

Revised/Updated

EAST KNOX BOARD OF EDUCATION
REGULAR MEETING
THURSDAY, DECEMBER 8, 2022, 6:00 PM
ELEMENTARY SCHOOL CAFETERIA

AGENDA

This is a public meeting of the East Knox Board of Education 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.

Board Members: Derrick Steinmetz, President; Lindsay Bush, Vice-President; Larry Campbell, Member; Randy Reese, Member; Matt Schwartz, Member

A. Call to Order

The President calls the meeting to order and leads in the Pledge of Allegiance.

B. Roll Call

The President calls the roll.

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

C. Approval of the Agenda

Recommendation to approve the agenda as presented.

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

D. Public Participation 20 minutes' public participation period (maximum time):

1. Public participation shall be permitted at the discretion of the presiding officer.
2. The Board requires that public participants be residents of this District, an employee of this District, or anyone having a legitimate interest in the action of the Board.
3. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address, and group affiliation if appropriate.

4. All statements shall be directed to the presiding officer. No participant may address or question Board members individually.
5. Each participant shall be limited to three minutes.
6. The presiding officer may:
 - prohibit public comments that are frivolous, repetitive, and/or harassing;
 - request any individual to leave the meeting when that person does not observe reasonable decorum;
 - request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 - call of a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 - waive these rules with the approval of the Board when necessary for the protection of privacy of the efficient administration of the Board's business.

E. Treasurer Report

F. Treasurer Recommendations

Recommendation to approve the minutes from the regular board meeting on November 10, 2022.

Recommendation to approve the November 2022 Financial Report as presented.

Recommendation to approve the following budgetary amendment(s):

002	Student Activity	\$ 8,247.79
507	ESSER	29,406.83
516	Part-B IDEA	32,461.14
572	Title I	57,326.00
584	Title IV-A	6,941.28
590	Title II-A	14,423.77

Recommendations to accept with appreciation and gratitude the following donation(s):

<u>From</u>	<u>Amount</u>	<u>To</u>
Progressive Communications	\$278.08	Athletic Department
East Knox Athletic Boosters	\$23,521.00 (scoreboard valued at)	Athletic Department
<i>Carol Didinger</i>	<i>\$4,000.00</i>	<i>EK FFA</i>
<i>East Knox Athletic Boosters</i>	<i>\$2,000.00</i>	<i>Athletic Department</i>

- L. Bush
- L. Campbell
- R. Reese
- M. Schwartz
- D. Steinmetz

G. Superintendent Report

- District Update

H. Superintendent Recommendations

Recommendation to set the Organizational Meeting for 2023 on Thursday, January 12, 2023.

Organizational Meeting at 6:00 p.m.
Budget Hearing immediately following Organizational Meeting
Regular Meeting immediately following Budget Meeting

Recommendation to advertise to the public, a hearing on the budget, which will be held on January 12, 2023, immediately following the Organizational Meeting, which begins at 6:00 pm. The following advertisement will be printed in the Mount Vernon News, for general circulation on December 21, 2022.

A public hearing on the proposed 2024 tax budget for the East Knox Local School District will be held at East Knox Elementary, 23081 Coshocton Road, Howard, Ohio, Thursday, January 12, 2023, immediately following the Organizational Meeting, which begins at 6:00 p.m.

Recommendation to approve the appraisal agreement from Industrial Appraisal Company for a district wide building appraisal and GAAP fixed asset inventory to be completed at a cost of \$7,370.

Recommendation to approve the change order EC005 from Elford, Inc. for \$851 for buried weeps. To be paid from Permanent Improvement-Elementary Addition Funds.

Recommendation to approve the change order EC008 from Elford, Inc. for \$3,069.26 for added tack strips. To be paid from Permanent Improvement-Elementary Addition Funds.

Recommendation to approve the change order EC003 from Elford, Inc. for \$1,502.17 for Sink Relocation. To be paid from Permanent Improvement-Elementary Addition Funds.

Recommendation to approve the tuition agreement with the Indiana Developmental Training Center of Lafayette-DBA T.C. Harris School and Academy for education of a student from January 1, 2023-December 31, 2023 for a cost of \$220 per day.

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

Recommendation to elect President Pro Tempore for the January 12, 2023 Organizational Meeting as follows:

_____ nominated _____ to be the President Pro Tempore.

_____ seconded the nomination.

All in favor of above motion:

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

Recommendation to approve the following resolution:

AUTHORIZING OWNER CONTINGENCY, EXECUTION OF AMENDMENTS TO THE ARCHITECT AGREEMENT AND CONSULTANT AGREEMENTS, AND CONSTRUCTION CHANGE DIRECTIVES AND CHANGE ORDERS TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT

The Superintendent recommends that the Board authorize an Owner Contingency in the amount of \$624,591.00 for the Elementary School Addition Project (the "Project") in lieu of the previously established amount and requests authorization to approve and execute Amendments to the architect agreement with Fanning/Howey Associates, Inc. ("F/H") for the Project ("A/E Agreement") and to Consultant agreements for those consultants approved by the Board under separate Board resolution(s) for the Project ("Consultants Agreements"), as well as Construction Change Directives and Change Orders to the Construction Manager at Risk agreement with Elford, Inc. ("Elford") for the Project ("CMR Agreement") in an aggregate amount not to exceed the Owner's Contingency.

