The Winton Woods Board of Education met in Regular Session on Monday, November 20, 2023 at Winton Woods North Campus, Room 1656, 1231 West Kemper Road, Cincinnati, Ohio. President Kuhn called the meeting to order at 6:30 p.m.

# ROLL CALL AND PLEDGE OF ALLEGIANCE

On the roll call the following members were present: Dr. Viola Johnson, Mr. Brandon Smith, Ms. Debra Bryant, Mrs. Paula Kuhn. Absent Mr. Jeff Berte. Also present were Mr. Anthony Smith, Superintendent and Mr. Randy Seymour, Treasurer.

# DISTRICT HONORS, RECOGNITIONS, GIFTS, AND INTRODUCTIONS

# Kiwanis Character is Key Award - Fairness

Winton Woods Elementary School - Ace Crocker

# Kiwanis Student of the Month Award

Winton Woods High School - Ray'John Benton

# Skyline Student Athlete of the Month Award

Winton Woods High School - Mariangel Medina Restrepo

# Skyline Teacher of the Month Award

Winton Woods Primary School - Ms. Shavonne Roach

#### **PUBLIC COMMENTS**

Mr. Bill Speelman briefly addressed the Board concerning an update on the district's academic performance.

# COMMENTS TO THE BOARD OF EDUCATION FROM THE ASSOCIATIONS

WWTA REPRESENTATIVE – Absent OAPSE REPRESENTATIVE – Absent

#### APPROVAL OF MINUTES

On a motion by Ms. Bryant, seconded by Dr. Johnson to approve the following Board Meeting Minutes:

Regular Meeting – October 23, 2023

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

#### TREASURER'S REPORT

The Financial Statements for the month of October, 2023 were approved and filed for audit.

#### TREASURER'S RECOMMENDATIONS

#### Investments – October, 2023

11-123-23 On a motion by Dr. Johnson, seconded by Ms. Bryant to approve the Investment Report for October, 2023.

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

#### Five Year Forecast

11-124-23 On a motion by Ms. Bryant, seconded by Mr. B. Smith to approve the Five-Year Forecast for fiscal years 2024 through 2028 as presented. (Attached)

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

# REPORTS OF THE SUPERINTENDENT

• Facilities Update presented by Mr. Steve Denny, Executive Director of Business Affairs

# SUPERINTENDENT'S RECOMMENDATIONS

### Personnel Schedules

11-125-23 On a motion by Dr. Johnson, seconded by Mr. B. Smith to approve the personnel schedules as presented.

# Schedule A – Resignations/Retirements

# Resignations:

Tremaine Dees, Special Ed. Assistant, NCMS, effective 11/06/23

Danielle Jackson, Special Ed. Assistant, SCPS, effective 10/31/23

Heather Northcutt, Special Ed. Assistant, ROST (Out of District), effective 11/02/23

Terri Davis, Bus Driver, effective 11/10/23

James Lail, Girl's Head Soccer Coach, NCHS, effective 11/05/23

# SUPERINTENDENT'S RECOMMENDATIONS – (Cont.) Personnel Schedules – (Cont.) Schedule C – Support Staff Appointments

#### New Hires:

Tanya Whitson, Sub. Food Service, \$13.52/hr, effective 11/06/23 James Benjamin, Bus Driver, \$23.77/hr, effective 11/21/23 Heaven Anderson, Special Ed. Assistant, NCMS, \$20.54/hr, effective 11/02/23 Tenesha Bennett, Special Ed. Assistant, ECCC, \$20.54/hr, effective 11/16/23 Jessica Menez, Educational Assistant, NCHS, \$20.44/hr, effective 11/28/23 Kendrick Sartor, Special Ed. Assistant, ECCC, \$18.72/hr, effective 11/27/23

# Change in Employment:

Tremaine Dees, Special Ed. Asst., from full time to part time, NCMS, \$20.54/hr, effective 11/27/23

