

**MINUTES OF THE SPECIAL MEETING OF THE ST. BERNARD-ELMWOOD  
PLACE BOARD OF EDUCATION ON JUNE 13, 2016**

The St. Bernard-Elmwood Place Board of Education met in special session on June 13, 2016, at 5:45 p.m. in the Board of Education Office, 105 Washington Avenue, St. Bernard, Ohio 45217. The meeting was called to order by President Linda Radtke and opened with the Pledge to the Flag.

**Roll Call**

Present: Linda Radtke, Dr. Jason McMullan, Micki Spears, Tinette Underwood, and Joe Wheeler

Also present: Dr. Mimi Webb, Superintendent, Emily Hauser, Treasurer, and Bruce Helwagen, Director of Technology/Business Affairs  
Bronston McCord, Legal Counsel

Visitors (who signed in): None

Discussion was held regarding a potential building project.

**16-86 Resolution Declaring the Necessity of Bond Issue and Tax Levy, Certifying the Same to the County Auditor and Board of Elections, and Submitting the Question to the Electors of the School District**

Mr. Wheeler made a motion, seconded by Mrs. Spears, to approve the following resolution:

**WHEREAS**, St. Bernard-Elmwood Place City School District (the “School District”) has qualified for participation in the Ohio School Facilities Commission's Classroom Facilities Assistance Program (the “Program”); and

**WHEREAS**, this Board of Education (hereinafter called “Board of Education”) of the School District has qualified to receive assistance from the State of Ohio, under Sections 3318.01 to 3318.20, inclusive, of the Ohio Revised Code (collectively, the “Classroom Facilities Act”) by virtue of the Program; and

**WHEREAS**, the Ohio School Facilities Commission (the “Commission”) has determined the amount of the State of Ohio's portion of the cost of such classroom facilities, as well as the School District’s local share portion of the cost of such classroom facilities, which determination has been or will be approved by the Controlling Board; and

**WHEREAS**, the provisions of the Program require, in order for the School District to be eligible for assistance from the State of Ohio, that the School District's portion of the basic project cost (“Basic Project Cost”) shall be an amount equal to the School District's required percentage of Basic Project Cost as determined pursuant to Section 3318.01 of the Ohio Revised Code (the “Required Percentage of Project Costs”); and

**WHEREAS**, the School District's Required Percentage of the Basic Project Costs stated in dollars is \$5,940,560; and

**WHEREAS**, it is estimated that total project costs for the School District's participation in the Program will be \$33,003,110 (which includes the State of Ohio's share and the School District's local share) and it will be necessary for this Board of Education to issue approximately \$8,880,000 of bonds (the "Bonds"), which is an amount not less than the School District's portion of Basic Project Costs (\$5,940,560) and the cost of other improvements to school facilities (known as locally funded initiatives), including (without limitation) equipment, furnishings and site improvements (\$2,939,440); and

**WHEREAS**, this Board of Education proposes to submit to the electors of this School District at the election to be held on the 8<sup>th</sup> day of November, 2016, the question of issuing the Bonds of this Board of Education in the amount of \$8,880,000 for the purpose of paying the local share of school construction under the State of Ohio Classroom Facilities Assistance Program and the cost of other improvements to school facilities (known as locally funded initiatives), which shall appear on the ballot as a question asking whether the electors of the School District will vote to support the aforesaid purposes, together with, as applicable, new construction, improvements, renovations, and other additions to school facilities, as well as equipment, furnishings, site improvements, and all necessary appurtenances therefor, including, without limitation, technology, safety and security improvements, capitalized interest, and a portion of the costs of a natatorium; and the question of levying an annual direct tax on all of the taxable property in this School District outside of the ten-mill limitation to pay the interest on and to retire the Bonds, under authority of Section 133.18 of the Ohio Revised Code; and

**WHEREAS**, the question of issuing the Bonds and levying a tax for maintenance as required by the Program shall, to the extent necessary, be combined and submitted to the electors of the School District pursuant to Sections 3318.05, 3318.056, and 133.18 of the Ohio Revised Code; and

**WHEREAS**, this Board of Education expects to receive the conditional approval of the Commission for participation in the Program on or about July 25, 2016; and

**WHEREAS**, this School District desires to proceed with the project; and construction of additional improvements (known as locally funded initiatives) in order to provide adequate classroom facilities for the students of the School District and the to protect the health and safety of its students; and

**WHEREAS**, it is unable, by issuing bonds in an amount equal to the Required Percentage of Basic Project Cost, to provide adequate classroom facilities without assistance from the State of Ohio, and in order to qualify for such assistance from the State of Ohio, it is necessary to levy taxes outside the limitation imposed by Section 2 of Article XII, Ohio Constitution to pay the interest on and to retire Bonds in order to pay the local share of school construction and to pay for other improvements to school facilities (known as locally funded initiatives), and it is necessary to provide an additional one-half mill levy for each one dollar of valuation for maintenance purposes under the Program (apart from the tax needed to pay debt service on the Bonds), and that the question of such tax levies shall be submitted to the electors of the School District at the election to be held on November 8, 2016; and

