

Market Street School

7:00 p.m.

December 20, 2004

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The New Richmond Exempted Village Board of Education met in [regular](#) session on [December 20, 2004, 7:00 p.m.](#) at [Market Street School, 212 Market Street](#), New Richmond, Ohio 45157, with the following members present:

David Hawkins, President
Fred Heflin, Vice-President
Ralph Shepherd
David Painter
Kevin Walriven

Charles Moore, Superintendent, and Teresa Napier, Chief Financial Officer, were also present.

Mr. Moore presented the following changes and additions to the agenda:

Add: 2005-82 Acceptance of Resignations

It is recommended that the Board of Education accept the resignation of Mr. Alan Slater, *classified employee and Varsity Boys Basketball Head Coach*, effective close of business December 17, 2004.

Add: 2005-83 Employment of Personnel

A. Certified Substitutes (2004/2005 School Year)

Marie Akers
Alexa Manning

2005-67 Moved by Mr. Walriven, seconded by Mr. Painter, to approve the agenda as amended. Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Shepherd, yea; Mr. Painter, yea; Mr. Walriven, yea. Motion carried.

2005-68 Moved by Mr. Shepherd, seconded by Mr. Painter, to approve the following:

A. Approve the minutes of the October 30, 2004 Special Meeting, the November 6, 2004 Special Meeting and the November 29, 2004 Regular Meeting.

B. Approve the financial report for the month ending November 30, 2004:

- Receipts
- Cash Position
- Expenditures
- Investments

C. Acceptance of Donations

1. \$20 to NRHS Faculty Scholarship Fund from Judy Bennett

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2. \$20 to NRHS Faculty Scholarship Fund from Tonya Knoechel
3. \$320 to NRHS Faculty Scholarship Fund from J. Brandyberry, R. Cain, J. Callebs, C. Corbin, M. Cornette, M. Dalton, M. Dunn, J. Kinsinger, R. Mahan, S. Nehls,

J. Reaker, M. Reid, G. Ryan, D. Shinkle, R. Stang, L. Wuest, C. Zimmerman, and P. Verwold

4. \$720 to NRHS Faculty Scholarship Fund from B. Benzinger, D. Brandon, T. Brown, A. Carey, A. Carr, V. Corpuz, C. Coulter, J. Crowley, J. Davidson, M. Davis, W. Endicott, T. Flamm, M. Forsee, W. Gabriel, L. Gilday, S. Griffin, W. Harris, D. Heflin, P. Heflin, D. Helton, P. Hill, S. Jones, R. Lewis, M. Mallow, L. Minning, S. Morrison, S. Morand, T. Otten, N. Parker, J. Robinson, A. Slater, S. Steel, L. Taylor, S. Thompson, and T. Wahl,
5. \$15 to NRHS Troubadours from Yvette Tonagel
6. \$30 to NRHS Troubadours from Tom and Alice Gilfillen
7. \$30 to NRHS Troubadours from Robin and Paul Brewer
8. \$169.96 to NRHS Troubadours from an anonymous donor
9. \$100 to NRHS Troubadours from Tim and Mary Reid
10. \$162 to NRHS Troubadours from Douglas Heflin
11. \$2,513.77 to NRHS Troubadours from Anonymous/Biggs Fundraiser

D. Disposal of Equipment

1. Six (6) Library Books (various titles) from New Richmond Middle School
2. Thirty (30) Chairs from Monroe Elementary School

Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Walriven, yea; Mr. Painter, yea; Mr. Shepherd, yea. Motion carried.

2005-69 Moved by Mr. Heflin, seconded by Mr. Painter, to the mileage reimbursement rate, 40.5 cents as per the Federal Standard, effective January 1, 2005. Roll call: Mr. Hawkins, yea; Mr. Shepherd, yea; Mr. Walriven, yea; Mr. Painter, yea; Mr. Heflin, yea. Motion carried.