Quwana Cotton, From Ed. Asst. to Clerical C, WWSC, \$20.79/hr, effective 11/27/23 Barbara Barnaclo, from Interim Transportation Supv. to Transportation Supv., \$80,000 effective 11/20/23

# Schedule D – Personnel Employment Certified and Uncertified (Including Extra Duties)

# Food Service Attendance Incentive: \$100

Karen Andwan Ann Beitin Sarah Billiter Shawna Brocker Kimberly Foster Ashley Freeland Marcus Johnson Natalie Jackson Katie Lauter Cynthia Lathan Linda Lewis Denise Maddox Sandy McCormick Mila Rahe Susan Songer Stephanie Stacey

# Food Service Cooking Stipend: \$20/day, effective 11/28/23

Tracy Dean Ashley Freeland Kimberly Foster

# Supplemental:

Matthew Bernardo, High School Stage Director, \$3,540, effective 2023-2024 Michelle Kozlowski, High School Fall Play Director, \$6,637, effective 2023-2024 Jasmine Shaw, 8th Gr. Girls Basketball Coach, \$2,876, effective 2023-2024 Nilaja Johnson, 8th Gr. Boys Basketball Coach, \$4,203, effective 2023-2024

# SUPERINTENDENT'S RECOMMENDATIONS - (Cont.)

Personnel Schedules – (Cont.)

Schedule D - Personnel Employment Certified and Uncertified (Including Extra Duties) - (Cont.)

Warrior Academic Help Center: \$29/hr, 2023-2024:

Bradney Ciminowasielewski, Science

Deborah Sutorius, Science

Tyler Shedd, Mathematics

Kelly Stiens, Intervention Specialist

# One on One Extra-Curricular

Katherine Sparke, \$29/hr, effective 2023-2024

Onboarding Mentors: \$300, 2023-2024:

Karen Savage

Christina Stark

Megan Weaver

Nicole Sutherland

Pupsa Kafley

# Schedule E – Leaves

Wayne Copenhaver, Custodian, WWCB, 11/13/23 – 11/27/23, F.M.L.A. Trina Scott, Bus Driver, 10/19/23 – 01/19/24, F.M.L.A. Julian Hutchinson-Meyer, Teacher, SCES, 11/13/23 – 01/23/24, F.M.L.A. Laurie Schaefer, Speech-Language Pathologist, WWSC, 11/08/23 – 11/27/23, Unpaid Leave

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

# Resolution - National School Psychology Week

**11-126-23** On a motion by Dr. Johnson, seconded by Ms. Bryant to approve the resolution "National School Psychology Week, November 6 - 10, 2023" as presented. (Attached)

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

# SUPERINTENDENT'S RECOMMENDATIONS – (Cont.)

Resolution – Authorizing an Addendum to the Purchase Agreement with Maronda Homes

11-127-23 On a motion by Dr. Johnson, seconded by Mr. B. Smith to approve the resolution "Authorizing an Addendum to the Purchase Agreement with Maronda Homes" as presented. (Attached)

Vote: Dr. Johnson, Aye; Mr. B. Smith, Aye; Ms. Bryant, Aye; Mrs. Paula Kuhn, Aye

President Kuhn declared the motion carried.

# **BOARD OF EDUCATION REPORTS**

- Legislative Report
- Great Oaks Report

# **BOARD ITEMS**

# COMMENTS FROM MEMBERS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

# ADJOURNMENT

There being no further business, President Kuhn declared the meeting adjourned at 7:52 p.m.

