

**OFFICIAL MINUTES  
OF THE  
BOARD OF EDUCATION, DAYTON CITY SCHOOL DISTRICT**

**MEMBERS**

Yvonne Isaacs

Joseph Lacey

Ronald Lee

Jeffrey J. Mims Jr.

Nancy Nerny

Sheila Taylor

Stacy Thompson

**OFFICERS**

Jeffrey J. Mims Jr.  
President

Nancy Nerny  
Vice President

Kurt T. Stanic  
Superintendent of  
Schools

Lori Ward  
Deputy to the Superintendent

Stanley E. Lucas  
Treasurer / Chief Financial  
Officer

Student Senate Representative:

**May 5, 2009**

**Information Meeting**

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**These Minutes approved \_\_\_ May 18, 2009 \_\_\_\_, Dayton, Ohio**

**These Minutes published \_\_\_ May 19, 2009 \_\_\_\_, Dayton, Ohio**

**Board of Education, Dayton City School District**  
**Dayton, Montgomery County, Ohio**  
**May 5, 2009**

The Board of Education of the Dayton City School District convened its regularly scheduled Informational Meeting on Tuesday, May 5, 2009 at 6:05 p.m. in the Board Room, 115 S. Ludlow Street, Dayton, Montgomery County, Ohio, with President Mims in the Chair.

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**ROLL CALL**

MEMBERS ANSWERING ROLL CALL: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7  
{SSR – Keith} - PRESENT

MEMBERS ABSENT: None – 0

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**PLEDGE**

Pledge of allegiance to the flag.

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**SPECIAL RECOGNITION**

Marlea Gaskins addressed the board and introduced several recipients of Gates scholarships. Dr. Stanic made brief comments about the Gates Scholarship Program and congratulated the recipients and thanked the staff who helped these students over the years.

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**SPECIAL PRESENTATION**

Ed Sweetnich addressed the board regarding the wellness program with United Health Care. Neal Grode, United Health Care addressed the board with statistical information.

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**SPECIAL PRESENTATION**

MariJane Recob addressed the board regarding the Challenger Learning Center.

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**MONTHLY CONSTRUCTION UPDATE**

Shook Touchstone addressed the board.

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**SUPERINTENDENT'S RECOMMENDATIONS**

The following recommendations were presented by Dr. Kurt T. Stanic, Superintendent of Schools for consideration by the Board:

**GENERAL FUNDS**

**ITEM I**

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

**Board of Education, Dayton City School District**  
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Educational Resources, Inc. - Annual renewal of Microsoft software licenses for student use. Effective 04/01/2009-03/31/2010. Code: 001.2930.423.6005.000000.500.00.000 (Qty: 1) (Amt: \$97,550.25) **Purchase Order: 116621**

Fujitec America, Inc. - Annual Maintenance Agreement for Stivers Elevator in old bldg. and wheelchair lift in Media Center. Effective 05/01/2009-04/30/2010. Code: 001.2700.423.6420.000000.578.00.000 (Qty: 1) (Amt: \$4,380.00) **Purchase Order: 116764**

**ITEM II**

I recommend approval of the resolution requesting a declaration of Urgent necessity to solicit for an IEP web application and services in association with Special Education IEP and evaluation requirements for Dayton Public Schools.

**Rationale**

The State Department of Education is requiring all public school districts to implement new IEP and evaluation forms to be in use at the beginning of the 2009-2010 school year. To be in compliance with this mandate, it is necessary that we purchase an IEP web application at this time.

NOW, THEREFORE, BE IT RESOLVED that the Dayton Board of Education of the Dayton City School district declare a urgent Necessity and authorize the use of the price quotations in lieu of the normal bidding process to solicit for services in association with Special Education IEP and evaluation requirements for Dayton Public Schools.

**ITEM III**

I recommend approval of the resolution requesting a declaration to conduct an auction of surplus classroom furnishings, equipment and other items deemed surplus located at Loos Elementary School, 45 Wampler Avenue, Orville Wright Elementary School, 200 S. Wright Avenue, Wilbur Wright Middle School, 1361 Huffman Avenue, and Carlson Elementary School (currently used for storage), 807 S. Gettysburg.

