

**MADISON BOARD OF EDUCATION  
REGULAR BOARD OF EDUCATION MEETING  
September 22, 2008**

277-08 The Madison Local Board of Education met this day in regular session at the Administration Building, having postponed the meeting scheduled for September 15 because of power outages. Vice President Young called the meeting to order at 6:00 a.m.

Pledge of Allegiance

Roll Call – Mr. Zimov

Present: Mr. David French Mr. Mark Zimov  
Mr. Brian McGuire  
Mr. Robinson  
Mr. Tim Young

Absent: Mr. Cappel

278-08 MOTION BY MR. FRENCH, SECONDED BY MR. MCGUIRE, RESOLVED, to accept the additions/revisions to the agenda as per the Addendum.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

Special Presentation: Tommy Baker, Pipe Fitters Union – Prevailing wage, responsible bidder criteria, followed by board discussion with in put from Alan Polatka and Dennis Phillips (Quandel), Sylvia Gills (Bricker & Eckler). Attorney will furnish a comparative analysis of differences between current bidder requirements and OSFC-approved criteria.

**Hearing of Public:**

Bill Hickman: Wants board to cut costs.

Doris Strode: Has conflict with girls soccer coach, wants daughter to play.

Regina Hembree: Wants daughter to play soccer.

**Superintendent's Report - New Building Update:** Alan Polatka of Quandel presented the Design Development Phase Submission.

**Treasurer's Report:**

- New audit standards have been adopted at the federal and state levels that will create a much more rigorous financial control environment for all school districts. Our independent auditor will be required to report deficiencies and weaknesses directly to the board. Here are some areas that will be impacted:

- Monthly financial reports will be more complex and detailed
- Personnel actions (hiring through payment) will be more thoroughly checked for compliance to policy and legal requirements
- Disbursements will be checked to ensure that all approvals are in place prior to transactions regardless of dollar amounts
- Cash controls will be checked to ensure that all funds are deposited in a timely manner, and no board funds are used outside of formal processes
- Federal program budgets will become more critically analyzed for compliance to programmatic and spending rules
- Charles Bastin, independent auditor, presents new audit standards to the board.

279-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, that the minutes of the previous meetings (August 11,16, 20) be approved.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

280-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve the Monthly Financial Reports as presented.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

281-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve the Amended Appropriations and Certificate of Estimated Resources.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

282-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve the transfer of \$43.90 to the General Fund from 587-9008 Early Childhood – refunded monies.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

283-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve extended time for Mollie McIntosh for Special Education Transition work for the summer 2008.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

284-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve a request for Family Medical Leave of Absence for Amber J. Huff for eight weeks effective September 4, 2008.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

285-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to employ Brittany Flory on a Limited Teacher's Contract for the 2008-2009 school year as a part-time Itinerant Special Ed. Teacher (3 days/week – total contract \$18,275.60).

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

286-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to employ the following on supplemental contracts for the 2008-2009 contract year to be compensated in accordance with the adopted salary schedule, contingent on Pay to Participate requirements where applicable:

Tammy Andrews	Freshman Class Advisor (1/2 contract)	\$314.26
Charlene Elam	Freshman Class Advisor (1/2 contract)	\$314.26
Matthew Scholp	Girls Tennis Assistant	\$1,414.17

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

287-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, Employ the following on an as-needed basis as Substitute Teachers for the 2008-2009 school year to be compensated in accordance with the substitute salary schedule:

Stacie Auvil	John Jester	Lois Miller
Angela Beatty	Mark Kinder	Barbara Philpot
Matthew Carter	Tara Madden	Tara Ponder
Jennifer Dietz	Jacqueline McGuire	Sarah Powell
Alison Diver	Karla McKnight	Dwight Shaw
Robert Fox	Gerald Miller	Candace Short
		Brian Theobald

VOTE:

AYES: Mr. French, Mr. Robinson, Mr. Young

NO: None

ABSTAIN: Mr. McGuire

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

288-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, Accept the resignation of Mark Prince (JSHS Custodian) effective the end of the work day August 25, 2008.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

289-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to accept the resignation of Karen Brelsford (MIS Cafeteria) effective the conclusion of the 2007-2008 school year.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

290-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, Employ the following on One Year Classified Contracts for the 2008-2009 school year to be compensated in accordance with training and experience on the adopted salary schedule, subject to candidate's acceptance of the requirements for compliance to the Fair Labor Standards Act (FLSA):

Lori Clements – Aide, MPS (185 days, 5.75 hr./day, step 2 - \$9.86/hr.)  
Charles A. Walters – Aide, JSHS (eff. 9/8/08, 5.75 hr./day, step 0 - \$9.30/hr.)  
Mary Whitehead – Bus Aide (eff. 8/28/08, 2 hr./day, step 1 - \$9.58/hr.)  
Rick Treadway – Custodian (eff. 9/22/08, 8 hr./day, step 3 - \$12.93/hr.)