ATTEST:

Randy L. Seymour, Treasurer

Mrs. Paula Kuhn, President

APPROVET

# WINTON WOODS CITY SCHOOLS Bank Reconciliation Statement October 2023 (Year to Date)

	Fund Balan	ce	Book Balance		Bank Balance	
001	General Fund	\$22,076,232.68	Beginning Balance	\$32,315,431.18	Fifth Third Bank	\$3,408,667.16
002	Bond Retirement	3,150,517.27			Petty Cash	500.00
003	Permanent Improvement	4,568,300.97	Plus: Receipts	29,776,203.18	Food Service-Drawer	250.00
004	Building	176,625.28	Less: Expenditures	(27,076,599.04)	Athletic-Gate	2,000.00
006	Lunchroom	1,306,069.48				
007	Special Trust	158,435.73				
010	Classroom Facilities	3,155,772.97	Fadina Release	35 045 035 33	Tota <sup>t</sup>	3,411,417.16
018 019	Public School Support Local Grants	96,966.79 131.623.48	Ending Balance	35,015,035.32	Total	3,411,417.10
022	District Agency	0.00				
022	Classroom Facilities Maintenance	1,543,939.97	Outstanding Warrants:			
200	Activity Fund	23,715.63	Outstanding Warrants.			
300	Athletic Fund	146,934.12	Fifth Third Bank	1.075.240.08	Investments:	
	Auxillary Services - JPII	0.00	THUT THIS CONK	1,073,240.00	Star Ohio	20.441.169.89
	Auxillary Services - JPII	68,107.41			Star Ohio - Building Local	2,929,388.68
	Early Childhood Education	(22,034.25)			Star Ohio - Building State	426,325.71
	Connectivity	276.60			Meeder Investments	8,864,282.53
461-9024		0.00			Meeder Invest (Building)	0.00
	School Safety Grant	0.00			(	32,661,166.81
	EPA Grant	0.00				
507-9023	ARP/ESSER III	(900,740.07)				
507-9222	ARP Homeless	(1,313.94)				
516-9023	IDEA-B FY23	(48,536.49)	Total	1,075,240.08		
	IDEA-B FY24	(104,332.23)				
	ARP IDEA	(19,703.81)				
	Title   Non-Competive School Improv FY23	(25,839.35)				
	Title I Non-Competive School Improv FY24	(4,200.00)	Book Adjustments		Bank Adjustments	
	Title III LEP FY23	(4,006.92)			Pay School Accounts	
	Title III LEP FY24	(29,043.12)			Food Service	988.70
	Title III Immigrant	(8,820.21)			General Acct	70.00
	Title I FY23 Title I FY24	(77,128.90) (211,577.32)			Pay School In-Transit	1,058.70
572-9024		0.00				
572-9323		0.00			Payroll Transfer to General	16.632.73
572-9324		(22,347.96)			on 11/1/23	10,032.73
	Title IV-A FY23	(1,342.05)			On TV W20	
	Title IV-A FY24	(25,789.86)	Total	0.00	Total	17.691.43
	ESCE IDEA-B FY23	(494.80)	1014	0.00	, 512	17,001,40
	ESCE IDEA-B FY24	(2,777.76)				
	Title II-A FY23	(6,971.28)				
590-9024	Title II-A FY24	(71,482.74)				
Total Fund	1 Balance	35,015,035.32	Book Balance	35,015,035.32	Bank Balance	3,411,417,16
		11000-08				_,,,,,,,,,,
Plus: ou	tstanding warrants	1,075,240.08 0.00	Plus: outstanding warrants Plus: book adjustments	1.075,240.08 0.00	Plus: investments Plus: bank adjustments	32,661,166.81 17,691.43
Adjusted F	fund Balance	\$36,090,275.40	Adjusted Book Balance	\$36,090,275.40	Adjusted Bank Balance	\$36,090,275.40

I hereby certify the foregoing to be correct to the best of my knowledge and belief

