

The Board of Education of the Fairfield City School District in the County of Butler, Ohio, held a Regular Meeting on the 24th of February 2011 at the Fairfield Intermediate School Media Center.

The meeting was called to order by the President at 5:00 pm.

ROLL CALL – Present: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Absent: None

Also present: Mrs. Milligan, Mr. Lewis, & Mrs. Lane

PLEDGE OF ALLEGIANCE

Mr. Clemmons arrived at 5:17 pm.

PRESENTATIONS/RESOLUTIONS

- A. House Bill 264 Financing – John Payne, Bradley Payne LLC, and Brad Ruwe, Peck, Shaffer and Williams

Mr. Payne & Mr. Ruwe explained to the Board the financing for HB 264 project that will not increase property taxes for the community.

- B. Update on the city of Fairfield's Cultural Arts Advisory Commission – Ray Sullivan
Mr. Sullivan gave an overview of the Cultural Arts Advisory Commission and how they work with the school district. There are 9 members on the commission.

He has served on the commission for 10 years.

- C. Spotlight on Intermediate School - Beth Prince, Principal

COMMUNICATION

This is the portion of the meeting where you, the residents of the Fairfield City School District, are invited to share your thoughts with the Board. Presentations are limited to five (5) minutes each.

Rita Bowers discussed the math program in the district.

The Board had a Brief Recess at 5:58 pm.

The Board reconvened meeting at 6:31 pm.

11-30 RESIGNATIONS/LEAVES OF ABSENCE/EMPLOYMENT

MOTION – Moved by Dr. Morris to approve the following:

SUPERINTENDENT'S RECOMMENDATIONS AND REPORTS

A. Personnel -- Certificated

1. Resignations

- a. Susan Dodgson, Senior High, Chemistry
(effective at the end of the day on June 3, 2011; for personal reasons)
- b. Joseph Meibers, Central, 2nd grade
(effective at the end of the day on May 31, 2011; for retirement purposes)
- c. Tracey Williams, West, RN
(effective at the end of the day on February 18, 2011; for personal reasons)

2. Leaves of Absence

- a. Theresa Nevin, Intermediate, Guidance Counselor
(effective February 14, 2011 through March 11, 2011; for personal medical reasons)
- b. Eija Pekkala, Middle, Music
(effective March 11, 2011 through May 13, 2011; for childrearing purposes)
- c. Kristin Sims, Intermediate, Social Studies
(effective February 11, 2011 through March 25, 2011; for childrearing purposes)

3. Employment

a. Extracurriculars 2010-11

Senior High

Emily Breitholle, Softball Assistant
John Buelt, Track Assistant
Jason Krause, Weight Room, Supervisor Assistant, 33%
Dave Meiser, Track Assistant
R. (Mike) Morgan, Tennis, Assistant Boys
Bill Munn, Track Assistant
Amy Myser, Softball Assistant
Robert Quatkemeyer, Baseball, Reserve Assistant
Matt Reisner, Track Assistant
Alexa Thompson, Softball, Reserve Assistant
Doug Tucker, Volleyball, Assistant Boys
Andrew Tyahur, Volleyball, Assistant Boys

Freshman

Gretchen Angel, Softball Coach
Bernard Caldwell, Track Coach
Mark Jarvis, Volleyball, Boys
Staci Smith, Softball, Freshman Assistant

Middle

Justin Rex, Basketball, Boys 7th/8th

Intermediate

Gary Smith, Intramural Bowling (due to increased student participants)

b. Substitute Teachers

Calhoun, Brenda
Calhoun, Davonne
Combs, Shannon
Eck, Dawn
Fields, Stacy
Graham, Brenda (sub nurse)
Johnson, Adam
Koenig, Cynthia
Levett, Melvin
Lynch, Brietta
May, Kristi
Miller, Dale
Patel, Rita
Rhodus, Lora
Skirvin, Jennifer
Splawn, Lisa
Tito, Leann
Storrie, Thomas

(All recommendations are for the 2010-2011 school year at a rate of \$80.00 per day.)

c. Home Instructors

Paulino Alcantara

(Periodically the district has students who qualify for home instruction by placement on an IEP developed through the Special Services Department. It is recommended that the above noted person(s) be employed as Home Instructors at the rate of \$24.34 per hour, effective for the 2010-2011 school year.)

d. Volunteers

Senior High

Jeremy Embry, Baseball Volunteer
Ali Mahon, Boys Volleyball Volunteer
Eric Minshall, Baseball Volunteer
Robby Price, Baseball Volunteer
Kenny Stewart, Baseball Volunteer

Freshman

Sarah Taimourzadeh, Softball, Volunteer
Tony Townsend, Baseball, Volunteer

(The above-noted persons are recommended for approval as volunteer coaches for the 2010-2011 school year in district athletic programs. Board approval of volunteers is a requirement of the Ohio High School Athletic Association. Recommendation is contingent upon submission of all required documents.)

(All employment is contingent upon satisfactory submission of all required documents.)

SECOND – Seconded by Mrs. Shorter

Board comments: Mrs. Ko asked if the district interviews sub-teaching candidates. Mrs. Milligan responded that we do not.