**Rationale**

Recognizing the necessity for economy and because of reduced need, various surplus board-owned property should be eliminated from inventory in accordance with the provisions of Section 333.41, Ohio Revised Code, which requires sale of such property at public Auction after giving at least 30 days' notice thereof by publication in a newspaper of general circulation or by posting notices in five of the most public places in the school district in which the property, if it is real property, is situated, or, if it is personal property, in the school district of the board of education that owns the property. Descriptions of said surplus equipment would be made available upon request to the Associate Director of Logistical Support Services located at 4280 N. James H. McGee Blvd., Dayton, Ohio 45427-3482.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Dayton City School District hereby declares surplus items to be auctioned and grants permission to advertise for an auctioneer and a selection made and permission be granted to advertise for an auction of surplus equipment (the details of which shall be determined at a subsequent time); and

BE IT FURTHER RESOLVED that due to the nature of the items to be auctioned, the Board of Education will conduct said auctions at Loos Elementary School, 45 Wampler Avenue, Orville Wright Elementary School, 200 S. Wright Avenue, Wilbur Wright Middle School, 1361 Huffman Avenue, and Carlson Elementary School (currently used for storage), 807 S. Gettysburg.

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BE IT FURTHER RESOLVED that the Treasurer be and hereby is directed to advertise for an auctioneer and then said auction to sell at public auction as prescribed by statute all equipment currently located in Loos Elementary School, 45 Wampler Avenue, Orville Wright Elementary School, 200 S. Wright Avenue, Wilbur Wright Middle School, 1361 Huffman Avenue, and Carlson Elementary School (currently used for storage), 807 S. Gettysburg, identified as being surplus pursuant to Section 3313.41 of the Ohio Revised Code and the proceeds from such sale be deposited in the General Fund.

**ITEM IV**

WHEREAS, the State Department of Education is responsible for the calculation and payments of school foundation funding for the public school district of Ohio, pursuant to the provisions of the Ohio Revised Code, and;

Rationale

WHEREAS, in the calculation of the Dayton City School District's school foundation payments for fiscal year ("FY") 2005, the formula average daily membership ("Formula ADM") that the Department of Education utilized for the Dayton City School District ("DAYTON") resulted in a reduction in funding to Dayton in FY 2005 and subsequent fiscal years, and;

WHEREAS, Dayton disagrees with the methodology the Department of Education utilized in determining Dayton's Formula ADM, and;

WHEREAS, the State Board of Education and the Department of Education assert that the calculations of Dayton's Formula ADM were based upon the proper methodology, and;

WHEREAS, in an effort to avoid the expense, inconvenience and uncertainty of litigation, the State Board of Education and the Department of Education have agreed to compromise and settle all disputed issues and claim arising from the utilization of the disputed Formula ADM in FY 2005 and the subsequent reduction in school foundation payment to Dayton;

NOW THEREFORE BE IT RESOLVED, that the Dayton Board of Education hereby authorizes the settlement of this dispute with the state Board of Education and delegates the Board President and Treasurer the authority to approve and execute the final settlement agreement on behalf of the Dayton Board of Education.

**ITEM V**

I recommend that the Board authorize the **General Funds PURCHASE ORDERS** as submitted by the Treasurer.

**GENERAL FUNDS**

TO: Superintendent of Schools  
 FROM: Treasurer  
 SUBJECT: Purchase Orders for Board Agenda

**Board of Education, Dayton City School District  
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I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

**CONTRACT/AGREEMENT APPROVED ON 11/05/2008 BOARD AGENDA**

(1) 116754

Vendor: ADAMHS Board Of Montgomery

Fund: 001.1225.410.4501.000000.000.00.000 (Qty: 1) (Amt: \$50,000.00)

(Special Education)

Description: For mental health services to DPS special needs children for the 08/09 sy.

