

**April 16, 2020**

The **Indian Creek Board of Education** met in regular session on Thursday, April 16, 2020 at 6:00 P.M. via Zoom Teleconference. The meeting was properly announced and instructions to join the teleconference meeting were provided as follows:

Topic: Indian Creek School District Regular April Board Meeting  
Time: Apr 16, 2020 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/204738352?pwd=QVIIUHVwYUhpVXZTT3ZYTSiGQWZNUt09>

Meeting ID: 204 738 352  
Password: 020966

President Daniel Bove, Jr. called the meeting to order and led the Pledge of Allegiance. At roll call, the following Board members were present: Dr. John Figel, Mr. Daniel Bove, Jr., Mrs. Kimberly Mark, Dr. Ted Starkey and Mr. Bob Smith.

### **READING, APPROVAL, SIGNING OF MINUTES**

**#25-04-2020**

Dr. Starkey moved and Mrs. Mark seconded the motion to approve the minutes from the March 19, 2020 regular meeting. **Vote on motion:** Mrs. Mark, yes; Dr. Figel, yes; Mr. Bove, yes; Mr. Smith, yes; Dr. Starkey, yes. **Motion approved 5-0.**

### **BILLS, FINANCIAL, BANK RECONCILIATION**

**#26-04-2020**

Mr. Bove moved and Mr. Smith seconded the motion to approve the bills, financial report and bank reconciliation for the month of March 2020. **Vote on motion:** Dr. Figel, yes; Mr. Smith, yes; Mr. Bove, yes; Dr. Starkey, yes; Mrs. Mark, yes. **Motion approved 5-0.**

### **INTRODUCTIONS AND RECOGNITION OF GUESTS**

I.C.E.A. – President Karen Lloyd discussed the following:

- Teacher's achievements and struggles with distance learning
- Commended the Superintendent and Administrators for their guidance throughout this new distance learning process
- Teachers are working on a way to recognize the Class of 2020

The Board of Education thanked the teachers for their hard work and reaching out to students during this time

O.A.P.S.E. – No report.

Principal/Administrative Council –

Wintersville Elementary Principal, Lorrie Jarrett, discussed the following:

- Thanked the teachers work on the community parade, as well as the community for all of their support
- Distance learning via phone, mailing of packets and via computer. She thanked teachers and parents for their work and support.
- Conducted a virtual science fair

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Hills Elementary Principal, Michele Minto, discussed the following:

- Thanked the teachers and parents for doing an amazing job with distance learning
- Thanked Food Service Director, Eric White, for working with the Bay 6 Project in Mingo Junction to feed over 200 students per day. The parents have also expressed their gratitude.

**COMMUNICATIONS** - None.

**OLD BUSINESS** – None.

**NEW BUSINESS**

**APPROVAL OF ITEMS A THROUGH G**  
**#27-04-2020**

Mr. Bove moved and Dr. Figel seconded the motion to approve items A through G under New Business.

**A. Bills to Be Considered, Over \$5,000.00 and/or Improper Procedure**

The Treasurer recommends payment of the following invoices that have been submitted for payment:

ESC of Northeast Ohio, \$8,632.80 for substitute teacher services for weekending March 6, 2020  
Nutrition, Inc., \$12,482.08 for March lunches (*improper procedure*)  
American Electric Power, \$6,091.16 for relocating electric service for new high school project (*improper procedure*)

**B. Membership – Jefferson County Chamber of Commerce**

The Superintendent recommends the Board adopt a resolution to continue membership in the Jefferson County Chamber of Commerce at a cost of \$250.00, for the period May1, 2020 through April 30, 2021.

**C. Agreement – TRZ Communications Services**

The Superintendent recommends the Board enter into an agreement with TRZ Communications Services to renew the PreK-12 Notification service.

**D. Amendment to Section 125 Plan**

The Treasurer recommends approval of the amendment to the District's Section 125 Plan, effective April 15, 2020, in compliance with the Coronavirus Aid, Relief, and Economic Security Act removing the prescription requirement for over-the-counter drug reimbursements and other expenses as allowed per the amendment.

