

**BRADFORD EXEMPTED VILLAGE BOARD OF EDUCATION
 DECEMBER 21, 2021
 SPECIAL SESSION (IN LIEU OF REGULAR SESSION) 6:30 PM
 EXECUTIVE SESSION IF NECESSARY**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL **Time:**

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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BOARD PRESIDENT’S REPORT: DR. SCOTT SWABB

A. Welcome

This meeting will be broadcasted. In person meeting will be held in Room 404.

REVIEW OF AGENDA & APPROVAL OF MINUTES

- A. Additions and Deletions to Agenda
- B. Approval of the Agenda

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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C. November 16, 2021 - Approval of Minutes of Special Meeting (in lieu of Regular Meeting)

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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D. Student Spotlight -

Charity Miller nominated by Mrs. Johnson

I am nominating Charity Miller as Bradford’s Board of Education Student Spotlight. Charity always enters the art room with a smile on her face. She asks how I’m doing and immediately volunteers to help in any way that she can. I know that I can count on her to do her best on her projects as well as any task that she is given. She is a great role model for her peers. She is kind, patient and believes in

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going above and beyond what is expected. I truly love working with her and this recognition is much deserved for her hard work. Thank you Charity for being you!

Aydin Casto nominated by Mr. Canan

My student I nominated for Bradford Board of Education Student Spotlight is Aydin Casto. Aydin Casto is the son of Megan Barga and his stepdad is Travis Rush. Aydin is in the 5th grade and has 3 sisters, Alice, Amy, and Sophia. Aydin plays the clarinet. He is always prepared and ready for band. He works hard and gets his practice charts turned in each week. During class, he is attentive and eager to learn. He also says in his free time he likes to practice his clarinet. He hopes to be in marching band when is old enough. Aydin makes starting 5th grade band such a pleasure. Congratulations Aydin!

Doolin Puterbaugh nominated by Mr. Schulze

I am nominating Doolin Puterbaugh as Bradford's Board of Education Student Spotlight. Doolin Puterbaugh has been a great example of what we ask for out of our Bradford Railroaders. He exemplifies the 5 Rs. He is always respectful and comes to class ready to learn. He showed his resilience while being out of school but staying caught up on his work. He shows his responsibility coming to class prepared. He is one of Bradford's best!

Hayden Mendenhall nominated by Mrs. Timmerman

I am nominating Hayden Mendenhall for Bradford's Board of Education Student Spotlight. Hayden is a senior, and he is the son of Robbie and Rennet Mendenhall. I have had the pleasure of having Hayden in my English class this year. Each day, Hayden comes to class prepared to learn with a positive attitude. He is kind and respectful to his classmates, participates in class discussions and is a positive role model. Not only does he receive good grades, but he is always the first to help a student who is struggling. He approaches the struggling student with patience and empathy. I am very happy for Hayden to receive the award, and I know he has a bright future ahead.

ADMINISTRATIVE REPORTS

- A. Mrs. Michelle Lavey, Elementary Principal -
- B. Mr. Christopher Barr, MS/HS Principal -
- C. Mr. Bob Daugherty, Assistant Principal -
- D. Mrs. Chloe Thompson, Athletic Director/ Transportation Director -
- E. Mrs. Carla Surber, Treasurer -
- F. Mr. Joe Hurst, Superintendent -
- G. Mrs. Maria Brewer, Upper Valley CC update -

PUBLIC PARTICIPATION

FINANCIAL REPORT FROM THE TREASURER: Mrs. Carla Surber

Consent Calendar (items 1 through 16). All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in

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the form listed below. Members of the Board, staff, or the public may request specific items to be removed from the Consent Calendar and be discussed and voted upon separately.

The Superintendent recommends approval of all Consent Agenda items:

1. Financial Journal – November 2021
2. Check Register – November 2021uj
3. Recommend approval of permanent appropriations.
4. Then & Now certification of bills that were obligated by employees of the district:
 - Western Ohio Athletic Conference, Encumbered \$0, Payable \$485.00
 - Backyard Team Apparel, Encumbered \$0, Payable \$1,493.00
 - Alisha Patty, Encumbered \$0, Payable \$45.00
 - Gordon Food Service, Encumbered \$0, Payable \$183.48
 - Moniqua Skinner, Encumbered \$0, Payable \$150.00
 - Barnes & Noble, Encumbered \$0, Payable \$80.05
 - Teachers Pay Teachers, Encumbered \$36.00, Payable \$38.99
 - EFFSD, Encumbered \$0, Payable \$2,400.00
 - Lowe's, Encumbered \$0, Payable \$195.88
 - Darke County ESC, Encumbered \$0, Payable \$166.76
 - Backyard Team Apparel, Encumbered \$0, Payable \$32.00
 - Mass Profit LLC, Encumbered \$1,395.00, Payable \$1,500.00
 - Tina Schmitz, Encumbered \$0, Payable \$109.97
5. Recommend approval of Transfers and Advances for the month:
6. A RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$1,705,000 OF ATHLETIC FACILITIES IMPROVEMENT BONDS AND AUTHORIZING MATTERS RELATED THERETO.