Rationale:

1. The Board entered into the A/E Agreement, CMR Agreement, and has or will enter into the Consultants Agreements (collectively, "Agreements").
2. During construction of the Project, there may be changes to the Work that impact the Scope of the Work, Contract Sum, and/or Contract Time of the Agreements. These changes may come in the form of bid day alternates, owner-requested changes, contractor claims, design-related issues, among others. These changes are documented via Amendment, Construction Change Directive, or Change Order ("Modifications").

3. Modifications required to modify a contract or agreement that involve a change in Contract Sum/Price and/or Contract Time must be approved and executed on behalf of the Board. To avoid Project delay and its related costs, it is important that the Board authorize a representative to approve and execute Modifications required to modify the Agreements.
4. Establishing an Owner's Contingency reserves funds to be used for Modifications that require an increase in Contract Sum/Price.
5. The Board previously approved an Owner's Contingency in the amount of \$594,591.00. Calculating the Owner's Contingency as the difference between the budget for the construction costs of the project and the Contract Sum provided in Elford's GMP Proposal, the Owner's Contingency should have initially been \$624,591.00. Thus, the Superintendent and the Treasurer recommend that the Board authorize the establishment of an Owner's Contingency in the amount of \$624,591.00, which has been reduced by Modifications previously approved by the Board.
6. The Superintendent and Treasurer request authority, in consultation with other District administrators and legal counsel, to approve and execute Modifications required to modify the Agreements, in an aggregate amount not to exceed the remaining Owner Contingency for the Project.
7. The Superintendent and Treasurer, working with the Board President and legal counsel, additionally request the authority to grant various utility and ingress/egress easements ("Project Easements") and seek various permits and approvals from Authorities Having Jurisdiction over the Project ("Permits").
8. The Superintendent and Treasurer request this authority to be able to conduct business related to the Project, as required between Board meetings.

The East Knox Local School District Board of Education resolves as follows:

1. The Board authorizes the establishment of an Owner Contingency for the Project in the amount of \$624,591.00 in lieu of the previously established amount, which has been reduced by Modifications previously approved by the Board.
2. The Superintendent and Treasurer, in consultation with other District administrators and legal counsel, are authorized to approve and execute Modifications required to modify the Agreements in an aggregate amount not to exceed the remaining Owner Contingency for the Project.
3. The Superintendent and Treasurer are authorized by the Board to make related decisions, as required between Board meetings.
4. The Treasurer is authorized to issue purchase orders and sign any related documents required to finalize any Modifications approved and executed under the authority delegated in this resolution.
5. The Superintendent, Treasurer, and Board President, working with legal counsel, are authorized to execute any necessary Project

Easements and seek Project Permits in an aggregate amount not to exceed the remaining Owner Contingency for the Project.

6. The Superintendent will bring to the Board for review all Modifications approved and executed under the authority provided by this resolution at the Board meeting immediately following the approval and execution of any such Modification.

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

I. Personnel

Subject to proper placement on the salary scale, contingent upon favorable report from the BCII/FBI, and receipt of proper certification.

Recommendation to rescind contract for Ryan Powell Junior High Golf from the May 12, 2022 board meeting (resolution 22-042) due to lack of student participation.

Recommendation to approve the following ESC board approved substitute teacher(s) for the 2022-2023 school year:

Steven Alan Klein
Lois Jacobs

Recommendation to approve Jaimye Weaver as a long-term substitute teacher starting approximately February 5, 2023 for a teacher on maternity leave.

Recommendation to approve Christie Cochran as a long-term substitute teacher starting approximately March 3, 2023 for a teacher on maternity leave.

Recommendation to approve the ESC board approved aides for the 2022-2023 school year as follows:

Ronnie Walker

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

J. Executive Session

Recommendation to enter into executive session, pursuant to Ohio Revised Code 121.22, for the sole purpose of: to consider matters required to be kept confidential by federal law or regulations or state statutes.

L. Bush

L. Campbell
R. Reese
M. Schwartz
D. Steinmetz

Time in:

Time out:

Roll Call (no motion):

K. Adjournment

Recommendation to adjourn the meeting at _____ p.m.:

L. Bush
L. Campbell
R. Reese
M. Schwartz
D. Steinmetz