Public comments: Mrs. Bowers asked why the district does not interview candidates.

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

11-31 RESIGNATIONS/LEAVES OF ABSENCE/EMPLOYMENT

MOTION – Moved by Mr. Murray to approve the following:

B. Personnel -- Classified

1. Resignations

- a. Debbie Christophel, Middle, Head Cook
(effective the end of the day March 4, 2011; for personal reasons)
- b. Lonnie Parrot, Transportation, Bus Driver
(effective the end of the day February 28, 2011 for retirement purposes)

2. Leaves of Absence

- a. Patrick Adamson, Transportation, Bus Driver
(effective February 23, 2011 through May 30, 2011; unpaid personal medical)
- b. Linda Bowen, Middle, Educational Assistant
(effective February 4, 2011 through March 18, 2011; unpaid personal)
- c. Gary Collins, Transportation, Bus Driver
(effective January 25, 2011 through March 10, 2011; unpaid worker's compensation)

- d. Joyce Lamb, East, Custodian
(effective February 14, 2011 through March 10, 2011; extension of unpaid worker's compensation)
- e. Johnna Morgan, Transportation, Bus Driver
(effective February 4, 2011; unpaid personal medical)
- f. Shellie Patterson, Transportation, Bus Driver
(effective March 1, 2011 through 31, 2011; extension of unpaid personal medical)

3. Employment

- a. Jenny Haley, Transportation, Bus Driver
(effective February 25, 2011; for a replacement position)
- b. Ron Muskopf, Transportation, Bus Driver
(effective February 25, 2011; for a replacement position)
- c. Kenneth Rice, Transportation, Bus Driver
(effective February 25, 2011; for a replacement position)

4. Reduction of Hours

- a. Sarah Kroger-Gardner, East, Educational Assistant
(effective March 9, 2011; resigning 3 afternoon hours for personal reasons, hours not to be replaced for 2011-12 school year)

(All employment is contingent upon satisfactory submission of all required documents.)

SECOND – Seconded by Dr. Morris
Public comments: None
Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

11-32 RECOMMEND APPROVAL OF BOARD POLICY GCPA - ADMINISTRATOR REDUCTION IN FORCE/APPROVAL OF RENEWAL OF THE APPOINTMENT OF RAY SULLIVAN AS DISTRICT REPRESENTATIVE TO THE CITY OF FAIRFIELD'S CULTURAL ARTS ADVISORY COMMISSION, EFFECTIVE 04-01-11 THROUGH 03-31-14/APPROVAL OF THREE YEAR CONTRACT WITH THE SCHOOL INSURANCE CONSULTANTS FOR DISTRICT EFFECTIVE 05-01-11 THROUGH 04-30-14

MOTION – Moved by Mr. Murray to approve the following:

C. Other Items for Board Action

1. Recommend approval of revision of Board policy GCPA – Administrator Reduction in Force.
2. Recommend renewal of the appointment of Ray Sullivan as the district’s representative to the city of Fairfield’s Cultural Arts Advisory Commission, effective April 1, 2011 through March 31, 2014.
3. Recommend approval to enter into a three (3) year contract with School Insurance Consultants to design and obtain the school liability insurance coverage for the District effective May 1, 2011 through April 30, 2014. (The Consultant fee will be \$3,030.00 less than the previous contract. This contract will also provide a 5% insurance rate reduction for the District.)

SECOND – Seconded by Mrs. Ko

Public comments: None

Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter

Nays: None

Motion Carried: 5-0

11-33 APPROVAL OF MINUTES/APPROVAL OF FINANCIAL REPORTS FOR JANUARY 2011/
APPROVAL OF 2010-2011 AMENDED APPROPRIATIONS/DISPOSALS/DONATIONS/
APPROVAL OF BOARD MEETING CHANGES

MOTION – Moved by Dr. Morris to approve the following:

TREASURER’S RECOMMENDATIONS AND REPORTS

- A. Recommend approval of the minutes of the following meetings:
January 13, 2011 – Special Meeting (Board Retreat)
January 25, 2011 – Regular Meeting
February 3, 2011 – Work Session
- B. Recommend approval of the financial reports for the month of January 2011.
- C. Recommend approval of the 2010-11 Amended Appropriations Resolution.
- D. Recommend approval of the disposal of the following fixed assets:

<u>Tag Number</u>	<u>Description</u>	<u>Location</u>
20381	Cell phone	Business Office
20383	Cell phone	Business Office
20384	Cell phone	Business Office
20385	Cell phone	Business Office
20386	Cell phone	Business Office

FAIRFIELD CITY SCHOOLS BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 24, 2011