WHEREAS, pursuant to resolutions heretofore duly adopted by the Board of Education of the Bradford Exempted Village School District (hereinafter called the "Board of Education" and the "School District", respectively), Counties of Miami, Darke and Shelby, Ohio, an election was held November 2, 2021, under the provisions of Section 133.18 of the Ohio Revised Code, upon the question of issuing bonds in the sum of \$1,705,000 for the purpose hereinafter stated and of levying a tax outside of the ten-mill limitation to pay the principal of and interest on such bonds, of which election due notice was given according to law and at which election more than a majority of the electors voting on said proposition voted in favor thereof; and

WHEREAS, the Treasurer of the Board of Education has estimated that the life of the improvements and assets to be acquired with the proceeds of the bonds hereinafter referred to is at least five (5) years, and certified that the maximum maturity of the bonds issued therefor is twenty (20) years; and

WHEREAS, the Board of Education anticipates that the principal and interest on such bonds will be paid from the proceeds of such voted tax; and

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WHEREAS, the School District now intends to proceed with the issuance of not to exceed \$1,705,000 Athletic Facilities Improvement Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Bradford Exempted Village School District, Counties of Miami, Darke and Shelby, Ohio:

SECTION 1. That it is necessary to issue and sell bonds of the School District in a principal sum not to exceed \$1,705,000 (the "Bonds") consisting of current interest Bonds as to which interest is payable on each Interest Payment Date (as defined herein) and/or capital appreciation Bonds as to which interest is compounded semiannually and payable at maturity for the purpose of constructing and acquiring athletic facilities additions and improvements, together with equipment, site improvements, and all necessary appurtenances; and to levy an additional tax in excess of the ten-mill limitation to pay debt charges on the bonds and any anticipatory securities, to be first levied in 2021, first due in calendar year 2022. The Bonds shall be designated "Athletic Facilities Improvement Bonds, Series 2022" or as otherwise set forth in a Bond Purchase Agreement (defined herein) for those Bonds.

SECTION 2. That Bonds shall be issued in an aggregate amount not to exceed \$1,705,000 for the purpose aforesaid. The Bonds shall be dated the date of closing of the Bonds, or such other date stated in the Bond Purchase Agreement, numbered from R-1 upwards in order of issuance, of the denominations of \$5,000 or any integral multiple thereof (an "Authorized Denomination"). Each Bond shall be of a single maturity, and shall bear interest such that the net interest cost for the Bonds does not exceed four per cent (4%) per annum with such interest rates indicated in the Bond Purchase Agreement (the "Bond Purchase Agreement"), which the Treasurer is hereby authorized to sign. Interest shall be payable on the Bonds semiannually on the first day of June and the first day of December of each year (each an "Interest Payment Date"), commencing June 1, 2022 or such other dates designated as Interest Payment Dates as stated in the Bond Purchase Agreement, until the principal sum is paid. The Bonds shall mature on December 1 in each year, (or such other date) and in such amounts as designated in the Bond Purchase Agreement. All Bonds shall mature on or before December 1, 2041. Certain Bonds may be subject to mandatory sinking fund redemption at a redemption price of 100% of the principal amount to be redeemed plus accrued interest as set forth in the Bond Purchase Agreement. It is determined by the Board of Education that the issuance of the Bonds as provided herein is necessary and will be in the best interest of the School District.

Certain Bonds, as identified in the Bond Purchase Agreement, may be subject to optional redemption at the option of the Board of Education on the terms provided therein and upon the face of the Bonds.

If fewer than all of the outstanding Bonds of a single maturity are called for redemption, the selection of the Bonds to be redeemed, or portions thereof in the amount of \$5,000 or any integral multiple thereof, shall be made by lot by the financial institution designated by the Treasurer to serve as authentication agent, bond registrar, transfer agent, and paying agent (the "Paying Agent and Registrar") in any manner which the Paying Agent and Registrar may determine. In the case of a partial redemption of Bonds when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of face value of principal thereof shall be treated as though it were a separate Bond of the denomination of \$5,000. If one or more, but not all, of such \$5,000 units of face value represented by a Bond are to be called for redemption, then upon notice of redemption of a \$5,000 unit or units, the registered holder of

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that Bond shall surrender the Bond to the Paying Agent and Registrar (a) for payment of the redemption price for the \$5,000 unit or units of face value called for redemption (including without limitation, the interest accrued to the date fixed for redemption and any premium), and (b) for issuance, without charge to the registered holder thereof, of a new Bond or Bonds of the same series, of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

The notice of call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the current interest Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Paying Agent and Registrar on behalf of the Board of Education by mailing a copy of the redemption notice by regular first class mail, at least 30 days prior to the date fixed for redemption, to the registered holder of each Bond subject to redemption in whole or in part at such registered holder's address shown on the Bond registration records on the fifteenth day preceding that mailing. Failure to receive notice by mailing or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond. Notice having been mailed in the manner provided above, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date and on such redemption date, interest on such Bonds or portions thereof so called shall cease to accrue; and upon presentation and surrender of such Bonds or portions thereof at the place or places specified in that notice, such Bonds or portions thereof shall be paid at the redemption price, including interest accrued to the redemption date.

