

COMMUNITY CENTER 6:30 P.M.

December 19, 2019

The Board of Education of the Southern Local School District, met in **Regular Session** on December 19, 2019 commencing at 6:30 p.m., in the Kathryn Hart Community Center, Racine, Ohio, with the following members present: Mr. Denny Evans, Mrs. Brenda Johnson, Mr. Dennis Teaford, Mr. Tom Woods and Mr. Rich Wamsley.

Members of the Administrative Team in attendance were: Mr. Tony Deem, Superintendent, Mrs. Christi Hendrix, Treasurer, and Tricia McNickle PreK-6 Principal.

The Board was advised of the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board of Education pursuant thereto were complied with the Revised Code for the meeting.

I. CALL TO ORDER AND ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PRAYER

IV. TREASURER'S REPORT

APPROVAL OF MINUTES-FINANCIAL REPORTS

231-2019 Moved by Mrs. Johnson, seconded by Mr. Wamsley to approve the minutes, bills, financial statement, bank reconciliation statement, and all checks for the month of November, 2019 (includes fund report, revenue report, appropriation report, and warrants issued).

Adopted on a roll call vote: Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Evans, yes.

Motion carried 5-0.

V. PUBLIC PARTICIPATION

VI. EDUCATIONAL REPORT- STORM Students of the Month-Sophia Ward-5th Grade, Waylon Sellers-Kindergarten

VII. OLD BUSINESS

VIII. NEW BUSINESS

232-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to open nominations for the election of a **President Pro-Tem** for the organizational meeting of January 2020.

A. Nomination for president pro-tem:

Mrs. Johnson nominated Mr. Evans for president pro-tem.
(Candidate #1)

Adopted on a roll call vote: Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Evans, abstain.
Motion carried 4-0.

233-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to close the nominations.

Conduct roll call vote on President Pro-Tem:

(Candidate #1)

Adopted on a roll call vote: Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Evans, abstain.
Motion carried 4-0.

234-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to set dates and time for the following meetings:

1. Organizational Meeting- January 13th, 2020 @ 6:15 P.M.
2. Regular Meeting- January 13th, 2020 @ 6:30 P.M.

Adopted on a roll call vote: Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Evans, yes.
Motion carried 5-0.

235-2019 Moved by Mr. Wamsley, seconded by Mrs. Johnson to approve the revised appropriations in the amount of \$13,067,383.22

Adopted on a roll call vote: Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mr. Evans, yes.
Motion carried 5-0.

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236-2019 Moved by Mrs. Johnson, seconded by Mr. Wamsley to approve the following transfer:

From:

To:

001-0000 General Fund -\$132.20	006-0000 Food Service \$132.20
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Adopted on a roll call vote: Mr. Teafor, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Evans, yes. Motion carried 5-0.

237-2019 Moved by Mr. Wamsley, seconded by Mrs. Johnson to approve the following resolution authorizing the lease-purchase of certain energy conservation measures and improvements; authorizing the execution of a lease agreement and other related documents in connection therewith; and approving related matters.

**BOARD OF EDUCATION
Southern Local School District
MEIGS COUNTY, OHIO**

The Board of Education (the "Board") of the Southern Local School District, Meigs County, Ohio (the "School District"), met in regular session on December 19, 2019 at 6:30 p.m., at the Kathryn Hart Community Center, Racine, Ohio, 45771, with the following members present:

Mr. Wamsley introduced the following resolution and moved its passage:

RESOLUTION AUTHORIZING THE LEASE-PURCHASE OF CERTAIN ENERGY CONSERVATION MEASURES AND IMPROVEMENTS; AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT AND OTHER RELATED DOCUMENTS IN CONNECTION THEREWITH; AND APPROVING RELATED MATTERS

(O.R.C. Section 3313.375)

WHEREAS, Section 3313.375 of the Ohio Revised Code provides that a school district may undertake a lease-purchase financing program in order to provide financing

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for the construction, improvement, equipping, and furnishing of school facilities if it is determined to be necessary and appropriate; and

WHEREAS, the School District is in need of additional school facilities and improvements; and

WHEREAS, in order to provide financing for the construction, improvement, equipping, and furnishing of such additional facilities and improvements, and pursuant to Ohio Revised Code Section 3313.375, it is determined to be necessary and appropriate for the Board of Education of the School District (the "Board") to undertake a lease-purchase financing program as described herein; and

WHEREAS, the amount needed to finance the estimated cost of construction, improvement, equipping and furnishing of such additional facilities and improvements, and costs of issuance, shall not exceed \$500,000;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Southern Local School District, Meigs County, Ohio, that:

Section 1. The lease-purchase of certain energy conservation measures and improvements (the "Project") for the School District is hereby authorized and approved.

Section 2. The proposed form of Lease Agreement (the "Lease Agreement") for the Project by and between the School District and the Lessor is hereby authorized and approved in a form consistent with the terms of this Resolution, together with any changes that are not materially adverse to the School District and that are approved by the Treasurer of the Board (the "Treasurer"). The Lessor shall be Zions Bancorporation, N.A., or an affiliate thereof.

