

MINUTES

Regular Meeting
Board of Education
Troy City School District
500 N. Market Street
Troy, Ohio 45373

Monday, December 12, 2011, at 5:30 P.M.

The Board of Education of the Troy City School District met in regular session at the Troy Board of Education, 500 N. Market Street, Troy, Ohio 45373, at 5:30 P.M. on Monday, December 12, 2011. The President of the Board of Education, Mrs. Joyce Reives, presided. Following the Pledge of Allegiance, Mr. Craig Jones, Treasurer, called the roll and the following members of the Board of Education were present: Mr. George Dearth, Mrs. Joyce Reives, Mr. Doug Trostle and Mr. Tom Yenney. Mr. Stephen Lucas was absent. Also in attendance were Mr. Eric Herman, Superintendent, several administrators and visitors.

PRESENTATIONS

- Dave Dilbone gave a presentation on activities involving the Junior High Video Club;
- Michael Moore gave the monthly Race to the Top update;
- Paul Fallon presented the results of the recent public survey;
- Mr. Herman discussed the process of evaluating inclement weather and the procedure for determining whether or not school will be delayed or closed.

FIRST HEARING OF THE PUBLIC

Mrs. Reives called for the first hearing of the public, to which there was no response.

RESOLUTION 11-137 TREASURER'S REPORT

The adoption of the following resolution was moved by Mr. Dearth and seconded by Mr. Yenney:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it approves, as submitted by its Treasurer, the minutes of the Regular Meeting of Monday, November 21, 2011."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-138 FINANCIAL REPORT

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Dearth:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it orders filed for audit the Monthly Revenue Report, Budget Account Summary, Financial Report by Fund, SM-2 and the Fifth Third Bank LAM Statement for the period ending November 2011."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

**RESOLUTION 11-139 APPROVAL OF 2012 AMENDED CERTIFICATE OF ESTIMATED
RESOURCES AND SUPPLEMENTAL APPROPRIATION**

The adoption of the following resolution was moved by Mr. Yenney and seconded by Mr. Dearth:

“Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it approves the Amended Certificate of Estimated Resources, a copy of which is attached hereto and incorporated herein by reference as Exhibit A; and that it approves the Supplemental Appropriation measure, a copy of which is attached hereto and incorporated herein by reference as Exhibit B.”

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-140 APPROPRIATION MODIFICATION

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Yenney:

“Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that the appropriation modification as set forth in Exhibit C, a copy of which is attached hereto and incorporated herein by reference, be approved.”

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-141 TAX BUDGET FILING FOR FISCAL YEAR 2012-2013

The adoption of the following resolution was moved by Mr. Dearth and seconded by Mr. Trostle:

“Therefore, be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it approves as submitted, Exhibit D, by its Treasurer, the following resolution.”

WHEREAS, Section 5705.281 of the Ohio Revised Code authorizes and empowers a county Budget commission, by an affirmative vote of a majority of its members, including an affirmative vote by the auditor of the county, to waive the requirement that a taxing authority of a subdivision or other taxing unit adopt a tax budget, as is provided under Section 5705.28 of the Ohio Revised Code, and require such taxing authority to provide such information as may be required by the commission to perform its duties under Chapter 5705 of the Ohio Revised Code, including dividing the rates of each of the subdivision's or taxing unit's tax levies as provided under Section 5705.04 of the Ohio Revised Code; and

WHEREAS, pursuant to the terms and provisions of Section 5705.281 of the Ohio Revised Code, the Miami County Budget Commission, by an affirmative vote of a majority of its members, including an affirmative vote by the Auditor of Miami County, Ohio, has authorized and permits the taxing authority of a subdivision or other taxing unit within Miami County, Ohio, to refrain from adopting a tax budget, and has designated the information which the said Budget Commission requires of each taxing authority of a subdivision or other taxing unit to permit the Budget Commission to perform its duties under Chapter 5705 of the Ohio Revised Code; and

WHEREAS, it is the desire and intention of the Board of Education, as the taxing authority of the Troy City School District, to elect to refrain from adopting a tax budget for the fiscal year 2012-2013, and, in the alternative, to submit to the Budget Commission the information and documents which it has indicated will be necessary in the absence of such adoption; and



WHEREAS, by enactment of the earlier resolution declaring its intention to proceed with the filing of the alternative tax document format, it declares its said desire and intention, and authorizes and directs the district's Treasurer/CFO to prepare and submit to the Miami County Budget Commission such information and documents as are necessary incident to said process and submission, and to take such other actions as may be reasonably necessary incident thereto; and

WHEREAS, the members of the Troy City School District's Board of Education have examined such information and documents, attached as Exhibit D, and approves of the same and now therefore be it resolved that,

