

Black River Board of Education
Special Meeting/Executive Session
October 28, 2015
Black River Education Center

The Black River Board of Education is meeting in Special Session. The meeting is called to order at 7:04 p.m. by President Chuck Stiver with the following members answering roll: Jody Weidrick, Tim Clifford, Scott Meredith, Dan Sexton and Chuck Stiver.

2. Pledge of Allegiance - dispensed

3. Board Work Session

4. New Business

The Board was advised that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Clifford moved the adoption of the following resolution:

RESOLUTION NO. 303/15

**A RESOLUTION DETERMINING A CASE OF URGENT NECESSITY EXISTS WHICH
REQUIRES THE BOARD OF EDUCATION TO DISPENSE OF STATUTORY
PROCEDURES FOR ADVERTISING AND BIDDING AND AUTHORIZING THE
BOARD OF EDUCATION TO ENTER INTO A CONTRACT WITH TEMPTEK
SYSTEMS CORPORATION FOR IMMEDIATE NECESSARY REPAIRS TO ENSURE
THE SECURITY AND PROTECTION OF THE ELEMENTARY SCHOOL BUILDING
(BREC) AND TO ENSURE THAT FACILITY IS SAFE, WARM AND DRY FOR
FACULTY, STUDENTS AND THE COMMUNITY**

WHEREAS, since approximately July, 2014, the District has experienced on-going issues at the elementary school building (BREC) with heating that have required regular attention, maintenance and repair;

WHEREAS, the District recently allowed a temperature control specialist company to conduct a full system examination of the HVAC system at the elementary school building (BREC), which ultimately identified significant system issues needing immediate and prompt remedial action and repair in order to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community;

WHEREAS, the 2015 winter season is fast approaching and the HVAC system at the elementary school building (BREC) needs to be immediately and promptly addressed to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community;

WHEREAS, it is anticipated that a failure of the HVAC system at the elementary school building (BREC) would result in all or portions of that building to be unusable for up to a two week period while needed repairs would be made; and,

WHEREAS, the Board of Education desires to declare this fact and circumstance of urgent necessity and security and protection of school property exists, which requires it to assert its statutory right to dispense of Ohio Revised Code §3313.46 advertising and bidding procedures so that the Board may authorize the Superintendent and Treasurer to take all necessary steps to immediately contract with TempTek to perform the scope of work contained in the letter attached under Tab A, which is incorporated herein.

BE IT RESOLVED by the Board of Education of the Black River Local School District, County of Medina, State of Ohio, that:

Section 1. The Board finds, determines and declares that an urgent necessity exists and that it must take immediate action to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community.

Section 2. This Board finds, determines and declares that its consultant TempTek is a qualified vendor who can undertake the scope of work identified in Tab A, and make the required modifications, repairs and remediation to the HVAC system at the elementary school building (BREC) within the time frame required (immediately and prior to the 2015 winter season) to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community.

Section 3. The Board finds, determines and declares in passing this resolution by a two-thirds vote of all of its members, it has complied with Ohio Revised Code 3313.46(A). Consequently, no competitive bid is required to proceed with contracting with TempTek to immediately undertake the scope of work contained in the letter attached under Tab A, which is incorporated herein, to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community.

Section 4. This Board authorizes and directs the Superintendent and/or Treasurer to contact TempTek, to negotiate and enter into a contract with TempTek to immediately and prior to the 2015 winter season, commence and complete the scope of work contained in the letter attached under Tab A, which is incorporated herein, to ensure the security and protection of the elementary school building (BREC) so that it remains usable during the 2015 winter season and also remains safe, warm and dry for faculty, students and the community.

Section 5. It is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with the law.

Section 6. This Resolution shall be in full force and effect from and immediately upon its adoption.

Meredith seconded the motion.

Upon roll call on the adoption of the resolution, the vote was as follows:

Clifford – Yes, Meredith – Yes, Sexton – Yes, Stiver – Yes, Weidrick – Yes

Note: Pursuant to Ohio Revised Code Section 3313.46, a two-thirds vote of all of the Board members is required to pass this resolution.

CERTIFICATION

The above is a true and correct excerpt from the minutes of the Special meeting of the Board of Education of the Black River Local School District, held on October 28, 2015, showing the adoption of the Resolution set forth above,

Connie Hange, Treasurer
Black River Local School District, Ohio

RESOLUTION 304/15

Executive Session

Motion by Clifford, seconded by Sexton to enter into Executive Session at 7:11 p.m. for the purpose of one or more of the following under Ohio Revised Code 121.22G

- Section 1: To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual.
- Section 2: To consider the purchase of property for public purposes or for the sale of property at competitive bidding.
- Section 3: Conferences with an attorney.
- Section 4: Preparing for, conducting, or reviewing negotiations or bargaining session with public employees.
- Section 5: Matters required to be kept confidential by federal law or rules or state statues.
- Section 6: Specialized details of security arrangements.

Vote: Ayes – Meredith, Sexton, Stiver, Weidrick, Clifford
The President declared the motion carried.

Executive Session ended at 9:02 p.m.

B. Closing Items

RESOLUTION 305/15

Adjournment

Motion by Clifford, seconded by Sexton that the Board adjourn at 9:04 p.m.

Vote: Ayes – Meredith, Sexton, Stiver, Weidrick, Clifford
The President declared the motion carried.

President

Treasurer