Amount: \$50,000.00

(2) 116760

Vendor: Pitney Bowes

Fund: 001.2600.443.6042.000000.578.00.000 (Qty: 1) (Amt: \$8,000.00)

Description: Postage for Dayton Public Schools PB Reserve Account Tax ID#84-1386389 Regular Mail: PBP#11007556

Continuation of mail service for the district.

Amount: \$8,000.00

(3) 116650

Vendor: Planet Ford

Fund: 001.2850.650.4360.000000.500.00.000 (Qty: 1) (Amt: \$22,862.46)

(Career/Technical Education)

Description: Purchase of 8 passenger van for Career-Technical programs, student transportation.

Amount: \$22,862.46

(4) 115778

Vendor: Trotwood Madison City Schools

Fund: 001.1220.470.4502.000000.500.00.000 (Qty: 1) (Amt: \$13,772.86)

Description: Tuition reimbursement for DPS special needs students for the 07/08 SY.

Amount: \$13,772.86

(5) 116643

Vendor: West Carrollton Schools

Fund: 001.1220.470.4502.000000.500.00.000 (Qty: 1) (Amt: \$37,013.08)

(Special Education)

Description: For excess costs for DPS special needs students for the 01-06 school years.

Amount: \$37,013.08

**NON/GENERAL FUNDS**

**ITEM VI**

I recommend that the following **APPOINTMENTS AND CHANGES TO THE CONTRACTS of the PROFESSIONAL STAFF MEMBERS** shown be approved in accordance with the bargaining unit agreements, Board-approved salary schedules and/or mandates of the State Division of Career, Technical and Adult Education.

**TEACHER**

**New Hire**

ADMINISTRATIVE BUILDING

Teacher at the rate of \$33,936 annually,

Eff. 08/12/2009-06/30/2010, 572.1910.111.9769.000000.500.00.205

Rakaczky, Charlotte

**Board of Education, Dayton City School District  
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**ITEM VII**

I recommend that the following **CONTRACTS FOR CONSULTANT SERVICES** be approved in the amounts shown for the reasons stated.

Lifeskills & Career Resources, 70 Gulfwood Ct, Dayton, OH 45458

NTE: \$7,100.00

To provide leadership development and follow up for teachers and administrators

**Purchase Order: 11151157**

Eff.: 06/15/2009-06/30/2009.

Code: 590.2213.412.9149.000000.520.00.000 (Qty: 1) (Amt: \$7,100.00)

Pate, James E., 21 W Shadyside Dr, Dayton, OH 45405

NTE: \$3,300.00

To provide a two day art training for district teachers at the Summer Professional Development Institute.

**Purchase Order: 11151233**

Eff.: 06/15/2009-06/30/2009.

Code: 590.2213.412.9149.000000.520.00.000 (Qty: 1) (Amt: \$3,300.00)

**ITEM VIII**

I recommend that the Board authorize the **Non-General Funds PURCHASE ORDERS** as submitted by the Treasurer.

**NON-GENERAL FUNDS**

TO: Superintendent of Schools  
FROM: Treasurer  
SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

(1) 11151277

Vendor: AT&T

Fund: 588.2930.441.9059.000000.000.00.000 (Qty: 1) (Amt: \$113,900.00)

Description: The service that provides telephones communication throughout the district.

Amount: \$113,900.00

(2) 11151293

Vendor: Fifth Third Bank

Fund: 572.2213.439.9579.000000.000.00.000 (Qty: 1) (Amt: \$20,895.21)

Fund: 572.2213.439.9769.000000.000.00.000 (Qty: 1) (Amt: \$5,475.49)

(Treasurer)

Description: Payment to be made for the Fifth Third Bank Travel P-Card, for district prepaid travel.

Amount: \$26,370.70

(3) 11151143

Vendor: Techwizards, LLC

Fund: 401.3260.423.9229.000000.000.00.000 (Qty: 1) (Amt: \$7,056.00)

(Auxiliary Services)

Description: Mary Queen of Peace has many Auxiliary computers, laptops, printers and servers in need of repair and updates to handle current educational demand.