**E. Resolution – Payment of Supplemental Contracts**

The Treasurer and Superintendent recommends the Board adopt a resolution for the payment of full-year and spring supplemental contracts during the pendency of executive order 2020-01D, ODH Director's order regarding the closure of all K-12 schools in Ohio and future orders requiring district response.

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WHEREAS, the COVID-19 pandemic and the resulting State of Ohio Executive and Department Orders, as well as the following related Agency Orders, necessitate that the Board of Education pass the following resolution:

1. Governor Mike DeWine's March 10, 2020 Executive Order 2020-01D.
2. Ohio Department of Health Director Amy Acton, M.D., MPH March 14, 2020 Order In Re: Order the Closure of All K-12 Schools in the State of Ohio.
3. Ohio High School Athletic Association Order, March 13, 2020.
4. Any other orders or directives of duly authorized Ohio State Officials in relation to COVID-19 that may occur during the pendency of Executive Order 2020-01D; and

WHEREAS, on March 14, 2020, Director Acton ordered that all school buildings that provide any kindergarten through grade twelve instruction in the State of Ohio be closed to students beginning at 12:01 a.m. on March 17 through 11:59 p.m. on April 3, 2020; and,

WHEREAS, on March 14, 2020, Director Acton further clarified that such closure "does not include administrators, teachers, staff, vendors, or contractors of a school," and that the "administration of each school shall determine the appropriate level of access to the school during the closure."

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Indian Creek Local School District, Jefferson County, Ohio, that:

Section 1: Supplemental/Co-Curricular Contracts

The Superintendent and Treasurer are hereby authorized to pay in full all full-year supplemental contracts based on satisfactory evidence provided to the Superintendent that the duties of such supplementals have been completed to an appropriate level despite some limitations based upon the closure. Further, the Superintendent and Treasurer are authorized to pay in full all spring supplemental contracts and co-curricular contracts during the cessation of all sports, extracurricular and co-curricular activities based on paragraph 2. below.

Section 2: Meeting to Confer with ICEA Regarding Modified Duties

The Superintendent and Treasurer are directed to meet and confer with the ICEA leadership regarding appropriate modification to spring supplemental contract duties due to the closure and shall maintain records of such meeting and such modifications for evidence of obligation to pay such supplemental contracts.

Section 3: Treasurer's Authority

By this action, the Board hereby appropriates the funds necessary for the enforcement and execution of this resolution and further authorizes and directs the Treasurer to encumber and pay any funds necessary for the enforcement and enactment of any aspect of this resolution.

Section 4: Board Policy Emergency Suspension

By this action, the Board hereby suspends any and all Board Policies that conflict with the authority granted herein.

Section 5: Compliance with Public Meetings Law

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**F. Resolution – Evaluations for 2019-2020**

The Superintendent recommends the Board adopt a resolution to elect not to conduct evaluations of teachers and administrators under Chapter 3319 of the Ohio Revised Code for the 2019-2020 school year based on a determination that it would be impossible or impracticable to do so.

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WHEREAS, Section 17(M) of Am. Sub. H.B. 197 of the Ohio General Assembly permits a board of education to elect not to conduct evaluations of teachers and administrators under Chapter 3319 of the Ohio Revised Code for the 2019-20 school year based on a determination that it would be impossible or impracticable to do so; and

WHEREAS, the Board desires to make such an election for the 2019-20 school year.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that it would be impossible or impracticable to conduct evaluations of teachers and administrators pursuant to Chapter 3319 of the Ohio Revised Code for the 2019-20 school year if said evaluations were not completed prior to the Ohio Director of Health's Order on March 14, 2020, ordering the closure of K-12 schools in Ohio;

BE IT FURTHER RESOLVED that the Board elects not to conduct evaluations under Chapter 3319 of the Ohio Revised Code for teachers and administrators during the 2019-20 school year, to the extent that such evaluations were not completed prior to March 14, 2020.

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

### **G. Resolution- Distance Learning**

The Superintendent recommends the Board adopt a resolution to provide education through alternative means during the period of extended school closure effective March 16, 2020 and continuing through the period of extended school closure due to COVID-19.

