

**NOTE: These are "proposed" minutes and will not be approved until the May 7, 2019 School Board Meeting**

4:00 p.m.  
Administration Center

Tuesday  
April 16, 2019

### **PUBLIC HEARING ON LEASE AND ADDITIONAL APPROPRIATION**

**CALL TO ORDER** – President Joanna King called the April 16, 2019 School Board Public Lease Hearing and the Additional Appropriation Hearing to order at 4:00 p.m. All board members were present with the exception of Mr. Souder and Mr. Gayler. Others in attendance included Jane Allen, Superintendent, Robby Goodman, Assistant Superintendent, and Mark Snyder, Director of Business Services.

**CONDUCT PUBLIC HEARING ON LEASE** – The school corporation is funding the athletic project that we are doing thru a Lease Financing, as was done with other past construction and renovation projects. Lease Financings are used by school corporations across the State of Indiana in order to borrow for renovation and construction. Middlebury Schools Community Building Corporation will purchase real estate for the athletic facility and a portion of Northridge Middle School Building at the closing for at least the appraisal value. The Building Corporation will then lease the real estate back to the School Corporation. The lease rental due from the School Corporation will be paid by property taxes.

**CONDUCT PUBLIC HEARING ON ADDITIONAL APPROPRIATION** – To help us build this project, the school corporation is receiving an amount of money when it sells bonds. That money comes to the school district. It is not in the budget right now. Because it is not in the budget right now, we need to put it in the budget with an appropriation. This needs to be done with board approval.

**PUBLIC COMMENT** – None.

**ADJOURNMENT** - Mr. Miller moved and Mr. Eash seconded a motion to adjourn the Public Hearing on Lease and the Public Hearing on Additional Appropriation. The motion was approved with a vote of 3-0.

### **Regular School Board Meeting**

**CALL TO ORDER** – President Joanna King called the April 16, 2019 School Board Meeting to order at 4:20 p.m. All board members were present, with the exception of Mr. Souder and Mr. Gayler. Others in attendance included Jane Allen, Superintendent, Robby Goodman, Assistant Superintendent, Mark Snyder, Director of Business Services, and Melissa Deak, Director of Transportation.

**SUPERINTENDENT'S REPORT**- Mrs. Jennice Young, MCS Special Education Director introduced Mrs. Ashley Hout, a Transition Specialist from Corvillia, a non-profit organization in South Bend, IN. Mrs. Hout gave a presentation about Corvillia's services for our community by providing NHS's Mixed Ability and Life Skills Students an internship program. Mrs. Hout is responsible for placing our disabled students in jobs throughout the community. This new program is wonderful for our kids. Mrs. Hout introduced the students that are benefiting from this program and shared a short video of the students working with area businesses. There are seven students in internships and four of the students are paid for their internships. She thanked the Transportation Department (Mrs. Deak) for all their help in transporting these students to and from their jobs. Mrs. Allen thanked the students for coming and also Mrs. Ganger, Special Ed Teacher at NHS and ECSEC Director, Wendy Hite.

EXPRESSIONS FROM PATRONS – Mary Miller lives in the Middlebury school district and is the Director at Little Lites Child Care and Ministry located at 507 Bristol Avenue, Middlebury, IN. She and parents of some of her students are asking the board to reconsider the vote that was taken in 2007 regarding there would not be transportation for day cares that are outside of their district. Their school is in the York school district but they have issues with students that attend Middlebury Elementary. This year her daycare transports fifteen students to Middlebury Elementary School and next year they will have twenty students. Their daycare opens at 4:30 a.m. where other area daycares open at 5:30 a.m. That causes problems with parents who work in factories that open at 5:00 a.m. They are requesting the board reconsider if you have ten or more students going to one elementary school (in-district students only). Most of their kids are kindergarteners and are not able to go to the Boys & Girls Club. Mrs. King asked how many parents were here at tonight’s board meeting and Mrs. Miller said two. She also gave Mrs. Allen a petition. Mrs. King said that the MCS policy states we cannot provide that type of transportation. The challenge they run into is that we would be providing transportation for a lot of kids and we just can’t do it. But, she will take this under advisement and they will discuss this as a board. She really appreciates her coming to the board and sharing this information. Mrs. King thanked her for coming and that Mrs. Allen will be contacting her concerning her request.