**WHEREAS**, pursuant to the provisions of Section 3318.05 and 3318.06, it is necessary that the rate which is necessary to be levied for an additional maintenance tax, apart from the tax needed to pay debt service on the Bonds, shall be at the rate of not less than one-half mill for each one dollar of valuation and that such maintenance tax shall be levied for a period of twenty-three (23) years,

**WHEREAS**, this Board of Education desires to adopt a resolution declaring the necessity of the Bond issue and the levying of the maintenance tax, as well as the direct tax levies providing for these taxes at the aforesaid election; and

**WHEREAS**, the Treasurer of this Board of Education has certified the maximum maturity of the Bonds shall be thirty-seven (37) years;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Education of the St. Bernard-Elmwood Place City School District, County of Hamilton, Ohio:

**SECTION 1.** That it is necessary to issue Bonds of this Board of Education in the principal amount of \$8,880,000 for the purpose of new construction, improvements, renovations, and other additions to school facilities, as well as equipment, furnishings, site improvements, and all necessary appurtenances therefor, including, without limitation, technology, safety and security improvements, capitalized interest, and a portion of the costs of a natatorium, all in order to pay the School District's local share of school construction under the Program, as well as locally funded initiatives of the School District. The Bonds are expected to be issued on or about July 1, 2017, shall bear interest at the rate now estimated at four and fifty hundredths percent (4.50%) per annum, and shall mature in substantially equal annual or semiannual installments over a period not exceeding thirty-seven (37) years after their issuance. It is anticipated that anticipatory securities in anticipation of the Bonds will be issued and dated on or about December 1, 2016.

**SECTION 2.** That it is necessary to annually levy, on all of the taxable property in this School District, a direct tax outside the limitation imposed by Section 2 of Article XII of the Constitution of the State of Ohio to pay the interest on and to retire the Bonds and any anticipatory securities.

**SECTION 3.** That it is necessary to make provision for the Program requirement of an additional levy of taxes (apart from the tax needed to pay debt service on the Bonds) for a period of twenty-three (23) years for the benefit of the School District, the proceeds of which tax levy shall be used to pay the cost of maintaining the classroom facilities included in the project at the rate of one-half mill for each one dollar valuation for a period of twenty-three (23) years and it is hereby further determined that said tax levy shall also be submitted to the electors of the School District at the election to be conducted on November 8, 2016.

**SECTION 4.** That the question of issuing the Bonds and of levying said direct tax in order to pay for debt service of the Bonds, as well as the levying of the direct tax necessary to provide for the one-half mill maintenance tax shall be submitted to the electors of this School District as a single ballot question at the election to be held on the 8<sup>th</sup> day of November, 2016, pursuant to Sections 3318.05, 3318.056, and 133.18 of the Ohio Revised Code.

**SECTION 5.** That the county auditor is hereby requested, pursuant to Section 5705.03 and Section 133.18(C) of the Ohio Revised Code (a) to certify to this Board of Education the total current tax valuation of the School District, (b) to promptly estimate and certify to the Board of Education the average annual property tax millage rate required throughout the stated maturity of the Bonds to pay debt charges on the Bonds, and (c) the dollar amount of revenue that will be generated by the one-half mill maintenance tax. The Treasurer of this Board of Education be and is hereby directed to certify a copy of this resolution to the county auditor at the earliest possible time so that such county auditor may certify such matters in accordance with such requests.

**SECTION 6.** That under the authority of Section 133.06(I) of the Ohio Revised Code, the School District expects that the proceeds of the Bonds will be used in accordance with Section 133.06(I) of the Ohio Revised Code in order to raise the School District's portion of its Basic Project Costs and the costs of other locally funded initiatives in an amount that does not exceed fifty percent of the School District's portion of the Basic Project Costs, all in accordance with the Program and the Classroom Facilities Act. Further, upon the issuance of the Bonds, the District will exceed the debt limitations set forth in Section 133.06(B) and (C) of the Ohio Revised Code; accordingly, to the extent necessary, this Board of Education authorizes the Treasurer of this Board of Education to certify a copy of this resolution to the Ohio School Facilities Commission in accordance with Section 133.06(I) of the Ohio Revised Code so that the Ohio School Facilities Commission may fulfill its duty of notifying the Superintendent of Public Instruction pursuant to Section 133.06(I) of the Ohio Revised Code.

**SECTION 7.** That it is found and determined that all formal actions of this Board of Education concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board of Education; and that all deliberations of this Board of Education 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 Section 121.22 of the Ohio Revised Code.

**SECTION 8.** That this resolution shall take effect immediately upon its adoption.

The motion passed by the following roll call vote:

Yes – Mrs. Radtke, Dr. McMullan, Mrs. Spears, Mrs. Underwood, and Mr. Wheeler

16-87 Executive Session

Mrs. Spears made a motion, seconded by Mrs. Underwood, to enter into Executive Session at 5:52 p.m. to discuss personnel issues.

The motion passed by the following roll call vote:

Yes – Mrs. Radtke, Dr. McMullan, Mrs. Spears, Mrs. Underwood, and Mr. Wheeler

Regular session reconvened at 6:19 p.m. with all members present.

