

UNIFIED SCHOOL DISTRICT NO. 113
Board of Education office
1619 South Old HWY 75
Sabetha Kansas 66534

Preparing Kids, Shaping the Future

Minutes of the Regular Meeting, Monday September 13, 2021 6:00 PM
Held at the Sabetha Middle School Commons Area, 751 Blue Jay Dr., Sabetha, KS 66534

President Leslie Scoby called the meeting to order at 6:00 p.m. President Scoby led the meeting with the Pledge of Allegiance and prayer. Board members present were Stan Keim, Jim Scoby, Ann Shaughnessy, Kent Saylor, and Ed Reznicek, with board member Kathy Lippert participating via ZOOM. Also present were Superintendent Todd Evans and Board Clerk Deb Damman, and others listed on the attached sign-in sheet. The meeting was broadcast via ZOOM for the public.

President Scoby announced the following changes to the agenda: Add Item 4.A.I. Consent Agenda Item F – Approve a donation of \$7897.57 from the Eagle Booster Club; Add Item 4.A.I. Consent Agenda Item G – Approve a donation of \$311.45 from Eric Detweiler for the Axtell Football team; Add Item 4.A.I. Consent Agenda Item K - Resignations – add Cheyenne Kuckelman, APS Secretary; Item 4.A.I.L. Contracts; Remove Cheyenne Kuckelman, Axtell Concessions; add Staci Claycamp, WAC MSGBB coach; Kayla Thayer, WAC MSBBB coach; Alicia Deters, AMS GBB Coach.

Motion was made by Kathy Lippert, seconded by Kent Saylor, to adopt the agenda as amended. Motion carried 7-0.

President Scoby opened the Revenue Neutral Rate Hearing at 6:02 p.m. The public was given an opportunity to speak regarding the Revenue Neutral Rate, but no one spoke at this time. The hearing remained open for public comment regarding the RNR until later in the meeting.

President Scoby opened the Budget Hearing at 6:03 p.m. No one from the public spoke at this time. The hearing remained open for public comment regarding the budget until later in the meeting.

Motion was made by Kathy Lippert, seconded by Jim Scoby, to adopt the consent agenda as amended. Motion carried 7-0.

Consent Agenda:

- A. Approve minutes from the [August 9, 2021](#) regular Board meeting
- B. Approve minutes from the [August 28, 2021](#) special BOE meeting.
- C. Approve payment of September bills for the amount of \$545,777.72
- D. Approve August Payroll for the amount of \$201,144.97
- E. Approve August Lump Sum for the amount of \$339,127.37
- F. Approve a donation of \$7,897.57 from the Eagle Booster Club
- G. Approve a donation of \$311.45 from Eric Detweiler for the Axtell Football team.
- H. Approve \$3,417.43 Civium Invoice to be paid from Contingency Fund
- I. [KASB Natural Gas Contract](#)
- J. Approve correction to [July 12, 2021](#) minutes 11.P GAAP waiver
- K. Resignations: Libby Bays, Sabetha ISS; Nathan Bauman, Asst. SHS Baseball coach; Susan Chandler, SES ISS; Brian Cole, SHS Science effective at the end of 2021/22 and Drivers Education; Emily Pyle, SHS Asst. Softball;
- L. Contracts: Linda Hopp, Axtell Junior Class Sponsor; Leigha Orton, Axtell Junior Class Sponsor; Cheyenne Kuckelman, Axtell Concessions; Michelle Kohake, Axtell ISS; Susan Chandler, District Accounts Payable; Julie Grimm, SMS Asst GBB; Staci

- Claycamp, WAC MSGBB coach; Kayla Thayer, WAC MSBBB coach; Alicia Deters, AMS GBB Coach;
- M. Personal Day requests:
 - N. [Approve Site Councils](#)

School principals provided COVID case and quarantine updates to the Board.

Assistant Superintendent Jennifer Gatz provided the Board with the Elementary Math Curriculum meeting schedule and invited them to participate. Mrs. Gatz also provided an update on Community Surveys.

Superintendent Todd Evans, Jim Scoby, and Kent Saylor provided information from the Kansas Vision for Education meeting.

Mr. Evans updated the board on the Attorney General's response that they cannot provide a legal opinion to the school board regarding masks on buses. The request must come from a legislator.

CIVIUM architect Theodore Demonchaux provided an update on the Sabetha Elementary, Wetmore, and Axtell upgrade projects. Mr. Demonchaux shared updates that had been made to the Standard Form of Agreement Between Owner and Architect based on information from prior board meetings.

Motion was made by Ann Shaughnessy, seconded by Ed Reznicek, to approve the agreement from CIVIUM. Motion carried 7-0.