CONSENT AGENDA –

- Minutes from the March 19, 2019 School Board Meeting
- Claims
- Personnel

EMPLOYMENT:

Northridge High School

Certified: Clint Borntreger, Blended Learning Teacher, Physical Education  
Start Date: April 17, 2019

Jen Purviance, Blended Learning Teacher, Algebra I  
Start Date: April 17, 2019

Trisha King, Blended Learning Teacher, Algebra II and Geometry  
Replacing: Andrea Kerr, Start Date: April 17, 2019

Warren Anderson, English Teacher, Replacing: Donald Lanctot  
Start Date: August 9, 2019

Chad Eppley, Math Teacher Replacing: Don Weaver  
Start Date: August 9, 2019

Cristy Anzalone Bystry, Temporary Social Studies Teacher  
Covering Mike Logan’s Leave, Start date: April 17, 2019

Classified: Brad Frank, Assistant Athletic Director  
Start Date: April 20, 2019

Administration Center

Classified: Alex Garcia, 12 Month Grounds/Maintenance Worker  
Replacing: Crystal Wolkins, Start Date: April 17, 2019

Northridge Middle School

Classified: Sarah Lyles, 6.5 Hour Autism Para, Replacing: Sarah Lyles  
Start Date: August 14, 2019

Karl Malone, 7 Hour Special Education Assistant  
Replacing: Tracey Hagen, Start Date: April 17, 2019

York Elementary School

Classified: Rachel Franks, 5.5 Hour Instructional Assistant  
Replacing: Susan Booth, Start Date: April 17, 2019

## RESIGNATION:

### Northridge High School

Classified: Carolyn Petty, Guidance Receptionist, Effective Date: June 7, 2019  
Bradley Frank, Athletic Secretary, Effective Date: April 20, 2019

### York Elementary School

Certified: Catherine Brandenberger, Art Teacher, Effective Date: May 30, 2019  
Classified: Susan Booth, 5.5 Hour Instructional Assistant  
Effective Date: April 5, 2019

### Northridge Middle School

Certified: Judith Mantyla, 8<sup>th</sup> Grade Language Arts Teacher  
Effective Date: May 31, 2019  
Classified: Tammy Rumschlag, 3.5 Hour Cafeteria Worker  
Effective Date: March 20, 2019

### Middlebury Elementary School

Classified: Brittany Peacock, 7 Hour Cafeteria Worker  
Effective Date: April 26, 2019

## TRANSFER:

### Administration Center

Classified: Autumn Gray, 4 Hour Technology Administrative Assistant, to:  
5 Hour Technology Administrative Assistant  
Start Date: April 8, 2019

### York Elementary School

Classified: Alissa McClane, 5.5 Hour Instructional Assistant, to:  
7.5 Hour Building Assistant Replacing: Judy Mater  
Start Date: August 12, 2019

### Northridge Middle School

Certified: Stephanie Sizemore, 7<sup>th</sup> Grade Language Arts Teacher, to:  
7<sup>th</sup> Grade Social Studies Teacher, Replacing: Terry Anderson  
Start Date: August 12, 2019

## RETIREMENT:

### York Elementary School

Classified: Shirley Booth, Bookkeeper, Effective Date: August 30, 2019

## EMERGENCY LEAVE:

### Jefferson Elementary School

Classified: Amy Stallman, 6.5 Hour Instructional Assistant  
2.5 Hours: March 28, 2019

### Heritage Intermediate School

Classified: Brandy Barnett-Rood, 6.5 Hour Cafeteria Worker  
6.5 Hours: March 27, 2019; 6.5 Hours: March 28, 2019

### Northridge Middle School

Certified: Amy Fought, Family and Consumer Science Teacher  
3 Days: April 29, May 1, May 3, 2019

### Administration Center

Classified: Ruby Fuentes, Accounts Payable/Deputy Treasurer  
8 Hours: April 18, 2019

