

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held _____ 20 _____

HILLSDALE LOCAL BOARD OF EDUCATION – December 21, 2020 at 7:00 P.M.

The Hillsdale Local Board of Education Special Board Meeting was called to order by President Vella King at 7:00 P.M in the Hillsdale High School Media Center. Roll call was taken by Treasurer Rick Blahnik with the following Board members present: Nicholas Atterholt, W. Eugene Anderson, John Cutlip, Amy Jarvis and Vella King.

#20-102 EXECUTIVE SESSION

Moved by Anderson, seconded by Jarvis to go into Executive Session for the purpose of attorney client privileges at 7:01 P.M.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-103 RESUME REGULAR SESSION

Moved by Jarvis, seconded by Anderson to resume regular session at 8:08 P.M.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-104 APPROVAL CONSENT AGENDA ADDITIONS/DELETIONS

Moved by Cutlip, seconded by Atterholt to replace item C that changes the background figure in item 2. To \$62,920,657 and GMP Amendment No.3 amount to \$62,920,657 and approve the consent agenda Additions/Deletions for the Decemcer 21, 2020 Board of Education Special Meeting.

Anderson, aye; Atterholt, aye; Cutlip aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-105 APPROVE MEMORANDUM OF UNDERSTANDING

Moved by Atterholt, seconded by Cutlip Atterholt to approve the following:

Memorandum of Understanding

This Memorandum of Understanding is entered into by and between the Hillsdale Local School District Board of Education (hereinafter "Board") and the Hillsdale Education Association (hereinafter "Association") this 21 day of December, 2020.

WHEREAS, the Board and Association have entered into a Collective Bargaining Agreement (CBA) which is effective from July 1, 2017 through June 30, 2020, and which was extended for one year by agreement through June 30, 2021; and

WHEREAS, the Governor of Ohio signed HB 404 into law on November 22, 2020 which permits modifications to the requirements set forth in Ohio Rev. Code 3319.111, 3319.112, and 3319.113 for evaluations; and

WHEREAS, the state of Ohio is currently still in the midst of the Coronavirus pandemic; and

WHEREAS, the Board has determined that it is impossible or impracticable to complete all of the evaluations for the 2020-2021 school year; and

WHEREAS, the parties have entered into certain agreements with respect to the evaluation procedures for bargaining unit members that affects the parties' CBA, and in that regard, desire to memorialize their agreements pertaining to same; and

WHEREAS, the parties intend to amend their current CBA as set forth hereinafter, and further intend that all remaining sections of the CBA, that are not inconsistent herewith, shall remain in full force and effect.

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NOW THEREFORE, IT IS HEREBY AGREED by and between the Board and the Association that the following language shall constitute their Agreement as it relates to this matter:

1. The COVID-19 exemption shall be selected in the electronic reporting system for any bargaining unit member evaluated under R.C. 3319.111, 3319.112, or 3319.113 whose evaluation was not completed on or before November 22, 2020.
2. 2020-21 Evaluation Cycles: All other terms and conditions of the Collective Bargaining Agreement remain in full force. The District retains evaluation rights in accordance with Ohio Revised Code and Board of Education Policy.
3. Any bargaining unit member determined to be impracticable to evaluate in the 2020-2021 school year shall retain their previous evaluation rating in accordance with HB 404.
4. All other provisions of the Agreement not addressed in this MOU shall remain in full force and effect.
5. This MOU shall set no precedent in any other matter between the Parties, now or in future, and shall not be referred to by any other party in any matter unrelated to this MOU.
6. The Association and the Board have reviewed and understand this MOU and each signatory to this MOU represents that he or she has the authority to enter into this MOU and bind his/her Party.
7. This MOU shall automatically expire on June 30, 2021.

Anderson, aye; Atterholt, aye; Cutlip, aye;; Jarvis, aye; King, aye. Motion passes 5-0.

#20-106 APPROVE BOARD OF EDUCATION GOALS

Moved by Jarvis, seconded by Cutlip to approve the goals for the Board of Education:

1. Provide a safe and positive environment for all students and staff focused on students' educational success.
2. Provide quality educational and learning opportunities for all students.
3. Demonstrate financial responsibility and integrity by maximizing resources, spending conservatively, and operating efficiently.
4. Maintain credibility and open communications with students, parents, staff, employers, and the community.
5. Strive for educational equity so that all students have access to relevant and challenging academic experiences and educational resources necessary for success across race, gender ethnicity, language, disability, family background and/or income.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

Held _____

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#20-107 APPROVE GMP AMENDMENT NO.3

Moved by Atterholt, seconded by Jarvis to approve GMP Amendment No. 3 to CMR Agreement with Simonson-Regency Construction Services, LLC for the New PK-12 building project and authorizing execution of the Amendment:

The Superintendent recommends approval of GMP Amendment No. 3 to the CMR Agreement with Simonson-Regency Construction Services, LLC (Simonson-Regency) for the New PK-12 Building Project (Project). The Superintendent also requests authority to have the amendment signed.