2005-70 Moved by Mr. Shepherd, seconded by Mr. Walriven, to approve membership to the Ohio School Boards Association, for the period of January – December 2005 at the cost of \$5,098, including subscriptions to Briefcase at \$110 and School Management News at \$185. Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Painter, yea; Mr. Walriven, yea; Mr. Shepherd, yea. Motion carried.

2005-71 Moved by Mr. Walriven, seconded by Mr. Heflin, to authorize participation in the Ohio School Boards Legal Assistance Fund pursuant to ORC 3313.171 for the period January 1, 2005 through December 31, 2005 at an annual cost of \$250. Roll call: Mr. Hawkins, yea; Mr. Shepherd, yea; Mr. Painter, yea; Mr. Heflin, yea; Mr. Walriven, yea. Motion carried.

2005-72 Moved by Mr. Heflin, seconded by Mr. Painter, to authorize payment of membership dues to the National School Boards Association pursuant to ORC 3313.171 for the period January 1, 2005 through December 31, 2005 at an annual cost of \$3,350. Roll call: Mr. Hawkins, yea; Mr. Shepherd, yea; Mr. Walriven, yea; Mr. Painter, yea; Mr. Heflin, yea. Motion carried.

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2005-73 Moved by Mr. Walriven, seconded by Mr. Shepherd, to table item:

9. New Richmond Business Association Membership

It is recommended that the Board of Education approve membership in the Clermont County Chamber of Commerce for 2004 for a sum of \$454.

Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Painter, yea; Mr. Shepherd, yea; Mr. Walriven, yea. Motion carried.

2005-74 Moved by Mr. Shepherd, seconded by Mr. Heflin, to approve payment of invoice #13709 from Proactive Consulting Services in the amount of \$5,265. Roll call: Mr. Hawkins, yea; Mr. Painter, yea; Mr. Walriven, yea; Mr. Heflin, yea; Mr. Shepherd, yea. Motion carried.

2005-75 Moved by Mr. Walriven, seconded by Mr. Hawkins, to approve a change order in the amount of \$2,925.60 to Southern Bleacher Construction Co. for additional pier depth, as presented. Roll call: Mr. Heflin, yea; Mr. Shepherd, yea; Mr. Painter, yea; Mr. Hawkins, yea; Mr. Walriven, yea. Motion carried.

2005-76 Moved by Mr. Shepherd, seconded by Mr. Hawkins,

WHEREAS, the New Richmond Exempted Village School District Board of Education wants to grant permission to Dr. and Mrs. Vesper to use the New Richmond Exempted Village School District property for parking.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the New Richmond Exempted Village School District, agrees to grant a license to Dr. and Mrs. Vesper for the sole purpose of parking on New Richmond Exempted Village School District property.

IT IS FURTHER FOUND AND DETERMINED that all formal action of this Board concerning or related to the adoption of this Resolution were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees, if any, that resulted in such formal actions were adopted in meetings open to the public, in compliance with all applicable legal requirements of the Ohio Revised Code.

This resolution shall be in full force and effect from and immediately after its adoption.

Roll call: Mr. Heflin, yea; Mr. Painter, nay; Mr. Walriven, yea; Mr. Hawkins, yea; Mr. Shepherd, yea. Motion carried.

2005-77 Moved by Mr. Heflin, seconded by Mr. Hawkins,

WHEREAS, the New Richmond Exempted Village School District Board of Education wants emergency vehicles and equipment to have access to New Richmond Exempted Village School District property from Watkins Hill Road; and

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WHEREAS, Dr. and Mrs. Vesper own two parcels of property located between Watkins Hill Road and New Richmond Exempted Village School District property; and

WHEREAS, it is necessary for emergency vehicles and equipment to cross Dr. and Mrs. Vesper's property to access New Richmond Exempted Village School District property.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the New Richmond Exempted Village School District, will accept two easements from Dr. and Mrs. Vesper for ingress and egress of emergency vehicles and equipment.

IT IS FURTHER FOUND AND DETERMINED that all formal action of this Board concerning or related to the adoption of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and any of its committees, if any, that resulted in such formal actions were adopted in meetings open to the public, in compliance with all applicable legal requirements of the Ohio Revised Code.