## FMLA LEAVE:

### Administration Center

Classified: Desiree Blosser, 12 Month Custodian/ Bus Driver  
From July 15, 2019 to August 12, 2019

Northridge High School

Certified: Kathleen Lichtenberger, Special Education Teacher  
From May 6, 2019 to May 13, 2019

Classified: Laura Anderson, 6 Hour Cafeteria Worker  
From March 6, 2019 to April 17, 2019

LEAVE 3430:

Northridge Middle School

Certified: Jennifer Balsbaugh, 8<sup>th</sup> Grade Science Teacher  
From April 8-9, 2019

Heritage Intermediate School

Certified: Caroline Urbanski, 5<sup>th</sup> Grade Teacher

Mr. Miller moved and Mr. East seconded a motion to approve the Consent Agenda as presented. The motion was approved with a vote of 3-0.

CONSIDER APPROVAL OF NHS HIGH MILEAGE CAR TEAM TO ADVERTISE FOR FUNDING FOR THE 2019-20 SCHOOL YEAR – Members of the NHS High Mileage Car Team (Nick Taylor and Austin Owens) were present to ask for permission to advertise for funding for the 2019-2020 school year. They presented a power-point presentation and answered questions from the board members about their program. Each year the team works on a car with the goal of getting the best gas mileage possible. They competed in California over Spring Break 2019 and are going to the Indiana Super Mileage Challenge at Lucas Oil in Speedway in a couple of weeks. The state does not allow the school to fund this program. Mrs. King questioned how they transported the car ... she was told that NHS, Wawasee and Trine University car-pooled on one trailer to ship to CA. The team competed and passed a 12 step Tech Inspection that is very rigorous and took 4 hours to complete. There were 28 teams in their class and only 17 made it through Tech Inspection. The team made two successful runs on the track and got a gas mileage reading of 97 miles per gallon, which put them in 12<sup>th</sup> place out of 17. They were competing against colleges like Duke (who they beat!) and international schools. Mr. Miller said he saw the budget \$15,000. He was told that was the budget for this year - \$10,000 was for traveling fees. Mr. Miller moved and Mr. Eash seconded a motion to approve the request as presented. The motion was approved with a vote of 3-0. Mrs. King questioned if the team goes down to the Essenhaus Car Show to advertise. It would be really interesting to see how the community is rallying around them and seeing what the kids are doing. Mrs. Allen wished the team good luck in the Super Mileage Challenge!

CONSIDER APPROVAL OF NHS ROBOTICS TEAM TO ADVERTISE FOR FUNDING FOR THE 2019-20 SCHOOL YEAR - Members of the NHS Robotics Team (Ben Seiltz, Jon Conley, Mike Wagner, Brett Warman, Donovan Goldman, John Antalavits, Lucas J. Smith, and Ethan Whitehead) were present and are requesting permission to advertise for funding for the 2019-20 school year. They showed a power-point presentation. They will need the funding to purchase parts to build their robot, registration fees, and travel expenses for all the competitions with a proposed budget of around \$20,000. Mr. Eash moved and Mr. Miller seconded a motion to approve the request as presented. The motion was approved with a vote of 3-0. Mrs. Allen asked, "what did the robot do?" She was told when the game was revealed on January 5th; the team decided they'd throw some of the orange balls into some of the places on the field (where the robot would pick up the pieces). Their placement at State was 29<sup>th</sup> out of 57. MCS is one of the smallest districts competing but in terms of team quality, they are a "rookie" team and are scoring consistently 10 points higher than other teams. Mr. Eash said that rookie inspiration was based on all the rookie programs they were in - NHS team did an excellent job. Mrs. King asked how many of the students are going on to engineering in college. She said there are a lot of companies in Elkhart County that would benefit from what they bring to the table. There is a lot of opportunity for each of the students. Mrs. Allen wanted to point out that Mrs. Griffin is the sponsor for both teams (Robotics and High Mileage Car) and she has done an amazing job with these students. We appreciate all that she has done! Thank you!

Mr. Cockman transported the students on the High Mileage Team to CA where they did a great job. Mrs. King would like Mrs. Allen to share these presentations on social media with our community. Mrs. Allen said she would get that information and post it on-line on our Facebook page.  
All the teams did a great job!