Amount: \$7,056.00

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(4) 11151144

Vendor: Techwizards, LLC

Fund: 401.3260.423.9229.000000.000.00.000 (Qty: 1) (Amt: \$17,006.55)

(Auxiliary Services)

Description: Mary Queen of Peace has many Auxiliary Services computers, laptops, printers and network components that need to be updated. Furthermore this service will provide on-going support for the school's network operation and connectivity. Support will also include maintenance for the servers. Additional support will include upgrades for network access and to all the student accounts.

Amount: \$17,006.55

**OSFC FUNDS**

**ITEM IX**

I recommend that the Board of Education enter into the following **CONTRACTS AND AGREEMENTS**, and further, that the officers of the Board be authorized to sign same.

Dayton School Design - Amendment to the Professional Design Services as a result of reconfiguring the current cosmetology space into JROTC space for Meadowdale High School at an increased cost of \$26,800.00 Effective May 5, 2009-August 5, 2009. Code:

010.5500.418.7448.000000.367.93.035 (Qty: 1) (Amt: \$19,128.72) Code:

010.5500.418.7448.000000.367.83.035 (Qty: 1) (Amt: \$470,810.00) Code:

010.5500.418.7457.000000.138.93.035 (Qty: 1) (Amt: \$5,370.30) Code:

010.5500.418.7449.000000.367.93.035 (Qty: 1) (Amt: \$29,919.28) Code:

010.5500.418.7449.000000.367.83.035 (Qty: 1) (Amt: \$736,395.13) Code:

004.5500.418.7450.000000.367.83.035 (Qty: 1) (Amt: \$179,915.87) Code:

010.5500.418.7458.000000.138.93.035 (Qty: 1) (Amt: \$8,399.70) **Purchase Order: 106753**

**ITEM X**

I recommend approval of the following Ground Lease by and between the Dayton Board of Education and the City of Dayton, Ohio.

**Rationale**

In order for the Dayton City School District to proceed with the construction of the new Dayton Boys Preparatory Academy and for the City of Dayton to proceed with the construction of the Rec Plex facility, it is necessary to execute a ground lease for the mutual use of properties owned by both parties.

WHEREAS, The City and the Board have a long history of partnership in education and youth development; and

WHEREAS, The Board has demolished the former Roosevelt High School located at 2013 W. Third Street ("Site"); and

WHEREAS, The Board is planning construct a new school known as the Dayton Boys Preparatory Academy ("School") on the site in connection with the Ohio School Facilities Commission's Accelerated Urban Initiative; and

WHEREAS, The City is planning to construct an approximately 45,000 square-foot recreation center known as the "Rec Plex" in the Innerwest Priority Board area; and

WHEREAS, The City owns two parking lots adjacent to the former school Site; and

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WHEREAS, The Board and City desire to work cooperatively to co-locate the new school and the new Rec Plex on the Site and utilize the City's parking lots ("Project"); and

WHEREAS, The City and the Board desire to enter into an Agreement to set forth their respective obligations with respect to the Project; and

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Board hereby agrees to the terms of said "ground lease."

BE IT FURTHER RESOLVED that the President and Treasurer of the Dayton Board of Education are authorized to execute said ground lease on behalf of the Dayton City School District and the Dayton Board of Education.

**ITEM XI**

I recommend that the Board authorize the **OSFC PURCHASE ORDERS** as submitted by the Treasurer.

**OSFC FUNDS**

TO: Superintendent of Schools  
 FROM: Treasurer  
 SUBJECT: Purchase Orders for Board Agenda

I recommend that the following purchase orders in excess of \$5,000.00 be authorized by the Board of Education.

**CONTRACT/AGREEMENT APPROVED ON 7/1/08 BOARD AGENDA**

(1) 112997

Vendor: BHE Environmental Company

Fund: 004.5500.418.7479.000000.363.83.085 LFI Funding (Qty: 1) (Amt: \$28,550.00)

(Construction Office)

Description: Purchase order increased to include the investigation of the concrete substrate floors/slabs and removals of any asbestos-containing floor coverings and mastics so that concrete may be recycled.

