

RECORD OF PROCEEDINGS

Minutes of the West Clermont Local School Board Regular Meeting Held at the Union Township Civic Center, on Monday, March 9, 2009

The Board of Education of the West Clermont Local School District met in Regular Session at 6:00 p.m. on Monday, February 9, 2009 at the Union Township Civic Center, 4350 Aicholtz Road, Cincinnati, OH 45245.

Board members answering roll call during the construction portion of the meeting: Mrs. Jo Ann Beamer, Mr. Dan Krueger, Mr. Doug Young. Discussion involved construction of the new Amelia and Withamsville-Tobasco Elementary Schools.

Board members answering roll call: Mrs. Jo Ann Beamer, Mr. Jeff Burgess, Mr. Dan Krueger and Mr. Doug Young. Mrs. Barbara Hartman was not present.

VISITORS

The President asked if any visitors present had business that they wished to present to the Board. No reply was heard.

Treasurer's Business

RESOLUTION 09-52 – APPROVE MINUTES OF THE FEBRUARY 23, 2009 REGULAR MEETING

Motion by Beamer, seconded by Burgess that the Board approve the unofficial record of the February 23, 2009, Regular Meeting as the Official Record of that meeting.

Voting Aye on the roll call: Beamer, Krueger, Young.
Nays: None. Motion carried. Mr. Burgess abstained.

RESOLUTION 09-53 – DONATIONS

Motion by Krueger, seconded by Beamer that the Board approve the following donations:

City Barbeque donated \$45.63 to Summerside Elementary as part of a fund raiser program.

Summerside PTO donated \$440.20 to be used toward Summerside Elementary's walking track.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.
Nays: None. Motion carried.

RESOLUTION 09-54 – RESOLUTION DIRECTING TREASURER TO ISSUE NOTICES OF NON-RENEWAL

Motion by Burgess, seconded by Young that the Board direct the Treasurer to issue notices as required to staff whose limited contracts are subject to non-renewal.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.
Nays: None. Motion carried.

RESOLUTION 09-55 – RESOLUTION EXPRESSING INTENT TO AWARD CONSTRUCTION CONTRACTS FOR MAIN BID PACKAGES AND AUTHORIZING THE PRESIDENT AND TREASURER TO ENTER INTO SAID CONTRACTS UPON COMPLIANCE WITH ALL CONDITIONS PRECEDENT RELATED TO THE AMELIA AND WITHAMSVILLE-TOBASCO ELEMENTARY SCHOOLS

Motion by Young, seconded by Krueger that the Board approve the following resolution:

WHEREAS, the Board of Education of the West Clermont Local School District (the "Board of Education"), County of Clermont, Ohio, by resolution approved a Detailed Estimate of Construction Cost and draft Construction Documents for main bid packages (the "Bid Packages") for the Amelia and Withamsville-Tobasco Elementary Schools (the "portion of the Project") and authorized the commencement of the bidding process and the advertisement for bids pursuant to applicable laws, including but not limited

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to, Sections 7.12, 9.31, 9.311, 153.12, 153.50, 153.51, 153.52, 153.54 to 153.571, 3313.46, and 5719.042, ORC;

WHEREAS, The Turner Construction Company (hereinafter called the "Construction Manager"), with the assistance of SFA Architects (hereinafter called the "Architect"), commenced the bidding process for the Bid Packages;

WHEREAS, the Board of Education has appointed a certain authorized representative (hereinafter called the "Authorized Representative") to act on its behalf during the planning, bidding, award and construction phases of the Project;

WHEREAS, the Construction Manager, with the assistance of the Architect and Authorized Representative, held a Pre-Bid Conference for prospective bidders wherein prospective bidders were briefed on said Bid Packages;

WHEREAS, the Authorized Representative and Construction Manager, on behalf of the Board of Education and with the assistance of the Architect, received sealed bids at the time and place established for the receipt of bids for said Bid Packages in the Notice To Bidders and opened and read aloud said bids immediately thereafter in compliance with paragraphs IB 3.1 and 3.2;