It is hereby determined by the Board of Education that the issuance of the Bonds provided herein, including without limitation, the redemption provisions set forth above, are in the best interests of the School District.

SECTION 3. That the Bonds shall express upon their faces the purpose for which they are issued and that they are issued in pursuance of this Resolution. The Bonds shall be in fully registered form without coupons, and shall bear the signatures of the President and Treasurer of the Board of Education; provided that either or both of such signatures may be facsimiles. The Bonds shall bear the manual authenticating signature of an authorized representative of the Paying Agent and Registrar for those Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and payment of interest thereon shall be made on each Interest Payment Date to the person whose name appears on the record date (the 15th day of the month preceding an Interest Payment date) on the Bond registration records as the registered holder thereof, by check or draft mailed to such registered holder at such holder's address as it appears on such registration records.

The Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The School District and the Paying Agent and Registrar shall not be required to transfer any Bond during the 15-day period preceding any Interest Payment Date or preceding any selection of Bonds to be redeemed, or after such Bond has been selected for partial or complete redemption, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Bond or

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Bonds of Authorized Denominations of the same maturity and for the same aggregate principal amount shall be issued to the transferee in exchange therefor.

The School District and the Paying Agent and Registrar may deem and treat the registered holders of Bonds as the absolute owners thereof for all purposes, and neither the School District nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION 4. That for purposes of this Resolution, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on Bonds may be transferred only through a book entry, and (ii) physical Bond certificates in fully registered form are issued only to the Depository or its nominee as registered owner, with Bonds "immobilized" to the custody of the Depository, and the book entry maintained by others than this Board of Education is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

All or any portion of the Bonds may be initially issued to a Depository for use in a book entry system, and the provisions of this Section shall apply to such Bonds, notwithstanding any other provision of this Resolution. If and as long as a book entry system is utilized with respect to any of such Bonds: (i) each Bond shall be of a single maturity; (ii) those Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners of Bonds in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (v) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by this Board of Education. Debt service charges on Bonds in book entry form registered in the name of a Depository or its nominee shall be payable in the manner provided in this Board of Education's agreement with the Depository to the Depository or its authorized representative (i) in the case of interest, on each interest payment date, and (ii) in all other cases, upon presentation and surrender of Bonds as provided in this Resolution.

The Paying Agent and Registrar may, with the approval of this Board of Education, enter into an agreement with the beneficial owner or registered owner of any Bond in the custody of a Depository providing for making all payments to that owner of principal and interest on that Bond or any portion

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thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Resolution, without prior presentation or surrender of the Bond, upon any conditions which shall be satisfactory to the Paying Agent and Registrar and to this Board of Education. That payment in any event shall be made to the person who is the registered owner of that Bond on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Paying Agent and Registrar shall furnish a copy of each of those agreements, certified to be correct by the Paying Agent and Registrar, to any other paying agents for the Bonds and to this Board of Education. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Resolution.

The Treasurer is authorized and directed without further action of this Board of Education to execute, acknowledge and deliver, in the name of and on behalf of this Board of Education, a blanket letter agreement between this Board of Education and The Depository Trust Company, as Depository, to be delivered in connection with the issuance of Bonds to the Depository for use in a book entry system, and to take all other actions the Treasurer deems appropriate in issuing Bonds under a book entry system.

If any Depository determines not to continue to act as Depository for the Bonds for use in a book entry system, this Board of Education and the Paying Agent and Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository under this Resolution. If this Board of Education and the Paying Agent and Registrar do not or are unable to do so, this Board of Education and the Paying Agent and Registrar, after the Paying Agent and Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Bonds from the Depository and authenticate and deliver Bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Bonds), if the event is not the result of action or inaction by this Board of Education or the Paying Agent and Registrar, of those persons requesting such issuance.

SECTION 5. That the Bonds shall be the full general obligations of the Board of Education and the full faith, credit, and revenue of the School District are hereby irrevocably pledged for the prompt payment of the Bonds and the interest thereon, and for the purpose of providing the necessary funds to pay the interest on the Bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the Bonds at maturity or upon mandatory sinking fund redemption, there shall be and is hereby levied on all the taxable property in this School District outside the limitations of Article XII, Section 2 of the Constitution of Ohio, in addition to all other taxes, a direct tax annually during the period the Bonds are to run in an amount sufficient to provide funds to pay interest upon the Bonds as and when the same falls due and also to provide a fund for the discharge of the principal of the Bonds at maturity or upon mandatory sinking fund redemption, which tax shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Constitution of Ohio.

Said tax shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required shall be placed in a separate and distinct fund, which, together with all interest collected on the same, shall be irrevocably pledged for the payment of the interest on and the principal

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of the Bonds when and as the same shall fall due. The tax authorized by voters at the election held on November 2, 2021 shall be first levied in tax year 2021, for first collection in calendar year 2022.

