

EATON COMMUNITY SCHOOLS BOARD OF EDUCATION
Special Session
April 21, 2013

The Board of Education of Eaton Community Schools met in Special Session on April 21, 2013 at 6:00 p.m. in the Treasurer's Office, 312 N. Barron St., Eaton. President Joe Renner called the meeting to order.

ROLL CALL

Doug Mowen – Present Rick McKinney – Present Terry V. Parks – Present
Brian Pool – Present Joe Renner – Present

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

**APPOINTMENT OF TREASURER PRO TEMPORE FOR THE PURPOSE OF THE
APRIL 21, 2013 SPECIAL MEETING**

Motion was made by Mr. McKinney and seconded by Mr. Parks to appoint **Doug Mowen** as Treasurer Pro Tempore for the April 21, 2013 special board meeting. YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-232**

ADOPT THE AGENDA

Motion was made by Mr. Parks and seconded by Mr. Pool to adopt the agenda. YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-233**

NEW BUSINESS

1. Change Order to Athletic, Arts and Wellness Center

Motion was made by Mr. McKinney and seconded by Mr. Pool to approve the following change order (#GC-02) to Oberer Thompson Company (General Trades Contractor) for the Athletic Facilities and Wellness Center project in the amount of \$79,177 for the purpose of cement stabilization for the subgrade at the track.

YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-234**

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2. **Allowance Authorization for Athletic, Arts and Wellness Center**

Motion was made by Mr. Pool and seconded by Mr. McKinney to approve the following Allowance Authorization (#GC-Alt4-A1) to Oberer Thompson Company (General Trades Contractor) for the Athletic Facilities and Wellness Center project in the amount of \$34,188 for the purpose of:

- A. Alternate #4 – “Landing Eagle” bronze sculpture - \$29,500
- B. Additional cost related to “Landing Eagle” field logo - \$4,688
- C. Total - \$34,188

YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-235**

3. **Resolution**

Motion was made by Mr. McKinney and seconded by Mr. Mowen to approve ***A RESOLUTION ACKNOWLEDGING THE PAYMENT OF ADDITIONAL FEES TO THE CONSTRUCTION MANAGER IN CONNECTION WITH DELAYS IN DESIGN OF THE BRUCE ELEMENTARY SCHOOL AND EATON MIDDLE SCHOOL PROJECTS AS FURTHER PROVIDED HEREIN***

WHEREAS, the Eaton Community School District, County of Preble, Ohio (hereinafter called the “School District”) building program identifying classroom facilities needs and basic project costs (hereinafter called the “Master Plan”) for the Bruce Elementary School Project and the Eaton Middle School Project (collectively, the “Projects”) 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 of the Ohio Revised Code (“O.R.C.”);

WHEREAS, the Board of Education has contracted with a qualified professional design firm, Fanning/Howey Associates, Inc., (hereinafter called the “Architect”), under Sections 153.65 to 153.71, O.R.C., to prepare separate plans, specifications and estimates of cost, and such data as the Board of Education deems necessary for the Projects and in compliance with the specifications set forth in the Commission’s Design Manual, where applicable;

WHEREAS, the OSFC has retained a qualified construction management firm, Megan Construction Company, Inc. (hereinafter called the “Construction Manager”), under Sections 9.33, 9.331 and 9.332, O.R.C., related to constructability, logistics, availability of materials and labor, and time requirements for construction, preliminary budgets and possible economies;

WHEREAS, the Commission and the Construction Manager have entered into an Agreement For Construction Management Services (hereinafter called the “CM Agreement”), dated December 17, 2010 related to the Projects;

WHEREAS, the Commission has determined that the Construction Manager is entitled to additional compensation due to delays in the design of the Projects in the aggregate amount of \$61,394.00;

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WHEREAS, the Construction Manager has requested an increase in the Basic Fee which amount has been negotiated to the mutual reasonable satisfaction of the Board of Education and Construction Manager; and

WHEREAS, it is the intention of the Commission and the Construction Manager to amend their CM Agreement to reflect said additional Basic Services Fee pursuant to Subparagraph 9.5.2 of the CM Agreement.

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

Section 1. The Board of Education hereby acknowledges the increase in the Total Compensation for the Construction Manager from \$1,694,124.05 to \$1,755,518.05 (an increase of \$61,394)

Section 2. The Board of Education hereby authorizes the Treasurer to sign the Certificate of Funds, upon execution of the Second Amendment, and attach a copy of the Certificate of Funds thereto.

Section 3. 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, O.R.C.

Section 4. 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.

YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-236**

EXECUTIVE SESSION

Motion was made by Mr. McKinney and seconded by Mr. Pool to convene executive session to discuss the employment, dismissal, discipline, promotion, demotion, or compensation of a public employee.

YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed. **#1213-237**

President convened executive session at 6:13 p.m.
President resumed open session at 7:55 p.m.

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ADOURNMENT

Motion was made by Mr. McKinney and seconded by Mr. Parks to adjourn the meeting.

YEAS – Mowen, McKinney, Parks, Pool, Renner. President declared motion passed and adjourned the meeting at 7:56 p.m. **#1213-238**

DATE _____

PRESIDENT _____ TREASURER _____