20389	Cell phone	Business Office
20390	Cell phone	Business Office
20391	Cell phone	Business Office
20392	Cell phone	Business Office
20393	Cell phone	Business Office
20394	Cell phone	Business Office
20395	Cell phone	Business Office
20399	Cell phone	Business Office
20400	Cell phone	Business Office
20402	Cell phone	Business Office
20404	Cell phone	Business Office
20405	Cell phone	Business Office
20407	Cell phone	Business Office
20408	Cell phone	Business Office
20411	Cell phone	Business Office
20412	Cell phone	Business Office
20414	Cell phone	Business Office
20415	Cell phone	Business Office
20422	Cell phone	Business Office
20423	Cell phone	Business Office
20424	Cell phone	Business Office
20427	Cell phone	Business Office
20429	Cell phone	Business Office
20430	Cell phone	Business Office
20432	Cell phone	Business Office
20433	Cell phone	Business Office
20434	Cell phone	Business Office
20435	Cell phone	Business Office
20436	Cell phone	Business Office
20437	Cell phone	Business Office
20439	Cell phone	Business Office
20447	Cell phone	Business Office
20450	Cell phone	Business Office
20452	Cell phone	Business Office
20453	Cell phone	Business Office
20455	Cell phone	Business Office
20633	Cell phone	Business Office
21943	Cell phone	Business Office
15139	Camcorder	Curriculum
21445	Digital player w speakers	Curriculum
11499	Apple laptop	Intermediate School
11507	Apple laptop	Intermediate School
11525	Apple laptop	Intermediate School
13535	Apple laptop	Intermediate School
15092	Apple laptop	Intermediate School
15101	Apple laptop	Intermediate School
15103	Apple laptop	Intermediate School
15108	Apple laptop	Intermediate School

FAIRFIELD CITY SCHOOLS BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 24, 2011

21943	Nextel phone	Middle School
14976	Computer	South Elementary
15838	Computer switch	Technology
20591	Printer	Treasurer's Office

E. Recommend approval of the following donations:

1. A donation of \$44.90 from Katrina Cohill to Fairfield Intermediate School for the Brave Ticket Program.
2. A donation of \$87.50 from Krista Allen to Fairfield Intermediate School for the Brave Ticket Program.
3. A donation of three flip cameras valued at \$204 from the Fairfield North Elementary PTC to Fairfield North Elementary School.

Total donations for 2011: \$2,994.40

F. Recommend approval of the following changes for the July 2011 board meetings:

Work Session – July 7, 2011 – Cancelled
Regular Meeting – July 21, 2011 – Cancelled
Rescheduled - Regular Meeting – July 13, 2011, 5:00 PM, FHS Community Room

SECOND – Seconded by Mrs. Shorter
Public comments: None
Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

11-34 APPROVAL OF THE RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,425,000 FOR THE PURPOSE OF CONSTRUCTING COOLING SYSTEM IMPROVEMENT FOR SCHOOL FACILITIES (SEE EXHIBIT A)

MOTION – Moved by Mr. Murray to approve the following:

- G. Recommend approval of the resolution authorizing the issuance of bonds in a principal amount not to exceed \$1,425,000 for the purpose of constructing cooling system improvements for school facilities (see Exhibit A-attached-for the full resolution).

SECOND – Seconded by Dr. Morris
Public comments: Mr. Engel requested that the projects be listed on the district website.
Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

11-35 RECOMMEND THE APPROVAL OF THE RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,750,000 SCHOOL ENERGY CONSERVATION IMPROVEMENT BONDS (SEE EXHIBIT B)

MOTION – Moved by Mr. Murray to approve the following:

- H. Recommend approval of the resolution authorizing the issuance of not to exceed \$2,750,000 school energy conservation improvement bonds (see Exhibit B-attached-for the full resolution).

SECOND – Seconded by Mrs. Ko
Public comments: None
Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

11-36 RECOMMEND APPROVAL OF THE RESOLUTION CONSOLIDATING TWO BOND ISSUES OF THE BOARD OF EDUCATION OF THE FAIRFIELD CITY SCHOOL DISTRICT (SEE EXHIBIT C)

MOTION – Moved by Mrs. Shorter to approve the following:

- I. Recommend approval of the resolution consolidating two bond issues of the Board of Education of the Fairfield City School District (see Exhibit C-attached-for the full resolution).

SECOND – Seconded by Dr. Morris
Public comments: None
Board comments: None

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter
Nays: None
Motion Carried: 5-0

COMMITTEE REPORTS

- A. Butler Tech – Dan Murray
Butler Tech Board of Education will have a retreat this Saturday to bring new members up-to-date. He will report back next week at the Work Session.
- B. Fairfield Planning Commission – Mark Morris

ANNOUNCEMENTS

March 3, 2011 - Board Work Session, 6:30 PM, FHS Community Room

BOARD MEMBER COMMENTS

Mrs. Shorter

She had a great time yesterday at the high school attending the African-American Voices of Youth assembly. She is looking forward to next year.

Mr. Murray

He reminded everyone that the Crystal Classic is March 5th.
He thanked Beth Prince for the Intermediate School presentation.
He thanked Nancy Lane and Chad Lewis on their efforts with the HB 264 Project.

Mrs. Ko

She thanked principal Prince for having all of the students present tonight.
She wished all of our athletes good luck this week.

11-37 EXECUTIVE SESSION

MOTION – Moved by Mr. Murray to recess to Executive Session at 6:50 pm to discuss the following:

The appointment, employment, dismissal, discipline, promotion, demotion, or compensation of public employees 121.22 (G) (1)

Court Action 121.22 (G) (3) – Pending or Imminent Litigation

SECOND – Seconded by Dr. Morris

ROLL CALL – Ayes: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray & Mrs. Shorter

Nays: None

Motion Carried: 5-0

The Board resumed the meeting at 9:32 pm.

