

---

# RECORD OF PROCEEDINGS

---

**MINUTES OF FEBRUARY 19, 2018 6:00 PM  
BERKSHIRE BOARD OF EDUCATION**

**SPECIAL BOARD MEETING  
BOARD OF EDUCATION**

---

\* 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 the current agenda.

First: Mr. Manfredi, Seconded: Mr. Wadsworth

Discussion: None

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

Motion Carried.

## **Business**

Motion to approve the following Resolution:

AUTHORIZING THE TRANSFER OF TERRITORY TO THE GENEVA CITY SCHOOL DISTRICT, ASHTABULA COUNTY, OHIO; AND AUTHORIZING AND APPROVING RELATED MATTERS

(R.C. Section 3311.24)

WHEREAS, R.C. Section 3311.24 provides for the transfer of city, exempted village or local school district territory to an adjoining school district; and

WHEREAS, in accordance with R.C. Section 3311.24, this Board desires to transfer 3 parcels of territory located on the eastern portion of Short Road, Trumbull Township, Ashtabula County, Ohio numbered 56-010-00-005-00, 56-010-00-024-02 and 56-010-00-005-02, respectively, (the "Territory"), to the Geneva City School District, Ashtabula County, Ohio (the "Receiving District") which adjoins the School District; and

---

# RECORD OF PROCEEDINGS

---

*MINUTES OF FEBRUARY 19, 2018 6:00 PM  
BERKSHIRE BOARD OF EDUCATION*

*SPECIAL BOARD MEETING  
BOARD OF EDUCATION*

---

WHEREAS, R.C. Section 3311.24(A)(4) further provides that to complete such transfer (a) the Board of the School District must pass a resolution, by a majority vote of the full membership, transferring the Territory; and (b) an equitable division of the funds and indebtedness between the districts involved in the transfer be made.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE BERKSHIRE LOCAL SCHOOL DISTRICT, GEAUGA AND ASHTABULA COUNTIES, OHIO THAT:

Section 1. It is hereby determined that the School District authorizes the transfer of the Territory.

Section 2. It is hereby determined that Exhibit A of this Resolution constitutes the equitable division of funds and indebtedness between the School District and the Receiving District, as required by R.C. Section 3311.24.

Section 3. The Treasurer of the Board is hereby authorized and directed to execute and deliver, on behalf of the Board, Exhibit A to this Resolution, and any such additional instruments, documents, agreements, contracts, certificates, and other papers as may be necessary or appropriate in order to carry out the intent of this Resolution.

Section 4. The Treasurer of the Board is hereby directed to forward a certified copy of this Resolution to the Receiving District; Board of Elections of Ashtabula County, Ohio; and to the County Auditors of Geauga and Ashtabula Counties, Ohio.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the passage 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 R.C. Section 121.22.

First: Mr. Wadsworth, Seconded: Ms. Stanley

Discussion: Mrs. McCaffrey introduced Becky Princehorn, legal counsel from Bricker and Eckler. She stated that Mrs. Princehorn was available to answer any questions the Board may have regarding this resolution. Mrs. Princehorn briefly explained the situation with these three parcels. The issue came up upon filing with the Board of Elections for the May election and all happened within a 48 hour period. The Board of Elections wants to verify that each resident received the correct ballot, either Berkshire Bond Levy of Geneva Income Tax Renewal. The Ashtabula County Auditor already shows them as being transferred however, the Ohio Department of Education does not and this process needed to be completed before the May election. Mrs. Princehorn explained between 1979-1987 the parcels were paying taxes to Geneva City Schools, and then in 1987 they started paying taxes to Ledgemont. As a result of the Ledgemont territory transfer to Berkshire, they

---

# RECORD OF PROCEEDINGS

---

MINUTES OF FEBRUARY 19, 2018 6:00 PM  
BERKSHIRE BOARD OF EDUCATION

SPECIAL BOARD MEETING  
BOARD OF EDUCATION

---

were then transferred to Berkshire and have been paying Berkshire taxes since then. If we keep the parcels the way they currently are, Berkshire would have to reduce the inside mills by .99 mills and we would lose approximately \$339,000 every year.

Mr. Manfredi questioned how many more parcels are in Ashtabula in which Mrs. Princehorn stated there were no other ones. Mr. Boyd questioned if Lake County had any properties in which Mrs. McCaffrey also stated there were no parcels other than in Madison Township in which those students are open enrolled to Madison Schools.

Ms. Stanley was concerned Berkshire would have to return the revenue from the last two years back to Geneva because of this error. Mrs. Princehorn assured the Board that Geneva had no intention to seek revenue and they just want this issue to be correctly recorded so both districts can have a valid election.

Mrs. Raikes asked for the pros and cons of doing nothing at this time. The cons would be we would lose \$339,000 each year. Mrs. McCaffrey also stated by transferring them, we are losing about \$3,430 in property taxes.

Mr. Boyd questioned if this was an error on the Geauga County Auditor and a filing issue. Becky stated there was no communication and she was not sure why. Becky also noted once the Department of Taxation received this resolution, they will expedite this.

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

## Board Discussion

None

## Open Public Participation:


None


## Adjournment

A motion to adjourn the meeting at 6:16 p.m.

First: Mrs. Raikes , Seconded: Mr. Boyd

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

  
\_\_\_\_\_  
Mr. Jim Boyd President

  
\_\_\_\_\_  
Mrs. Beth McCaffrey Recorder of Proceedings