Roll call: Mr. Cox – yes, Mrs. Wright – yes, Mrs. Hauke – yes, Mr. Ames – yes, Mr. Gillespie – yes. Motion carried.

Recognitions

There was none

Public Participation

There was none

PRESENTATIONS

Legislative Report

Steve Cox reported on pending legislation.

Southern Hills Career & Technology Center

Steve Cox reported on the start-up of the new adult education center and start of the new programs.

#030-2018 Treasurer's Report and Recommendations

It was moved by Mr. Cox and seconded by Mr. Gillespie to approve resolutions/recommendations as a group:

A. MINUTES

Approval of the Board of Education minutes of the February 26, 2018 special and regular meetings.

B. FINANCIAL REPORTS

Approval of financial reports for the month of February 2018 as presented.

C. AMENDED CERTIFICATE AND APPROPRIATION MODIFICATIONS

Approve the FY18 amended certificate and appropriation modifications as presented.

D. TRANSFER

Approval of the transfer of \$2000 from the Class of 2018 to the Class of 2019 for prom expenses and other needs as determined by the class advisor.

E. THEN AND NOW CERTIFICATE

Approve the expenditure of \$6,641.92 with The Habegger Corp. on a "then and now" basis, certifying the expenditure was properly funded and appropriated at the time of the occurrence.

F. RESCHEDULE BOARD MEETING

Approve the rescheduling of the April 18, 2018 regular meeting of the Bright Local Board of Education to Monday, April 16, 2018 at 6:00 pm at Bright Elementary.

Roll call on above group of resolutions: Mr. Cox – yes, Mr. Ames – yes, Mr. Gillespie – yes, Mrs. Hauke – yes, Mrs. Wright – yes. Motion carried

G. INFORMATION ITEMS

Finance Committee

The Finance Committee will meet 5:00 pm on April 16, 2018 at Bright Elementary.

ArbiterPay

The district is implementing ArbiterPay to pay officials for athletic events.

Classroom Supplies

Effective with this fiscal year teachers will be asked to purchase and receive their classroom supplies prior to leaving for summer break.

#031-2018 Superintendent's Report and Recommendations

It was moved by Mr. Gillespie and seconded by Mr. Cox to approve the following resolutions/recommendations as a group:

A. PERSONNEL ITEMS

Approval of the following personnel recommendations pursuant to the terms and conditions of the new employee's individual contract and his/her job description. Said employment will be contingent upon (1) receipt of a satisfactory criminal record check, (2) receipt of licensure/certification from ODE (3) verification of experience and training, and (4) negative results on drug testing (as applicable).

1. Certified Sub
Colin Ryan

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2. Classified Sub
Krista Carsey
3. Non-Paid Supplemental/Pupil Activity
Steve Smith – Softball
4. Resignation
Janice Lynn – 29 years of service
5. Supplemental/Student Activity Contracts
Non-renew all supplemental/student activity contracts effective the end of the school year.

B. EXTENDED TESTING TIME

Approve, as allowed by ORC, testing for English Language Arts (ELA) to be extended by 15 minutes.

C. REVISED BOARD POLICIES

Approve the following revised board policies:

PO4121 – Criminal History Record Check
PO4162 – Drug and Alcohol Testing of CDL License Holders
PO5111 – Eligibility of Resident/Nonresident Students
PO5112 – Entrance Requirements
PO7530.02 – Staff Use of Personal Communication Devices
PO7530 – Lending of Board-Owned Equipment
PO7542 – Access to District Technology Resources and/or Information Resources from Personal Communication Devices
PO7543 – Utilization of the District’s Website Access to the District’s Network
PO8400 – School Safety
PO8600.04 – Bus Driver Certification
PO9141 – Business Advisory Council

Roll call on the above group of resolutions: Mrs. Hauke –yes, Mr. Ames –yes, Mr. Cox – yes, Mrs. Wright – yes, Mr. Gillespie – yes. Motion carried.