11-38 ADJOURNMENT

MOTION – Moved by Mrs. Ko to adjourn the meeting.

SECOND – Seconded by Mrs. Shorter

ROLL CALL – Ayes: Mrs. Ko, Mr. Kearns, Dr. Morris, Mr. Murray & Mrs. Shorter

Nays: None

Motion Carried: 5-0

The meeting was adjourned at 9:34 pm by the President, Mr. Kearns.

President

Attest: _____
Treasurer

The Board of Education of the Fairfield City School District, County of Butler, Ohio, met in regular session at 5:00 p.m., on the 24th day of February, 2011, at Fairfield Intermediate School, Fairfield, Ohio, with the following members present:

Mr. Murray introduced the following resolution and moved its adoption:

FAIRFIELD CITY SCHOOL DISTRICT

RESOLUTION NO. 11-34

A RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$1,425,000 FOR THE PURPOSE OF CONSTRUCTING COOLING SYSTEM IMPROVEMENTS FOR SCHOOL FACILITIES.

WHEREAS, pursuant to Section 133.06 of the Uniform Public Securities law of the Ohio Revised Code, school district can issue bonds in the amount of 1/10th of 1% of the total assessed valuation of the school district; and

WHEREAS, the Treasurer of the Board of Education has heretofore 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 fifteen (15) years, and

WHEREAS, the Board of Education anticipates that the principal and interest on such bonds will be paid from the general revenues of the Board of Education (the "Revenues");

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Fairfield City School District, County of Butler, Ohio:

Section 1. That it is necessary to issue and sell bonds of the Board of Education in a principal sum not to exceed \$1,425,000 (the "Bonds") for the purpose of constructing cooling system improvements for school facilities, including costs described in Section 133.15(B) of the Ohio Revised Code, under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

Section 2. That the Bonds shall be issued in a principal amount not to exceed \$1,425,000, with such final principal amount to be determined by the Treasurer for the purpose aforesaid. The Bonds shall (i) be dated as determined by the Treasurer of the Board of Education, (ii) be numbered from R-1 upwards in order of issuance, (iii) be of the denominations

as requested by the purchaser, provided that each Bond shall be of a single maturity, (iv) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the Treasurer of the Board of Education, provided that the total principal and interest payments on the Bonds in the fiscal year in which the largest amount of principal and interest is payable (whether due to maturity or mandatory sinking fund redemption) shall not exceed three times the amount of principal and interest payable on the Bonds in the year of the lowest principal and interest payment, and provided that the final maturity of the Bonds shall be not later than fifteen years from the date of issuance thereof, and (v) bear interest payable semiannually on such dates as determined by the Treasurer, at the rate or rates per annum determined by the Treasurer of the Board of Education, provided that the net interest cost payable by the Board of Education over the life of the Bonds shall not exceed seven percent (7.00%) per annum. The Bonds shall be issued on a consolidated basis with the Board of Education's not to exceed \$2,750,000 School Energy Conservation Bonds, Series 2011 (the "Energy Conservation Bonds"), pursuant to Section 133.30 of the Ohio Revised Code, and a Consolidating Resolution adopted by the Board of Education this date (the "Consolidating Resolution") the terms of which are incorporated herein by reference. The determinations made by the Treasurer of the Board of Education pursuant to this Section and elsewhere herein shall be made without further action of the Board of Education and shall be conclusive.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this ordinance as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "School Improvement Bonds, Series 2011."

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 Board of Education.

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 a bank or trust company designated by the Treasurer without further action of the Board of Education to serve as Paying Agent, Registrar and Transfer Agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (the fifteenth day of the month immediately preceding each 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 designated office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The Board of Education 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 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 Board of Education and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the Board of Education nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

Section 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the Board of Education are hereby irrevocably pledged, 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 within applicable limitations, 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 of the Bonds when and as the same shall fall due; provided, that in each year to the extent that the Revenues or moneys from other sources are available for the payment of the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the Revenues or such moneys so available and appropriated.

Section 5. That the Bonds shall be sold by the Treasurer of the Board of Education without further action of the Board of Education, with the assistance of Bradley Payne LLC (the "Financial Advisor"), on a private placement basis in order to achieve the lowest available true interest cost for the Board of Education. Such sale price shall not be less than 98% of the principal amount thereof, plus accrued interest to the date of delivery. Such award and sale shall be evidenced by the execution of a Certificate of Award, which is hereby authorized, by the Treasurer of the Board of Education setting forth such award and sale, the other matters to be set forth therein referred to in this resolution, and such other matters as the Treasurer of the Board of Education determines are consistent with this resolution. That the matters contained in the Certificate of Award are consistent with this resolution shall be conclusively evidenced by the execution of the Certificate of Award by such officer. The Certificate of Award shall set forth terms of the Bonds, the Improvement Bonds and the consolidated issue authorized by the Consolidating Resolution. The Certificate of Award shall be and is hereby incorporated into this resolution by reference. The Treasurer of the Board of Education or her designee is directed to make the necessary arrangements on behalf of the Board of Education to establish the date, location, procedure and conditions for the delivery of the Bonds to the original purchaser and to take all steps necessary to effect due authentication and delivery of the Bonds under the terms hereof. It is hereby determined that the purchase price and the interest rates for the Bonds set forth in the Certificate of Award, and the manner of sale and the terms of the Bonds as provided in this resolution and the Certificate of Award, are consistent with all legal requirements and will carry out the public purposes of the Board of Education, in accordance with Chapter 133, Ohio Revised Code. The Treasurer of the Board of Education is hereby authorized to apply for a bond rating and/or municipal bond insurance if she determines that it is in the best interests of the School District to do so.