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

- 291-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve Employment for Coaching/Advisor Positions for the 2008-2009 school year: RESOLVED, that the personnel listed below be issued contracts for the 2008-2009 school year in accordance with Board Resolution 140-07 (Supplemental Parody Pay) and subject to the candidates' acceptance of the requirements for compliance to the wage and hour law; further, the contract is contingent on sufficient student participation to support the activity and the candidates' meeting pre-employment testing requirements:.

Jeff Adams	Varsity Wrestling	(need exp.)
Aimee Tyree	Drill Team Advisor	\$1,571.30
Cindy Watson	Jr. Class Sponsor	\$1,257.04
Christine Tomblin	7thh Grade Volleyball	\$1,885.56
Mark Prince	8 <sup>th</sup> Grade Assistant Football	\$1,728.43
Danny Burd	JV Boys Basketball	\$4,057.29

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

- 292-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, Accept the following as unpaid volunteer coaches pending results of TB test and background checks:

Michelle Tomblin – 7<sup>th</sup>/8<sup>th</sup> Grade Volleyball  
Missy Turner – Varsity Cheerleading

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

- 293-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to employ the following on an as-needed basis as classified substitute Aide, Cafeteria, Custodial, Secretarial and Grounds Maintenance positions for the 2008-2009 school year to be compensated as per the approved substitute hourly wage:

Deborah Black	Monica Jones	Phil Palmer
Michael Bowling	Sherry Jones	Tina Ritter
Bonnie Carberry	Teresa King	Erin Roseberry
Jennifer Carrell	Lisa Lenos	Brian Sebald
Vikki Conarro	Michelle Maddox	Richard Treadway

Amanda Cornele	Sharon Manns	Libby Welling
Diana Donelson	Cathy Middleton	Dixie Wells
Ami Fetzer	Kim Miller	Cyndi Williams
Teresa Hall	Jacqueline Nagy	Tina Wolfe
Donald Haney	Lori Osterberger	

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

294-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to accept the resignation of Brian Craycraft from the supplemental contract of Jr. High Football Coach effective September 12, 2008.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

295-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve an overnight academic field trip request for selected 12<sup>th</sup> grade students to attend the Presidential Inauguration in Washington D.C. January 17, 2009.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

296-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve an overnight athletic field trip request for girls and boys varsity cross country to Kentucky Horse Park to compete in the Franklin County Cross Country Meet September 26, 2008.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

297-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve the adoption of the textbook *The American Vision – Modern Times* (McGraw Hill Glencoe, copyright 2008, ISBN 978-0-07-874523-2) for 10<sup>th</sup> grade American History.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

298-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve the following Resolution approving Design Development Phase Submission:

WHEREAS, the Board of Education of the Madison Local School District (the "Board") is a participant in the Classroom Facilities Assistance Program of the Ohio School Facilities Commission ("OSFC") and through that program plans to construct additions and renovations to the existing school building to create a K-12 facility for the District (referred to as the "Project"); and

WHEREAS, Cole+Russell Architects, Inc., the Board's Architect for the Project, prepared design development drawings for the Project and included certain other improvements outside the scope of the Ohio School Design Manual (which are referred to as locally funded initiative items or LFIs) (all of which improvements are included in references to the Project), and The Quandel Group, Inc., the Construction Manager for the Project, reviewed the drawings prepared by the Architect, provided comments on the documents for conformity with the design phase submission requirements, and prepared other documents required for the design phase submission, including the estimate of construction cost for the Project; and

WHEREAS, the Construction Manager prepared the OSFC Form Agreement for Local Funded Initiatives (LFI) document required by the OSFC to describe the locally funded initiative items included in the Project for the design development phase; and