D. DISCUSSION/INFORMATIONAL ITEMS

Coaches Driving Bus FY19

Mr. Downing reported that the district is planning on offering athletic coaches the opportunity to drive team busses when a sub driver is not available. The district would pay for the training with the expectation the coaches drive for at least a year. Coaches would only be paid for the time they are driving and not during contest time.

Activities Calendar

Prom – April 21, 2018 (district will not be bussing students this year)
Graduation – May 19, 2018 at 7:00 pm
Hitting Facility Dedication – March 30, 2018 at 6:00 pm

Fall/Winter Supplementals/Pupil Activity Contracts

With the nonrenewal of supplementals/pupil activity contracts, fall and winter supplemental/pupil activity positions will be posted immediately.

Whiteoak Building Improvements

Mr. Downing reported that the district is looking to replace the senior patio concrete and to install an overhead cover over the exterior double gym doors.

#032-2018 Boiler/Chiller Replacement

It was moved by Mr. Cox and seconded by Mr. Gillespie to approve the following resolution:

RESOLUTION AUTHORIZING LEASE-PURCHASE FINANCING FOR THE PURPOSE OF FINANCING THE ACQUISITION OF CAPITAL IMPROVEMENTS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$825,000.

WHEREAS, the Board of Education (the “Board of Education”) of the Bright Local School District (inclusive of the Board of Education, the “School District”), hereby determines, by virtue of this resolution, that it is necessary and appropriate to acquire energy efficiency capital improvements, including without limitation, boiler and chiller improvements (collectively, the “Project”); and

WHEREAS, in order to finance and acquire the Project, the School District desires to enter into an equipment lease-purchase agreement or other form of installment payment agreement (for convenience, the aforesaid financing agreement shall hereinafter be referred to as the “Lease-Purchase Agreement”) with Energy Optimizers, USA or other financial institution or credit provider, which entity will ultimately be identified in the Certificate of Award (as defined herein); and

WHEREAS, the Lease-Purchase Agreement may be either an existing lease-purchase agreement or a newly executed lease-purchase agreement, and in either case, the School District may elect to enter into a master lease-purchase agreement or a lease-purchase agreement that is specific to the Project; and

WHEREAS, Section 3313.375 of the Ohio Revised Code provide the legal authority to execute the Lease-Purchase Agreement in order to finance the Project; and

WHEREAS, the principal amount authorized pursuant to the Lease-Purchase Agreement shall not exceed \$825,000, which principal amount is not expected to exceed the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED by this Board of Education of the Bright Local School District, Counties of Highland and Adams, Ohio, that:

SECTION I. It is hereby determined to be necessary, appropriate, and in the best interests of the citizens of the School District, and the School District hereby agrees, to finance the Project, in accordance with the plan of lease-purchase financing described in this resolution in a principal amount not to exceed \$825,000.

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SECTION 2. The School District shall finance the Project by entering into the Lease-Purchase Agreement (or other form of installment payment contract) with Energy Optimizers, USA or other financial institution or credit provider identified in the Certificate of Award (the "Lessor"). The Lease-Purchase Agreement may be a master agreement which includes one or more financing schedules. The Lease-Purchase Agreement shall provide, among other things, for the payment of rent from the School District to the Lessor. Rent shall be payable in an installment or installments over the term of the Lease-Purchase Agreement, in such amounts and at such times as shall be determined in the Certificate of Award and the Lease-Purchase Agreement. The initial term of the Lease-Purchase Agreement shall be from the effective date of the Lease-Purchase Agreement (or the applicable schedule of payments thereunder) to a date specified in the Lease-Purchase Agreement, subject to renewal terms at the end of each fiscal year, which initial term and subsequent renewal terms shall be subject to appropriation of the amounts due and owing under the Lease-Purchase Agreement. The Lease-Purchase Agreement 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 Lease-Purchase Agreement may be subject to prepayment prior to the expiration of the initial term at the option of the School District in accordance with the terms of the Certificate of Award.