WHEREAS, the Authorized Representative and Construction Manager, with the assistance of the Architect, have tabulated the bids received and advised the Board of Education on the acceptance or rejection of any or all bids, Alternates and budget considerations;

WHEREAS, the Authorized Representative and Construction Manager, with the assistance of the Architect, have reviewed all bids received for the Bid Packages for said portion of the Project and the Construction Manager and Architect have conducted a responsibility investigation of the apparent low Bidders in compliance with paragraph IB 3.5 and Sections 153.12 and 3313.46(A)(6), ORC, and any other authorizing provisions of law; and

WHEREAS, the Authorized Representative has procured and put into effect a Builder's Risk insurance policy as and to the extent required by Paragraphs GC 12.2 and 12.3 covering all Work in the course of construction for said portion of the Project, including but not limited to falsework, temporary buildings and structures and materials used in the construction process, stored on or off site, or while in transit.

NOW, THEREFORE BE IT RESOLVED, by the Board of Education, that after careful consideration and evaluation of the information before it:

Section 1. The Board of Education hereby accepts the recommendation of the Construction Manager, Architect and Authorized Representative to award the Base Bid and any Alternates for the Bid Packages for the portion of the Project to the bidders as provided below as the lowest responsible bidders in compliance with paragraph IB 3.5 and Section 3313.46(A)(6), ORC, and any other authorizing provisions of law, contingent upon compliance with all conditions precedent to contract execution under paragraph IB 7.3:

<u>Bid Package</u>	<u>Lowest Responsible Bidder</u>
#3; General Trades for Amelia & Withamsville-Tobasco Elementary Schools	Reece-Campbell, Inc.
	Base Bid (combination) \$8,547,000.00
	Alternate #1; Access Rd. at WT 51,600.00
	Alternate #3; Access Rd. at Amelia 75,700.00
	Alternate #5; Window Blinds at WT 44,300.00
	Alternate #6; Window Blinds at Amelia 73,000.00
	Alternate #8; Mech Yard Enclosure at WT 1,073.00

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Alternate #10; Mech Yard Enclosure at Amelia	1,384.00
Alternate #11; Music Room Partition at WT	23,900.00
Alternate #13; Music Room Partition at Amelia	22,400.00
Alternate #15; Basketball Goals at Amelia	11,000.00
Alternate #17; Basketball Goals at WT	11,000.00
Alternate #19; Softball Infield & Backstop at WT	13,100.00
Alternate #20; Softball Infield & Backstop at Amelia	<u>13,100.00</u>
Total	\$8,888,557.00

#4; Masonry for Withamsville-Tobasco Elementary School

Benchmark Masonry Contractors, Inc.	
Base Bid	\$1,774,700.00
Alternate #7; Mech Yard Enclosure at WT	14,800.00
Alternate #12; Music Room Partition at WT	(5,300.00)
Alternate #30; Utility Brick at WT	<u>27,300.00</u>
Total	\$1,811,500.00

#4; Masonry for Amelia Elementary School

Benchmark Masonry Contractors, Inc.	
Base Bid	\$1,770,539.00
Alternate #9; Mech Yard Enclosure at Amelia	17,332.00
Alternate #14; Music Room Partition at Amelia	(4,482.00)
Alternate #30; Utility Brick at Amelia	<u>25,467.00</u>
Total	<u>\$1,808,856.00</u>

#5; Roofing for Withamsville-Tobasco Elementary School

Campeon Roofing & Waterproofing, Inc.	
Base Bid	\$542,700.00
Alternate #25; EPDM at WT	<u>(3,900.00)</u>
Total:	\$538,800.00

#5; Roofing for Amelia Elementary School

BK Contracting	
Base Bid	\$562,000.00
Alternate #25; EPDM at Amelia	(18,000.00)
Total:	\$544,000.00

#6; Fire Protection for Withamsville-Tobasco Elementary School

Dalmation Fire, Inc.