CONSIDER APPROVAL OF RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT – Mr. Eash moved and Mr. Miller seconded a motion to approve a Resolution Authorizing Executing of Lease Agreement as presented. The motion was approved with a vote of 3-0. Exhibit A attached.

CONSIDER APPROVAL OF ADDITIONAL APPROPRIATION RESOLUTION – Mr. Eash moved and Mr. Miller seconded a motion to approve an Additional Appropriation Resolution as presented. The motion was approved with a vote of 3-0. Exhibit B attached.

CONSIDER APPROVAL OF RESOLUTION ASSIGNING CONSTRUCTION BIDS TO BUILDING CORPORATION – Mr. Miller moved and Mr. Eash seconded a motion to approve a Resolution Assigning Construction Bids to the Building Corporation. The motion was approved with a vote of 3-0. Exhibit C attached.

CONSIDER APPROVAL OF RESOLUTION APPROVING FOURTH AMENDMENT TO MASTER CONTINUING DISCLOSURE UNDERTAKING AND ISSUING BONDS – Mr. Eash moved and Mr. Miller seconded a motion to approve a Resolution Approving Fourth Amendment to Master Continuing Disclosure Undertaking and Issuing Bonds as presented. The motion was approved with a vote of 3-0. Mrs. King commented this reminds her of going through this years ago and it's a lot of legal things they must go through, but it's good because it protects the people that are buying the bonds and it's what we need to do. We are doing the right stuff at the right time. Exhibit D attached.

CONSIDER APPROVAL OF RESOLUTION APPROVING AMENDED AND RESTATED POST ISSUANCE COMPLIANCE PROCEDURES – Mr. Miller moved and Mr. Eash seconded a motion to approve a Resolution approving Amended and Restated Post Issuance Compliance Procedures as presented. The motion was approved with a vote of 3-0. Exhibit E attached.

CONSIDER APPROVAL OF SCIENCE OLYMPIAD CAMP – Mr. Gerber, Science Olympiad Coach, is requesting approval of a 2019 Science Olympiad Summer Day Camp.

- This camp is designed to encourage scientific inquiry, teach basic science skills and to have fun.
- This is for students in grades 3<sup>rd</sup> thru 5<sup>th</sup>.
- The dates are June 5 (Wednesday) and June 6<sup>th</sup> (Thursday) from 9:00 a.m. to 12:00 (noon) each day.
- Camp will be at Northridge High School
- Cost - \$45 per student which includes all materials, a t-shirt, and a pair of safety glasses.
- Register at: [www.northridgesoinvitational.com](http://www.northridgesoinvitational.com) under the Kids Camp link.

Mrs. King asked Mr. Gerber if he still has high school students helping in this event and if so how many. Mr. Gerber said there are around 10-15 students who help with the camp. She also asked how many 3<sup>rd</sup> – 5<sup>th</sup> graders usually attend and Mr. Gerber said the last couple of years they've had around 30-35 attending. Are there students what would like to attend but can't pay the fee and if so how is that handled? Do we have scholarships for any children? Mr. Gerber said they have found ways to make sure those students can attend. Mr. Miller moved and Mr. Eash seconded a motion to approve the Summer Science Olympiad Camp as presented. The motion was approved with a vote of 3-0. Mrs. King thanked Mr. Gerber for doing this summer camp – it's a good thing for our students.

CONSIDER APPROVAL OF AMENDING 2018-2018 SCHOOL BOARD MEETING DATES – Mrs. Allen is requesting to eliminate the June 4, 2019 and June 18, 2019 school board meetings from the current board meeting dates and add June 11. The June 11<sup>th</sup> meeting is the only meeting in June. Mr. Eash moved and Mr. Miller seconded a motion to approve amending the school board meeting dates as requested. The motion was approved with a vote of 3-0.

CONSIDER APPROVAL OF DONATION TO YORK ELEMENTARY SCHOOL – York Elementary is requesting approval of a donation from EL Education in the amount of \$500. This donation will go towards Better World Day. York will use the money to help fund their community outreach at Bonneyville Mill on May 3. The whole school will go to the park to clean, plant, install bird feeders, and clear out invasive species. Mr. Miller moved and Mr. Eash seconded a motion to approve the donation to York Elementary School as presented. The motion was approved with a vote of 3-0.