Section 6. 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 comply with all other provisions of the Code and the regulations applicable to the issuance of tax-exempt government 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 to give an appropriate certificate on behalf of this Board of Education 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, to the extent that they are not designated as Qualified School Construction Bonds as provided in the Consolidating Resolution, are hereby designated as "qualified tax-exempt obligations" to the extent permitted by Section 265(b) of the Code, with such final designations to be set forth in the Certificate of Award.

Section 7. That the Treasurer of the Board of Education is hereby authorized to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for 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.

Section 8. That the Treasurer of this Board of Education, as fiscal officer of the Board of Education, is hereby directed to forward a certified copy of this resolution, the Consolidating Resolution and the Certificate of Award to the Butler County Auditor.

Section 9. 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 10. 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.


Section 11. That this resolution shall take effect immediately upon its adoption.

Dr. Morris seconded the motion and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

AYE: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray, Mrs. Shorter

NAY:

ADOPTED this 24th day of February, 2011.



Treasurer

135003/TAW/skk

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 24th day of February, 2011, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

The undersigned further certifies that a true and correct copy of said resolution was filed with the county auditor of Butler County, Ohio, on the 4th day of March, 2011.

Nancy D. Lane
Treasurer

RECEIPT

The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing resolution.

[Signature]
Auditor
Butler County, Ohio

Dated: 3/1, 2011

135003/TAW/skk

CERTIFICATE AS TO MAXIMUM MATURITY OF BONDS

The undersigned, being the fiscal officer of the Board of Education of the Fairfield City School District, County of Butler, Ohio, within the meaning of Section 133.01 of the Ohio Revised Code, hereby certifies that the estimated life or period of usefulness of the improvements, assets and/or property to be made and/or acquired with the proceeds of the sale of not to exceed \$1,425,000 of bonds for the purpose of constructing cooling system improvements for school facilities, is at least five (5) years, and that the maximum maturity of said bonds in accordance with Section 133.20 of the Ohio Revised Code, is fifteen (15) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of February, 2011.



Treasurer

The Board of Education of the Fairfield City School District, County of Butler, Ohio, met in regular session at 5:00 p.m., on the 24th day of February, 2011, at Fairfield Intermediate School, Fairfield, Ohio, with the following members present:

Mr. Murray introduced the following resolution and moved its adoption:

FAIRFIELD CITY SCHOOL DISTRICT

RESOLUTION NO. 11-35

A RESOLUTION AUTHORIZING THE ISSUANCE OF
NOT TO EXCEED \$2,750,000 SCHOOL ENERGY
CONSERVATION IMPROVEMENTS BONDS.

WHEREAS, this board of education (the "Board of Education") received the report of National Energy Control, a qualified engineering firm (the "Engineer") containing the Engineer's analysis and recommendations pertaining to installations, modifications of installations or remodeling that would significantly reduce energy consumption in buildings owned by the Board of Education (referred to herein as the "energy conservation measures"), including estimates of all costs of such installations, modifications or remodeling, including costs of design, engineering, installation, maintenance, repairs and debt service, and estimates of the amounts by which energy consumption would be reduced; and

WHEREAS, the Board of Education found and determined that the amount of money the Board of Education would spend on such energy conservation measures is not likely to exceed the amount of money it would save in energy costs over the ensuing fifteen (15) years, and the Board of Education submitted to the Ohio Schools Facilities Commission (the "OSFC") a copy of its findings and requested approval to incur indebtedness to finance the making of such energy conservation measures for the purpose of significantly reducing energy consumption; and

WHEREAS, the OSFC has determined that this Board of Education's findings are reasonable and approved the Board of Education's request for approval to incur indebtedness for the purpose of making such energy conservation measures; and

WHEREAS, the Treasurer of the Board of Education has heretofore 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 fifteen (15) years, and

WHEREAS, the Board of Education anticipates that the principal and interest on such bonds will be paid from the general revenues of the Board of Education, particularly, such savings in energy costs (the "Revenues");

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Fairfield City School District, County of Butler, Ohio:

Section 1. That it is necessary to issue and sell bonds of the Board of Education in a principal sum not to exceed \$2,750,000 (the "Bonds") for the purpose of acquiring, constructing and installing energy conservation measures, including costs described in Section 133.15(B) of the Ohio Revised Code, under authority of and pursuant to the general laws of the State of Ohio, particularly Chapter 133 of the Ohio Revised Code.