This resolution shall be in full force and effect from and immediately after its adoption.

Roll call: Mr. Shepherd, yea; Mr. Painter, nay; Mr. Walriven, nay; Mr. Hawkins, nay; Mr. Heflin, nay. Motion denied.

2005-78 Moved by Mr. Heflin, seconded by Mr. Shepherd, to enter into a contract agreement with Strategic Energy, LLC for Power Supply Coordination Services and Electricity as presented. Roll call: Mr. Hawkins, yea; Mr. Painter, yea; Mr. Walriven, yea; Mr. Shepherd, yea; Mr. Heflin, yea. Motion carried.

2005-79 Moved by Mr. Shepherd, seconded by Mr. Hawkins, to approve the following:

This Construction Contract by and between the **New Richmond Exempted Village School District Board of Education** (hereafter the "Board"), **Rieck Group, LLC** (hereafter "Contractor") and **Liberty Mutual Surety** (hereafter the "Surety").

WHEREAS, the Board was a party to a Construction Contract with Exelon Services, Inc. d/b/a Rieck Mechanical Electrical Services (hereafter "Exelon") for the Stadium Improvements at the New Richmond High School (hereafter the "Project"), a copy of which is attached herewith as Exhibit "A", and

WHEREAS, Surety provided to the Board a performance bond, in accordance with Ohio Revised Code section 153.54, a copy of which is attached as Exhibit "B", and

WHEREAS, effective June 27, 2004 assets and liabilities of Exelon has been purchased by Contractor, and

WHEREAS, the Contractor desires to complete the Project, and the Board desires the Contractor to complete the Project,

IT IS NOW THEREFORE AGREED, for the consideration set forth herein, receipt of which is hereby acknowledged, as follows:

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1. To the extent that obligations remain uncompleted, the Contractor agrees to complete all contractual obligations set forth in the Contract attached as Exhibit "A", and further agrees to be bound by the terms and conditions set forth therein, in their entirety, including but not limited to any warranty issues.
2. The Board agrees to compensate the Contractor in accordance with the terms of the conditions of Exhibit A and Contractor agrees to be compensated under the same terms and conditions as set forth in Exhibit A. In that regard, upon execution of this Agreement, the Board shall pay to Contractor all sums remaining due under the Contract.
3. All parties agree that the sums have been paid to Exelon and that the sums due under Exhibit A and Paragraph 2 shall be reduced by those payments.
4. Contractor agrees to assume all obligations of Exelon as it relates to any amounts remaining outstanding to subcontractors who have performed services for the Project and suppliers who have supplied materials for the Project.
5. Surety agrees that it will honor the terms and conditions of the Performance Bond, attached herewith as Exhibit "B", that the Performance Bond may be relied upon by the Board, that the bond applies to the work performed by both Contractor and Exelon, and that Contractor may assume the obligations of the Contract and complete the obligations contained therein.
6. All signatories of this Contract on behalf of the respective parties expressly acknowledge that they have the authority to execute this document on behalf of the noted party, and that each of the others may rely upon this representation.
7. The Board hereby consents to the assignment of Construction Contract for the Project from Exelon to Rieck Group, LLC.

Roll call: Mr. Heflin, yea ;Mr. Painter, yea; Mr. Walriven, yea; Mr. Hawkins, yea; Mr. Shepherd, yea. Motion carried.

On Thursday, December 16, 2004 public bids were opened and read aloud for asbestos removal at pierce school building. All bidders supplied bid bonds, delinquent tax, non-collusion and unresolved findings for recovery affidavits, and addendums 1 and 2.

