

**This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in the agenda.**

**ROLL CALL**

Marcia S. Bruns \_\_\_\_\_  
Ryan C. Crandall \_\_\_\_\_  
Erika M. Damman \_\_\_\_\_  
Ty A. Otto \_\_\_\_\_  
Michael J. Wesche \_\_\_\_\_

**PLEDGE OF ALLEGIANCE**

**SUPERINTENDENT'S REPORT**

1. SRO Report
  
  
  
  
  
  
  
  
  
  
2. State Recognition – athletes participating at the state level.

**Bowling**

**Girls:** Arianna Kiessling

**Coaches:** Randy Schwaiger, Denny Ehlers, Chris Ehlers

**Boys:** Ashton Kiessling, Riley Ehlers

**Coaches:** Randy Schwaiger, Dave Kiessling, Randy Babcock

**DECA**

**12th Grade:** Emma Berry, Grace Gerken, Calen Gray, Micah Hopkins, Jeremy Ledyard,  
Curtis Lydy, Mason Melia, Derek Miller, Jadyn Reed

**11th Grade:** Denver Grundy, Trace Schultheis, Owen Storch, Nathan Ward Myers

**10th Grade:** Nick Flowers, Xavier Fouty, Keaton Miller, Trenton Weber

**9th Grade:** Allyssa Borck, Elizabeth Bullock, Ava Elling, Kristen Franklin, Hayden Gerken, Emma Grisier, Kate Harmon, Chris Helberg, Lillie Marr, Braylon Polter, Bob Ratliff, Emma Reynolds, Porter Rice, Paul Sausser, Cooper Speiser, McKenzie Weber

**Advisor:** Jason Zera

**Diving**

Ella Borstelman, Mara Cashman, Ashton Delaney, Tauren Davis, Jorja Swihart

**Head Coach:** Denise Brown

**Assistant Coaches:** Kristin Shepard

**Speech**

Derek Miller and Tate Behnfeldt - DUO Interpretation

Paige Kerrigan-Christ - Declamation

Harlow Calvert - Program Oral Interpretation

Alternate to State: Jeremy Ledyard - Dramatic Interpretation

**Advisors:** Gwen Howe-Gebers, Heidi Mekus

**Swimming**

Brett Bostelman, Nick Flowers, Alex Gyde, Ruby Morman, Hannah Nagel, Addyson Speiser, Mackenzie Spring, Masen Switzer

**Head Coach:** Denise Brown

**Assistant Coaches:** Mitch Delaney, Kennedy Hall

**Wrestling**

**Girls Team:** Tia Leahy

**Boys Team:** Alex Gonzales

**Head Coach:** Jason Seiler

**Assistant Coaches:** Austin Ripke, Devin Meyer, Seth Beard, Josh Lynch, Charley Bohls, Demetrius Hernandez

## **CONSENT AGENDA**

**Bold indicates new**

1. approve the minutes of the regular Napoleon Area City School Board of Education meeting of February 21, 2023 as presented.
2. approve the employment of Ms. Jessica Barton as an Aide at Napoleon Elementary School effective February 24, 2023 after successfully completing her probationary period.
3. approve the employment of Mr. Timothy Cereghin as a Bus Driver at Napoleon Area City Schools effective March 15, 2023 after successfully completing his probationary period.
4. approve the employment of Mrs. Denise Lalonde, Instructional tutor for a student with multiple disabilities who is homebound due to medical needs, starting March 7, 2023 at the tutor rate for three (3) to five (5) hours per week. The ending date of the tutoring contract will be determined based on the student's progress and clearance to return to school.
5. approve the transfer of Mrs. Angela Behnfeldt to a Class II Secretary position at Napoleon Elementary School effective with the 2023-2024 school year. Mrs. Behnfeldt will serve a 45-day probationary period. Mrs. Behnfeldt is replacing Mrs. Richards who transferred to a different secretary position.
6. approve Mrs. Peggy Snyder as a Bus Driver for the mid-day Preschool drop off route at Napoleon Area City Schools effective August 23, 2023. This route is two (2) hours per day and is in addition to Mrs. Snyder's regular route.
7. approve the transfer of Mrs. Jennifer Moehrman to Bus #4 effective August 23, 2023.
8. accept the resignation of Mrs. Rebecca Stover, Sophomore class advisor effective June 30, 2023.
9. accept the resignation of Mrs. Brenda Zuch as Camp Palmer Education staff effective March 13, 2023.
10. approve the following meet manager for the 2022-2023 school year:  