Section 2. That the Bonds shall be issued in a principal amount not to exceed \$2,750,000, with such final principal amount to be determined by the Treasurer for the purpose aforesaid. The Bonds shall (i) be dated as determined by the Treasurer of the Board of Education, (ii) be numbered from R-1 upwards in order of issuance, (iii) be of the denominations as requested by the purchaser, provided that each Bond shall be of a single maturity, (iv) mature or be subject to mandatory sinking fund redemption on the dates and in the amounts determined by the Treasurer of the Board of Education, provided that the total principal and interest payments on the Bonds in the fiscal year in which the largest amount of principal and interest is payable (whether due to maturity or mandatory sinking fund redemption) shall not exceed three times the amount of principal and interest payable on the Bonds in the year of the lowest principal and interest payment, and provided that the final maturity of the Bonds shall be not later than fifteen years from the date of issuance thereof, and (v) bear interest payable semiannually on such dates as determined by the Treasurer, at the rate or rates per annum determined by the Treasurer of the Board of Education, provided that the net interest cost payable by the Board of Education over the life of the Bonds shall not exceed seven percent (7.00%) per annum. The Bonds shall be issued on a consolidated basis with the Board of Education's not to exceed \$1,425,000 School Improvement Bonds, Series 2011 (the "Improvement Bonds"), pursuant to Section 133.30 of the Ohio Revised Code, and a Consolidating Resolution adopted by the Board of Education this date (the "Consolidating Resolution") the terms of which are incorporated herein by reference. The determinations made by the Treasurer of the Board of Education pursuant to this Section and elsewhere herein shall be made without further action of the Board of Education and shall be conclusive.

Pending preparation of definitive Bonds, any Bonds may be initially delivered in temporary form exchangeable for definitive Bonds when such definitive Bonds are ready for delivery. The temporary Bonds may be printed, lithographed or typewritten and may contain such reference to any of the provisions of this ordinance as may be appropriate. Every temporary Bond shall be executed by the Paying Agent and Registrar upon the same conditions and in substantially the same manner as definitive Bonds. If the Paying Agent and Registrar delivers temporary Bonds, it shall execute and furnish definitive Bonds at the earliest practicable time, and thereupon, the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and Registrar, and the Paying Agent and Registrar shall deliver in exchange for such temporary Bonds an equal aggregate principal amount of definitive Bonds. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this resolution as definitive Bonds delivered pursuant hereto.

The Bonds shall be designated "School Energy Conservation Improvements Bonds, Series 2011."

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 Board of Education.

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 a bank or trust company designated by the Treasurer without further action of the Board of Education to serve as Paying Agent, Registrar and Transfer Agent (the "Paying Agent and Registrar") for the Bonds. The principal amount of each Bond shall be payable at the principal office of the Paying Agent and the Registrar and interest thereon shall be made on each interest payment date to the person whose name appears on the record date (the fifteenth day of the month immediately preceding each 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 Board of Education 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 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 Board of Education and the Paying Agent and Registrar may deem and treat the registered holders of the Bonds as the absolute owners thereof for all purposes, and neither the Board of Education nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

Section 4. That for the payment of the Bonds and the interest thereon, the full faith, credit, and revenue of the Board of Education are hereby irrevocably pledged, 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 within applicable limitations, 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 of the Bonds when and as the same shall fall due; provided, that in each year to the extent that the Revenues or moneys from other sources are available for the payment of the Bonds and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the Revenues or such moneys so available and appropriated.

Section 5. That the Bonds shall be sold by the Treasurer of the Board of Education without further action of the Board of Education, with the assistance of Bradley Payne LLC (the "Financial Advisor"), on a private placement basis in order to achieve the lowest available true interest cost for the Board of Education. Such sale price shall not be less than 98% of the principal amount thereof, plus accrued interest to the date of delivery. Such award and sale shall be evidenced by the execution of a Certificate of Award, which is hereby authorized, by the Treasurer of the Board of Education setting forth such award and sale, the other matters to be set forth therein referred to in this resolution, and such other matters as the Treasurer of the Board of Education determines are consistent with this resolution. That the matters contained in the Certificate of Award are consistent with this resolution shall be conclusively evidenced by the execution of the Certificate of Award by such officer. The Certificate of Award shall set forth terms of the Bonds, the Improvement Bonds and the consolidated issue authorized by the Consolidating Resolution. The Certificate of Award shall be and is hereby incorporated into this resolution by reference. The Treasurer of the Board of Education or her designee is directed to make the necessary arrangements on behalf of the Board of Education to establish the date, location, procedure and conditions for the delivery of the Bonds to the original purchaser and to take all steps necessary to effect due authentication and delivery of the Bonds under the terms hereof. It is hereby determined that the purchase price and the interest rates for the Bonds set forth in the Certificate of Award, and the manner of sale and the terms of the Bonds as provided in this resolution and the Certificate of Award, are consistent with all legal requirements and will carry out the public purposes of the Board of Education, in accordance with Chapter 133, Ohio Revised Code. The Treasurer of the Board of Education is hereby authorized to apply for a bond rating and/or municipal bond insurance if she determines that it is in the best interests of the School District to do so.