CONSIDER APPROVAL OF DONATIONS TO NORTHRIDGE HIGH SCHOOL - Mr. Eash moved and Mr. Miller seconded a motion to approve the following donations to Northridge High School. The motion approved with a vote of 3-0.

- ARBOC Specialty Vehicles (late Feb.) \$1500.00
  - Industrial Arts Donation (Raider Motor Sports)
- Robert Martin (late Feb.) \$1000.00
  - Industrial Arts Donation (Raider Motor Sports)
- Welch Packaging Group, Inc. \$ 500.00
  - Robotics donation

UNFINISHED BUSINESS – None.

FIELD TRIPS – Dr. Goodman reviewed the list of field trips with board members.

ANNOUNCEMENTS AND CORRESPONDENCE – The Spring Sports are in action and you can finally enjoy them with the weather!

ANNOUNCEMENTS FOR TRAVEL – Dr. Goodman reviewed and answered questions regarding the list of travel requests with board members.

EXPRESSIONS FROM BOARD MEMBERS –

- Mr. Miller said he continues to be impressed with talents and abilities of our students in our corporation. Tonight it was Corvillia, the High Mileage Team and the Robotics Team. Bridget Griffin has been involved for years and years with programs and kids – Thank You.
- Mr. Eash seconded what Mr. Miller said, she’s been around for years and years but she started very young. It’s neat to see all the kids and whether it’s choir, band, athletics, or academic it’s really neat to see what they can accomplish.
- Mrs. King was impressed with every student that was here this evening. Seeing students in the front row and how excited they are about what they are bringing to the community. She thinks it’s incredible that Northridge does so many good things for our students. They continue to look for ways to help every student become their full potential. She really appreciates what Ashley is doing with Corvillia – it’s really neat to have a former student come back and help us get to those next steps. Congratulations to the Robotics Team and the High Mileage Team. She is really proud of the students – thank you!
- Mrs. Allen said the students will remember this their whole life.

OTHER BUSINESS – None.

ADJOURNMENT – Mr. Miller moved and Mr. Eash seconded a motion to adjourn the April 16, 2019 school board meeting at 5:15 p.m. The motion was approved with a vote of 3-0. The next school board meeting will be on May 7, 2019 at the Administration Center.

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Joanna King, President

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Paul Gayler, Vice President

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Robert Souder, Secretary

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Mitch Miller, Member

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Gregg Eash, Member

**EXCERPTS FROM MINUTES OF A MEETING  
OF THE BOARD OF SCHOOL TRUSTEES  
OF MIDDLEBURY COMMUNITY SCHOOLS**

A meeting of the Board of School Trustees (the "Board") of Middlebury Community Schools (the "School Corporation") was held at 56853 Northridge Drive, Middlebury, Indiana, on April 16, 2019, at the hour of 4:00 p.m. (Local Time), pursuant to notice duly given in accordance with the rules of the Board.

The meeting was called to order by the President of the Board.

On call of the roll, the members of the Board were shown to be present or absent as follows:

Present: Joanna King, Mitch Miller, and Gregg Eash

Absent: Bob Souder and Paul Gayler

(Among other proceedings had and actions taken were the following:)

The President presided over the meeting and stated that notice of the hearing on lease agreement meeting had been published in the *Goshen News* and the *Middlebury Independent* on March 13, 2019. The proofs of publication were presented to the meeting, and upon examination were found to be in due form of law. On motion duly made, seconded and carried, said notice and proofs of publication thereof were approved and ordered filed.

The Secretary further stated that the proposed Lease Agreement (the "Lease"), plans and specifications for the school facilities to be constructed, renovated and improved by the Middlebury Schools Building Corporation (the "Building Corporation") had been on file from the date of publication of said notice until today, in the Administration Building of the School Corporation. Copies of the same were presented to this meeting for the inspection of the members of the Board. The Secretary said that it was not necessary to review in detail all of the procedures to date since the Board was familiar with all steps heretofore taken, including the



proposed Lease, plans and specifications just submitted, but that if any persons present, other than members of this Board had any questions concerning these documents or the previous actions of this Board, or other steps taken looking towards the renovation of the school buildings, the Board would be glad to answer the same.