SECTION 6. That the Bonds shall be sold by the Treasurer of the Board of Education without further action of the Board of Education to Boenning & Scattergood, Inc., Columbus, Ohio (the "Underwriter"), such sale to be made at a purchase price not less than ninety-seven percent (97%) of their principal amount and accrued interest as set forth in the Bond Purchase Agreement. The Treasurer of the Board of Education is hereby authorized to execute and deliver a Bond Purchase Agreement with the representative of the Underwriter of the Bonds in such form as such officer may approve, the execution thereof by such officer to be conclusive evidence of such authorization and approval. The proceeds from the sale of the Bonds, except any premium and accrued interest received by the District, shall be deposited in an appropriate fund and used for the purpose aforesaid and for no other purpose and for which purpose such proceeds are hereby appropriated. Any premium and accrued interest received by the Board of Education from such sale shall be deposited in the bond retirement fund to be applied to the payment of the principal of and interest on the Bonds in the manner provided by law. Bond proceeds may be used to pay capitalized interest on the Bonds and cost of issuance thereof.

SECTION 7. That this Board of Education hereby authorizes the Treasurer to prepare, correct, revise, execute together with the President and deliver, on behalf of the Board of Education, to appropriate persons, preliminary and final drafts of a Preliminary Official Statement deemed final for purposes of Securities and Exchange Commission Rule 15c2-12 and an Official Statement relative to the sale of Bonds and copies thereof are hereby authorized to be furnished to the Underwriter for distribution to prospective purchasers of the Bonds and other interested persons.

SECTION 8. That this Board of Education hereby authorizes the Treasurer to take all steps necessary to obtain one or more municipal bond ratings and a policy or policies of municipal bond insurance for the Bonds. The Board of Education hereby agrees to and shall be bound by all terms and conditions of said policy (and the commitment issued therefore) if purchased by the Board of Education.

SECTION 9. That this Board of Education hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of one or more continuing disclosure certificates, each dated the date of issuance and delivery of the Bonds (the "Continuing Disclosure Certificate") in connection with issuance of the Bonds. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Bonds; however, any holder of Bonds may take such action as may be necessary and appropriate, including seeking specific performance, to cause this Board of Education to comply with its obligations under this section and the Continuing Disclosure Certificate.

SECTION 10. That this Board of Education hereby covenants that it will restrict the use of the proceeds of the Bonds hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder in order to retain the Federal income tax exemption for interest on Bonds. The Treasurer of this Board of Education or any other officer having responsibility with respect to the issuance of the Bonds is authorized and directed

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to give an appropriate certificate on behalf of this School District on the date of delivery of the Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of the Code and the regulations thereunder. The Bonds are hereby designated "qualified tax-exempt obligations" for the purpose set forth in Section 265(b)(3)(B) of the Code. The Board of Education does not expect to issue more than \$10,000,000 of such obligations in calendar year 2022.

SECTION 11. The Treasurer shall keep and maintain adequate records pertaining to investment of all proceeds of the Bonds sufficient to permit, to the maximum extent possible and presently foreseeable, the School District to comply with any Federal law or regulation now or hereafter having applicability to the Bonds which limits the amount of Bond proceeds which may be invested on an unrestricted yield or requires the School District to rebate arbitrage profits to the United States Department of the Treasury. The Treasurer is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any Federal law or regulation having applicability to the Bonds requires any such reports or rebates. The Treasurer is hereby authorized and directed to execute and deliver on behalf of the Board of Education a Rebate Calculation and Yield Reduction Agreement with Dinsmore & Shohl LLP to provide professional services in accordance with the requirements of the Code and applicable regulations thereunder with respect to arbitrage rebate.

SECTION 12. The law firm of Dinsmore & Shohl LLP, Columbus, Ohio is hereby appointed to serve as bond counsel for the Bonds pursuant to an engagement letter which the Treasurer is authorized to sign.

SECTION 13. That this Board hereby requests approval from the Ohio Department of Education (the "Department") and the Office of Budget and Management ("OBM") for participation in the program providing payment of debt service charges under Section 3317.18 of the Ohio Revised Code (commonly known as the State Aid Intercept Program).

SECTION 14. That this Board requests the Department to approve, and enter into an agreement (the "Agreement") with the District, and the primary Paying Agent or Fiscal Agent for the District's proposed Bonds, providing for the withholding and deposit of funds otherwise due the District under Chapter 3317 of the Ohio Revised Code for the payment of debt service charges on the Bonds. Certain school districts, including the School District that meet State-established criteria may participate in the Ohio School District Credit Enhancement Program established under Section 3317.18 of the Ohio Revised Code (the "Credit Enhancement Program"). Obligations are eligible for the Credit Enhancement Program only if (i) the projected amount to be distributed to the District from State Education Aid for the current fiscal year, exceeds the maximum annual debt charges due in the current or any future fiscal year by a ratio of 2.5 to one; and (ii) at any time during the current or any fiscal year, the projected amount of State Education Aid remaining to be distributed in the fiscal year exceed the debt charges remaining to be paid in that fiscal year by a ratio of 1.25 to one. Under the Credit Enhancement Program, and to provide further security for the Bonds, the Board of Education, the State Department of Education, (the "Department") and the Paying Agent and Registrar will enter into the Agreement concurrently with the issuance of the Bonds establishing a mechanism by which certain State Education Aid payments to the Board of Education can be transferred directly to the Paying Agent and

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Registrar for the payment of debt service on the Bonds if a shortfall occurs in the Board of Education's funding of debt service.