# General Fund Receipts October 31, 2023

	Estimated Revenue	% of Revenue	Revenue MTD	Revenue FYTD	Percentage Received
Local:					
Real Estate Taxes	\$25,280,000	46.25%	\$639	10,620,567	42.01%
Public Utility Personal Property	0	0.00%	0	1,052,172	0.00%
Tuition (1)	1,030,000	1.88%	1,210	367,209	35.65%
Interest	850,000	1.56%	117,311	488,745	57.50%
Student Fees	20,000	0.04%	425	2,575	12.88%
Rental Fees	50,000	0.09%	3,643	12,179	24.36%
Other (2)	355,300	0.65%	51,377	135,150	38.04%
Total Local Revenue	27,585,300	50.47%	174,604	12,678,596	45.96%
State:					
Foundation Fund	20,362,110	37.25%	2,374,221	7,463,391	36.65%
Homestead & Rollback	2,700,000	4.94%	1,363,166	1,363,166	50.49%
Other (3)	3,408,750	6.24%	484,110	1,292,341	37.91%
Total State Revenue	26,470,860	48.43%	4,221,497	10,118,898	38.23%
Federal:					
Other (4)	600,000	1.10%	0	11,712	1.95%
Total Federal Revenue	600,000	1.10%	0	11,712	1.95%
GRAND TOTAL	\$54,656,160	100.00%	\$4,396,102	22,809,206	41.73%

<sup>(1)</sup> Includes summer school, special education, regular classes, and open enrollment

<sup>(2)</sup> Includes all other receipts not otherwise classified

<sup>(3)</sup> Includes catastrophic and tangible reimbursement

<sup>(4)</sup> Includes Medicaid and e-rate reimbursement

# General Fund Expenditures by Object October, 2023

	Appropriation + Carry Over	% Total Appr.	Expended <u>MTD</u>	Expended FYTD	Encumbered <u>FYTD</u>	<u>Balance</u>	% Spent
Personal Services (100)	\$33,252,000	55.79%	\$2,758,613	\$10,324,882	\$0	\$22,927,118	31.05%
Fringe Benefits (200)	11,838,445	19.86%	898,066	3,727,139	215,963	\$7,895,344	33.31%
Purchased Services (400)	10,595,873	17.78%	695,480	2,392,060	6,367,194	\$1,836,619	82.67%
Materials & Supplies (500)	2,499,547	4.19%	118,922	974,097	548,772	\$976,677	60.93%
Capital Outlay (600)	218,000	0.37%	4,960	82,270	115,829	\$19,901	90.87%
Other (800)	815,900	1.37%	18,204	364,222	57,591	\$394,087	51.70%
Transfers/Advances (900)	380,000	0.64%	0	0	0	\$380,000	0.00%
Total	\$59,599,764	100.00%	\$4,494,244	\$17,864,670	\$7,305,349	\$34,429,745	42.23%

#### Object Numbers:

- 100 Employees' salaries and wages includes payment for sick leave, personal business leave, holiday pay, etc.
- 200 Retirement, Insurance coverage, workers' comp., fringe benefits
- 400 Purchased services utilities, postage, repairs, insurance, lease/purchase, mileage reimbursement, etc.
- 500 Instructional supplies and materials, office supplies, textbooks, library books and materials
- 600 Capital outlay purchase of new equipment and vehicles
- 800 Other election expense, auditor and treasurer fees, audit cost, membership dues, liability insurance
- 900 Temporary advances to other funds and transfer of funds