WHEREAS, Governor Mike DeWine has declared a state of emergency in Ohio, and the Governor and the Director of the Ohio Department of Health have closed all Ohio schools to students from March 16, 2020, until at least May 1, 2020; and

WHEREAS, Governor DeWine and the Ohio Department of Education have stated that schools should work to provide education through alternative means during the period of extended school closure; and

WHEREAS, Section 15 of Ohio House Bill 197, signed into law by Governor DeWine on March 27, 2020, permits a board of education to adopt a plan for distance learning for students during the school shutdown, even if it had not adopted one previously pursuant to Revised Code § 3313.482; and

WHEREAS, Ohio Department of Education guidance indicates that schools may use "blizzard bags" during this extended school closure, beyond the normal three days;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio House Bill 197, Section 15, the Board hereby approves the provision of distance learning retroactive to March 16, 2020, and continuing through the period of extended school closure due to COVID-19.

BE IT FURTHER RESOLVED that the Board ratifies and authorizes the Superintendent's development and implementation of a plan of distance learning, as set forth in Exhibit A, to enable and require students of the district to access and complete classroom lessons in order to make up hours because of the closing of schools in compliance with orders of the Governor, Director of the Ohio Department of Health, a local board of health, and/or an extension of such an order due to the COVID-19 pandemic.

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 the Board, and that all deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Vote on motion:** Mr. Smith, yes; Mrs. Mark, yes; Dr. Starkey, yes; Dr. Figel, yes; Mr. Bove, yes.  
**Motion approved 5-0.**

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**OTHER MATTERS**

**PERSONNEL**

**APPROVAL OF ITEMS A AND B**

**#28-04-2020**

Dr. Starkey moved and Mrs. Mark seconded the motion to approve items A and B under Personnel.

**A. Non-Renewal - Volunteers**

The Superintendent recommends the non-renewal of the following 2019-2020 school year volunteers in the positions listed:

Zach Connor – Football  
Sean Smith - Baseball

**B. Non-Renewal – Personal Service Contracts**

The Superintendent recommends the non-renewal of the following 2019-2020 school year personal service contracts:

Agin	Ashley	Assistant 7-12 Cheering
Bracone	Gary	Varsity Softball Assistant Coach
Brettell	Andrew	Varsity Boys Soccer Assistant Coach
Brettell	Charles	Varsity Boys Soccer Coach
Cline	Leann	8th Grade Basketball
Connor	Andrew	Varsity Football Head Coach
		1/2 Equipment Manager
Conrad	Michael	7th Grade Boys Basketball
		Grade 7 Football Coach
Cottis	Randy	Varsity Baseball Assistant Coach
Cowser	Denny	Grade 8th Football Coach
Cowser	Matt	Varsity Softball Assistant Coach
Dondzila	Nick	Grade 8 Football Coach
		Varsity Wrestling Assistant Coach
		Grade 8 Boys Basketball Coach - 1/2 position
Edgerly	Clay	
Fithen	Lisa	7-12 Cheering Assistant Coach
Furda	Mike	Varsity Boys Basketball Assistant Coach
Hatcher	Courtney	7th Grade Girls Basketball
Hoover	Chris	Varsity Cross Country
June	Rachael	7-12 Cheering Assistant Coach
Karas	Doug	Varsity Football assistant Coach
Knight	Doug	Varsity Wrestling Assistant Coach
Lewis	Joe	Girls Soccer Head Coach
		Indoor Track
		Varsity Track Coach

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Martin	Whitney	Varsity Track Assistant Coach
Mazzaferro	Todd	Grade 9 Football Coach
		Varsity Track Assistant Coach
Moore	Mentha	Majorette Line Instructor
Morgan	Mary Louise	Destination Imagination
Morris	Josh	Boys Middle school Basketball
Olesky	Janna	Varsity Swimming Coach
Parrish	Tera	9th Grade Girls Basketball
Pendleton	Monica	Varsity Boys Tennis
		Varsity Girls Tennis
Scott	Amber	Grade 8 Volleyball Coach
Simpson-Carroll	Aimee	Assistant Band Director – Marching only
Tweedy	Ron	Varsity Girls Basketball Assistant Coach
Wilson	Justin	1/2 Football Equipment
		Varsity Football Assistant Coach 1/2
Wilson	Mike Jr.	position
		Varsity Football Assistant Coach 1/2
Wilson	Mike	position
Zamborsky	Doug	Varsity Girls Soccer Assistant Coach

**Vote on motion:** Mrs. Mark, yes; Mr. Smith, yes; Dr. Figel, yes; Dr. Starkey, yes; Mr. Bove, yes.  
**Motion approved 5-0.**

#### **REPORT OF BOARD LIAISONS**

- a. Student Achievement – Mrs. Kim Mark thanked the teachers, staff, students and parents for their hard work and patience during this time.
- b. Legislative – Dr. Ted Starkey, no report.