Under the Agreement, the Paying Agent and Registrar and the Board of Education are to immediately notify the Department if, on the 15th business day prior to a debt service payment date, the amount on deposit with the Paying Agent and Registrar for the payment of debt service on the Bonds is less than the amount of the debt service due on that payment date. In this event, the Department must pay to the Paying Agent and Registrar certain Foundation Program payments otherwise payable to the Board of Education. Those payments are to be made no later than one day prior to a debt service payment date and are to be in an amount equal to the lesser of (1) the amount by which funds on deposit with the Paying Agent and Registrar on that date are less than the required debt service payment on the immediately succeeding debt service payment date, or (2) the State Education Aid amount due the Board of Education for the remainder of the then current fiscal year. The Agreement is irrevocable as long as any of the Bonds are outstanding. If State Education Aid payments are paid to the Paying Agent and Registrar pursuant to the Agreement, the Department is required to evaluate the Board of Education's inability to meet the debt service payments and to recommend corrective actions to be implemented by the Board of Education.

The Board of Education hereby certifies that its debt obligations are within the statutory debt limitations established for the School District.

SECTION 15. That the Treasurer is hereby directed to deliver a certified copy of this resolution together with the necessary program information to the Department and to OBM, provided the necessity of such program participation is determined to be needed for credit enhancement of the Bonds.

SECTION 16. The Treasurer, the President of the Board of Education and the Superintendent of the School District, or any of them, are hereby authorized and directed to execute and deliver, on behalf of the School District, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution in such forms as the official executing the same may approve.

SECTION 17. That the Treasurer of this Board of Education, as fiscal officer of this Board of Education, is hereby directed to forward a certified copy of this Resolution to the County Auditors of Miami, Darke and Shelby Counties, Ohio.

SECTION 18. That it is hereby determined and recited that all acts, conditions and things necessary to be done precedent to and in the issuing of the Bonds in order to make the same legal, valid and binding obligations of this Board of Education have happened, been done and performed in regular and due form as required by law; and that no limitation of indebtedness or taxation, either statutory or constitutional, will have been exceeded in the issuance of said Bonds.

SECTION 19. 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 taken in open meetings 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 taken in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio.

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7. Recommend acceptance of a donation from Ohio FFA Foundation in the amount of \$61.00 to be used for the 2021 Blue Jackets Program.
8. Recommend acceptance of a donation from Ruby C. Ludwig in the amount of \$250.00 for the Bryant Byers Scholarship Fund.
9. Recommend acceptance of a donation from Dean & Beth Hunter in the amount of \$200.00 to be used for prom.
10. Recognize Dan Scalf for all of his time, effort, and materials relative to improving the audio system in the main gym, auxiliary gym, auditoria, and music room.
11. Recommend acceptance of donation of iPads and electronic equipment from Common Ground Church.
12. Recommend the acceptance from The Bradford Athletic Boosters the donation of six state softball championship rings, one of which is on display, as a result of the successful endeavor of the girls softball team on June 6, 2021. Each ring is valued at approximately \$189.00.
13. Recommend acceptance of a donation from Alan Yount in the amount of \$100.00 to be used for the Bryant Byers Scholarship Fund.
14. Recommend a petty cash fund for the FFA in the amount of \$100.00.
15. Recommend approval of the Section 125 Flexible Benefit Plan Adoption Agreement.
16. RESOLUTION AUTHORIZING THE LEASE-PURCHASE FINANCING OF IMPROVEMENTS, INCLUDING A GROUND LEASE AGREEMENT AND A LEASE AGREEMENT, AND MATTERS RELATED THERETO.

WHEREAS, the Bradford Exempted Village School District, Counties of Miami, Darke and Shelby, Ohio (the "School District") intends to finance the costs of constructing and acquiring athletic facilities additions and improvements, together with equipment, site improvements, and all necessary appurtenances (the "Project"); and

WHEREAS, in order to finance the Project and pursuant to Ohio Revised Code Section 3313.375, it is determined to be necessary and appropriate to undertake a lease-purchase financing program as described herein; and

WHEREAS, the amount to be financed, including the cost of any municipal bond insurance, capitalized Base Rent payments (defined herein) and other costs of issuance, shall not exceed \$1,800,000;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Bradford Exempted Village School District (the "Board"), Counties of Miami, Darke and Shelby, Ohio, that:

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Section 1. It is hereby determined to be necessary and in the best interest of the inhabitants and citizens of the School District, and the School District hereby agrees, to finance the Project, in accordance with the plan of lease financing described in this Resolution. The Project will be acquired and constructed on parcel(s) of land (collectively referred to as the "Site") located in the School District which are owned by the School District, all as more particularly described on EXHIBIT A to the Ground Lease Agreement referred to herein or one or more addenda thereto.