# **Appropriation Summary:**

FY24 Appropriations
FY23 Carryover Encumbrances
Total Appropriations

\$59,599,764
212,969
\$59,386,795

6.013

# General Fund Expenditures by Function October 31, 2023

	Appropriation + Carry Over	% Total Appr.	Expended <u>MTD</u>	Expended <u>FYTD</u>	Encumbered <u>FYTD</u>	Balance	% Spent
Regular (1100)	\$21,801,052	36.58%	\$1,690,846	\$6,862,325	\$520,453	\$14,418,274	33.86%
Special (1200)	13,474,000	22.61%	1,001,480	3,419,860	2,504,916	7,549,224	43.97%
Pupils (2100)	4,265,950	7.16%	299,117	1,097,965	886,029	2,281,956	46.51%
Instructional Staff (2200)	2,325,366	3.90%	161,492	725,571	135,694	1,464,101	37.04%
Board of Education (2300)	329,964	0.55%	228	179,910	70,748	79,305	75.97%
School Adm. (2400)	4,514,350	7.57%	383,597	1,534,848	117,775	2,861,727	36.61%
Fiscal Services (2500)	1,702,379	2.86%	103,191	581,126	98,016	1,023,237	39.89%
Business Services (2600)	336,900	0.57%	26,642	109,897	18,188	208,815	38.02%
Oper. of Plant (2700)	5,177,050	8.69%	311,128	1,645,327	2,155,182	1,376,540	73.41%
Pupil Trans. (2800)	3,281,842	5.51%	322,849	1,001,992	672,073	1,607,776	51.01%
Central Support Services (2900)	829,092	1.39%	63,442	282,532	21,828	524,732	36.71%
Community Services (3000)	42,500	0.07%	1,424	21,424	6,445	14,631	65.57%
Extracurricular (4000)	1,004,320	1.69%	121,009	352,877	18,268	633,175	36.95%
Capital Outlay (5000)	135,000	0.23%	7,799	49,015	79,734	6,252	95.37%
Contingencies and Transfers (7000)	380,000	0.64%	0	0	0	380,000	0.00%
Total	\$59,599,764	100.00%	\$4,494,244	\$17,864,670	\$7,305,349	\$34,429,745	42.23%

#### Functions:

Instruction (1100 – 1200): Instruction includes the activities directly dealing with the teaching of pupils or the interaction between teacher and pupil. Teaching may be provided for pupils in a school, in a classroom, in another location, such as in a home or hospital, and through other approved media such as television, radio, telephone and correspondence.
Pupils (2100): Activities which are designed to assess and improve the well-being of pupils and to supplement the teaching process. e.g., Pupil personnel, guidance, health, psychological, speech and audiology, attendance, graduation and student assembly services.

Instructional Staff (2200): Activities associated with assisting the instructional staff with the content and process of providing learning experiences for pupils. e.g., Curriculum development, staff training, ed. aides and media services.

Board of Education (2300): Activities concerned with establishing policy in connection with operating the District.

School Administration (2400): Activities concerned with administrative responsibility e.g., Supt. & Principal offices

Fiscal (2500): Activities associated with the financial operations of the District. e.g., Treasurer's office.

Business (2600): Activities concerned with directing & managing service areas. e.g., Business Manager's office.

Operation of Plant (2700): Activities concerned with keeping the physical plant open, comfortable and safe for use and keeping buildings and equipment in an efficient working condition. e.g., Maintenance & custodial areas.

Transportation (2800): Activities concerned with the conveyance of students to and from school and to activities.

Statistical Services (2900): Activities, other than general administration, which support each of the other instructional and supporting services programs. e.g., Personnel and technology.

Community Services (3200): Payments made by the District to support activities that do not directly relate to providing education for pupils in the District.

**Extracurricular Activities (4000):** Subject matter and/or activities not provided in regular classes. Generally, participation is not required and credit is not given.

Capital Outlay (5000): Improvements to the District buildings & land Contingencies (7000): To be used for unanticipated emergencies.

