

EMERGENCY SPECIAL MEETING

BEAR GRAPHICS - 800-325-8094 FORM NO. 10148

Held APRIL 6, 20 19

The Emergency Special Meeting of the Warrensville Heights Board of Education was held on Saturday, April 6, 2019, at 1:00 p.m., at the Warrensville Heights Administration Building, Board Room, 4500 Warrensville Center Road, Warrensville Heights, Ohio.

President Mitchell called the meeting to order and asked the Treasurer, Dr. Michael A. Rock, to call the roll. The roll call revealed the following members present: Mrs. Michele Elba, Mr. Ray A. Freeman, Mrs. Millicent Gaiter, Ms. Traci Mitchell, Mrs. Barbara A. Mumin

Mr. Donald J. Jolly, II, Superintendent, also in attendance.

Agenda

Moved by Mrs. Gaiter and seconded by Mrs. Mumin to accept the Agenda, dated April 6, 2019, with the following addition: "Item 1.4 amend to include cost \$67,185.00."

Vote:

Ayes – Mrs. Elba, Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Ms. Mitchell

Nays – None

Motion carried

R-04-19-58

5-0

Resolution Declaring an Emergency

Information: 1.3 Resolution declaring an emergency: Superintendent Jolly explained that while the contractors were repairing and installing a new gym floor, a new section recently opened up revealed a material that require further analysis and testing. The project was stopped until consultants and expertise in testing for asbestos and air quality can be assessed. Mr. Jolly stated that Cincinnati Flooring will complete the job after the assessment. It was determined by Emerald that an abatement is necessary for the project and Safe Air prepared quotes for the abatement. Mr. Jolly stated that he is recommending a resolution declaring an emergency in order to address the issue immediately and in order to keep the new flooring project on track for the beginning of next school year in August of 2019. Mr. Jolly continued with the explanation that the initial tests from March 11th were negative for the project, thus the project was initiated. The additional material was spotted when another section of the old floor was removed for the project on March 27th. Legal Counsel Donna Andrew was present for legal advice and a further description on the asbestos abatement process. Owner's Representative Steve Zannoni was present for further descriptions on the asbestos abatement process.

Moved by Mr. Freeman and seconded by Mrs. Gaiter to approve the following Resolution Declaring that a Case of Urgent Necessity Exists and Authorizing the Superintendent to Enter into a Contract without Competitive Bidding (O.R.C. §3313.46):

Whereas, there was a flood in the High School on January 23, 2019 due to ruptured pipes that damaged the Main High School Gym floor; and

Whereas, on March 27, 2019 during the repair of the floor by the flooring contractors, material was discovered in an area of the lower sub-floor that tested positive for asbestos; and

Whereas, the repair had to be immediately halted and the District contracted the Ohio EPA and Ohio EPA certified contractors who could assist with the repair and remediation of the asbestos material in a manner consistent with Ohio EPA regulations and in accordance with Board Policy; and

RECORD OF PROCEEDINGS

Minutes of

WARRENSVILLE HEIGHTS CITY BOARD OF EDUCATION

Meeting 11-19

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Whereas, compliance with the procedures for the advertisement for bids prescribed by O.R.C. §3313.46 would delay the remediation and repair of the Main High School Gym floor for an excessive period of time thereby threatening the health, safety, and welfare of personnel, students and other individuals present in the Building; and

Whereas, the Board has solicited quotes from area Ohio EPA certified companies/contractors for the repair and remediation of the subflooring and three companies/contractors have provided estimates for the reasonable costs associated with the necessary work;

Now, Therefore, Be It Resolved, by the Board of Education of the Warrensville Heights City School District, Cuyahoga County, Ohio, that:

Section 1: It is hereby found, determined, and declared that, pursuant to and in accordance with O.R.C. §3313.46, there is a case of urgent necessity requiring the immediate repair and remediation of the subfloor of the Main High School Gym.

Section 2: It is further found and determined that compliance with the procedures for the advertisement for bids prescribed by O.R.C. §3313.46 would delay the commencement of the needed repair and remediation work on the Main High School Gym floor for an excessive period of time and may pose an undue threat to the health, safety, and welfare of personnel, students and other individuals present in the Building.

Section 3: In lieu of the procedures prescribed by O.R.C. §3313.46, the Superintendent or designee is hereby authorized and directed to enter into a contract on behalf of the Board for the immediate remediation and repair work to the Main High School gym floor.

Section 4: The Superintendent or designee is hereby authorized to take any and all actions that he determines to be necessary to carry out the purposes of this Resolution.

Section 5: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were adopted in meetings open to the public in compliance with all legal requirements including O.R.C. §121.22.

Vote:

Ayes – Mrs. Elba, Mrs. Mumin, Mrs. Gaiter, Mr. Freeman, Ms. Mitchell

Nays – None

Motion carried

R-04-19-59

5-0

Resolution to Enter into a Contract with a Contractor for such Remediation and Repair Information: 1.4 Resolution to enter into a contract with a contractor for such remediation and repair. Board Members inquired on further details of the process and issue with Superintendent Jolly, Legal Counsel Donna Andrew, and Owner's Representative Steve Zannoni providing answers. Mrs. Gaiter thanked all for the prompt information and set up of the emergency meeting.

Moved by Mr. Freeman and seconded by Mrs. Gaiter to approve the following Resolution to Enter into a Contract with a Contractor for such Remediation and Repair – Cost \$67,185.00:

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Whereas, on April 6, 2019, the Board of Education met in emergency session and found, in accordance with O.R.C. §3313.46, that there was a case of urgent necessity requiring the immediate remediation and repair of asbestos containing material in the subfloor under the Main High School Gym floor; and

Whereas, the Board of Education authorized and directed the Superintendent (or designee) to enter into a contract on behalf of the Board for the immediate remediation repair of the Main High School Gym floor by an Ohio EPA certified contractor;

Now, Therefore, Be It Resolved, by the Board of Education of the Warrensville Heights City School District, Cuyahoga County, Ohio, that:

Section 1: The Board hereby approves the attached Contract for the remediation and repair of the subfloor of the Main High School Gym floor. The Board President, Treasurer and Superintendent are hereby authorized to perform any actions necessary to execute the terms and conditions of the Contract.

Section 2: It is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were adopted in meetings open to the public in compliance with all legal requirements including O.R.C. §121.22.

Vote:

Ayes – Mrs. Elba, Mrs. Mumin, Mrs. Gaiter, Mr. Freeman, Ms. Mitchell

Nays – None

Motion carried

R-04-19-60

5-0

Adjournment

Moved by Mrs. Gaiter and seconded by Mrs. Mumin that the board adjourn the meeting.

Vote:

Ayes – Mrs. Elba, Mr. Freeman, Mrs. Mumin, Mrs. Gaiter, Ms. Mitchell

Nays – None

Motion carried

R-04-19-61

5-0

Meeting adjourned at 1:48 p.m.

5/20/19
DATE

[Signature]
PRESIDENT

ATTEST:

[Signature]
TREASURER