

PUBLIC HEARING
ESU #1 Tower School Addition/Renovation

A public hearing of the ESU #1 Board was held on Tuesday, April 8, at 5:30 p.m. at the central office (Conference Room B) in Wakefield. The purpose of the Hearing is to hear support, opposition, criticism, suggestions or observations from the public, or allow the public to file objections related to the proposed plans and specifications, proposed form of contract and estimated costs of said improvements for the addition and renovation of Educational Service Unit #1 Tower School. Tower School is located at 901 E 14th Street, Wayne, NE.

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of public hearings.

Present: Joy Bock, Linda Steele, Rich Higgins, Dave Dowling, Fred Boelter, Ronnie Wenstrand, Rodney Garwood and Kelly Ballinger. **Absent:** Wayne Goeden and Stan Copple

Audience: Rex Holtze of Sioux Contractors

Public Comment: None

Hearing closed at 5:32 p.m.

Approval of the contract and estimates, bids, and/or other associated requirements for the addition and renovation of Tower School will take place at the regular meeting immediately following this Hearing.

ESU #1 BOARD MEETING
April 8, 2008

A meeting of the ESU #1 Board of Directors convened in open and public session on Tuesday, April 8, 2008, at 5:33 p.m. at ESU #1 in Wakefield, Nebraska.

Present: Joy Bock, Linda Steele, Rich Higgins, Dave Dowling, Fred Boelter, Ronnie Wenstrand, Rodney Garwood and Kelly Ballinger. **Absent:** Wayne Goeden and Stan Copple

Notice of the meeting was given in advance by publication and/or posting in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Directors. The Recording Secretary maintains a list of news media requesting notification of meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and a current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Directors, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

Audience: Rex Holtze of Sioux Contractors

Call Meeting to Order. The meeting was duly called to order.

A. Announcement of Open Meetings Act Posting

At the beginning of this meeting, the Chairperson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting.

B. Approval of Agenda. Motion by Higgins, second by Garwood, to approve the April 8, agenda as presented. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None; **Not Voting:** None; **Motion carried:** 8-0

C. Consent Agenda. Motion by Wenstrand, second by Steele, to approve all items on the consent agenda as provided (March 11, Minutes; Financial Reports; Treasurer's Report, April Bills of \$554,215.93, and Administrator's Report). After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None; **Not Voting:** None; **Motion carried:** 8-0

D. Public Comment. No Public Comment.

E. Tower School Budget Approval. Motion by Boelter, second by Steele, to approve the budget of \$255,700 for the addition and renovation of ESU #1 Tower School as presented by Sioux Contractors. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None; **Not Voting:** None; **Motion carried:** 8-0

F. Tower School Bid Approval. Motion by Garwood, second by Ballinger, to approve the contractor bids in total as presented by Sioux Contractors. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None;
Not Voting: None; **Motion carried:** 8-0

- G. A/V & Computer Repair Contract. Motion by Garwood, second by Steele, to approve the Memorandum of Understanding between ESU #1 and Hefner Electronics for A/V and Computer Repair for academic year 2008-09 at a rate of \$46/hour. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None;
Not Voting: None; **Motion carried:** 8-0

- H. Property/Liability Insurance. Administrator Uhing reviewed the ESU #1 insurance package underwritten by Employer's Mutual, effective April 2.

- I. Tower Addition Financing. Administrator Uhing reported that the Tower School addition/renovation project will be financed through the general fund and will not require securing a loan.

- J. Master Contract Addendum. Motion by Boelter, second by Wenstrand, to approve the Master Agreement Addendum for 2008-09 as presented. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None;
Not Voting: None; **Motion carried:** 8-0

- K. 403(b) Resolution/Timetable. Motion by Higgins, second by Steele, to approve *Board Resolution Concerning Section 403(B) Arrangement* (Attachment A) and timelines outlined. Attachment A shall be considered as part of the minutes as though contained herein. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None;
Not Voting: None; **Motion carried:** 8-0

- L. Classified Negotiations. Administrator Uhing reported that the Classified Staff information is not yet available.

- M. Personnel. Motion by Wenstrand, second by Steele, to approve the resignation of Joy Mason (Sp/Lg Pathologist) effective at the end of academic year 2008-09 and Katie Naslund (Physical Therapist) effective May 1, 2008. After discussion and on roll call vote, the Board voted as follows:

For: Bock, Steele, Higgins, Dowling, Boelter, Wenstrand, Garwood and Ballinger; **Against:** None;
Not Voting: None; **Motion carried:** 8-0

- N. Adjournment. Motion by Bock, second by Dowling, to adjourn the meeting at 6:20 p.m. Unanimous approval received.

Lisa Salmon, Recording Secretary

Ronnie Wenstrand, Board Secretary

Next Meeting @ ESU #1 (Wakefield) ~ Tuesday, May 13, 2008

ATTACHMENT A

**ESU #1 BOARD RESOLUTION
CONCERNING SECTION 403(b) ARRANGEMENT**

WHEREAS, Educational Service Unit #1 (hereinafter described as ESU #1) allows employees to elect to defer compensation into annuity contracts or custodial accounts intended to meet the requirements of Section 403(b) of the Internal Revenue Code ("Code") (such contracts or accounts being hereafter described as "Contracts"); and

WHEREAS, the Internal Revenue Service has issued final regulations pursuant to Code Section 403(b) that require the adoption of written plan documents before 2009 and implementation of procedures designed to assure compliance with the final regulations and other applicable law; and

WHEREAS, the Board desires to authorize the officers of ESU #1 to decide how the Unit should proceed in light of the final regulations and, if applicable, to execute a written plan and administrative agreements and documents and take any required actions to assure ESU #1's compliance with applicable law.

RESOLVED, that any of the Board officers, Administrator, or the Administrator's designee are hereby authorized and directed to execute such documents and take such action as may be necessary to decide whether, the extent to which, and the manner in which ESU #1 should continue to allow deferrals and contributions to be made by its employees to 403(b) Contracts.

RESOLVED FURTHER, that any such officer is authorized and directed, without further action of the Board,

- to decide what, if any, provisions a written plan governing the 403(b) arrangement (the "Plan") maintained by ESU #1 should contain,
- to decide whether ESU #1 should use a Third Party Administrator ("TPA"), single insurer or custodian, or multiple vendors for the Plan,
- to obtain advice from legal and other professionals concerning the Plan,
- to decide whether and to whom a request for proposal should be directed for services concerning the Plan,
- to execute a Plan document containing such provisions as he or she deems appropriate in his or her sole discretion,
- to execute such agreements with a TPA, insurer, custodian or vendor and documents as he or she deems appropriate concerning the administration and other matters associated with the Plan,
- to take such action as he or she deems appropriate, on the advice of counsel or in his or her discretion, to cause the plan to comply with and be administered according to applicable law and its terms.