Track & Field - Andy Ham
11. approve the following game/tournament help for the 2022-2023 school year. The Tournament Help rate is established and approved by the Tournament Governing Body and the amount approved includes benefits paid by the Board of Education, which will be deducted from the established rate. Non-tournament game help rate is determined by board policy.

Chris Millen

Joe Pennington

Chad Bostelman

12. approve the following student workers on an as needed basis for the 2022-2023 school year, as lighting and sound technicians for Napoleon Area City School District at the state minimum wage rate per hour:

Sydney Bechtol

13. approve the employment of Mrs. Beth Speiser as Camp Palmer nurse for the Camp Palmer trip scheduled May 8 to May 12, 2023. Mrs. Speiser is a Licensed Practical Nurse and will be paid \$400.00 for the week out of Camp Palmer funds.

14. approve the following chaperones for the Napoleon High School band trip from March 29 – April 3, 2023 to Orlando, Florida:

Angie Behnfeldt	Christina Corbitt	Angiala Franz	Heather Gallagher
Jenna Gray	Andrew Lesick	Kyle Light	Catherine McCorkle
Alain Miller	Kyle Miller	Scott Steward	Nick Torres
Andrea Wauer			

15. approve the following volunteer senior project internship position for the 2022-2023 school year. Mr. Cory Niekamp will oversee this position.

**Cavan Moriarty** - Effective May 8-12, 2023

16. approve the following substitute positions for the 2022-2023 school year:

**Alex Gerken** - Bus Driver, effective March 7, 2023

17. approve the substitute list for teachers and paraprofessionals from the Northwest Ohio Educational Service Center for the 2022-2023 school year as presented.

18. approve the 2023-2024 Napoleon Elementary School Handbook for students in grades PK-2 as presented. Handbook changes are highlighted in yellow.

19. approve the 2023-2024 Napoleon Elementary School Handbook for students in grades 3-6 as presented. Handbook changes are highlighted in yellow.

20. approve the Napoleon Area City Schools Responsible Use Principles for Employees as presented.

21. approve Napoleon Area City Schools 7<sup>th</sup> - 12<sup>th</sup> Grade District-Owned Device Loan Agreement as presented.

22. approve the Ohio Department of Education, Medicaid School Program (MSP) Agreed Upon Procedures with Julian and Grube for FY24 and FY25 for the Medicaid Cost Report at a cost of \$2,300.00 per year (\$100.00 increase) as presented.

23. approve the Northwest State Clinical Affiliation Agreement, two-year renewal for Early Childhood/Paraprofessional Education Program as presented.

24. ratify the contracts entered into by the Superintendent and Treasurer as follows:

- PAXIS Institute Service Agreement for administrator online training at a cost of \$816.00 as presented.

25. It is recommended that the following amounts and rates of the Budget Commission be accepted as follows:

**WHEREAS**, This Board of Education in accordance with the provision of law has previously adopted a Tax Budget for the succeeding fiscal year commencing July 1, 2023 and

**WHEREAS**, The Budget Commission of Henry County, Ohio has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill tax limitations; there be it

**RESOLVED**, by the Board of Education of the Napoleon Area City School District, Henry County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification be and the same are hereby accepted; and be it further

**RESOLVED**, that there be and is hereby levied on the tax duplicate of said School District the rates of each tax necessary to be levied within and without the ten mill limitation as follows:

General Fund	3.30 mills within	
	10.00 mills limitation	\$1,263,001.00
	48.20 mills outside	
	10.00 mills limitation	\$11,158,549.00
Permanent Improvement Fund	2.00 mills	\$527,351.00
Bond Funds	3.8 mills	\$1,532,556.00

**And be it further RESOLVED**, that the Treasurer of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

26. accept the financial reports as presented in Exhibits A-D.

