



MINUTES

SPECIAL MEETING OF THE BOARD OF EDUCATION
NORTHWEST LOCAL SCHOOL DISTRICT
Wednesday, June 12, 2024 (7:00 PM)

1.0 PLEDGE OF ALLEGIANCE

1.1 Pledge of Allegiance

Requested all to rise for the Pledge of Allegiance.

2.0 ROLL CALL

2.1 Call of the roll

BOARD MEMBERS

Nicole Taulbee

Mark Gilbert

Jim Detzel

Chris Heather

Nancy Slattery

Number in Attendance: 5 Guests

3.0 APPROVAL OF THE AGENDA

3.1 Motion to Adopt Agenda

The Board President recommended to adopt the agenda as presented.

ORIGINAL - Motion

Member (**Chris Heather**) Moved, Member (**Jim Detzel**) Seconded to approve the **ORIGINAL** motion 'The Board President recommends to adopt the agenda as presented. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Nicole Taulbee	Yes
Mark Gilbert	Yes
Jim Detzel	Yes
Chris Heather	Yes
Nancy Slattery	Yes

4.0 ITEMS FOR INFORMATION AND/OR DISCUSSION

4.1 Master Facilities Plan

Superintendent Darrell Yater, CFO/Treasurer Amy Wells and Business Director Chris McKee shared a presentation outlining the current status of the facilities, where the district stands with the Ohio Facilities Construction Commission (OFCC) and the district's options moving forward.

The district has hired contractors to evaluate Colerain Elementary to determine its condition and what mitigation measures are needed to keep the building safe. Final cost estimates are not yet available but the building will need to have the bricks stabilized and possibly metal sheeting installed. If the Colerain Elementary building cannot be made safe or it's cost prohibitive to mitigate the building, the contingency plan would be activated. The contingency plan is to move Colerain Elementary to Houston Early Learning Center, move preschool to the Banning Road central office location and relocate the central office employees to other buildings, rented office space and/or blended work schedules. Cost estimates are expected within the next few weeks.

Colerain Middle School is also an aging facility. The front facade over the main entrance continues to move, and required repairs in 2016 and 2022. The engineers evaluating the building recommend the front facade be removed for safety reasons. The building continues to be evaluated for other potential issues.

The OFCC has multiple programs that allow districts to work with them on construction and facility needs. Their Expedited Local Partnership Program (ELPP) allows projects in the master plan to be funded locally without state contributions. The state share is then earned as credits for use when the district moves into a Classroom Facilities Assistance Program (CFAP) co-funded phase. The district has been waiting for State notification that the co-funded phase is ready to begin. In 2015, during Phase 1, the district earned 22% of the cost of the project in state credits. In December 2023, updates to the state share calculations moved our potential percentage earned from 22% to 45%. At that time, district administration began discussions with state representatives and OFCC about entering into a new agreement to earn the higher percentage of credits. Other districts have done this in the past, but in order to do so the district would likely have to forgo the previously earned credits to enter into the new agreement.

After the Colerain Elementary brick collapse happened on May 12, the district contacted OFCC on May 17 to inform them of the need for special consideration and requested acceptance into their Exceptional Needs Program or CFAP. OFCC notified the district on May 21 of a possible CFAP segment 1 beginning July 2024, and on May 23 OFCC verbally denied the request to negotiate the state share percentage. The district requested a letter of explanation from OFCC. The letter of explanation was received on June 4 denying the negotiation of state share but granting access to the CFAP program in July while maintaining the current state share of 22%. On June 5 the district responded with a letter asking for an adjustment to the state share based on OFCC's past practice with other districts and launched a letter writing campaign asking the community to advocate for the 45% state share. On June 10, the Board President, Superintendent, CFO/Treasurer and Business Director met with the executive director of OFCC who reiterated the fact that the state share would not be adjusted. The past instances of that happening were under a previous OFCC administration, the rules have changed, and it's no longer possible.

The district is left with two options:

- Option 1: The state has offered to move the district into a CFAP segmented project to build a new CE and HELC on the Houston site and demolish the current CE and Houston buildings. The state would fund 22% of the project and that funding level carries over to the remainder of the master facilities plan. The credits from the 2015 project will be included in the calculations. There are several factors to consider with this option:
 - This offer is based on available funds and limited to CE only. It does not address the needs at CM.
 - Additional CFAP offers for other buildings' needs would be at least 2 years from now.
 - Allows the district to continue to use ELPP to address other needs before the next CFAP segment (after the initial 6+ month waiting period)
 - Building the new combined CE and preschool would require a bond issue in November. Building a new CE only would not require a bond issue.
- Option 2: Reject the state's offer and be excluded from both the ELPP and CFAP programs for two years.