# Appropriation Summary:

\$59,386,795
212,969
\$59,599,764

6.014

# Year To Date Summary as of October 31, 2023

		Beginning	FYTD	FYTD	Current	Current	Unencumbered
	FUND	Balance	Revenues	Expenditures	Fund Balance	Encumbrances	Fund Balance
001	General	\$17,131,696	\$22,809,206	\$17.864.670	\$22.076.233	\$7,305,349	\$14,770,884
	Special Revenue Funds:	,,	·,,		,,		
018	Public School Support	88,837	12,104	3,974	96,967	25,961	71,006
	Other Grants	121,216	22,667	12,260	131,623	4,072	127,551
034	Classroom Facilities Maint.	1,569,640	105,878	131,578	1,543,940	44,562	1,499,378
300	District Managed Activity	140,919	123,875	117,859	146,934	56,567	90,368
401	Auxiliary Services	57,725	92,469	82,087	68,107	244,137	(176,029)
439	Preschool Education	0	0	22,034	(22,034)	0	(22,034)
451	Data Communication	0	277	0	277	0	277
499	Miscellaneous State Grants	21,027	0	21,027	0	0	0
507	ESSER	7,637	1,460,704	2,370,395	(902,054)	1,957,924	(2.859.978)
516	IDEA	15,315	74,748	262,636	(172,573)	137,885	(310,457)
536	Title I School Improvement	857	77,012	107,909	(30,039)	0	(30,039)
551	Limited English Proficiency	3,290	1,806	46,966	(41,870)	13,395	(55,265)
572	Title 1, SQ1 and EOEC	13,596	198,224	522,874	(311,054)	45,149	(356,204)
584	Title IV-A	1,903	0	29,035	(27,132)	24,518	(51,650)
587	IDEA Early	895	932	5,099	(3,273)	0	(3,273)
590	Title II-A	411	25,872	104,738	(78,454)	22,190	(100,644)
599	Miscellaneous Federal Grants	0	0	0	0	0	0
	Debt Service Funds:						
002	Bond Retirement	3,675,532	1,618,000	2,143,015	3,150,517	1,085,078	2,065,440
	Capital Projects Funds:						
003	Permanent Improvement	2,410,515	2,510,675	352,889	4,568,301	3,560,379	1,007,922
004	Building	178,614	1,628	3,616	176,625	141,691	34,934
010	Classroom Facilities	5,078,394	87,504	2,010,125	3,155,773	1,319,011	1,836,762
007	Special Trust	118,798	56,294	16,656	158,436	16,051	142,385
	Agency Funds:						
200	Student Activity	21,157	6,710	4,151	23,716	693	23,023
022	District Agency	0	0	0	0	0	0
	Enterprise Funds:						
006	Food Services	1,657,458	489,618	841,007	1,306,069	536,490	769,580
	Total	\$32,315,431	\$29,776,203	\$27,076,599	\$35,015,035	\$16,541,101	\$18,473,935



TO: WWCSD Board of Education FROM: Randy Seymour, Treasurer DATE: October 31, 2023

SUBJECT: October 31, 2023

October Investments

The Treasurer requests official approval of the following investments of interim funds made October 31, 2023

	Investments	interest	Interest Rate	
General Fund:				
Money Markets:				
Star Ohio	\$20,441,170	\$100,599	5.71%	
Meeder Investments	8,864,282	15,706	various	
5th/3rd	3,408,667	1,233	0.50%	Includes earnings credit
	32,714,119	117,538		_
Building Fund: Local Share:				
Money Markets:				
Star Ohio	2,929,389	14,661	5.71%	
	2,929,389	14,661		
Building Fund: State Share:				
Money Markets:				
Star Ohio	,426,326	2,002	5.71%	
	426,326	2,002		
Total	\$36,069,834	\$134,201		

# RESOLUTION NATIONAL SCHOOL PSYCHOLOGY WEEK NOVEMBER 6-10, 2023

WHEREAS, Winton Woods City School District schools can more effectively ensure that all students are able to learn when they meet the needs of the whole child and provide integrated, multi-tiered supports; and

WHEREAS, All children and youth learn best when they are healthy, supported, and receive an education that enables them to strive, grow and thrive academically, socially, and emotionally. Children's mental health is directly linked to their learning and development, and the learning environment provides an optimal context to promote good mental health; and

WHEREAS, Sound psychological principles are integral to instruction and learning, social and emotional development, prevention, early intervention and school safety, and supporting culturally diverse student populations; and

WHEREAS, School psychologists are specially trained to deliver a continuum of mental health services and academic supports that lower barriers to teaching and learning; and help children to thrive by nurturing their individual strengths across both personal and academic endeavors. School psychologists are trained to assess student and school-based barriers to learning as well as individual strengths, utilize data-based decision-making, implement research-driven prevention and intervention strategies, and evaluate outcomes and improve accountability; and

WHEREAS, It is appropriate to recognize the vital role that school psychologists play in the personal and academic development of Winton Woods City School District's students.