Section 6. 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 comply with all other provisions of the Code and the regulations applicable to the issuance of tax-exempt government 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 to give an appropriate certificate on behalf of this Board of Education 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, to the extent that they are not designated as Qualified School Construction Bonds as provided in the Consolidating Resolution, are hereby designated as "qualified

tax-exempt obligations" to the extent permitted by Section 265(b) of the Code, with such final designations to be set forth in the Certificate of Award.

Section 7. That the Treasurer of the Board of Education is hereby authorized to execute and deliver an agreement with the Paying Agent and Registrar for its services as paying agent, registrar and transfer agent for 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.

Section 8. That the Treasurer of this Board of Education, as fiscal officer of the Board of Education, is hereby directed to forward a certified copy of this resolution, the Consolidating Resolution and the Certificate of Award to the Butler County Auditor.

Section 9. 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 10. 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.

Section 11. That this resolution shall take effect immediately upon its adoption.

Mrs. Ko seconded the motion and the roll being called upon the question of adoption of the resolution, the vote resulted as follows:

AYE: Mr. Kearns, Mrs. Ko, Dr. Morris, Mr. Murray, Mrs. Shorter

NAY:

ADOPTED this 24th day of February, 2011.




Treasurer

135003/TAW/skk

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted at a meeting held on the 24th day of February, 2011, together with a true and correct extract from the minutes of said meeting to the extent pertinent to consideration and adoption of said resolution.

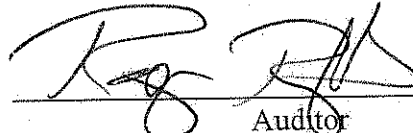
The undersigned further certifies that a true and correct copy of said resolution was filed with the county auditor of Butler County, Ohio, on the 4th day of March, 2011.



Treasurer

RECEIPT

The undersigned hereby acknowledges receipt this day of a certified copy of the foregoing resolution.



Auditor
Butler County, Ohio

Dated: 2/1, 2011

135003/TAW/skk

CERTIFICATE AS TO MAXIMUM MATURITY OF BONDS

The undersigned, being the fiscal officer of the Board of Education of the Fairfield City School District, County of Butler, Ohio, within the meaning of Section 133.01 of the Ohio Revised Code, hereby certifies that the estimated life or period of usefulness of the improvements, assets and/or property to be made and/or acquired with the proceeds of the sale of not to exceed \$2,750,000 of bonds for the purpose of constructing energy conservation improvements, is at least five (5) years, and that the maximum maturity of said bonds in accordance with Section 133.20 of the Ohio Revised Code, is fifteen (15) years.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of February, 2011.



Treasurer

The Board of Education of the Fairfield City School District, County of Butler, Ohio, met in regular session at 5:00 p.m., on the 24th day of February, 2011, at Fairfield Intermediate School, Fairfield, Ohio, with the following members present:

Mrs. Shorter introduced the following resolution and moved its adoption:

FAIRFIELD CITY SCHOOL DISTRICT

RESOLUTION NO. 11-36

RESOLUTION CONSOLIDATING TWO BOND ISSUES OF
THE BOARD OF EDUCATION OF THE FAIRFIELD CITY
SCHOOL DISTRICT.

WHEREAS, this Board of Education previously adopted two separate bond resolutions (collectively, the "Bond Resolutions"), which authorized two bond issues in an aggregate principal amount of not to exceed \$4,175,000 (collectively, the "Bonds") for the following purposes: 1) not to exceed \$1,425,000 School Improvement Bonds, Series 2011 and 2) not to exceed \$2,750,000 School Energy Conservation Improvements Bonds, Series 2011; and

WHEREAS, this Board of Education desires to consolidate the two issues of bonds into a single bond issue to achieve certain cost savings;

WHEREAS, this Board of Education applied to the Ohio School Facilities Commission (the "OSFC") to issue said bonds as Qualified School Construction Bonds ("Qualified School Construction Bonds" or "QSCBs") pursuant to Sections 54F and 54A of the Internal Revenue Code of 1986, as amended (the "Code"), and has received an allocation of the qualified school construction bond limitation amount for the State of Ohio for 2010 from the OSFC in the principal amount of \$3,351,665; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Fairfield City School District, County of Butler, Ohio:

Section 1. That, pursuant to the provisions of Section 133.30 of the Ohio Revised Code (the "Revised Code"), the two separate issues of bonds shall be consolidated into a single issue which shall be known as "Various Purpose School Improvement Bonds, Series 2011" (the "2011 Bonds").

Section 2. That the 2011 Bonds shall be issued in said principal sum of not to exceed \$4,175,000 for the above-described purposes under authority of the general laws of the State of Ohio, particularly the Uniform Public Securities Law of the Revised Code. The provisions of the

Bond Resolutions and the Certificate of Award authorized therein are incorporated herein by reference. The 2011 Bonds shall be issued in the minimum denomination of \$100,000 and in integral multiples of \$5,000 in excess of such minimum denomination.

Section 3. That the proceeds of the sale of the 2011 Bonds shall be apportioned, deposited and credited in accordance with Section 133.32 of the Revised Code, to the respective purposes and funds in accordance with the amounts of each of the issues of bonds authorized by the appropriate Bond Resolutions.