27. approve the budget and revenue transactions in Exhibit E.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: M. Bruns, R. Crandall, E. Damman, T. Otto, M. Wesche

**OTHER**

1. approve the Litigation Cost-Sharing Agreement between the Napoleon Area City School District Board of Education and the City of Napoleon whereas the parties are proposed to be the co-Plaintiff's in a lawsuit captioned Napoleon Area City School District Board of Education and City of Napoleon, Ohio v. Cultural Center of Henry County f/k/a Napoleon Civic Center Foundation as presented.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: R. Crandall, E. Damman, T. Otto, M. Wesche, M. Bruns

2. approve the amendment/change order to the original Energy Optimizer contract approved November 17, 2021 as presented.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: E. Damman, T. Otto, M. Wesche, M. Bruns, R. Crandall

3. **AUTHORIZING A CONTRACT WITH ENERGY OPTIMIZERS, USA, LLC FOR THE DISTRICT'S HVAC IMPROVEMENT PROJECT BASED UPON O.R.C. 167.081 FOR CONTRACTS PROCURED THROUGH A REGIONAL COUNCIL OF GOVERNMENTS**

The Superintendent recommends that the Board authorize a contract with Energy Optimizers USA, LLC ("Energy Optimizers") for the District's HVAC Project based upon the authority of O.R.C. 167.081 for contracts procured through a Regional Council of Governments.

Rationale:

1. The District has identified a need for certain HVAC improvements for the installation of four roof top HVAC units at the Napoleon Jr./Sr. High School facility, located at 701 Briarheath Drive, Napoleon, OH 43545 (the “Project”).
2. The Project will greatly improve indoor air quality throughout the facility and is a critical component of the District’s overall plan to combat COVID-19. The Project is reasonable and necessary to reduce the risk of virus transmission and creates a safer environment for students and staff.
3. O.R.C. 167.081 allows a school district to participate in a construction contract of a Regional Council of Governments (a “COG”) without the need to engage in competitive bidding. Specifically, O.R.C. 167.081 states that a regional council may enter into a contract that establishes a unit price for, and provides upon a per unit basis, materials, labor, services, overhead, profit, and associated expenses for the repair, enlargement, improvement, or demolition of a building or structure if the contract is awarded pursuant to a competitive bidding procedure of a multistate consortium of which the council is a member. The Board is a member of the Ohio Council of Educational Purchasing Consortia (“OCEPC”). OCEPC is a Regional Council of Governments established under Chapter 167 of the Ohio Revised Code.
4. Energy Optimizers is an experienced HVAC & roofing contractor who has provided a proposal for the Project in the amount of \$480,000.00 (the “Contract Sum”), which is based on qualified unit pricing as set forth in Energy Optimizer’s agreement with OCEPC.
5. The Superintendent recommends procuring Energy Optimizers through O.R.C. 167.081.
6. The Superintendent also requests authority to enter change orders on behalf of the Board in a total amount not to exceed 10% of the Contract Sum for the Project; change orders in excess of that amount will be brought to the Board for its approval.