1. The Board of Education of the Troy City School District hereby declares that the members of said body have examined the contents of the information and documents which have been prepared by the district's Treasurer/CFO for submission to the Miami County Budget Commission under the alternative tax document format provided by Section 5705.281 of the Ohio Revised Code for the fiscal year 2012-2013, and hereby approves the same; and
2. It authorizes and directs the Treasurer/CFO to submit such information and documents to the Miami County Budget Commission and to take such other actions as may be reasonably necessary incident to said submission; and

It finds and determines that all deliberations and actions related to the foregoing were effected in open and public session and in full compliance with Section 121.22 of the Ohio Revised Code, and otherwise as is provided by law."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-142 SUPERINTENDENT'S REPORT

The adoption of the following resolution was moved by Mr. Yenney and seconded by Mr. Dearth:

"Whereas, Ohio Revised Code Sections 3313.17 and 3313.36 authorizes boards of education to accept donations; and,

"Whereas, the quality of the education of the present and the future students of the Troy City Schools would be seriously and adversely affected without the generous, voluntary donation of property, material, money, and effort from many members of the School District community; and

"Whereas, the Troy City School District has received the following gifts from the following donors for the following purposes:

From Vectren to Concord Elementary School, a mini grant to be used to purchase hats for the fourth grade students.....	\$200.00
From the Newport Aquarium to Cookson Elementary School, two complimentary admission tickets, to be used for the Tiger Rewards Program.....	
From Wendy's to Cookson Elementary School, ten free kids meal coupons, to be used for the Tiger Rewards Program.....	
From an anonymous donor to Hook Elementary School, to be used to purchase a gift card for a needy family.....	\$100.00
From First Baptist Church to Kyle Elementary School, a large donation of winter coats and shoes for students in need.....	



From the Miami County Foundation to Kyle Elementary School, to be used for Kyle's Family Literacy Night on March 13, 2012, which will feature storyteller, Michael O'Malley.....	\$750.00
From the PPG Industries Foundation to the Van Cleve 6 th Grade Building, to be used for the program Ion Jones and the Lost Castle of Chemistry through the Carnegie Science Center.....	\$875.00
From Jeff and Carol Monroe to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$20.00
From Reliable Electrical Mechanical Service to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$100.00
From Gerald and Martha Schleinitz to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$190.00
From Susan Ostlund to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$200.00
From Nancy Anderson to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$10.00
From Deborah N. Elam to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$150.00
From Norman and Rhonda Foster to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$50.00
From Robin R. Leptak to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$100.00
From Kevin Terando to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$10.00
From George Wetmore to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$20.00
From Travis Martin to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$20.00
From Charles and Doris Rutan to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$30.00
From Michael Ross to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$10.00
From Susan Reiger to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$25.00
From John W. Rouse to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$35.00
From Paul E. Swigart to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$100.00



From Dave Magill to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$100.00
From Cynthia New to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$35.00
From Jerry and Vonda Weaver to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$200.00
From Jerry and Lelia Melvin to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$100.00
From VFW of Ohio Charities to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$400.00
From Linda Holt to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$5.00
From Sandra Sue Laux to the Van Cleve 6 th Grade Building, to support a specific student for the Washington, D.C. trip.....	\$20.00
From Clifford Thompson Post 43 to the Van Cleve 6 th Grade Building, for the Washington, D.C. scholarship fund.....	\$1,200.00
From OneTrust Financial to Troy High School Athletic Department, to be used to purchase plyometrics and conditioning equipment for the weight room.....	\$1,103.26
From Troy Nursing Association, free applications of fluoride to Troy City Schools third grade students.....	
From Dr. Leslie Culp, DDS and dental hygienist Amy Jackson, to Troy City Schools third grade students, a donation of their time to apply fluoride to third grade students.....	

DECEMBER TOTALS:	\$ 6,158.26
FY TO DATE:	\$101,406.67

"Now, therefore, be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it gratefully accepts these gifts to the Troy City School District, and that it directs the Superintendent to send letters expressing its thanks on behalf of the present and future students of the Troy City Schools for these generous gifts."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-143

ESP – EMPLOYEE SEVERANCE PLAN

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Yenney:

Whereas, the Board of Education, in order to reduce costs and at the same time maintain the highest possible educational standards, and

Whereas, if the proposed ESP – Employee Severance Plan which has been presented to the Board of Education is implemented, it can substantially increase retirements or resignations in a manner which reduces salary costs for the district, therefore



"Now, be it resolved, that the proposed ESP – Employee Severance Plan, is hereby adopted by the Troy City Schools' Board of Education on the condition that they include any revisions suggested by the Board's legal counsel. Educators Preferred Corporation be recognized as the Agent and Consultant of Record to implement the Plan.

Be it further resolved, that the Superintendent and the Superintendent's designees have the authority to sign any documents relating to the severance plan, including any documents relating to the Group Administration Contract/Terminal Funding Agreement/Group Annuity and Letter of Agreement between EPC and Troy City Schools.