The President also stated that notice of the additional appropriation hearing was published in the *Goshen News* and the *Middlebury Independent* on March 13, 2019. The proofs of publication of the notice of the additional appropriation hearing were presented to the meeting.

The meeting was then open for questions and for the hearing of all persons interested. After hearing all persons interested, and following discussion by members of the Board, on motion duly made and seconded, the resolution attached as Exhibit A was adopted by a vote of 3-0.

After the conclusion of the hearing and after public comment on the additional appropriation not to exceed \$15,000,000 for the purpose of renovation of and improvements to Northridge High School campus, including construction of outdoor athletics facilities and related site improvements, and renovation of and improvements to Northridge Middle School, the resolution attached as Exhibit B was adopted by a vote of 3-0.

It was then explained that a portion of the construction bids or contracts would need to be assigned to the Building Corporation, once they are received. The Building Corporation will use bond proceeds to fund such bids and contracts and complete the Project. On motion duly made, the resolution attached as Exhibit C was adopted by a vote of 3-0.

The President further advised the Board that it needed to approve the form of First Amendment to Master Continuing Disclosure Undertaking, Fourth Supplement to Master

Continuing Disclosure Undertaking and Amended and Restated Post-Issuance Compliance Procedures. The Board adopted the resolutions attached as Exhibit D and E by a vote of 3-0 and -0, respectively.

There being no further business to come before the meeting, the meeting was thereupon adjourned.

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Secretary, Board of School Trustees

APPROVED:

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President, Board of School Trustees

## EXHIBIT A

### RESOLUTION AUTHORIZING EXECUTION OF LEASE AND SALE OF REAL ESTATE

WHEREAS, on March 5, 2019, this Board of School Trustees (the "Board") examined and approved a form of Lease Agreement (the "Lease") between the Middlebury Schools Building Corporation (the "Building Corporation") and Middlebury Community Schools (the "School Corporation"); and,

WHEREAS, notice of a hearing on the proposed Lease was given by publication in the *Goshen News* and the *Middlebury Independent* on March 13, 2019, and the hearing has been held in accordance with the notice; and,

WHEREAS, by statute the Building Corporation is required to own the real estate to be leased to the School Corporation, and the School Corporation is required to have the value of the real estate determined by court-appointed appraisers; now, therefore,

BE IT RESOLVED by the Board of the School Corporation, that the preliminary plans and specifications provide the necessary facilities for the pupils of this School Corporation and the same now are hereby approved, and any members of the Board be, and they are hereby authorized and directed to endorse their approval upon such plans and specifications.

BE IT FURTHER RESOLVED, that the proposed Lease provides for a fair and reasonable rental, and further that the execution of the Lease is necessary and wise.

BE IT FURTHER RESOLVED, that the Secretary or Assistant Secretary of the Board is authorized and directed to initial and date a copy of the proposed Lease and to place the same in the minute book immediately following the minutes of this meeting, and said Lease is made a part of this resolution as fully as if the same were set forth herein.

BE IT FURTHER RESOLVED, that any officers of the Board be, and they are hereby authorized and directed to execute Lease on behalf of the School Corporation.

BE IT FURTHER RESOLVED, that the Board ratifies and approves the filing of a petition with the Circuit Court of Elkhart County (the "Court") requesting the appointment of appraisers to determine the fair market value of the real estate subject to the Lease (the "Real Estate").

BE IT FURTHER RESOLVED, any officers of the Board are authorized to execute a deed and sell the Real Estate at a price not less than that fixed by the Court.