WHEREAS, all of the comments have been reviewed and resolved with respect to the design development phase drawings and documents for the Project, and the Construction Manager recommends approval of the design development phase submission notebook for the Project dated September 15, 2008, following the OSFC phase submission requirements, which includes the estimate of construction cost compared to the budget included in the OSFC Master Plan, the proposed Project Schedule prepared by the Construction Manager for the work required for the Project, the OSFC Form Agreement for Local Funded Initiatives (LFI), and other required documents and which is presented to the Board at this time; and

WHEREAS, the Board wishes to approve the design development phase submission notebook for the Project, dated September 15, 2008, as presented by the Construction Manager, subject to approval of the OSFC;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Madison Local School District as follows:

- (1) The design development phase submission notebook for the Project, dated September 15, 2008, which includes the design development phase drawings prepared by the Architect for the Project and other required documents, all of which have been assembled by the Construction Manager, is approved by the Board, subject to approval by the OSFC.
- (2) The Superintendent and Treasurer are authorized to sign the OSFC Form Agreement for Local Funded Initiatives (LFI) document prepared for the design development phase, which includes the Locally Funded Initiative Funding Plan and which describes the LFI improvements included in the Project and their related estimated cost.
- (3) The Architect and Construction Manager are authorized to continue with preparation of the construction documents phase documents for the Project, based upon the approved design development phase submission.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

299-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve a Resolution Awarding Early Site Work Contract:

WHEREAS, seven (7) bids were received on September 4, 2008, for the early site work contract, and the apparent low bid was submitted by Trucco Construction Company in the total amount of \$633,944; and

WHEREAS, the Construction Manager, together with the Architect, reviewed the bids submitted by the two lowest bidders for the work, evaluated each of the bids for responsiveness to the specifications, evaluated each bidder for its ability to perform the work specified, and met with the individual bidders to review the scope of work specified for the bid package; and

WHEREAS, the Construction Manager, in consultation with the Architect, prepared a letter of recommendation for award of the early site work contract dated September 15, 2008, a copy of which is attached to this Resolution, recommending that the apparent low bidder, Trucco Construction Company, be awarded the early site work contract as the lowest responsible bidder for the work;

NOW THEREFORE BE IT RESOLVED by the Board of Education of the Madison Local School District as follows:

- (1) The early site work contract is awarded to Trucco Construction Company in the total amount of \$633,944, as the lowest responsible bidder for the specified work, based upon the information provided to the Board for its review, including the Construction Manager's letter of recommendation for award, prepared in consultation with the Architect. Each contract awarded by the Board is subject to the approval of the Ohio School Facilities Commission.
- (2) The Superintendent, Treasurer, and Board President are authorized to execute a contract and any required related documentation with Trucco Construction Company in the amount stated in the letter of recommendation for the early site work.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

300-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve an Amendment to the Agreement for Construction Management Services for the Madison Local School District Classroom Facilities Assistance Program Project: this amendment to the agreement for construction management services ("Amendment"), effective as of September 22, 2008, is by and between the Ohio School Facilities Commission, 10 West Broad Street, Suite 1400, Columbus, Ohio 43215 ("Commission") and The Quandel Group, Inc. ("Construction Manager") and further modifies the agreement between the Commission and the Construction Manager signed by the Commission on \_\_\_\_\_, for construction management services related to the Madison Local School District Classroom Facilities Assistance Program construction project (the "Commission Project");

WHEREAS, the Board of Education of the Madison Local School District ("Board") determined to supplement the Commission Project with additional improvements, which are not part of the co-funded Classroom Facilities Assistance Program construction project and these improvements are described in the Ohio School Facilities Commission Form Agreement Local Funded Initiatives (LFI) document, which will be updated at each phase of the Project to reflect the costs of the improvements after bids for the improvements included in the Commission Project and Local Project are received and contracts awarded (a copy of the LFI document is attached to this Amendment and labeled as Exhibit 1); these improvements are referred to collectively as the LFI Improvements or Local Project in this Amendment; and

WHEREAS, the Board is responsible for payment of the costs associated with the LFI Improvements, including all construction management services, and the Board agrees to pay such costs as described herein and evidenced by the Consent of School District attached hereto; and

WHEREAS, it is the intention of the Commission and Construction Manager to amend their Agreement related to the Project financed through the Commission to provide for construction management services for the LFI Improvements by this Amendment and to update the Agreement to include other requirements that are now applicable to the services provided by the Construction Manager;

NOW, THEREFORE, in consideration of the mutual promises herein contained, the Commission and the Construction Manager agree to amend their Agreement pursuant to Subparagraph 9.5.2 as follows:

(1) Local Project.