Scott McKinley from PKMR Engineers provided information to the Board on the planned HVAC upgrades for each school and the tentative schedule for the projects. Mr. McKinley also shared the specs that have been prepared for the bids. A pre-bid walk-through is tentatively scheduled for September 28 at 10:00, and bids would be due on October 12.

Mr. Evans informed the board that State Approval for the construction has been requested, and an Assessment of Environmental Impact is in progress by a third party.

Motion was made by Ann Shaughnessy, seconded by Kent Saylor, to approve the HVAC project from ESSER funds as presented. Motion carried 7-0.

Mr. Evans informed the Board that teacher laptops are currently 5 ½ years old. Funds from ESSER II are budgeted for new laptops, and there is possibly an Emergency Connectivity rate fund grant available for new laptops. Mr. Evans shared a quote of \$122,850.00 for HP Pro-Books through CDW-G.

After discussion by the Board, a motion was made by Ed Reznicek, seconded by Kathy Lippert, to approve the teacher laptops and approve the bid as presented. Motion carried 6-1, with Jim Scoby voting against the motion.

President Scoby asked the board members and the public if there were any comments on the Revenue Neutral Rate Resolution. There were no comments from the public. Mrs. Scoby closed the RNR hearing.

Motion was made by Kent Saylor, seconded by Ed Reznicek, to approve the Revenue Neutral Rate Resolution. Motion carried 7-0. Attached

Mr. Evans reviewed the Code 99 document for the Board. Kent Saylor also pointed out some items of interest on the document. President Scoby asked if the Board or public wanted to make any comments. There were no additional comments from the public or the Board at 7:05. Mrs. Scoby closed the budget hearing.

Motion was made by Kent Saylor, seconded by Stan Keim, to approve the FY2022 budget. After discussion by the board, the motion carried 6-1, with Jim Scoby voting against the motion.

Mr Evans presented Resolution No. 21-4-9-8, for Intent to Enter into a Lease Purchase agreement with GNBANK.

Motion was made by Ed Reznicek, seconded by Jim Scoby, to approve the Resolution for Intent to enter into a Lease Purchase agreement. Motion carried 7-0. The Resolution is attached to these minutes.

Motion was made by Jim Scoby, seconded by Stan Keim, to authorize Leslie Scoby to sign the Lease Purchase agreement. Motion carried 7-0.

At 7:14 p.m., motion was made by Kathy Lippert, seconded by Kent Saylor, to enter into executive session for 10 minutes to discuss personnel matters as allowed under the KOMA exception for non-elected personnel with Mr. Evans and Mr. Garber. Motion carried 7-0.

At 7:24 p.m., motion was made by Jim Scoby, seconded by Ed Reznicek, to return to regular session. Motion carried 7-0.

At 7:26 p.m., motion was made by Ed Reznicek, seconded by Kent Saylor, to enter into executive session to discuss personnel matters as allowed under the KOMA exception for non-elected personnel for 5 minutes with Mr. Evans. Motion carried 7-0.

At 7:31 p.m., motion was made by Ann Shaughnessy, seconded by Kent Saylor, to return to regular session. Motion carried 7-0.

At 7:32 p.m., motion was made by Kent Saylor, seconded by Ann Shaughnessy, to enter into executive session for 5 minutes to discuss matters relating to actions adversely or favorably affecting student(s) as allowed under KOMA, with Mr. Evans and Mr. Glynn. Motion carried 7-0.

At 7:37 p.m., motion was made by Ed Reznicek, seconded by Stan Keim, to return to regular session. Motion carried 7-0.

Motion was made by Ed Reznicek, seconded by Jim Scoby, to approve special student status for the student discussed. Motion carried 7-0.

At 7:41, motion was made by Ed Reznicek, seconded by Kent Saylor, to enter into executive session for 5 minutes for a matter protected by the attorney-client privilege with Mr. Evans. Motion carried 7-0.

At 7:46, motion was made by Jim Scoby, seconded by Kent Saylor, to return to regular session. Motion carried 7-0.

Motion was made by Ed Reznicek, seconded by Ann Shaughnessy, to approve the utility settlement with Symmetry. Motion carried 7-0.

Motion was made by Kathy Lippert, seconded by Ann Shaughnessy, to adjourn. Motion carried 7-0.

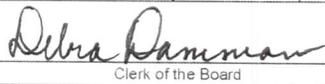
Meeting was adjourned at 7:48 p.m.

Board President

Board Clerk

Exceeding the Revenue Neutral Tax Rate for the 2021-2022 School Year

The governing body of Unified School District 113 will meet on the 13 day of September 2021 at 6:00 PM at 1619 Old Hwy75, Sabetha, KS 66534 for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of tax to be levied. Detailed budget information, including budget profile, is available at USD 113 District Office, 1619 Old Hwy 75, Sabetha, KS and will be available at this hearing.