The Board of Education resolves as follows:

1. Based upon the information provided and exercising the authority given in O.R.C. 167.081, the Board authorizes the procurement of Energy Optimizers without the need to engage in competitive bidding.
2. The Board authorizes the Superintendent, Treasurer, and Board President to work with legal counsel to negotiate and execute a contract with Energy Optimizers for the Project and to sign any related documents for the work in an amount not to exceed \$480,000.00.
3. The Board further authorizes the Superintendent and Treasurer to sign change orders related to the Project in a total amount not to exceed 10% of the Contract Sum; should a change order exceed this amount individually or as the aggregate of change orders for the

work, the change order will be brought to the Board for approval prior to the work being performed.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: T. Otto, M. Wesche, M. Bruns, R. Crandall, E. Damman

**RESOLUTIONS**

**1. RESOLUTION – GRADE 3 PAPER TESTING CHOICE FOR 2023-2024**

**WHEREAS**, R.C. 3301.0710 requires the state board of education to adopt rules establishing a statewide program to assess student achievement; and

**WHEREAS**, OAC 3301-13-02 sets forth the statewide program of tests to assess student achievement; and

**WHEREAS**, R.C. 3301.0711(G) (4) permits a school district to administer the third-grade English language arts and/or mathematics assessments in a paper format in any school year beginning with the 2023-2024 school year.

**NOW THEREFORE BE IT RESOLVED** that the Napoleon Area City School District Board of Education hereby chooses to administer the English language arts assessment in a paper format in the 2023-2024 school year.

**BE IT FURTHER RESOLVED** that the Superintendent of the Napoleon Area City School District shall file a copy of this resolution with the Ohio Department of Education on or before May 1, 2023.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: M. Wesche, M. Bruns, R. Crandall, E. Damman, T. Otto

**2. RESOLUTION CONFIRMING MILLAGE AND BALLOT FORM FOR BOND ISSUE AND LEVY OF A TAX IN EXCESS OF THE TEN-MILL LIMITATION**

(Ohio Revised Code Section 5705.218)



**WHEREAS**, Ohio Revised Code Section 5705.218 authorizes school districts to submit to their electors bond issues combined with tax levies in excess of the ten-mill limitation for current operating expense and/or permanent improvements purposes; and

**WHEREAS**, on January 11, 2023, the Board approved a resolution to proceed with a \$21,500,000 bond issue (the “Bond Issue”) combined with property tax levy in excess of the ten-mill limitation for current operating expenses at a rate not exceeding 4.50 mills for each \$1 of taxable value (the “Levy”), and certified the same to the Board of Elections of Henry County, Ohio; and

**WHEREAS**, H.B. 140, first effective for the May 2, 2023 election, has made certain changes in the way millage is referenced in election proceedings, and the Ohio Department of Taxation has refined its directives in that regard several times;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Education of the Napoleon Area City School District, Henry County, Ohio, two-thirds of all of the members thereof concurring, that that:

Section 1. The Board confirms that (a) the millage estimated for the Bond Issue is 3.10 mills, which amounts to \$109 for each \$100,000 of the county auditor’s appraised value, (b) the 4.50 mills of the Levy amounts to \$158 for each \$100,000 of the county auditor’s appraised value, and (c) the ballot form for the Bond Issue shall read substantially as follows:

**AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE**

Shall the Napoleon Area City School District be authorized to do the following:

- (1) Issue bonds for the purpose of constructing school facilities and renovating and expanding existing school facilities, including a new multi-purpose building for school and community use; furnishing and equipping the same; and improving the sites thereof in the principal amount of \$21,500,000, to be repaid annually over a maximum period of 37 years, and levy a property tax outside the ten-mill limitation, estimated by the county auditor to average over the bond repayment period 3.1 mills for each \$1 of taxable value, which amounts to \$109.00 for each \$100,000 of the county auditor’s appraised value, to pay the annual debt charges on the bonds, and to pay debt charges on any notes issued in anticipation of those bonds?
- (2) Levy an additional property tax to pay current operating expenses, that the county auditor estimates will collect \$1,851,908 annually, at a rate not exceeding 4.5 mills for each \$1 of taxable value, which amounts to \$158.00 for each \$100,000 of the county auditor’s appraised value, for 5 years?

	FOR THE BOND ISSUE AND LEVY
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	AGAINST THE BOND ISSUE AND LEVY
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Section 2. The Treasurer is directed to certify a copy of this Resolution to the Board of Elections of Henry County, Ohio.