Section 2. The Board shall sublease the Site to such entity as the Treasurer shall designate (the "Ground Lessor") pursuant to a Ground Lease Agreement (the "Ground Lease") to be dated as determined by the Treasurer, and in a form to be prepared by Bond Counsel and to be approved by this Board, in such form as the official executing the same may approve. The President of the Board, the Treasurer of the Board, the Superintendent of the School District, or any of them, are hereby authorized to execute and deliver the Ground Lease on behalf of the Board with such changes not substantially adverse to the School District as the official executing the same may approve; the approval of such changes and that the same are not substantially adverse to the School District shall be conclusively evidenced by the execution of the Ground Lease by such official. The term of the Ground Lease shall be no longer than five (5) years beyond the last permitted renewal term of the Lease (as defined below), as determined by the Treasurer. The Ground Lease shall provide for the payment, in advance, of rent in the amount of One Dollar (\$1.00) per calendar year or portion thereof throughout the term of the Ground Lease.

Section 3. The Board shall sublease the Site and related grounds and facilities, if any, back from the Ground Lessor pursuant to a Lease Agreement (the "Lease") dated of even date with the Ground Lease, and in a form to be prepared by Bond Counsel and to be approved by this Board in such form as the official executing the same may approve. The President of the Board, the Treasurer of the Board, the Superintendent of the School District, or any of them, are hereby authorized to execute and deliver the Lease on behalf of the Board with such changes not substantially adverse to the School District as the official executing the same may approve; the approval of such changes and that the same are not substantially adverse to the School District shall be conclusively evidenced by the execution of the Lease by such official. The Lease shall require the School District, as agent for the Ground Lessor or its assignee, to finance the Project, and shall provide, among other things, for the payment of Base Rent (as defined in the Lease) from the School District to the Ground Lessor or its assignee. Base Rent shall be payable in periodic installments over the term of the Lease, in such amounts and at such times as shall be determined by the Treasurer, provided that the actual Base Rent payments shall not exceed in any year the amounts that would be required if the applicable interest rate were five percent (5.00%) per annum applied on a principal amount of \$1,800,000. The initial term of the Lease shall be until June 30, 2022, provided that the School District shall have the right to renew for a total of not more than twenty (20) additional one-year renewal terms as determined by the Treasurer, beginning on July 1, 2022 and continuing on July 1 of each year thereafter through and including the last renewal term which shall not be later than July 1, 2041 to June 30, 2042. The Lease shall provide for termination in the event the School District fails to appropriate funds adequate to pay rent due with respect to any renewal term.

Section 4. The Board hereby consents to and approves the assignment of the Ground Lease and the Lease from the Ground Lessor to a such bank or trust company as the Treasurer shall designate, or its nominee, as Trustee and the execution of a Lease Assignment Agreement (the "Assignment

Tuesday, December 21, 2021

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Agreement") and of a Trust Indenture (the "Indenture") relating to the collection and distribution of rental payments and the issuance of Certificates of Participation (Bradford Exempted Village School District – 2022 School Facilities Project) (the "Certificates") evidencing proportionate interests in the Base Rent to be paid by the School District under the Lease. The forms of the Indenture and of the Certificates shall be prepared by Bond Counsel and are to be approved by this Board in such forms as the official executing the same may approve, and the issuance of the Certificates is hereby approved. The President of the Board, the Treasurer of the Board, the Superintendent of the School District, or any of them, are hereby authorized to approve the Indenture and the Assignment Agreement on behalf of the Board with such changes not substantially adverse to the School District as the official executing the same may approve; the approval of such changes and that the same are not substantially adverse to the School District shall be conclusively evidenced by the execution of the Indenture and the Assignment Agreement by such official. The Board hereby authorizes and directs that the Certificates shall be sold to Boenning & Scattergood, Inc., Columbus, Ohio, at a price not less than 97% of the par value thereof, and resold at a price or prices approved by the Treasurer. The Treasurer is authorized and directed to arrange for the purchase of municipal bond insurance in connection with issuance of the Certificates, if in the Treasurer's judgment, such insurance would result in a cost savings to the School District and any such actions heretofore taken by the Treasurer and any other officer or employee of the Board or the School District are hereby approved, ratified and confirmed. The payment of the premium and expenses relating to any such insurance policy from the proceeds of the Lease and the Certificates is hereby authorized. The determinations of the final terms of sale of the Certificates, and the resulting Lease terms, including the interest rate, financed amount, term, capitalized Base Rent payments, and amortization schedule, together with the terms of municipal bond insurance, if any, and any other matters required by this Resolution to be determined or approved by the Treasurer, shall be set forth by the Treasurer in a certificate to be entitled the "Certificate of Award."

Section 5. The Board agrees to execute and perform the Ground Lease and the Lease in accordance with the terms thereof. The Board agrees to comply with the terms and conditions of the Indenture insofar as they relate to the School District, and further agrees to comply with the terms and conditions of such additional documents and agreements relating thereto as shall be deemed, by the Treasurer, the President of the Board or the Superintendent of the School District, or any of them, in their discretion, necessary or appropriate in connection with the financing herein described.