CFO/Treasurer Amy Wells reviewed the project's funding requirements. To build a combined Colerain Elementary and preschool the district would need to provide \$27,922,932. Earlier this year the district transferred \$20,000,000 into the Master Facilities fund, the remaining balance would have to be raised through a bond. If the Board decides to delay the preschool, the district would be responsible for \$18,000,000.

Discussion

- **Mrs. Taulbee:** Do we feel like we've exhausted all options to get the increased state share? Have we sought legal counsel? Do we have to take Joy Bledsoe's (executive director of OFCC) rejection or is there someone else that we can go to?

Mrs. Wells: We've reached out to legal counsel we've used in the past for our bonds and other projects. In the law there's nothing that either gives her authority or does not give her authority to make the decision, it's whatever the commission and their board wants to do.

Mr. Detzel: So she is the only person who makes this decision? Has their board discussed our problem?

Mr. Yater: It's gone through her as the representative of the board. We have been including our State Representatives in the conversations because some of the OFCC board members are legislators. They've been working through their legislative connections but at this point because of the timing of their meeting we have a deadline of tonight to make a decision before the offer is completely rescinded by OFCC. We have also been in contact with our liaison from the governor's office and asking for consideration but none of those have been able to get us to the point where we've been able to move the needle.

Mr. Detzel: That doesn't give us much time.

Mr. Yater: That's why we've been trying to push them for answers and trying to move the process forward. At this point, this is where we are in the process.

- **Mr. Detzel:** Do we have any chance of moving up to the 45% state share?

Mr. Yater: Based on the conversations I've had, I'm not sure that there will be further consideration. They've cited that they have declined other districts who have requested this and that the evidence that this has been done is outdated and that it was previous administrations that approved it. They're saying that the precedent is too far back and that the law doesn't give them the ability to approve the change. They've recently declined other districts who have asked for it.

Mrs. Wells: We asked that the ELPP project be 100% locally funded, forgo those credits, and increase our percentage to 45%. That would then set that percentage for the remainder of the Master Facilities Plan. They will not let us change the percentage so whatever we enter into for segment one will be the percentage for the remaining segments.

- **Mrs. Taulbee:** Could we look at the CE/CMS site to see if there's an opportunity to build CE there? Going to the community (to pass a bond) is not going to be a good option in my opinion.

Mr. Yater: We have two basic options. One is to accept the offer from the state, we co-fund the building of Colerain Elementary, add preschool to Colerain Elementary and a small bond issue has to go to the community in November. Option two is to fund Colerain Elementary only using the \$20,000,000 from the Master Facilities fund plus the state funding. We would not need to go to the community for a bond. We would just know that the preschool would stay here in this building (CSO) until a future project added it to the new CE building. That would mean adding onto the building during the school year so it would be disruptive to build that portion separately.

- **Mrs. Taulbee:** What do we have option-wise in this building?

Mr. Yater: In this building (CSO) we've already started looking at how to convert this to preschool. We would have to vacate the entire building during construction. If we have to move CE to Houston and Houston to CSO we can convert this building to preschool.

- **Mrs. Taulbee:** Do we know the estimated cost of turning CSO into a preschool?

Mr. Yater: We've already had the architects come through looking at this building to make sure that the preschool would fit. Preschool has a lot of regulations they have to follow that are different from elementary building requirements in terms of space for each classroom.

Mr. McKee: We're really close to completion on the design portion of the project and right now we're thinking the cost could come in right around \$750,000 but we won't know until that design is totally complete and we get some cost estimates.

- **Mr. Heather:** I don't care if it's a 100th of a mill, people are going to view it as a tax increase and the public doesn't really understand the mill process or what mills mean. I personally don't view any kind of bond issue involving the voters as something we should consider until the economy and the reappraisal shock and everything else settles down and who knows how long that'll be.
- **Mrs. Taulbee:** Do we have the \$750,000 to pay for the conversion to a preschool?

Mrs. Wells: The money would have to come from our annual maintenance fund which is \$800,000/yr.

- **Mrs. Taulbee:** So tonight we're voting on the resolution to enter into the state programs but not whether we want option 1 (CE + preschool) or option 2 (CE only)?

Mr. Yater: We would pass the resolution to enter the program tonight then we would need to know by June 24 if we need to put a bond on the ballot in November.

- **Mr. Detzel:** I don't think that we want to go to the community (for a new bond) because they obviously voted it down last time. If they could see and hear this, they'd know there's a need - it's not like we're just willy-nilly asking for money. This is something we've got to do now. If the preschool can be put here then I think that's probably the best option in my opinion.