SECTION 3. The President of the Board of Education and the Treasurer of the Board of Education of the School District (or their respective lawful designees), individually or collectively, are hereby authorized to execute and deliver the Lease-Purchase Agreement and such additional agreements, certificates, instruments, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this resolution in such forms as the official executing the same, and legal counsel for the School District, may approve. The Treasurer of the Board of Education is also hereby authorized to execute a certificate of award (the "Certificate of Award"), which Certificate of Award shall specify the term of the lease or installment payment obligations issued pursuant to the Lease-Purchase Agreement, the schedule of rent, the interest rate (or rates), the prepayment terms (if any), the maturity date, and other material terms and conditions necessary to provide for the issuance and delivery of the lease or installment payment obligations issued pursuant to the Lease-Purchase Agreement. This Board of Education hereby determines that the Certificate of Award and the provisions thereof shall be fully incorporated into this resolution, and the terms of the Certificate of Award, when executed, shall be made part of this resolution, and the resolution and the Certificate of Award shall be one in the same document. The President of the Board of Education, the Treasurer of the Board of Education, the Superintendent of the School District, and any other officer or fiscal agent of the School District (or any lawful designee), individually or collectively, are hereby authorized to execute any documentation deemed necessary by legal counsel to the School District in order to provide for the issuance and delivery of the lease or installment payment obligations provided for pursuant to the Lease-Purchase Agreement.

SECTION 4. The School District agrees to execute and perform the duties and obligations specified within the Lease-Purchase Agreement in accordance with the terms thereof. The School District agrees to comply with the terms and conditions of such additional agreements and documents relating thereto as shall be deemed, by legal counsel to the School District, necessary in order to provide for the issuance and delivery of the lease or installment payment obligations to be issued pursuant to the Lease-Purchase Agreement. Dinsmore & Shohl LLP is hereby retained as bond counsel for the purpose of preparing and/or reviewing the necessary documentation in connection with the issuance and delivery of the lease or installment payment obligations provided for in connection with the execution of the Lease-Purchase Agreement, and bond counsel is further authorized to prepare all necessary documents required to complete this lease-purchase financing, and the President of the Board of Education and/or the Treasurer of the Board of Education (or any lawful designee), individually or collectively, are hereby authorized to execute a letter of engagement with such firm.

SECTION 5. Nothing in the Lease-Purchase Agreement, 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. Neither the taxing power nor the full faith and credit of the School District are pledged nor shall be pledged for the payment or security of the lease or installment payment obligations issued pursuant to the Lease-Purchase Agreement, or any other related agreement or document.

SECTION 6. There is hereby appropriated, from unappropriated funds currently on deposit in the general fund (or other fund as identified in the Certificate of Award) of the School District, a sum (to be identified in the Certificate of Award and the Lease-Purchase Agreement as base rent for the current fiscal year) to pay the cost of rent or lease payments due or coming due under the Lease-Purchase Agreement for the initial term ending no later than June 30, 2018 if such obligations are issued prior to such date, or if issued in the following fiscal year, then June 30, 2019.

SECTION 7. The School District is also hereby authorized to enter into an agreement or contract with Energy Optimizers, USA in order to provide services and work (including maintenance and repair) in conjunction with Project for a period of time not to exceed 10 years, which service payments are estimated to be \$248,000.

SECTION 8. It is hereby 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: Mrs. Hauke –yes, Mr. Ames –yes, Mr. Cox – yes, Mrs. Wright –yes, Mr. Gillespie – yes. Motion carried.

#033-2018 Executive Session

It was moved by Mr. Cox and seconded by Mr. Ames to go into executive session to discuss the employment, dismissal, or discipline of a public employee. Mr. Downing and Mr. Drewyor were invited into the session.

Roll Call: Mr. Ames – yes, Mrs. Hauke –yes, Mr. Cox - yes, Mr. Gillespie – yes, Mrs. Wright – yes. Motion carried.

Time in: 7:10 pm

Time out: 7:28 pm

ADJOURNMENT

President Wright declared the meeting adjourned at 7:50 pm.

President _____

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Attest _____

Next meeting of the Bright Local School District's Board of Education will be Monday, April 16, 2018. The meeting will begin at 6:00 pm. The meeting will be held at Bright Elementary School.