Section 6. The Treasurer, the President of the Board, and the Superintendent of the School District, or any of them, are hereby authorized and directed to execute and deliver, on behalf of the Board, such additional instruments, documents, agreements, certificates, and other papers as may be in their discretion necessary or appropriate in order to carry out the intent of this Resolution in such forms as the official executing the same may approve.

Section 7. Nothing in the Ground Lease, the Lease, the Indenture, the Certificates, or any agreements or documents relating thereto shall constitute or be construed or deemed to constitute a debt or bonded indebtedness or a general obligation of this Board, the School District or any agency of the School District. Neither the taxing power nor the full faith and credit of this Board or the School District are pledged or shall be pledged for the payment or security of the Ground Lease, the Lease, the Indenture, the Certificates, or any other related agreement or document.

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Section 8. The Board hereby covenants that it will restrict the use of the proceeds of the Lease and the Certificates hereby authorized in such manner and to such extent, if any, as may be necessary after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations prescribed thereunder and will, to the extent possible, comply with all other applicable provisions of the Code and the regulations thereunder to retain the Federal income tax exemption for interest on the Lease and the Certificates, including any expenditure requirements, investment limitations, rebate requirements or use restrictions. The Treasurer or any other officer having responsibility with respect to the issuance of the Certificates is authorized and directed to give an appropriate certificate on behalf of the School District, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 and the Regulations.

The Certificates are hereby designated bank qualified obligations under Section 265(b)(3) of the Code, provided that the Certificates are sold in a manner and at a price in compliance with Section 265(b)(3) of the Code. The Board does not expect to issue more than \$10,000,000 of such obligations during calendar year 2022.

Section 9. There is hereby appropriated from the net proceeds of the Certificates, to the extent the same are available for the payment of costs of the Project, a sum not to exceed \$1,800,000 to be used for the payment of such costs and related costs, as outlined herein, and funding capitalized Base Rent payments for the Lease and the Certificates, if required. There is further appropriated, from unappropriated funds, a sum not to exceed \$20,000 to pay the cost of lease payments due or coming due under the Lease for the initial term ending June 30, 2022.

Section 10. The Treasurer, the President of the Board, and the Superintendent of the School District, or any of them, are each hereby separately authorized, alone or with others, to prepare and distribute to prospective purchasers of the Certificates and other interested parties, a preliminary official statement or offering circular with respect to the Certificates on behalf of the Board, which shall be deemed final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) except for certain information excluded therefrom in accordance with such Rule. Such officials, or any of them, are hereby authorized to prepare, execute and deliver a final official statement or offering circular with respect to the Certificates on behalf of the Board, which shall be in such form and with such changes from the preliminary official statement or offering circular as the official executing the same may approve, and which shall be deemed to be final for purposes of Securities and Exchange Commission Rule 15c2-12(b)(3). Execution or delivery thereof on behalf of the School District by such official shall be conclusive evidence of such authorization and approval and that any such changes are not substantially adverse to the School District, and copies thereof are hereby authorized to be prepared and furnished to the purchaser of the Certificates for distribution to prospective purchasers of the Certificates and other interested persons.

The Board hereby covenants and agrees that it will execute, comply with and carry out all of the provisions of a continuing disclosure certificate dated the date of issuance and delivery of the Certificates (the "Continuing Disclosure Certificate") in connection with the issuance of the Certificates. Failure to comply with any such provisions of the Continuing Disclosure Certificate shall not constitute a default on the Certificates; however, any holder of the Certificates may take such action as may be necessary

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and appropriate, including seeking specific performance, to cause the School District to comply with its obligations under this paragraph and the Continuing Disclosure Certificate.

Section 11. That the Treasurer, the President of the Board, and the Superintendent of the School District, or any of them, are each hereby separately authorized, alone or with others to apply for a rating from one or more national rating services or for a qualified insurance policy to have in lieu of a reserve fund with respect to the Lease and the Certificates, and any such actions heretofore taken are hereby approved, ratified and confirmed. The payment of the fees and expenses relating to any such ratings or insurance from the proceeds of the Lease and the Certificates is hereby authorized.

Section 12. The law firm of Dinsmore & Shohl LLP be and is hereby retained as special counsel to the School District to prepare the necessary authorization and related closing documents for the issuance, sale and delivery of the Ground Lease, the Lease, the Indenture, the Certificates and, if appropriate, rendering its approving legal opinion in connection therewith in accordance with the written agreement presently on file with the School District which the President of the Board, the Treasurer of the Board, the Superintendent of the School District, or any of them, are hereby authorized to execute and deliver on behalf of the School District, with such changes thereto not substantially adverse to the School District as may be approved by such officers. The approval of such changes by such officers, and that the same are not substantially adverse to the School District, shall be conclusively evidenced by the execution of such agreement by such officers. Such law firm shall be compensated by the School District for the above services in accordance with such written agreement.

Section 13. 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 action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 14. This Resolution shall take effect immediately upon its adoption.

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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OLD BUSINESS

NEW BUSINESS

Consent Items (items 1 through 11). All matters listed under the Consent Items are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. Members of the Board, staff, or the public may request specific items to be removed from the Consent Items and be discussed and voted upon separately.