THEREFORE, BE IT RESOLVED that the Winton Woods City Schools Board of Education encourages all district students and staff to join in the observance of National School Psychology Week, November 6-10, 2023, and observance of future National School Psychology Weeks as declared by the National Association of School Psychologists.

ADOPTED, this 20th day of November, 2023.

Ms. Paula Kuhn, President

Mr. Anthony G. Smith, Superintendent

Mr. Randy Seymour, Treasurer

The Board of Education of the Winton Woods City School District met in regular session at 6:30 p.m. on the 20<sup>th</sup> day of November, 2023, in the Winton Woods North Campus, Room 1656, 1231 W. Kemper Road, with the following members present:

Dr. Viola Johnson Mr. Branson Smith Ms. Debra Bryant Mrs. Paula Kuhn

Dr. Johnson moved the adoption of the following resolution:

# WINTON WOODS CITY SCHOOL DISTRICT

# **RESOLUTION NO. 11-126-23**

# RESOLUTION AUTHORIZING AN ADDENDUM TO THE PURCHASE AGREEMENT WITH MARONDA HOMES

WHEREAS, the Board of Education has entered into a purchase agreement for the sale of real property owned by the Board of Education and identified by the Auditor's office as Parcel ID Nos. 591-0020-0035-90 ("1501 Kingsbury Drive," being 28.782 acres), and 591-0A07-0039-90 ("9211 Halesworth Drive," being 11.869 acres); and

**WHEREAS**, the parties have subsequently discovered that the Board owns a very small parcel abutting the Halesworth Drive parcel, identified by the Auditor's office as Parcel ID 591-0028-0226-90 ("Smiley Ave" being 0.122 acres); and

WHEREAS, the parties desire to amend their agreement, by addendum, to include the small parcel in the sale; and

**WHEREAS**, the Board is authorized by applicable law to convey the additional parcel without further process.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

# **SECTION I**

The Board hereby approves the Addendum attached hereto as Exhibit A.

# **SECTION II**

The President and Treasurer are hereby authorized to execute the addendum attached hereto as Exhibit A.

# **SECTION III**

IT IS FOUND AND DETERMINED that all formal action of this Board concerning or related to the adoption of this Resolution was adopted in an open meeting of this Board, and all deliberations of this Board and any of its committees that resulted in such formal actions were adopted in meetings open to the public, in compliance with all applicable requirements of the Ohio Revised Code.

Mr. B. Smith seconded the motion and the roll being called upon the question of the adoption of the resolution, the vote resulted as follows:

Ayes: Dr. Johnson, Mr. B. Smith, Ms. Bryant, Mrs. Kuhn

Nays:

**ADOPTED** this 20<sup>th</sup> day of November, 2023.

# **CERTIFICATE**

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 20<sup>th</sup> day of November, 2023, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

Randy Seymour, Treasurer

# FIRST ADDENDUM TO PURCHASE AGREEMENT

This First Addendum to the Purchase Agreement (the "Addendum") is entered by and between BOARD OF EDUCATION OF THE WINTON WOODS CITY SCHOOL DISTRICT f/k/a Board Of Education, Greenhills-Forest Park City School District, a city school district organized in accordance with O.R.C. (the "Seller") and, Maronda Homes of Cincinnati, LLC, an Ohio limited liability company (the "Buyer").

WHEREAS, the Buyer and Seller entered into that certain Purchase Agreement Pertaining to Winton Woods School District Sites with an effective date of July 14, 2023 (together, with all addendums, amendments, extensions, modifications, restatements, renewals and substitutions thereto, collectively the "Agreement") for the sale of the Property (as defined in the Agreement);

**WHEREAS**, the parties hereby desire to further amend the Agreement pursuant to the terms and conditions set forth below.

