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# RECORD OF PROCEEDINGS

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**MINUTES OF JANUARY 29, 2018 6:00 PM  
BERKSHIRE BOARD OF EDUCATION**

**SPECIAL BOARD MEETING  
BERKSHIRE BOARD OF EDUCATION**

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\* The Board of Education recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

*In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation at every public meeting of the Board and publish rules to govern such participation. These rules are available at each Board meeting. Anyone desiring to speak is asked to make this request in advance. Participants must be recognized by the presiding officer. Comments shall be directed to the presiding officer; not to Board members individually. Board Bylaw 0169.1*



## PLEDGE OF ALLEGIANCE

**Roll Call:** Mr. Boyd, Mr. Manfredi, Mrs. Raikes, Ms. Stanley, Mr. Wadsworth-present.

Motion to approve current agenda

First: Mr. Manfredi, Second: Mr. Wadsworth

Discussion: None

Roll Call: Mr. Boyd-aye, Mr. Manfredi-aye, Mrs. Raikes-aye, Ms. Stanley-nay, Mr. Wadsworth-aye  
4 Ayes, 1 Nay

Motion Carried.

## **Board Discussion**

None

## **Open Public Participation**

Don Hornak read a letter in support of the bond issue signed by past board members.

Jay Giles voiced his support and asked that the Board move forward with the levy.

Joel Hoar expressed his desire to move forward and the importance of the Board's support of the initiative.

## **Business**

Motion to approve the following resolution:

RESOLUTION DECLARING NECESSITY OF BOND ISSUE IN AN AMOUNT NOT TO  
EXCEED \$28,000,000 AND TO SUBMIT THE QUESTION OF SUCH BOND ISSUE TO THE  
ELECTORS

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(Ohio Revised Code Sections 133.18, 133.06(I) and 5705.03)

WHEREAS, the Board has indicated its intent to participate in the Classroom Facilities Assistance Program (the "Program") of the Ohio Facilities Construction Commission; and

WHEREAS, approximately \$18,766,706 of the proceeds of the Bonds (defined herein) will be spent on the master plan, and approximately \$9,233,294 of the proceeds of the Bonds will be spent on locally funded initiatives, all as permitted under the Program; and

WHEREAS, upon the issuance of the Bonds, the School District shall incur net indebtedness in excess of 4% and 9% of the tax valuation of the School District but, pursuant to Section 133.06(I), shall be exempt from the consent requirement contained in Ohio Revised Code Section 133.06(C) and the special needs determination contained in Ohio Revised Code Section 133.06(E) since the amount of Bond proceeds to be spent on locally funded initiatives does not exceed 50% of the School District's portion of the Program master plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Berkshire Local School District, Geauga and Ashtabula Counties, Ohio, a majority of all of the members thereof concurring, that:

Section 1. It is necessary for the purpose of constructing school facilities and locally funded initiatives under the Classroom Facilities Assistance Program of the Ohio Facilities Construction Commission; furnishing and equipping the same; and improving the sites thereof, to issue and sell bonds of the School District in an amount not to exceed \$28,000,000 (the "Bonds"). It is further necessary that there shall be annually levied on all the taxable property in the School District a direct tax outside of the ten-mill limitation to pay the debt charges on the Bonds and any securities that the Board may determine to issue in anticipation thereof. The Bonds shall be dated approximately June 1, 2018, shall bear interest at the estimated rate of 3.50% per annum, and shall be paid over a period not to exceed 38 years, as calculated under Ohio Revised Code Chapter 133.

Section 2. The question of issuing the Bonds shall be submitted to the electors of the entire territory of the School District at the election to be held at the usual voting places within the School District, on May 8, 2018. All of the territory of the School District is in Geauga and Ashtabula Counties, Ohio.

Section 3. The Treasurer of this Board is hereby authorized and directed to certify a copy of this resolution to the County Auditor of Geauga County, Ohio with instructions for the County Auditor of Geauga County, Ohio to certify the total current tax valuation of the School District and to calculate and advise, by certification to the Board, regarding the estimated average annual property tax levy, expressed in cents or dollars and cents for each one hundred dollars of tax valuation, as well as in mills for each one dollar of valuation, that will be required throughout the maturity (38 years) of the Bonds to pay debt charges on the Bonds.



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Section 4. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were taken 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 Ohio Revised Code Section 121.22.

First: Mr. Wadsworth, Second: Mr. Manfredi

Discussion: None

Roll Call: Mr. Manfredi-aye, Mrs. Raikes-aye, Ms. Stanley-aye, Mr. Wadsworth-aye, Mr. Boyd-aye  
All Ayes  
Motion Carried.

## Recess of Meeting

Motion to recess the meeting to allow the County Auditor to certify the Resolution Declaring Necessity.

First: Mr. Wadsworth, Second: Mrs. Raikes

Discussion: None

Roll Call: Mrs. Raikes-aye, Ms. Stanley-aye, Mr. Wadsworth-aye, Mr. Boyd-aye, Mr. Manfredi-aye  
All Ayes  
Motion Carried.