- a. Compensation for LFI Improvements. The Construction Manager agrees to provide construction management services for the LFI Improvements for a total compensation not to exceed \$103,623.30. The improvements for which services are provided include those items identified as LFI #1, LFI #2, and LFI #3 on the LFI MOU document. The Board shall be responsible for all payments to the Construction Manager for the services required for the LFI Improvements and its agreement to pay these costs is evidenced by the Consent of District attached to this Amendment. Under no circumstance will the Commission assume responsibility for compensation provided in this Amendment.
- b. Other Provisions related to the Local Project. The services to be provided by

the Construction Manager for the LFI Improvements shall be governed by the Agreement between the OSFC and the Construction Manager; provided, however, that the terms of the Agreement will be read in such a way that the requirements specific to the State of Ohio and the OSFC, that are not otherwise applicable to the Board for the Local Project, will be interpreted and applied in a manner consistent with the delivery of those services to the Board as required by the Ohio Revised Code and prudent construction management services for public construction projects.

- i. Provisions Deleted. The following provisions in the Agreement are not applicable to the Local Project and are deleted in their entirety: 2.3.3 and 9.5.6. Other provisions shall be read and applied consistent with the direction in 2(b) above.
  - ii. Accounting for Local Project Costs. The Construction Manager shall separately account for Local Project costs, including without limitation the following: planning, cost estimates, document
  - iii. review and preparation, bidding, contracts, and change orders.
- (2) Ethics. The Construction Manager represents that it is familiar with all applicable ethics law requirements, including without limitation Sections 102.04 and 3517.13 of the Ohio Revised Code, and certifies that it is in compliance with such requirements. In accordance with Executive Order 2007-01S, the Construction Manager, by signature on this document, certifies (1) it has reviewed and understands Executive Order 2007-01S, (2) has reviewed and understands the Ohio ethics and conflict of interest laws, and (3) will take no action inconsistent with those laws and this order. The Construction Manager understands that failure to comply with Executive Order 2007-01S is, in itself, grounds for termination of this Agreement and may result in the loss of other agreements with the State of Ohio.
- (3) Declaration Regarding Material Assistance/Nonassistance to a Terrorist Organization (“Declaration Form”). The Construction Manager completed a Declaration Form with the Agreement that form applies to this Amendment.
- (4) All other provisions of the Agreement apply to this Amendment, except as noted herein.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

301-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to approve additional costs for unforeseeable situations and improved quality to the baseball field drainage project.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

**Board of Education Reports/Communications**

Butler Tech. Report – Mr. McGuire: Butler Tech received a National Award. There will be a joint Butler Tech-Board of Education meeting November or December.

Legislative Report – Mr. French: Delegate Assembly scheduled for November 10.

Student Achievement Report: None

Communications – Dr. Cline: Thanked Mr. Gray for packet for groundbreaking participants.

Board Member Comments:

Mr. French: Thanked those who participated in the groundbreaking ceremony.

Mr. McGuire: Good to see Gayle Bolinger at the board meeting.

Mr. Young: The State fiscal stress may hurt the district.

302-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, to enter into executive session for the purpose of one of the following as underlined, at 7:52 p.m. Ohio Revised Code 121.22G -

  X   Section 1: To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual.

\_\_\_ Section 2: To consider the purchase of property for public purposes or for the sale of property at competitive bidding.

\_\_\_ Section 3: Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

\_\_\_ Section 4: Preparing for, conducting, or reviewing negotiations or bargaining session with public employees concerning their compensation or other terms and conditions of their employment.

\_\_\_ Section 5: Matters required to be kept confidential by federal law or regulations or state statutes.

\_\_\_ Section 6: Details relative to the security arrangements and emergency response protocols for a public body or a public office.

***NOTE: Underline denotes precise reason for Executive Session.***

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

303-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, that the meeting be reconvened to Regular Session at 9:40 p.m.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried.

304-08 MOTION BY MR. MCGUIRE, SECONDED BY MR. FRENCH, RESOLVED, that the meeting be adjourned at 9:41 p.m.

VOTE:

AYES: Mr. French, Mr. McGuire, Mr. Robinson, Mr. Young

NO: None

ABSENT: Mr. Cappel

Vice President Young declared the motion carried and the meeting adjourned.

SIGNED: \_\_\_\_\_, Vice President, Madison Board of Education

SIGNED: \_\_\_\_\_, Treasurer/CFO