Section 3. The Board hereby covenants that it will comply with all existing and future laws applicable to the exemption of interest on the Lease Agreement from federal income taxation. The Board further covenants that it will

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restrict the use of the proceeds of the Lease Agreement in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the Lease Agreement is executed, so that it will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended, and the regulations prescribed thereunder (the "Regulations"). The Treasurer or any other officer, including the president of the Board (the "President"), having responsibility with respect to the execution of the Lease Agreement is authorized and directed to give an appropriate certificate on behalf of the Board, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 and the Regulations.

The Treasurer shall cause to be kept and maintained adequate records pertaining to investment of all proceeds of the Lease Agreement sufficient to permit, to the maximum extent possible and presently foreseeable, the Board to comply with any federal law or regulation now or hereafter having applicability to the Lease Agreement which limits the amount of Lease-Purchase Agreement proceeds which may be invested at an unrestricted yield or requires the Board to rebate arbitrage profits to the United States Department of the Treasury. The Treasurer is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Lease Agreement requires any such reports or rebates.

Section 4. The Treasurer and President are hereby authorized and directed to execute and deliver, on behalf of the Board, the Lease Agreement and such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution and to complete the Project. Such documents shall be in the form consistent with the terms of this

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Resolution, as such officers in their discretion shall deem necessary or appropriate.

Section 5. Nothing in the Lease 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 or any agency of the School District. Neither the taxing power nor the full faith and credit of the School District are pledged or shall be pledged for the payment or security of the Lease Agreement, the Escrow Agreement, or any other related agreement or document.

Section 6. There is hereby appropriated from the net proceeds of the Lease Agreement, to the extent the same are available for the payment of costs of the Project, a sum not to exceed \$50,000, to be used for the payment of such costs, as outlined herein.

Section 7. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board 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.

Mrs. Johnson seconded the motion and, after discussion, a roll call vote was taken and the results were:

Voting Aye:

Voting Nay:

Passed: December 19, 2019

BOARD OF EDUCATION

SOUTHERN LOCAL SCHOOL DISTRICT

MEIGS COUNTY, OHIO

Board President

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Attest: _____
Treasurer

Adopted on a roll call vote: Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Evans, yes.
Motion carried 5-0.

238-2019 Moved by Mrs. Johnson, seconded by Mr. Wamsley to approve the creation of the following Fund/SCC;

019-9120	School Safety and Security Grant
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Adopted on a roll call vote: Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Evans, yes.
Motion carried 5-0.

239-2019 Moved by Mrs. Johnson, seconded by Mr. Wamsley to approve the following 403(b) plan document amendment with OMNI regarding Eligibility and Hardship Distribution changes;

HARDSHIP AND ELIGIBILITY AMENDMENTS TO THE Southern Local School Dist. 403(b) RETIREMENT PLAN

WHEREAS, the Southern Local School Dist. (“Plan Sponsor”) maintains the Southern Local School Dist. 403(b) Retirement Plan (“Plan”); and

WHEREAS, pursuant to Rev. Procs. 2013-22 and 2019-39, and IRS Notice 2018-95, the Plan Sponsor amends the plan documents in a good faith effort to meet the requirements of law, regulations or other issuances regarding eligibility requirements and hardship distributions; and

WHEREAS, this amendment is intended as a good faith effort to comply with the requirements of eligibility to participate in the Plan and hardship distribution final regulations and is to be construed in accordance with the same. Both the Amendment and the eligibility and hardship distribution final regulations will supersede any inconsistent Plan provisions;

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NOW, THEREFORE, BE IT RESOLVED that the plan provisions governing the “once-in-always-in” condition for part time employee eligibility is hereby restated and amended as follows:

Part Time Employee Eligibility

An Employee normally works fewer than 20 hours per week if, for the 12-month period beginning on the date the Employee's employment commenced, the Employer reasonably expects the Employee to work fewer than 1,000 hours of service (as defined under section 410(a)(3)(C) of the Code) in such period, and, for each Plan Year ending after the close of that 12-month period, the Employee has worked fewer than 1,000 hours of service in the preceding 12-month period. Under this provision, an Employee who works 1,000 or more hours of service in the 12-month period beginning on the date the Employee's employment commenced or in a Plan Year ending after the close of that 12-month period shall then be eligible to participate in the Plan. Once an Employee becomes eligible to have Elective Deferrals made on his or her behalf under the Plan under this standard, the Employee cannot be excluded from eligibility to have Elective Deferrals made on his or her behalf in any later year under this standard. Careful attention must be paid to compliance with the 20-hour rule by the District as it is necessary to the tax-qualification of the Plan.

BE IT FURTHER RESOLVED that the hardship distributions plan provisions are hereby restated and amended as follows:

Safe Harbor Contributions/QNECs/QMACs. Effective 1/1/2020, hardship distributions are permitted from Qualified Non-Elective Contributions, Qualified Matching Contributions or contributions used to satisfy the safe harbor requirements of Code sections 401(k)(12) or 401(k)(13), or 401(m)(11) or 401(m)(12), if available under the Plan and not held in a Custodial Account.