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	Base Bid	<u>\$139,700.00</u>
	Total:	\$139,700.00
#6; Fire Protection for Amelia Elementary School	S.A. Communale	
	Base Bid	<u>\$149,900.00</u>
	Total:	\$149,900.00
#7; Plumbing for Amelia & Withamsville-Tobasco Elementary Schools	Ken Neyer Plumbing, Inc.	
	Base Bid	<u>\$930,000.00</u>
	Total:	\$930,000.00
#8; HVAC for Amelia & Withamsville-Tobasco Elementary Schools	Artic Heating & Air Conditioning, Inc.	
	Base Bid	<u>\$2,246,440.00</u>
	Total:	\$2,246,440.00
#9; Electrical & Technology for Amelia & Withamsville-Tobasco Elementary Schools	Beacon Electrical Contractors	
	Base Bid (combination)	\$2,675,000.00
	Alternate #2; Access Rd. at WT	(8,000.00)
	Alternate #4; Access Rd. at Amelia	(8,000.00)
	Alternate #16; Basketball Goals at Amelia	2,500.00
	Alternate #18; Basketball Goals at WT	2,500.00
	Alternate #23; Cat 6 Cabling at Amelia	23,900.00
	Alternate #24; Cat 6 Cabling at WT	<u>20,900.00</u>
	Total:	\$2,708,800.00

Section 2. The Board of Education hereby authorizes the Construction Manager, on its behalf, to forward Notices of Intent to Award Contract for said portion of the Project in compliance with paragraph IB 3.7, with the appropriate Contract Form, to the lowest responsible bidders referenced in Section 1. The Construction Manager shall simultaneously notify the surety and agent of the surety of said lowest responsible bidders of the intent to award pursuant to Section 9.32, ORC.

Section 3. Subject to the approval of the Board of Education construction counsel, and upon compliance with all conditions precedent to Contract execution under paragraph IB 7.3, the Board of Education hereby authorizes the President and Treasurer to sign said Contracts.

Section 4. The Board of Education hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of said Contracts, and attach to said Contracts a copy of the Certificate of Funds.

Section 5. The Board of Education hereby authorizes the Construction Manager (at a time determined appropriate by Construction Manager), after the Construction Manager's receipt of said Contracts signed by the Contractors to forward a Notice to Proceed for said Contracts in compliance with Paragraph IB 7.4.

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Section 6. The Board of Education hereby authorizes the Treasurer, at the appropriate time and with the assistance of the Board of Education construction counsel, to prepare, and make available upon request, a Notice of Commencement pursuant to Section 1311.252, ORC, prior to the performance of any work related to said Contracts.

Section 7. The Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education, and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

Section 8. This resolution shall be in full force and effect from and immediately after its adoption and shall supersede any prior resolution or act of this Board of Education that may be inconsistent or duplicative with the provisions of this resolution.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.

Nays: None. Motion carried.

RESOLUTION 09-56 – RESOLUTION APPROVING DETAILED ESTIMATE OF CONSTRUCTION COST AND CONSTRUCTION DOCUMENTS AND AUTHORIZING THE COMMENCEMENT OF BIDDING INCLUDING THE ADVERTISEMENT FOR AND REVIEW OF BIDS FOR COMBO HVAC CONTROLS BID PACKAGE RELATED TO THE NEW AMELIA AND WITHAMSVILLE-TOBASCO ELEMENTARY SCHOOLS

Motion by Beamer, seconded by Krueger that the Board approve the following resolution:

WHEREAS, the West Clermont Local School District, County of Clermont, Ohio (hereinafter called the “School District”) building program identifying classroom facilities needs and basic project costs (hereinafter called the “Master Plan”) has been conditionally approved by the Ohio School Facilities Commission, State of Ohio (hereinafter called the “Commission”) and Ohio Controlling Board, as authorized under Section 3318.36, ORC;

WHEREAS, the School District has identified a discrete part of the Master Plan, consisting of new Amelia Elementary School and Withamsville-Tobasco Elementary School (hereinafter called the “Project”), to undertake with local resources prior to the School District’s eligibility for State of Ohio assistance under Sections 3318.01 to 3318.20, ORC;