The Superintendent recommends approval of all Consent Agenda Items pending completion of all

Tuesday, December 21, 2021

necessary requirements including certifications/licensure and successful completion of criminal background checks:

1. Resignations/Employment:
 - A. Employment: Supplemental - Supplemental Assignments - One (1) Year Supplemental Contract for the 2021-2022 school year:
 - Shane Snyder - Weight Room Supervisor
 - Haley Lear - Winter Athletic Site Supervisor
 - Alisha Patty - Winter Athletic Site Supervisor
 - Skip Miller - Winter Athletic Site Supervisor
2. Recommend adjusting Megan Link's dock day to reflect a full day on 11/10/21 instead of original approval of ½ day, Resolution No 094-2021.
3. Recommend approval of a SCView annual maintenance contract with Site License with Strategic Solutions from 1/1/2022 to 12/31/2022 in the amount of \$10,784.69.
4. Recommend approval of the 2022 annual membership dues with the Ohio School Board Association electing the annual OSBA Briefcase Electronic subscription in the amount of \$4,329.00.
5. Recommend approval of a contract with Ed Hoover, Stillwater Equipment Repair, LLC, as our bus mechanic thru December 31, 2022 at a rate of \$80.00 per hour.
6. Recommend approval of a contract with the Dayton Area School Application System Consortium for 2022 in the amount of \$810.00.
7. Recommend approval the following dock days for Megan Link:

11/22/21	12/8/21
11/23/21	12/9/21
11/29/21	12/10/21
11/30/21	12/13/21
12/1/21	12/14/21
12/2/21	12/15/21
12/3/21	12/16/21
12/6/21	12/17/21
12/7/21	
8. Recommend the following compensation in the amount of \$193.75 per ring to be awarded to the following people: This includes the employee's share of mandatory taxes on the state championship softball rings. This will be Chloe Thompson, Athletic Director, Shon Schaffer, Head Softball Coach, Manda Schaffer, Statitchion, Eric Hart, Assistant Varsity Softball Coach, Greg Gordon, Reserve Softball Coach.
9. Recommend a revision to the terms and conditions of the contract for Junior High Football Cheerleading Coach and the subsequent payment thereof at the time of completion based on administrative approval. The position of Junior High Football

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Cheerleading Coach failed to occur due to enrollment but other similar duties were performed with competition cheer.

- 10. Approve resolution to participate in the OSBA Legal Assistance Fund,

Whereas the Bradford Board of Education wishes to support the efforts of other boards of education to obtain favorable judicial decisions and,

Whereas, the Ohio School Boards Association Legal Assistance Fund has been established for this purpose,

Therefore, the Board hereby resolves to participate in the OSBA Legal Assistance Fund for calendar year 2022 and authorizes the treasurer to pay the Legal Assistance Fund \$250.00.

- 11. Enter into an agreement with Arcanum-Butler Local School District and Franklin Monroe Local School District for the purposes of accepting an ARP Homeless grant in the amount of \$1,569.62.

END OF CONSENT AGENDA

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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WHEREAS this Board has posted the above positions as being available to employees of the District who hold education licenses, and no such employees meeting all of the Board's qualifications have applied for, been offered, and accepted such positions, and

WHEREAS this Board then advertised these positions as being available to licensed individuals not employed by this District, and no such people meeting all of the Board's qualifications have applied for, been offered, and accepted such positions,

Be it **THEREFORE RESOLVED**, that the above non-licensed individuals be employed as noted.

SECOND AND FINAL READING FOR THE FOLLOWING NEOLA POLICIES:

Superintendent recommends the second reading and acceptance of Neola Policy Update, Volume 40 Fall 2021.

Neola Policy Update - Volume 40.1 Fall 2021 Update

po0169.1
po1530
po1617 (NEW)

po5516
po5630.01
po6114

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po2271
po2370.01
po3217
po4217
po5111
po5111.02
po5200
po5350

po7300
po7450-Additional CFR Reference
po8330
po8400
po8462
po8600
po8651
po8740

Administrative Guidelines Approved by the Superintendent - Volume 40.1 Fall 2021 Update

ag1530
ag2271
ag3430.01
ag5111
ag5200
ag8330
ag8600

ag1630.01
ag2370.01
ag4430.01
ag5111.02
ag7450
ag8462

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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ENTER EXECUTIVE SESSION (IF NECESSARY)

(G) (1) The appointment, employment, dismissal, discipline, promotion, demotion or compensation of an employee or official, or the investigation of charges or complaints against an employee, official, licensee or student requests a public hearing

(G) (2) The purchase of property for public purposes or the sale of property at competitive bidding

(G) (3) Conferences with the board's attorney to discuss matters which are the subject of pending or imminent court action

(G) (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with employees

(G) (5) Matters required to be kept confidential by federal law or rules or state statutes

(G) (6) Specialized details or off security arrangements

Motion: _____ Second: _____

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Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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ENTER EXECUTIVE SESSION at: _____

EXIT EXECUTIVE SESSION at: _____

ADJOURNMENT

Motion: _____ Second: _____

Dr. Swabb		Mrs. Brewer		Pastor Reindel		Mr. Besecker		Mr. Manuel	
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Time _____