Recess began at 6:15 PM

## Re-convene the meeting:

Motion to re-convene the special meeting at 6:17PM

First: Mrs. Raikes, Second: Mr. Boyd

Discussion: None

Roll Call: Ms. Stanley-aye, Mr. Wadsworth-aye, Mr. Boyd-aye, Mr. Manfredi-aye, Mrs. Raikes-aye  
All Ayes  
Motion Carried.

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Business - continued:

Motion to approve the following resolution:

RESOLUTION DETERMINING TO PROCEED WITH THE ISSUANCE OF BONDS IN  
AN AMOUNT NOT TO EXCEED \$28,000,000 AND CERTIFYING THE SAME TO THE  
BOARD OF ELECTIONS

(Ohio Revised Code Sections 133.18 and 5705.03)

WHEREAS, the Board adopted a resolution (the "Resolution of Necessity") at its meeting on January 29, 2018 that determined that it is necessary to issue bonds in an amount not to exceed \$28,000,000 (the "Bonds") for the purpose of constructing school facilities and locally funded initiatives under the Classroom Facilities Assistance Program of the Ohio Facilities Construction Commission; furnishing and equipping the same; and improving the sites thereof, and that it is necessary that a direct tax be annually levied on all the taxable property in the School District outside of the ten-mill limitation to meet the debt charges on the Bonds and any securities issued in anticipation thereof; and

WHEREAS, the County Auditor of Geauga County, Ohio has certified to the Board that an estimated annual levy of three and sixty five hundredths (3.65) mills for each one dollar of valuation, which is thirty six and five tenths (\$.365) for each one hundred dollars of tax valuation, will be required to produce the average annual property tax levy necessary to pay the principal of and interest on the Bonds over 38 years (the maximum maturity of the Bonds);

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Berkshire Local School District, Geauga and Ashtabula Counties, Ohio, a majority of all of the members thereof concurring, that:

Section 1. It is necessary to proceed with the issuance of the Bonds in the amount and for the purpose described in the preamble to this resolution, and to levy, outside of the ten-mill limitation provided by law, an annual tax on all the taxable property in the School District to pay debt charges on the Bonds and any securities issued in anticipation thereof.

Section 2. The Bonds shall be dated approximately June 1, 2018; shall bear interest at the estimated rate of 3.50% per annum; and shall be paid over a period not to exceed 38 years as calculated under Ohio Revised Code Chapter 133.

Section 3. The question of issuing the Bonds shall be submitted to the electors of the entire territory of the School District at the election to be held at the usual voting places within the School District, on May 8, 2018. All of the territory of the School District is in Geauga and Ashtabula Counties, Ohio.



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Section 4. The form of the ballot to be used at said election shall be substantially as follows:

AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE

Shall bonds be issued by the Berkshire Local School District, Geauga and Ashtabula Counties, Ohio for the purpose of constructing school facilities and locally funded initiatives under the Classroom Facilities Assistance Program of the Ohio Facilities Construction Commission; furnishing and equipping the same; and improving the sites thereof in the principal amount of \$28,000,000, to be repaid annually over a maximum period of 38 years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue 3.65 mills for each one dollar of tax valuation, which amounts to \$ .365 for each one hundred dollars of tax valuation, commencing in 2018, first due in calendar year 2019, to pay the annual debt charges on the bonds, and to pay debt charges on any notes issued in anticipation of those bonds?

	FOR THE BOND ISSUE
	AGAINST THE BOND ISSUE

Section 5. The Treasurer of the Board is hereby directed to certify a copy of this resolution, along with copies of the Resolution of Necessity and the certificate of the Geauga County Auditor, to the Geauga County Board of Elections and Geauga County Auditor on or before February 7, 2018.

Section 6. 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 Ohio Revised Code Section 121.22.

First: Mr. Manfredi, Seconded: Mr. Wadsworth  
Discussion: None

Roll Call: Mr. Wadsworth-aye, Mr. Boyd-aye, Mr. Manfredi-aye, Mrs. Raikes-aye, Ms. Stanley-aye  
All Ayes  
Motion Carried.

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## **Adjournment**

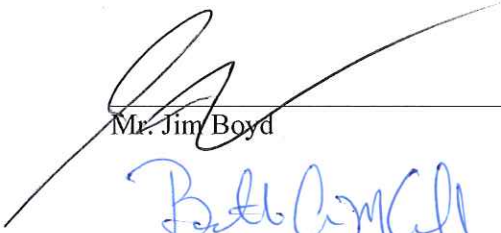
Motion to adjourn the meeting at 6:23 P.M.

First: Mrs. Raikes, Seconded: Mr. Boyd

Roll Call: Mr. Manfredi-aye, Mrs. Raikes-aye, Ms. Stanley-aye, Mr. Wadsworth-aye, Mr. Boyd-aye

All Ayes

Motion Carried



Mr. Jim Boyd

President



Mrs. Beth McCaffrey

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