WHEREAS, the electors of the School District approved the issuance of school improvement unlimited tax general obligation bonds related to the Project at the election held in November 2007;

WHEREAS, the West Clermont Local School District Board of Education (hereinafter called the “Board of Education”) has entered into a Part Two Expedited Local Partnership Program Agreement with the Commission related to the Project pursuant to Section 3318.36, ORC;

WHEREAS, the Board of Education has contracted with a qualified professional design firm, SFA Architects (hereinafter called the “Architect”), under Sections 153.65 to 153.71, ORC, to prepare plans, specifications and estimates of cost, and such data as the Board of Education deems necessary for the Project and in compliance with the specifications set forth in the Commission’s Design Manual, where applicable;

WHEREAS, the Board of Education has retained a qualified construction management firm, Turner Construction Company (hereinafter called the “Construction Manager”), under Sections 9.33, 9.331 and 9.332, ORC, related to Project planning documents, estimates of cost, bid packaging, bidding, contract award, administration and closeout, including but not limited to, the scheduling and coordination of multiple prime contractors;

WHEREAS, the Board of Education has appointed a certain authorized representative (hereinafter called the “Authorized Representative”) to act on its behalf during the planning, bidding, award and construction phases of the Project;

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WHEREAS, the Board of Education has issued, or is in the process of issuing, its school improvement bonds or bond anticipation notes pursuant to Section 133.01 et seq., ORC, to finance the estimated cost of the Work;

WHEREAS, the Construction Manager, with the assistance of the Architect and Board of Education’s Authorized Representative, has completed Scope of Work to facilitate the bidding and awarding of #10; Combo HVAC Control Bid Package (hereinafter called the “Bid Package”) for said Project, taking into consideration factors including, but not limited to, time of performance, availability of labor, and overlapping trade jurisdictions;

WHEREAS, the Architect, with the assistance of the Construction Manager, has prepared and submitted to the Board of Education, draft Construction Documents for the Bid Package for the Project consisting of Drawings and Specifications setting forth in detail the requirements for construction of said Project. Said Drawings and Specifications are based on the Scope of Work provided by the Construction Manager; and

WHEREAS, the Board of Education now desires to commence the competitive bidding process for the Bid Package for the Project as authorized under Section 3313.46, ORC.

NOW, THEREFORE BE IT RESOLVED, by the Board of Education, that after careful consideration and evaluation of the information before it:

Section 1. The Board of Education authorizes the Superintendent and Treasurer to procure, if not done so previously, and maintain during the progress of the Work, and until the execution of a certificate of Contract Completion by the Board of Education, a Builder’s Risk insurance policy as and to the extent required by Paragraphs GC12.2 and 12.3. Said policy shall cover all Work in the course of construction for said Project, including but not limited to falsework, temporary buildings and structures and materials used in the construction process, stored on or off site, or while in transit.

Section 2. The Board of Education, as authorized under Sections 3313.46(A)(1), ORC, approves the Construction Document Detailed Estimate of Cost of \$_468,000 for the Bid Package referenced in Section 3 for said Project in substantially the form presently on file with this Board of Education.

Section 3. That the Board of Education, as authorized under Section 3313.46(A)(1), ORC, approves the draft Construction Documents for the Bid Package shown in detail below for the Project in substantially the form presently on file with this Board of Education, subject to finalization and approval as to legal form by construction counsel and the procurement of all necessary government approvals:

Bid Package
BP #10; Combo HVAC Controls Package

Section 4. The Board of Education authorizes the Construction Manager and Architect, upon finalization of the Construction Documents and procurement of all necessary government approvals, to commence the bidding process for the Bid Package in compliance with all applicable laws, including but not limited to, Sections 9.31, 9.311, 153.12, 153.50, 153.51, 153.52, 153.54 to 153.571, 3313.46, ORC, and to use the Construction Document Detailed Estimate of Cost stated in Section 2 as the estimate of cost to be included in the Construction Documents as required by Section 153.12, ORC.