Revenue Neutral Tax Rate					
	2020-2021			2021-2022	
	Actual Tax Levied	Actual Tax Rate	Neutral Tax Rate	Estimated Tax	Est. Tax
General	\$2,587,804	20.000	19.173	\$2,694,428	20.000
Capital Outlay	\$763,926	5.706	5.474	\$986,564	7.000
Bond and Interest #1 - USD 441	\$525,754	6.188	5.936	\$538,886	5.990
ALL OTHER FUNDS					
Supplemental General (LOB)	\$2,092,206	15.577		\$2,254,113	16.020
Adult Education	\$0	0.000		\$0	0.000
Cost of Living	\$0	0.000		\$0	0.000
Special Liability Expense Fund	\$0	0.000		\$0	0.000
Extraordinary Growth Facilities	\$0	0.000		\$0	0.000
Bind & Interest #2 - USD 488	\$0	0.000		\$0	0.000
No-Fund Warrant	\$0	0.000		\$0	0.000
Special Assessment	\$0	0.000		\$0	0.000
Temporary Note	\$0	0.000		\$0	0.000
Historical Museum	\$0	0.000		\$0	0.000
Public Library Board	\$0	0.000		\$0	0.000
Public Library Board Employee Benefits	\$0	0.000		\$0	0.000
Sub Total - All Other Funds	\$2,092,206	15.577	14.941	\$2,254,113	16.020
	Board President			Clerk of the Board	

RESOLUTION NO. 21-4-9-8

A RESOLUTION PROVIDING NOTICE TO CONSTITUENTS OF UNIFIED SCHOOL DISTRICT NO. 113, NEMAHA COUNTY, KANSAS, OF THE INTENT TO ENTER INTO A LEASE PURCHASE AGREEMENT TO FINANCE THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF SCHOOL BUILDING IMPROVEMENTS; AND TO APPROVE THE EXECUTION OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH.

WHEREAS, under the constitution and statutes of the State of Kansas, particularly K.S.A. 10-1101 *et seq.* (the “Kansas Cash Basis Law”) and K.S.A. 72-1149, Unified School District No. 113, Nemaha County, Kansas (the “District”) is empowered to enter into certain leases, lease purchase agreements and installment purchase agreements for the lease and/or acquisition of property; and

WHEREAS, K.S.A. 10-1116b provides in pertinent part that nothing in the provisions of the Kansas Cash Basis Law shall prohibit a municipality from entering into a lease agreement, with or without an option to buy, or an installment-purchase agreement, if any of such agreements specifically state that the municipality is obligated only to pay periodic payments or monthly installments under the agreement as may lawfully be made from (a) funds budgeted and appropriated for that purpose during such municipality's current budget year or (b) funds made available from any lawfully operated revenue producing source; and

WHEREAS, the Board of Education (the “Governing Body”) has considered the need of the District and its residents to acquire, construct, furnish, and equip improvements at the existing Sabetha Elementary School campus, including construction of a new Media Center (storm shelter rated), Music Room (storm shelter rated) and physical education space (gymnasium); and all appurtenances thereto (collectively the “Improvements”), and has found and determined that acquiring and making the Improvements is in the public interest; and

WHEREAS, the District proposes to finance the costs of the Improvements and has considered various means of such financing, and has found and determined that it would be in the public interest to finance the costs of the Improvements through the execution and delivery of a lease purchase agreement; and

WHEREAS, the Governing Body has heretofore adopted Resolution No. 21-4-9-8 on September 13, 2021, declaring the intent of the District to enter into a financing arrangement involving a lease purchase agreement; and

WHEREAS, in order to facilitate the foregoing and to pay the cost thereof, it is necessary and desirable for the District to take the following actions:

1. Enter into a Site Lease (the “Site Lease”) with the District, as lessor, and GNBANK (the “Company”), as lessee, pursuant to which the District will lease certain real property (the “Real Property”) to the Company on the terms and conditions set forth therein, a form of which has been submitted to the Governing Body for review.

2. Enter into a Lease Purchase Agreement (the "Lease") with the Company, as lessor, and the District, as lessee, pursuant to which the District will lease the Improvements and the Real Property (collectively the "Project") on a year-to-year basis from the Company with an option to purchase the Company's interest in the Project.

3. The principal of the lease will not exceed \$2,400,000. The total payments made will not exceed \$2,521,435.88.

4. The obligations of the District to pay Basic Rent Payments (as defined in the Lease) under the Lease are subject to annual appropriation and shall constitute a current expense of the District and shall not in any way be construed to be an indebtedness or liability of the District in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness or liability by the District, nor shall anything contained in the Lease constitute a pledge of the general tax revenues, funds or moneys of the District, and all provisions of the Lease shall be construed so as to give effect to such intent.

Adopted by USD 113 Board of Education September 13, 2021.



Leslie Scoby, President USD 113 Board of Education



Deb Damman, USD 113 Board Clerk