Be it further resolved, that the Board of Education shall make employer contributions into 403(b) accounts for participants in the ESP – Employee Severance Plan meeting the eligibility requirement described in the Plan provided, however, that any such provider must be on the approved list of providers that is in effect at that time of the employee's resignation from employment or retirement; and the Board shall continue to have authority to approve or disapprove any of the providers. Such contributions shall not cause any employee to exceed the contribution limits of Section 415(c) of the Internal Revenue Code as applicable to 403(b) plans. It is the intention of the Board of Education that this 403(b) Plan will conform with all federal and state statutory and regulatory requirements applicable to 403(b) plans, except that the program shall not be subject to the requirements of Title I of ERISA because as a governmental employer Troy City Schools is exempted from such requirements.

The Board of Education authorizes the Superintendent and his Designees to act on behalf of the Board of Education with respect to this Plan, and take any and all actions necessary or desirable to implement, maintain, and administer the Plan."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-144 THE TROY RECREATION BOARD HAS APPOINTED TOM DUNN, SUPERINTENDENT/MIAMI COUNTY EDUCATIONAL SERVICE CENTER TO SERVE AS A MEMBER OF THIS BOARD FOR A TERM OF THREE YEARS

The adoption of the following resolution was moved by Mr. Dearth and seconded by Mr. Trostle:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that Tom Dunn be appointed as this district's representative to the Troy Recreation Board."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-145 ESTABLISH DATE, TIME, AND PLACE FOR THE JANUARY 2012, REGULAR ANNUAL ORGANIZATIONAL MEETING OF THE BOARD OF EDUCATION

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Yenney:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that the Regular Annual Organizational meeting of the Board commence at 5:30 P.M., on Monday, January 9, 2012, in the Board of Education Offices, 500 North Market Street, Troy, Ohio."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.



RESOLUTION 11-146 CONSIDERATION OF THE APPOINTMENT OF A PRESIDENT PRO TEMPORE

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Yenney:

"Therefore be it resolved by the Board of Education of the Troy City School District, that Joyce Reives serve as President Pro Tempore of the January 9, 2012 regular annual organization meeting of the Board of Education of the Troy City School District to call the meeting to order and to preside until the new president is elected to serve for the 2012 year."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-147 PERSONNEL ITEMS

The adoption of the following resolution was moved by Mr. Dearth and seconded by Mr. Trostle:

"Upon recommendation of the Superintendent, be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that the personnel actions as set forth in Exhibit E, a copy of which is attached hereto and incorporated herein by reference, be approved."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-148 APPROVE THE MEMORANDUM OF UNDERSTANDING TO THE PROFESSIONAL NEGOTIATIONS AGREEMENT BETWEEN THE TROY BOARD OF EDUCATION AND THE TROY CITY EDUCATION ASSOCIATION FOR THE PERIOD AUGUST 1, 2010 THROUGH JULY 31, 2014

The adoption of the following resolution was moved by Mr. Trostle and seconded by Mr. Yenney:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it approve the memorandum of understanding with the Troy City Education Association as set forth in Exhibit F, a copy of which is attached hereto and incorporated herein by reference."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

RESOLUTION 11-149 APPROVE THE MEMORANDUM OF UNDERSTANDING TO THE NEGOTIATED AGREEMENT BETWEEN THE TROY CITY SCHOOL DISTRICT AND THE TROY CITY SUPPORT STAFF ASSOCIATION FOR THE PERIOD JULY 1, 2010 THROUGH JUNE 30, 2014

The adoption of the following resolution was moved by Mr. Yenney and seconded by Mr. Dearth:

"Be it resolved by the Board of Education of the Troy City School District, a majority of its full membership therein concurring, that it approve the memorandum of understanding with the Troy City Support Staff Association as set forth in Exhibit G, a copy of which is attached hereto and incorporated herein by reference."

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried



SECOND HEARING OF THE PUBLIC

Mrs. Reives then called for the second hearing of the public to which there was no response.

RESOLUTION 11-150 ADJOURNMENT INTO EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT, DISMISSAL OR COMPENSATION OF PUBLIC EMPLOYEES AT 6:50 P.M.

It was moved by Mr. Trostle and seconded by Mr. Yenney to adjourn into Executive Session at 6:50 p.m. to discuss the employment, dismissal or compensation of public employees.

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays– none; absent – Lucas

Motion carried.

Following the Executive Session, Mrs. Reives called the board back into general session at 7:47 p.m.

RESOLUTION 11-151 ADJOURNMENT

It was moved by Mr. Dearth and seconded by Mr. Yenney that the meeting be adjourned at 7:47 p.m.

Roll call: yeas – Dearth, Reives, Trostle and Yenney; nays – none; absent – Lucas

Motion carried.

Joyce A. Reives, President

Craig A. Jones, Treasurer