Amount: \$28,550.00

(2) 116765

Vendor: Bricker & Eckler LLP

Fund: 004.5599.418.7424.000000.271.00.090 LFI Funding (Qty: 1) (Amt: \$50,000.00)

(Construction Office)

Description: Cost of legal services for the Stivers School for the Arts Auditorium issue.

Amount: \$50,000.00

(3) 116886

Vendor: TES Tech, Inc.

Fund: 004.5599.418.7584.000000.117.83.085 LFI Funding (Qty: 1) (Amt: \$39,500.00)

(Construction Office)

Description: Abatement monitoring and contractor oversight for various residential properties located on the proposed site for the new Montessori Pk-8 School.

Amount: \$39,500.00



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(4) 116878

Vendor: TES Tech, Inc.

Fund: 004.5500.418.7527.000000.142.83.050 LFI Funding (Qty: 1) (Amt: \$757.37)

Fund: 010.5500.418.7526.000000.142.83.050 State Share (Qty: 1) (Amt: \$4,357.00)

Fund: 010.5500.418.7525.000000.142.83.050 Local Share (Qty: 1) (Amt: \$2,785.63)

(Construction Office)

Description: Provide additional geotechnical investigations on the site of the new Residence Park PK-8 School.

Amount: \$7,900.00

(5) 116891

Vendor: TES Tech, Inc.

Fund: 010.5500.418.7574.000000.181.83.055 State Share (Qty: 1) (Amt: \$31,781.94)

Fund: 004.5500.418.7572.000000.181.83.055 LFI Funding (Qty: 1) (Amt: \$4,998.46)

Fund: 010.5500.418.7573.000000.181.83.055 Local Share (Qty: 1) (Amt: \$20,319.60)

(Construction Office)

Description: Provide construction materials testing and inspection services during the construction of Dayton Boys Prep Academy.

Amount: \$57,100.00

(6) 116391

Vendor: TES Tech, Inc.

Fund: 010.5500.418.7538.000000.569.93.055 State Share (Qty: 1) (Amt: \$9,089.00)

Fund: 010.5500.418.7537.000000.569.93.055 Local Share (Qty: 1) (Amt: \$5,811.00)

(Construction Office)

Description: Materials testing and inspection services during demolition and site restoration for the Dayton Boys Prep Academy.

Amount: \$14,900.00

Respectfully submitted,

Kurt T. Stanic, Ed.D.  
**Superintendent of Schools**

It was moved by Mr. Lee and seconded by Ms. Nerny to accept the Superintendent's Recommendations.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7

NAYS: None – 0

**Motion Carried.**

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**TREASURER'S RECOMMENDATIONS**

The following recommendations were presented by Stanley E. Lucas, Treasurer for consideration by the Board:

**GENERAL & NON GENERAL FUNDS**

**ITEM XII**

I recommend that the Board adopt the following resolution for Supplemental Appropriation Measure 09-1 for fiscal year 2009.

**Board of Education, Dayton City School District  
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Rationale

Section 5705.38 of the Ohio Revised Code requires the adoption and/or amendment of a Supplemental Appropriation Measure.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Dayton City School District that because estimated resources are estimated to be \$1,380,000 lower for Nutrition Services, enterprise fund 006 than anticipated as submitted on the last certificate and to provide for the current expenses and other expenditures of said Board of Education during fiscal year ending June 30, 2009, the sums be and hereby are set aside and appropriated for expenditures which are to be made during the said fiscal year.

Be it further resolved that pursuant to Section 5705.412 of the Ohio Revised Code that the Board President, Superintendent, and Treasurer certify that the Dayton Public School District has in effect for the fiscal year 2009 the authorization to levy taxes, which, when combined with the estimated revenue from all other sources available to the district at the time of certification, are sufficient to provide the operating revenues necessary to enable the district to maintain all personnel and programs for all the days set forth in its adopted school calendars for the current fiscal year (2009).