Mr. Yater: We will plan to move forward with option two, if the resolution goes through tonight and we want to enter into that program.

- **Mrs. Taulbee:** You do feel that you've exhausted all options of "let me speak to your manager" with the OFCC?

Mr. Yater: Yes, after our meeting with the executive director who is the highest level position there and other than the pressure from our legislators to change that, I don't see it happening. We could continue to fight but I don't think that we are going to get the outcome that we have been asking for because we've had three levers being pulled, we've had Representative Abrams, Senator Blessing, and the representative from the governor's office advocating for us and we've not been able to make any movement.

- **Mr. Detzel:** How many other schools had they turned down?

Mr. Yater: We don't have the number they've turned down, we know of two that they've agreed to, but those were about 10 years ago.

- **Mr. Heather:** The community members feeding into Colerain Elementary and Colerain Middle have been promised a new school for many, many years. I think we have the moral obligation to do this.

Mr. Yater: This will accelerate our ability to put shovels in the ground because we'll be co-funding it with the state and both entities coming together will have money on the table.

- **Mrs. Taulbee:** How soon would we have shovels in the ground?

Mr. Yater: If we pass the resolution tonight we will notify the state that it passed. They have a July 11th commission meeting where they will take our resolution to their commission and then once they pass it, the process begins to start putting all the plans together. From passing on July 11th to shovels in the ground we're probably looking at somewhere in December or shortly after because we won't have to put up a bond issue.

Mr. Heather: Chris, how long will it take to demo the Colerain Elementary building?

- **Mr. McKee:** It depends on the course that we take to build the new building. If we take a design-build route or something similar we can move a little faster, but typically a building like that's going to take anywhere from 2.5-3 years from design to construction. Colerain Elementary will take a little longer than normal to get down because of the different hazardous materials that are in the building. Typically on the other buildings it was roughly \$500,000 to demolish a building but Colerain Elementary is going to be about \$3 million.
- **Mr. Heather:** Couldn't we use the same design that we used for the other three schools since it's already been done?

Mr. Yater: Based on enrollment, this building will be a little smaller than the other two so we can use a similar design but it has to be scaled back a bit.

- **Mrs. Taulbee:** With the work that's going on at Colerain Elementary, who is overseeing that project? I want to make sure we're not getting taken advantage of.

Mr. McKee: In this case the architect, SHP, has a person on site. We also have an engineer from GOP Limited who is taking a look at structural issues. Those two are basically running the project and we go out and coordinate.

- **Mrs. Taulbee:** Will you allow one community question?

Community member - Rich McVay: If we make this new elementary school the same as the other three and compare it to the cost that you are going to make it for a smaller size is there really a savings? Also, over the next three years how much are you going to spend at Colerain Elementary making it warm and safe while dealing with all these issues and do you have the funds available to handle that?

Mr. McKee: We're going to look at whether or not there are savings by utilizing those existing plans. Our hope is that there is, and if there is we will definitely take advantage of it.

Mr. Yater: Depending on the cost of what it might take to remediate Colerain Elementary to keep students there for the next three years, it may be more cost effective to go ahead and move the students to the contingency locations so that we can vacate the building sooner rather than later. We might be able to get through this year and then move all of the preschool and elementary students to the swing space. We'll look at the cost of what it's going to take to make sure that we're not spending more money than we need to to maintain a building that we're going to tear down. Best case scenario is to finish this coming school year in the current buildings and next year move CE to Houston and Houston to CSO.

Mr. McKee: To get ahead of the game we've got to get CSO renovated so that we can get the preschool moved in here because if we don't do that we can't move forward with anything. There's not much renovation work that would have to be done to Houston to be able to move the elementary school into that building. We may want to go ahead and get CE into that building instead of waiting until we have a failure at CE and have to move them out of a building mid year or something like that.

- **Mrs. Taulbee:** So then the CE kids would be at Houston during construction? And they would fit there?

Mr. McKee: Yes, we've done an analysis of this building and the Houston building to make sure that we can make those two moves and that both will fit.

- **Mrs. Taulbee:** And you're also looking at making some updates to CE just for next year?

Mr. Yater: When the estimates come in we'll know what we have to do to maintain it for one year, and what it would look like if we were to maintain it for three years. Once we have all the cost estimates we'll be able to make a final decision as to when that transition will be.

Mr. Heather: I'd just hate to put a lot of money into a building we're going to tear down, that doesn't make a lot of sense. I shudder to think what that's going to cost, do you have any idea?

Mr. McKee: Not at this point.

- **Mrs. Wells:** Just a reminder that last meeting we approved the plan to utilize cash reserves for any money we would have to put into Colerain Elementary. That's one time funds that we would have to utilize.