**NOW THEREFORE**, in consideration of the above and the mutual promises contained herein, the parties agree as follows:

- 1. <u>Definitions</u>. Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed to such words in the Agreement.
- 2. <u>Sale of Additional Property</u>. Seller has decided to sell and Buyer has agreed to purchase, in addition to the Property, an approximate 0.122 acres of real estate being further identified as Hamilton County Auditor Parcel 591-0028-0226-90 ("Smiley Ave Parcel") pursuant to the terms and conditions of the Agreement. From and after the Addendum Effective Date, all references to the term "Property" in the Agreement shall include the Smiley Ave Parcel.
- 3. Replacement Paragraph. In furtherance of the foregoing, the second paragraph on the first page of the Agreement, has been deleted in its entirety and replaced with the following:

"WHEREAS, Seller is the owner of approximately 40.651 acres of real property and improvements located in Forest Park, Hamilton County, Ohio, identified by the Auditor's office as Parcel ID Nos. 591-0020-0035-90 ("1501 Kingsbury Drive," being 28.782 acres), 591-0A07-0039-90 ("9211 Halesworth Drive," being 11.869 acres), and 591-0028-0226-90 ("Smiley Ave" being 0.122 acres), and more fully described on the attached Exhibit A,

together with all above and below grade improvements thereon and thereto and all rights, minerals, privileges, appurtenances, hereditaments, easements, reversions, and remainders pertaining to or used in connection therewith, including but not limited to all mineral, oil, gas, and air rights (the "Property"); and"

- 4. <u>Title Commitment</u>. Pursuant to Buyer's right under Section 4.1.2 of the Agreement, Buyer is obtaining an updated Title Commitment and shall provide Seller with any supplemental title objections by October 20, 2023, with regards to the Smiley Ave Parcel. This Paragraph 4 shall in no way be read to waive Buyer's right to obtain updated Title Commitments prior to Closing, nor a waiver of any rights reserved under the Title Defect Notice provided to Seller on September 26, 2023.
- 5. <u>Automatic Extension</u>. On or about August 14, 2023, Buyer's application to tap into the existing sewer connections was rejected by MSD, through no fault of Buyer, and such denial was not remediated until September 28, 2023. In accordance with Section 3.3.2 of the Agreement, the parties hereby acknowledge that the Due Diligence Period has been automatically extended Forty Five (45) days such that that Due Diligence Period shall expire on September 11, 2024, unless extended and subject to the terms and conditions in the Agreement.
- 6. <u>Modifications</u>. Except as expressly modified and amended by the provisions of this Addendum, all of the terms, covenants, conditions and agreements in the Agreement are hereby ratified, restated, readopted, and reaffirmed and shall continue in full force and effect. This Addendum shall be binding upon the parties and their respective successors and assigns. The terms, covenants, conditions, and agreements contained in this Addendum hereby amend and supplement the Agreement which has been executed prior to the execution of this Addendum. In the event of conflict between the terms, covenants, conditions and agreements contained in the Agreement and this Addendum, the terms, covenants, conditions, and agreements contained in this Addendum shall control.
- 7. <u>Electronic Signature</u>. Seller and Buyer hereby agree that electronic transmission (by PDF) of this Addendum and any signatures thereon shall be deemed originals for all purposes. This Addendum may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which shall constitute one and the same instrument.
- 8. <u>Effective Date</u>. The Effective Date of this Amendment shall be the last date this document is signed by either Party.

9. <u>Captions</u>. The captions at the beginning of each paragraph are for suggested guidance only and offer no meaning to this document.

The Parties hereto have executed this Addendum and intend the same to be effective as of the Addendum Effective Date set forth above.

# **SELLER:**

WINTON WOORS CITY SCHOOL DISTRIC	CT,
a city school district	
By: Jaken	
Name: Parle kuhn	
Title: President	
Date: 11/20/2023	

[Additional Signature Page to Follow]

# [Signature Page – First Addendum to Agreement –Winton Woods]

The parties hereto have executed this Addendum and intend the same to be effective as of the Addendum Effective Date set forth above.

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MARONDA HOMES OF CINCINNATI, LLC,

an Ohio Jimited liability company

Name: Ronald W. Wolf

Title: President

Date: 12-08-2023