Section 3. 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.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: M. Bruns, R. Crandall, E. Damman, T. Otto, M. Wesche

**BUSINESS AFFAIRS AND FINANCE**

FOR BOARD AGENDA March-23  
 INTEREST EARNED  
 MONTH: January

TYPE	AMOUNT	FUND	INT. RATE	INVESTED	SOLD/DUE	INTEREST
PAYROLL	0.00	GENERAL	N/A			0.00
SUPER NOW	3,489,387.41	VARIOUS	0.23%			1,781.64
SUPER NOW	29,951.01	ST. AUG	0.23%			15.29
SUPER NOW	25,933.86	ST. JOHN	0.23%			13.24
SUPER NOW	107,006.92	ST. PAUL	0.23%			54.64
PREMIER BANK ICS	11,715,620.85	VARIOUS	4.87%			42,654.11
STAR OHIO	4,702,947.62	VARIOUS	4.80%			17,154.31
STAROhio-Local Funds	1,541,430.50	Construction	4.80%			<u>5,622.47</u>
					TOTAL	<u>67,295.70</u>

## **ADMINISTRATORS' REPORTS**

## **OTHER BUSINESS AND CONCERNS**

1. The regular April meeting of the Board is scheduled for Wednesday, April 19, 2023 at 7:00 p.m., in the multi media room of Napoleon Jr. /Sr. High School.

## **RECOGNITION OF VISITORS**

[The school board and administrative staff encourage and appreciate citizen interest in meetings of the board of education. This section of the agenda is designed to hear the views of citizens about their schools and items on the agenda. Persons wishing to address the board may make written requests in advance of the meeting or indicate their name, address and the item which they wish to address. Each speaker is asked to address the board so the speaker's remarks may be clearly heard. The speaker should give his or her name and address and limit comments to three minutes. We provide a time for citizen remarks at every regular meeting. At no time do we allow particular grievances about an employee to be aired. These remarks will be declared to be out of order and will be terminated when they are made about a specific employee. Any such discussion is not allowed in a public meeting, but may be discussed in an executive session at the board's discretion. Board members may ask questions of the speaker for information or clarification and may or may not make comments in response to a speaker's remarks. No board member has the power or authority to act for the board; therefore, no response from an individual board member should be interpreted as an official action. Requests for information about any subject should be made in writing to the board president or superintendent. Requests for information at the board meeting will be referred to the superintendent for review and report to the board. Thank you for your cooperation.]

## **LEGISLATIVE REPORT**

**FOUR COUNTY CAREER CENTER REPORT**

**BOARD MEMBER COMMENTS**

**EXECUTIVE SESSION**

An executive session is requested for one or more of the following matters to:

\_\_\_\_\_ a. consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or to consider the investigations of charges or complaints against a public employee, official, licensee or "regulated individual"; unless the person being investigated of charges or complaints requests a public hearing;

\_\_\_\_\_ b. consider the purchase or sale of public property if the public interest would be hurt by the premature disclosure of the information;

\_\_\_\_\_ c. confer with the public body's attorney for the purpose of considering disputes if a court action concerning the dispute is either pending or imminent;

\_\_\_\_\_ d. prepare for, conduct, or review negotiations or bargaining sessions with public employees;

\_\_\_\_\_ e. consider matters required by federal laws or rules or state statutes to be kept confidential;

\_\_\_\_\_ f. consider specialized details of security arrangements if the information could be used for criminal purposes.

Motion \_\_\_\_\_ Second \_\_\_\_\_

Roll Call: R. Crandall, E. Damman, T. Otto, M. Wesche, M. Bruns

Adjourned to executive session at \_\_\_\_\_ p.m.; returned from executive session at \_\_\_\_\_ p.m.

**ADJOURNMENT**

Motion \_\_\_\_\_ Second \_\_\_\_\_

Attest: \_\_\_\_\_  
Treasurer, Board of Education

Signed: \_\_\_\_\_  
President, Board of Education