**REPORT OF BOARD ADVISORY COMMITTEES** - No report.

**REPORT OF TREASURER/CFO** – Mrs. Todoroff discussed the following operational considerations and budget implications related to the COVID-19 Pandemic:

- Local revenue sources, such as real estate tax collections and valuations
- Potential impact on state foundation funding and casino aid
- CARES Act funding
- Food service operations and how the general fund will need to absorb the potential deficit in the food service fund
- How will the state handle the Ed Choice issue?
- Additional costs due to COVID-19 related expenses
- Reduction in costs for fiscal year 2019-2020 with school building closure

**REPORT OF ASSISTANT SUPERINTENDENT** - Mr. Belt discussed the following:

- EPA filing for construction project
- Surveying of the Bantam Ridge site
- Corrective work on the middle school parking lot
- Thanked the cafeteria staff, custodians, bus drivers, as well as Eric White for their work in preparing and delivering an average of 320 meals per day during the building closures

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**REPORT OF SUPERINTENDENT** –Dr. Chappellear discussed the following:

- Thanked the staff, students and parents for working hard doing the suggested practices. He expressed his appreciation of everyone’s patience during this time.
- Reviewed the resources listed on the District website
- CARES Act funding to help with distance learning issue, student accessibility and devices
- Construction project update, noting the building project is on time and target as of now
- Jefferson County Superintendent’s meeting and collaboration on a solution for graduation.
- Plan with WTOV-9 for tribute to Class of 2020

**EXECUTIVE SESSION**

**#29-04-2020**

Dr. Starkey moved and Mrs. Mark seconded the motion to go into executive session as marked below:

1. To consider one or more, as applicable, of the check-marked items with respect to a public employee or official:

- a. \_\_\_ Appointment
- b.  **Employment**
- c. \_\_\_ Dismissal
- d. \_\_\_ Discipline
- e. \_\_\_ Promotion
- f. \_\_\_ Demotion
- g. \_\_\_ Compensation
- h. \_\_\_ Investigation of charges/complaints (unless public hearing requested)

2. To consider the purchase of property for the public purposes or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair advantage to a person whose personal, private interest is adverse to the general public interest.

3. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.

4. Matters required to be kept confidential by Federal law or State statutes.

5. Preparing for, conducting or reviewing negotiations with public employees concerning their compensation or other terms and conditions of their employment.

6. In-person conferences with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action.

7. Consideration of confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets or personal financial statements of an applicant for economic development assistance, or negotiations with other political subdivisions respecting requests for economic development assistance provided that:

A. The information is directly related to a request for economic development assistance that is to be provided or administered under provisions of State law authorized in Ohio Revised Code Section 121.22(G)(8)(1), or involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project and

B. A unanimous quorum of the Board has determined by a roll call vote the executive session is necessary to protect the interests of the applicant or possible investment or expenditure of public funds to be made in connection with the economic development project. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

NOW, THEREFORE, BE IT RESOLVED, that the Indian Creek Local School District Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session of items **1 b** as listed above.

**Vote on motion:** Dr. Starkey, yes; Dr. Figel, yes; Mr. Smith, yes; Mr. Bove, yes; Mrs. Mark, yes.  
**Motion approved 5-0.** Time: 6:41 P.M.

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Executive session ended at 7:18 P.M. The meeting resumed for adjournment.

**ADJOURNMENT**

**#30-04-2020**

Mr. Smith motioned to adjourn. All Yes. Time: 7:19 P.M.

ATTEST:

\_\_\_\_\_  
Board President

\_\_\_\_\_  
Treasurer