Background

1. The Board previously approved an agreement with Simonson-Regency as the construction manager at risk for the District's Project and approved and entered into GMP Amendment No. 1 for the Early Site Package and GMP Amendment No. 2 for the Stadium Package.
2. Fanning/Howey Associates, Inc. has prepared the GMP Documents for the Building Package and, based on the GMP Documents, Simonson-Regency submitted its proposal for GMP Amendment No. 3 for the Building Package in the total amount of \$62,920,657.
3. Based on the Guaranteed Maximum Price proposal submitted by the CMR, the District, working with legal counsel, prepared and negotiated Guaranteed Maximum Price Amendment No. 3 with the Simonson-Regency for the Building Package.

The Hillsdale Local School District Board of Education resolves as follows:

1. GMP Amendment No. 3 to the CMR Agreement with Simonson-Regency for the Building Package is approved in the total amount of \$62,920,657.
2. The Board hereby authorizes the Superintendent and Treasurer, working in conjunction with administrators, the Owner's Representative, and legal counsel, to execute GMP Amendment No. 3 and any related documents on behalf of the Board.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-108 APPROVE CONSULTANT TO PROVIDE HAZARDOUS MATERIALS ASSESSMENT AND ABATEMENT DESIGN SERVICES

Moved by Cutlip, seconded by Jarvis to approve a consultant to provided hazardous materials assessment and abatement design services:

The Superintendent recommends Lawhon & Associates, Inc. (the "Consultant") as the most qualified firm to provide hazardous materials assessment and abatement design services for work on the District's New PreK-12 Building Project (the "Project") and the Superintendent recommends approval of an agreement with the Consultant for these services.

Rationale:

1. The Board requires the services of a design professional to provide hazardous materials assessment and abatement design services for the Project.
2. Section 153.71 of the Ohio Revised Code prescribes a truncated qualifications-based selection process for projects with an estimated design professional fee of less than \$50,000, wherein the District may select a single design professional from among those that have submitted a current statement of qualifications within the immediately preceding year, based on the District's determination that the selected design professional is the most qualified to provide the required professional design services.

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3. The Consultant's fee for the hazardous materials assessment and abatement design services was estimated to be less than \$50,000; the Consultant's statement of qualifications was submitted to the District within the immediately preceding year; and the District determined the Consultant to be the most qualified to provide the surveying services.
4. The Consultant provided a proposal to perform the hazardous materials assessment and abatement design services for an amount not to exceed \$42,340 and the District, working with legal counsel, has prepared a contract with the Consultant to perform the services for the amount identified above and the Superintendent recommends approval of this contract.

The Hillsdale Local School District Board of Education resolves as follows:

1. The Board selects the Consultant as the firm determined best qualified to perform the hazardous materials assessment and abatement design services for the Project.
2. The Board approves a contract with the Consultant in an amount not to exceed \$42,340 and authorizes the necessary administrators and officials to execute this contract and any associated documentation on behalf of the Board.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-109 APPROVE EVALUATION OF ADMINISTRATORS

Moved by Anderson, seconded by Atterholt to approve the evaluation of Administrators:

WHEREAS, Sub. H.B. 404 of the Ohio General Assembly permits a board of education to elect not to conduct evaluations of administrators under Chapter 3319 of the Ohio Revised Code for the 2020-21 school year based on a determination that it would be impossible or impracticable to do so; and

WHEREAS, the Board desires to make such an election for the 2020-21 school year.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that it would be impossible or impracticable to conduct evaluations of administrators pursuant to Chapter 3319 of the Ohio Revised Code for the 2020-21 school year if said evaluations were not completed prior to November 22, 2020 when Sub. H.B. 404 became effective; and

BE IT FURTHER RESOLVED that the Board elects not to conduct evaluations under Chapter 3319 of the Ohio Revised Code for administrators during the 2020-21 school year, to the extent that such evaluations were not completed prior to November 22, 2020.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

#20-110 ADJOURNMENT

Moved by Anderson, seconded by Atterholt to adjourn the special session of the Board meeting at 8:31 P.M.

Anderson, aye; Atterholt, aye; Cutlip, aye; Jarvis, aye; King, aye. Motion passes 5-0.

Vella J King
BOARD PRESIDENT

Rick Blahut
TREASURER