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Amount Necessary to Satisfy Need Requirement. Effective 1/1/2020, a distribution will be determined to satisfy an immediate and heavy financial need only if the three criteria listed below are met: i. The distribution is not in excess of the amount required to satisfy the financial need (including any amounts necessary to pay any federal, state or local income taxes or penalties reasonably anticipated to result from the distribution); ii. The Participant has obtained all other currently available distributions, other than hardship distributions, under any deferred compensation plan, whether qualified or nonqualified, maintained by the Employer; and iii. The Participant has represented (in writing or by an electronic medium) that he has insufficient cash or other liquid assets to satisfy the financial need.

Six-Month Suspension. Effective 1/1/2020, the Plan will not initiate a six-month suspension period on Elective Deferrals (and after-tax contributions) following a hardship distribution.

Loan Requirement. Effective 1/1/2020, Participants are not required to take all available nontaxable loans before applying for a hardship distribution.

Modification of Repair Expense. Between 1/1/18 and 2/17/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)1(d)(3)(iii)(B)(6) and Basic Plan Document 5.5(g)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165. Effective 2/19/19, the plan modified the safe harbor immediate and heavy financial need expense relating to damage to a principal residence (i.e., §1.401(k)-1(d)(3)(iii)(B)(6)) to include expenses for the repair of damage to the Employee's principal residence that would qualify for the casualty deduction under Code section 165 (determined without regard to section 165(h)(5) and whether the loss exceeds 10% of adjusted gross income).

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New Safe Harbor Financial Need Provision. Effective 1/1/2020, the following immediate and heavy financial need will be considered as a safe harbor criteria for hardship distributions in addition to the safe harbor financial need provisions outlined in 5.5(g) of the Basic Plan Document and §1.401(k) 1(d)(3)(iii)(B): i. Expenses and losses (including loss of income) incurred by the Employee on account of a disaster declared by the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, provided that the Employee's principal residence or principal place of employment at the time of the disaster was located in an area designated by FEMA for individual assistance with respect to the disaster.

BE IT FURTHER RESOLVED that the Plan, as restated and amended is hereby approved and adopted.

IN WITNESS WHEREOF, the Plan Sponsor has caused this Resolution and Amendment to be adopted this 19th day of December, 2019.

Southern Local School Dist.

By: _____

Adopted on a roll call vote: Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mr. Evans, yes.
Motion carried 5-0.

240-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to approve the rate of \$125.00 per bus/van driver for certification or recertification of license by OBI. This is the same rate as previous years.

Adopted on a roll call vote: Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Evans, yes.
Motion carried 5-0.

IX. PERSONNEL

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241-2019 Moved by Mr. Wamsley, seconded by Mrs. Johnson to approve dock pay for the following individuals;

Kathy Miller – Mid-day – 11/25/19
 Audra Wilkinson - .75 day – 12/12/19

Adopted on a roll call vote: Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Evans, yes.
 Motion carried 5-0.

242-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to approve hiring the following individual on a 1-year contract as a bus driver. Hiring is contingent upon completion of all the administrative requirements for the position;

Krystal Coe-Pickett

Adopted on a roll call vote: Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Evans, yes.
 Motion carried 5-0.

243-2019 Moved by Mrs. Johnson, seconded by Mr. Wamsley to approve hiring the following individuals on supplemental contracts in accordance with the SLEA Negotiated Agreement. Supplemental salary is in accordance with the SLEA Negotiated Agreement and hiring is contingent upon completion of all the administrative requirements for the position;

Courtney Manuel	Science Olympiad
Shelly Barr	½ Math Department Head- Amends previous resolution from full time
Adam Phillips	½ Math Department Head
Meg Guinther	½ Language Arts Department Head- Amends previous resolution from full time
Lori Sharp	½ Language Arts Department Head

Adopted on a roll call vote: Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mr. Evans, yes.
 Motion carried 5-0.

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244-2019 Moved by Mrs. Johnson, seconded by Mr. Woods to approve going in to executive session to discuss the compensation of a/an employee(s).

In: 6:55 P.M.

Out: 7:08 P.M.

Adopted on a roll call vote: Mr. Teaforde, yes; Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Evans, yes.
Motion carried 5-0.

X. SUPERINTENDENT'S COMMUNICATION

- Storm Students
- Dynamix
- Bus Garage
- Executive Session
- Organizational Meeting
- Board Members
- Student Wellness Plan
- CORAS
- Licensure Code of Professional Conduct for Ohio Educators

XI. BOARD'S COMMUNICATION

XII. RE-AFFIRM TIME AND PLACE OF NEXT MEETING

Organizational Meeting- January 13th, 2020 @ 6:15 P.M. in the Kathryn Hart Community Center

Regular Meeting- January 13th, 2020 @ 6:30 P.M. in the Kathryn Hart Community Center

XIII. ADJOURNMENT

245-2019 Moved by Mr. Wamsley, seconded by Mrs. Johnson to adjourn:

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Adopted on a roll call vote: Mr. Wamsley, yes; Mr. Woods, yes; Mrs. Johnson, yes; Mr. Teaford, yes; Mr. Evans, yes.
Motion carried 5-0.

TIME: 7:14 P.M.

Treasurer/CFO

Board President