Section 5. The Board of Education approves for publication a “Notice To Bidders” for the Bid Package and authorizes the Construction Manager to publish said Notice once each week for a period of at least two (2) consecutive weeks in a newspaper of general circulation in the School District prior to the date specified for receiving bids in conformance with Sections 7.12 and 3313.46(A)(2), ORC.

Section 6. The Board of Education authorizes the Construction Manager and Authorized Representative, with the assistance of the Architect, to coordinate the opening of bids for the Bid Package in compliance with Section 3313.46(A)(3), ORC, and, immediately following the opening of all bids, the Construction Manager and Architect are authorized to substantiate the bids for responsiveness, then conduct a responsibility investigation of the apparent low bidder for said Bid Package, and any other bidder as appropriate, in conformance with the Instructions to Bidders and any bid evaluation process agreed to with

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the Board of Education and its construction counsel, and prepare and submit to the Board of Education a recommendation about the award or rejection of any bid or bids for the Bid Package, and the acceptance or rejection of any alternate for the Bid Package, in accordance with applicable law.

Section 7. This Board of Education hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of Education, and that all deliberations of this Board of Education and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22, ORC.

Section 8. This resolution shall be in full force and effect from and immediately after its adoption and shall supersede any prior resolution or act of this Board of Education, which may be inconsistent or duplicative with the provisions of this resolution.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.
Nays: None. Motion carried.

RESOLUTION 09-57 – RESOLUTION AUTHORIZING THE DEDUCT CHANGE ORDER FOR THE SUBCONTRACTOR PAC-VAN RELATED TO THE NEW AMELIA AND WITHAMSVILLE-TOBASCO ELEMENTARY SCHOOLS

Motion by Burgess, seconded by Young that the Board approved the resolution authorizing the deduct change order for the subcontractor Pac-Van related to the new Amelia and Withamsville-Tobasco Elementary Schools.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.
Nays: None. Motion carried.

Superintendent's Business

RESOLUTION 09-58 – OVERNIGHT FIELD TRIP

Motion by Hartman, seconded by Young that the Board approve the following overnight fieldtrip requests:

Amelia High School has requested that the Drama Club/Thespian Troupe be permitted to travel to Beaver Creek High School in Dayton, Ohio to participate in workshops led by theatre professionals. Students will build their acting, musical theatre and technical skills through their participation. Students and chaperones would depart Friday, March 27 and return on Sunday, March 29, 2009. Cost of the trip will be paid for by student contributions and fundraising activities. Transportation will be provided by Petermann.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.
Nays: None. Motion carried.

Trade Book Adoption (First Reading) – *The Alchemist* by Paul Chelho is recommended for use in English IV at Glen Este High. *The Alchemist* is ideal for seniors as they plan for their careers because it emphasizes following one's dream and working hard to pursue them. This trade book would become a part of a unit on personal quests and would pair well with excerpts from the 12th grade anthology.

Construction Update – Ed Dyer, Director of Operations provided a construction summary.

Election Update – Superintendent Brooks gave a brief update on the election.

Personnel

RESOLUTION 09-59 - PERSONNEL

Motion by Krueger, seconded by Burgess that the Board approve the following personnel actions as indicated:

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1. Resignations: The following resignations are recommended for acceptance.
- A. Patricia Lutz, guidance counselor (AH), retirement, effective July 1, 2009. (hired 8/79)
 - B. Gary Denton, P.E. teacher (GEH), retirement, effective June 1, 2009. (hired 8/78)
 - C. Sandy DeRuiter, elementary teacher (BE), retirement, effective July 1, 2009. (hired 8/87)
 - D. Jean Easton, elementary teacher (CE), retirement, effective June 1, 2009. (hired 6/78)
 - E. Adam Nacke, special needs teacher (HH), effective end of the 2008-09 contract year. (hired 8/07)
 - F. Janet Witkowski, substitute special needs paraprofessional, retirement, effective April 1, 2009. (hired 8/06)

2. Employment: The following personnel items are recommended for approval at the existing salary schedule:

- A. Supplemental Contracts for the 2008-2009 School Year: The following are recommended for 2008-2009 supplemental contracts for the position, in terms indicated, and at a salary in accordance with the district adopted salary schedules unless otherwise indicated:

<u>Name</u>	<u>Position</u> <u>District Service</u>	<u>Exp Step</u>
Amy Kemmer	Home Tutor <u>Amelia High School</u>	\$23.16 per hour
Lauren Hayden	Saturday School Supervisor <u>Glen Este High School</u>	\$19.34 per hour
Jeff Click	Assistant Track Coach	10

- B. Supplemental Appointment and Non-Renewal of Consultant-Coach Advisor for the 2008-2009 School Year: In accordance with section 3313.53 of the Ohio Revised Code, the following position(s) have been posted for the certified employees of our district and are now available to persons not employed by the school district. The following are being recommended for employment during the 2008-2009 school year. Pursuant to the provisions of Sections 3319.11 and 3313.53, Ohio Revised Code, I recommend that these coach/advisors not be reemployed to perform their supplemental contract duties for the 2009-2010 school year:

<u>Name</u>	<u>Position</u> <u>Glen Este High School</u>	<u>Exp. Step</u>
April Thompson	Assistant Track Coach	2

- C. School Volunteers: The following are recommended for approval as school volunteers:

<u>Amelia Elementary:</u>	Tandi DePaz	Eric Cross	Kristen Lambert
	Janet Fraley	Tosha McClanahan	Rick Ervin
<u>Brantner Elementary:</u>	Holly Lawson	Heather Montgomery	
<u>Clough Elementary:</u>	Shain Bollen	Elizabeth Hornback	Julie Campbell
<u>Holly Hill Elementary:</u>	Myissia Howard		
<u>Merwin Elementary:</u>	Barry Klanke	Kristen hoh	Rhonda Kirchoff
<u>Summerside Elementary:</u>	Jessica Wirthlin	Paul Bellonby	
<u>Willowville Elementary:</u>	John Castle	Jamie Locher	
<u>Withamsville Elementary:</u>	Jennifer Clemmons	Kathleen Schneider	
<u>Glen Este High:</u>	Christopher Fuller	Timothy Bowman	Cary McMahon

- D. Substitute Personnel for the 2008-2009 Contract Year: The following are being recommended for appointment as substitute employees to work on an "on-call" basis, as indicated for the 2008-2009 school year, at the existing adopted substitute salary schedules:

<u>Teachers:</u>	Tyler Fluharty	James Sperry	Lawrence Robben
<u>Secretary:</u>	Betty Nort		
<u>Paraprofessionals:</u>	Betty Nort		

- E. Stipend Approval: The following listing of stipends is recommended for approval, in terms indicated:

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Lee Brenner	AHS Pep Band Performances	\$1400	AHS 018 Acct
Vikki Henshey	MS Language Arts professional develop	\$50.00	Title II A Fed
Amy Kemmer	MS Language Arts professional develop	\$50.00	Title II A Fed
Maria Lubanski	MS Language Arts professional develop	\$50.00	Title II A Fed
Mary Jane Wolff	MS Language Arts professional develop	\$50.00	Title II A Fed
Kasey Walters	Music professional development	\$150.00	Title II A Fed
Taryn Heltzer	Right to Read Week planning	\$100.00	Title II A Fed

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.

Nays: None. Motion carried.

RESOLUTION 09-60 – EXECUTIVE SESSION

Motion by Burgess, seconded by Krueger that the Board adjourn into Executive Session for the purpose of considering the appointment, employment, dismissal, discipline, promotion, demotion or compensation of public employees.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.

Nays: None. Motion carried. The Board withdrew into executive session at 7:50 p.m. The Board returned to regular session at 9:55 p.m.

RESOLUTION 09-61 - ADJOURN

Motion by Krueger, seconded by Burgess that the meeting adjourn.

Voting Aye on the roll call: Beamer, Burgess, Krueger, Young.

Nays: None. Motion carried. The meeting adjourned at 9:55 p.m.

Jo Ann Beamer, President

ATTEST:

Alana Cropper, Treasurer