Section 4. This Board of Education hereby retains its option that not to exceed \$3,351,665 of the 2011 Bonds may be designated as Qualified School Construction Bonds pursuant to Section 54F(a)(3) of the Code. The Treasurer is hereby authorized and directed to designate (by irrevocable election on behalf of the District) such portion of the 2011 Bonds as Qualified School Construction Bonds, which 2011 Bonds, if so designated, shall bear interest which shall be included in gross income for federal income tax purposes. With respect to any 2011 Bonds designated as Qualified School Construction Bonds, such 2011 Bonds are taxable governmental obligations, and the District covenants that it will comply with all requirements applicable to the issuance of tax-exempt governmental bonds, as well as all applicable laws and regulations necessary to ensure that the 2011 Bonds shall be recognized as Qualified School Construction Bonds. Any 2011 Bonds not designated as Qualified School Construction Bonds shall be issued on a tax-exempt basis. The 2011 Bonds shall be issued in one or more series, as necessary, and shall bear separate series designations to clearly identify the 2011 Bonds which are designated as Qualified School Construction Bonds and those which are tax-exempt obligations.

With respect to any 2011 Bonds designated as Qualified School Construction Bonds, this Board of Education of Education, on behalf of the District, hereby irrevocably elects pursuant to Section 6431(f)(3)(B) of the Code the direct credit payment to issuer option as provided in Section 6431 of the Code under which the United States Treasury shall pay to the District the lesser of (a) the amount of interest payable under such 2011 Bond on such date, and (b) the amount of interest which would have been payable under such 2011 Bond on such date if such interest were determined at the applicable credit rate determined under Section 54A(b)(3) of the Code, so long as the 2011 Bonds comply with all federal tax requirements of Qualified School Construction Bonds.

This Board of Education acknowledges that for any 2011 Bonds designated as Qualified School Construction Bonds, pursuant to Sections 54A and 54F of the Code, this Board of Education shall comply with the following provisions: (a) no less than 100% of the "available project proceeds" (as defined in Section 54A(e)(4) of the Code) of the 2011 Bonds will be used for a "qualified purpose" (as defined in Sections 54A(d)(2)(C) and 54F(a)(1) of the Code) within three (3) years from the issue date of the 2011 Bonds; (b) it will enter into a binding commitment with a third party to spend at least 10% of the "available project proceeds" within the six-month period beginning on the issue date of the 2011 Bonds; and (c) the improvements will be completed with due diligence and the available project proceeds will be spent with due diligence. In addition, this Board of Education acknowledges that for any 2011 Bonds designated as Qualified School Construction Bonds, this Board of Education shall certify that each building so improved is a public school facility in accordance with Section 54F(a)(1) of the Code, and this Board of Education shall covenant that it shall not, at any time or times, use any of the "available project proceeds" of the 2011 Bonds directly or indirectly to acquire any facilities the acquisition of which does not constitute a "qualified purpose" within the meaning of Sections 54A(d)(2)(C) and 54F(a)(1) of the Code. For any 2011 Bonds designated as Qualified School Construction

Bonds, this Board of Education shall at all times do and perform all acts and things permitted or required by law or regulation and necessary or desirable in order to assure that such 2011 Bonds shall at all times constitute Qualified School Construction Bonds within the meaning of Section 54F of the Code.

This Board of Education acknowledges that for any 2011 Bonds designated as Qualified School Construction Bonds, prior to the issuance of such 2011 Bonds, and as a condition precedent to such issuance, it shall certify by delivery of a tax compliance certificate signed by the Treasurer that on the basis of the facts, estimates and circumstances in existence on the date of issuance of the 2011 Bonds, the proceeds of the 2011 Bonds will be used in a manner to satisfy the requirements of Sections 54A, 54F and 6431(f) of the Code and any federal regulations applicable to the 2011 Bonds.

The Treasurer or her designee is hereby authorized and directed to execute and file on behalf of the District a "Return for Credit Payments to Issuers of Qualified 2011 Bonds" (Form 8038 CP) with the United States Department of the Treasury on the dates and at the place designated in Form 8038-CP and applicable provisions of the Code and Treasury Regulations issued thereunder for the 2011 Bonds. Unless otherwise provided in the Certificate of Award, funds received by the District pursuant to the filing of Form 8038-CP may be credited to the District's Bond Retirement Fund, General Fund or Permanent Improvement Fund with such allocation as determined by the Treasurer.


Section 5. That the Treasurer is hereby directed to forward a copy of this resolution, the Bond Resolutions and the Certificate of Award to the Butler County Auditor, as required by law.

Section 6. 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 adopted in an open meeting 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 in meetings open to the public, in compliance with all legal requirements included in Section 121.22 of the Revised Code.

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a resolution adopted on the 24th day of February, 2011, and a true and correct copy of excerpts from the minutes of the meeting at which said resolution was adopted, to the extent pertinent to consideration and adoption thereof.

The undersigned further certifies that a true and correct copies of said resolution, the Bond Resolutions and the Certificate of Award were certified to the Butler County Auditor on the 4th day of March, 2011.



Treasurer

RECEIPT

The undersigned hereby acknowledges receipt on this date of a certified copy of the foregoing resolution, the Bond Resolutions and the Certificate of Award.



Butler County Auditor

Dated: 3/2, 2011

135003/TAW/skk