5.0 APPROVAL OF OTHER ITEMS

A) General Business

5.1 Resolution Authorizing the School District Board to Participate in the Ohio Facilities Construction Commission Classroom Facilities Assistance Program - Segment One

WHEREAS, the Board of Education of the Northwest Local School District (“School District”), Hamilton County, Ohio, met in a **Special** session held the **12th of June 2024** and adopted the following Resolution; and

WHEREAS, the Ohio Facilities Construction Commission (“Commission”) has notified the School District to be approved to participate in the Classroom Facilities Assistance Program-Segment One this year; and

WHEREAS, the School District hereby concurs with, and approves the use of, the findings outlined in the final “Facilities Assessment Report” dated August, 2003 with revisions August, 2021 (Colerain, Houston, Monfort Heights & Weigel elementary schools, Colerain & White Oak middle schools and Colerain & Northwest high schools-career tech centers) and October, 2021 (Pleasant Run Middle School) for the purpose of developing a master facilities plan. The School District and the Commission understand that the use of the Facilities Assessment Report is for the purpose of developing an estimated project budget and scope and that the potential for the existence of undocumented conditions that could increase the final cost of the project does exist; and

WHEREAS, the School District Board hereby concurs with and approves the use of the Enrollment Projections dated June 4, 2024. The School District Board and the Commission acknowledge that actual enrollment status will be reviewed annually; and

WHEREAS, the School District acknowledges the Commission recommendation that the School District engage a design and construction professional to assist in the review of the information presented in the Facilities Assessment Report. The School District has provided any information available to aid in the identification of any areas of concern for conditions, which cannot be readily observed by standard assessment procedures throughout the School District’s facilities and the School District acknowledges that the scope of services provided by the professional authoring the Facilities Assessment Report does not include invasive facilities and grounds investigation; and

WHEREAS, the School District acknowledges that neither the School District nor the Commission have control over conditions which are hidden or otherwise unknown at the conclusion of the assessment report and segmented facilities plan; and

WHEREAS, the School District Board elects to seek approval of a segment of the entire School District master facilities plan per ORC Section 3318.034; and
WHEREAS, the School District desires to proceed with the Scope of the Project and Segmented Facilities Plan for Segment One as indicated below

SCOPE OF PROJECT

Segment One:

Build one new elementary school to house grades PK thru 5; allowance to abate and demolish Colerain & Houston elementary schools (no action required to build new at Pleasant Run, Struble & Taylor elementary schools to house grades PK thru 5 as these facilities were completed under the ELPP)(no action required to abate and demolish Bevis, Pleasant Run, Struble, Taylor & Welch elementary schools as this allowance was completed under the ELPP).

STATE SHARE:	\$22,381,779
LOCAL SHARE:	\$79,353,580
PROJECT BUDGET:	\$101,735,359

Credit for ELPP Expenditures of \$65,412,135 which is applied to the Local Share Portion of Project

STATE SHARE:	\$22,381,779
LOCAL SHARE:	\$13,941,445
PROJECT BUDGET:	\$36,323,224

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Northwest Local School District, Hamilton County, Ohio that the conditional approval as granted by the Commission for the Classroom Facilities project be hereby accepted in accordance with the provisions of ORC Section 3318.05.

The Superintendent recommended that the Board of Education approve the Resolution Authorizing the School District Board to Participate in the Ohio Facilities Construction Commission Classroom Facilities Assistance Program - Segment One as listed.

ORIGINAL - Motion

Member **(Jim Detzel)** Moved, Member **(Nancy Slattery)** Seconded to approve the **ORIGINAL** motion 'The Superintendent recommended that the Board of Education approve the Resolution Authorizing the School District Board to Participate in the Ohio Facilities Construction Commission Classroom Facilities Assistance Program - Segment One as listed.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Nicole Taulbee Yes
Mark Gilbert Yes
Jim Detzel Yes
Chris Heather Yes
Nancy Slattery Yes

6.0 ADJOURNMENT

6.1 Board President Called for Adjournment

The Board President asked for a motion and second for adjournment

ORIGINAL - Motion

Member (**Chris Heather**) Moved, Member (**Jim Detzel**) Seconded to approve the **ORIGINAL** motion 'The Board President asks for a motion and second for adjournment'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **0**. The motion **Carried. 5 - 0**

Nicole Taulbee Yes
Mark Gilbert Yes
Jim Detzel Yes
Chris Heather Yes
Nancy Slattery Yes

The meeting ended at 7:52 p.m.

Agenda item attachments are saved in PDF format and are viewable by the public. Waycross community media video tapes Board meetings. Taped meetings are available on-line at www.waycross.tv

President

Attest

Treasurer