Company Name	Base Line Bid	Line 2 Alternate	Line 3 Alternate	Line 4 Alternate
Central Insulation Services	\$54,905	\$18.00	\$16.00	\$21.00
Eastern Environmental Services	\$103,193	\$10.00	\$12.00	\$20.00

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Keen & Cross Environmental	\$77,750	\$15.00	\$12.00	\$15.00	
Specialty Systems of Ohio	\$96,590	\$16.00	\$10.00	\$16.00	
Total Environmental Services	\$84,165	\$17.25	\$12.25	\$17.25	

2005-80 Moved by Mr. Heflin, seconded by Mr. Shepherd, to enter into a contract with Central Insulation Services, low bidder, at a base price of \$54,905 for removal of asbestos at the Pierce School building. Work to be performed in accordance with bid specifications. Roll call: Mr. Hawkins, yea; Mr. Painter, nay; Mr. Walriven, yea; Mr. Shepherd, yea; Mr. Heflin, yea. Motion carried.

2005-81 Moved by Mr. Walriven, seconded by Mr. Shepherd, to enter into executive session for the purposes of considering the following: the appointment, employment, dismissal, promotion, demotion or compensation of a public employee, in accordance with Ohio Revised Code 121.22 (G)(1) and to consider the purchase of property for public purpose, in accordance with Ohio Revised Code 121.22 (G)(2). Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Painter, yea; Mr. Shepherd, yea; Mr. Walriven, yea. Motion carried.

Mr. Hawkins declared the [regular](#) meeting moved into executive session at 8:25 p.m.

Mr. Hawkins declared the executive session adjourned and the [regular](#) meeting reconvened at 9:46 p.m.

2005-82 Moved by Mr. Walriven, seconded by Mr. Painter, to accept the resignation of Mr. Alan Slater, *classified employee and Varsity Boys Basketball Head Coach*, effective close of business December 17, 2004. Roll call: Mr. Hawkins, yea; Mr. Heflin, yea; Mr. Shepherd, yea; Mr. Painter, yea; Mr. Walriven, yea. Motion carried.

2005-83 Moved by Mr. Shepherd, seconded by Mr. Heflin, to employ the following, pending certification, and submission of successful criminal background check and a negative TB test:

A. Certified Substitutes (2004-2005 School Year)

1. Marie Akers
2. Victoria Arnold
3. Steven Grothaus
4. Alexa Manning
5. James Dale McKinney, effective December 14, 2004

B. Classified Substitutes (2004-2005 School Year)

1. Daniel Crist
2. Elaine Finan
3. Deborah O'Neal
4. Carol Sandberg, effective December 2, 2004

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C. Supplementals (2004-2005 School Year)

Patricia Conrad, NRE IAT, Pay Level 2, effective November 1, 2004

D. OhioReads Grant Coordinators (2004-2005 School Year)

(authorization for employment and Payment - \$1,732.34 Stipend of the \$2,000 Grant)

Joyce Montgomery, NRE

E. Homebound Instructors (2004-2005 School Year)
\$20 per Hour, Upon Submission of a Timesheet

1. Hilda Brock, effective December 6, 2004
2. David Dixon, effective December 10, 2004

F. Intervention Tutor (2004-2005 School Year)
\$20 per Hour, Upon submission of a timesheet

1. Peggy L. Wildey

G. Student Workers (2004-2005 School Year)
(\$3.25 per hour, Upon submission of a timesheet)

1. Tara Deem

Roll call: Mr. Hawkins, yea; Mr. Painter, yea; Mr. Walriven, yea; Mr. Heflin, yea; Mr. Shepherd, yea. Motion carried.

2005-84 Moved by Mr. Walriven, seconded by Mr. Shepherd, to employ Eleanor Heflin as a Intervention Tutor, at \$20 per hour upon submission of a timesheet, pending certification, and submission of successful criminal background check, and a negative TB test. Roll call: Mr. Hawkins, yea; Mr. Heflin, abstain; Mr. Painter, yea; Mr. Shepherd, yea; Mr. Walriven, yea. Motion carried.

2005-85 Moved by Mr. Painter, seconded by Mr. Shepherd, to adjourn the [regular](#) meeting. Roll call: all yeas.

Mr. Hawkins declared the [regular](#) meeting adjourned at 9:50 p.m.

David S. Hawkins, President

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Teresa S. Napier, Chief Financial Officer