**ITEM XIII**

I recommend that the Board adopt the following resolution for Amended Official Certificate of Estimated Resources 09-1 for fiscal year 2009.

Rationale

Pursuant to Section 5705.36 and 5705.39 of the Ohio Revised Code, the Treasurer has determined that revenues, which will actually be collected, are \$1,380,000 lower for Nutrition Services, enterprise fund 006, than the \$9,230,000 included in the Official Certificate of Estimated Resources for FY09. The new estimated resources for Fund 006 are now \$7,850,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Dayton City School District that the following is the Amended Official Certificate of Estimated Resources for the fiscal year beginning July 1, 2008, as revised by the Budget Commission of Montgomery County, which shall govern the total of appropriations made at any time during such fiscal year.

**X. BOARD MEMBER TRAVEL**

Council of the Great City Schools Executive Committee Meeting  
Boston, MA  
July 17-18, 2009

Council of the Great City Schools Annual Fall Conference  
Portland, OR  
October 29, 2009

Council of the Great City Schools Annual Legislative Conference  
Washington, DC  
March 20, 2010

**APPROVAL OF MINUTES**

April 21, 2009 Business Meeting  
April 28, 2009 Special Meeting – Board Retreat

**Board of Education, Dayton City School District  
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Respectfully submitted,

Stanley E. Lucas  
**Treasurer**

It was moved by Mr. Lacey and seconded by Ms. Nerny to accept the Treasurer's Recommendations.

AYES:                Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7

NAYS:                None – 0

**Motion Carried.**

**NEW BUSINESS**

Mr. Lacey stopped in the soup kitchen near his home (Stivers) and thanked Stivers for the soup and free bowl. He recently went to the local grocer and got free art on grocery bags for earth day made by Cleveland students.

Mr. Keith met with the student senate last Thursday and participated in the hand bells performance.

Ms. Isaacs thanked and congratulated music teachers in organizing the All City Choir, elementary school band and orchestra who performed Saturday. Ms. Isaacs purchased 4 soup bowls from Stiver's. Many Dayton Public School employees participated in the walk for women's wellness.

Ms. Thompson participated in the Neighbor's Make a Difference Day by volunteering at the senior resource center and took Thurgood Marshall Junior ROTC students to the Dragons suite for a game. On the During God Teach Students to Read Day at Meadowdale Elementary, Ms. Thompson talked about the current economic situation, financial markets impact on education and her job at Key Bank, etc.

Ms. Taylor attended Stivers hand bell festival and space day at the Challenger Center at Kiser.

Ms. Nerny went to OSBA's Leadership Institute where they were updated about Governor Strickland's plan for financing education and also attended Wow's school's fund raiser.

Dr. Stanic made brief remarks along with the following announcements:

- May 6, 2009 6:00 p.m. Gates Scholars recognized
- May 6, 2009 7:00 p.m. DPS 14<sup>th</sup> Annual Scholarship Recognition Event
- May 12, 2009 6:00 p.m. 6<sup>th</sup> Annual Teacher of the Year Recognition Program
- May 13, 2009 10:30 a.m. Ground Breaking for Charity Earley Academy for Girls
- May 13, 2009 7:00 p.m. Parent Volunteer Recognition
- May 18, 2009 6:00 p.m. Reminder - DBOE Meeting at Dunbar
- May 20, 2009 6:00 p.m. DPS Retiree Recognition Dinner

Dr. Stanic attended the Orchestra Concert.

Mr. Mims attended the student senate meeting, the athletic board of control meeting, several track meets and Stiver's music program. The rally for school funding is Friday.

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**ADJOURNMENT**

There being no further business, it was moved by Mr. Lee and seconded by Ms. Nerny to adjourn.

AYES: Isaacs, Lacey, Lee, Mims, Nerny, Taylor, Thompson – 7

NAYS: None – 0

**Motion Carried. Meeting adjourned at 7:45 p.m.**

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**ATTEST:**

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Stanley E. Lucas, Treasurer / Chief Financial Officer

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Jeffrey J. Mims, Jr., President