*Passed and Adopted this 16<sup>th</sup> day of April, 2019.*

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President, Board of School Trustees

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Secretary, Board of School Trustees

## EXHIBIT B

### ADDITIONAL APPROPRIATION RESOLUTION

WHEREAS, Middlebury Community Schools (the "School Corporation") is a school corporation organized and existing under the provisions of Indiana Code § 20-23; and

WHEREAS, the Board of School Trustees (the "Board") of the School Corporation finds that the present facilities of the School Corporation are not adequate to provide for the proper educational environment of the pupils now attending or who will attend its schools; and

WHEREAS, the Board has determined to sell certain real estate to the Middlebury Schools Building Corporation (the "Building Corporation") for a purchase price not to exceed \$15,000,000 and to use such proceeds for the renovation of and improvements to Northridge High School campus, including construction of outdoor athletics facilities and related site improvements, and renovation of and improvements to Northridge Middle School (the "Project"); and

WHEREAS, the estimated cost of the Project at the present time is in the approximate amount of \$15,000,000, and the Board finds that no sufficient provision has been made on account thereof in the existing budget, and that a need exists for the making of an additional appropriation for such purpose; now, therefore,

BE IT RESOLVED by the Board of the School Corporation that an appropriation of the proceeds of the sale of real estate to the Building Corporation in the maximum amount of \$15,000,000 be and the same is hereby made to be applied on the costs of the Project, said appropriation to include the incidental expenses necessary to be incurred in connection with the Project; that said appropriation shall be in addition to all appropriations provided for in the existing budget, and shall continue in effect until the completion of the Project.

BE IT FURTHER RESOLVED that the Board authorizes the establishment of a construction fund in which will be deposited the real estate proceeds in the maximum amount of \$15,000,000, and directs that all interest on such construction fund shall be retained in such construction fund.

BE IT FURTHER RESOLVED that the Board authorizes that any funds remaining in the construction fund after completion of the Project shall be deposited into one or more of the other established funds of the School Corporation, as the Board directs.

*Passed and Adopted this 16<sup>th</sup> day of April, 2019.*

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President, Board of School Trustees

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Secretary, Board of School Trustees

## **EXHIBIT C**

### **RESOLUTION ASSIGNING CONSTRUCTION BIDS AND CONTRACTS**

WHEREAS, the Middlebury Community Schools (the "School Corporation") has received or reasonably expects to receive construction bids or enter into contracts for the renovation of and improvements to Northridge High School campus, including construction of outdoor athletics facilities and related site improvements, and renovation of and improvements to Northridge Middle School (the "Project"); and

WHEREAS, the School Corporation intends to sell certain real estate on which the Project will be renovated (the "Real Estate") to the Middlebury Schools Building Corporation (the "Building Corporation") which Building Corporation will complete the Project; and

WHEREAS, the School Corporation intends to establish a construction fund and appropriate the funds it receives from the Building Corporation for the sale of the Real Estate; now, therefore,

BE IT RESOLVED, certain construction bids and contracts relating to the Project are hereby assigned to the Building Corporation, once received, such bids or contracts to be determined at the time of receipt.

BE IT FURTHER RESOLVED, that the Board of School Trustees ratifies and confirms the public hearing to discuss the appropriation of the funds received from the sale of the Real Estate on April 16, 2019.

BE IT FURTHER RESOLVED, that the Secretary's prior publication of a notice of the hearing on the appropriation is hereby ratified and confirmed.

*Passed and Adopted this 16<sup>th</sup> day of April, 2019.*

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President, Board of School Trustees

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Secretary, Board of School Trustees

**EXHIBIT D**

**RESOLUTION APPROVING  
FIRST AMENDMENT TO MASTER CONTINUING DISCLOSURE  
UNDERTAKING AND FOURTH SUPPLEMENT TO MASTER CONTINUING  
DISCLOSURE UNDERTAKING**

WHEREAS, a First Amendment to Master Continuing Disclosure Undertaking and a Fourth Supplement to Master Continuing Disclosure Undertaking (collectively, the "Undertakings") have been presented to the Board of School Trustees (the "Board") of Middlebury Community Schools (the "School Corporation") in connection with the issuance of the Middlebury Schools Building Corporation Ad Valorem Property Tax First Mortgage Bonds, Series 2019 (the "Bonds"); and

WHEREAS, the Board must approve the form of Undertakings and the issuance of the Bonds; now, therefore,

BE IT RESOLVED, that the Board hereby approves the form of Undertakings and hereby authorizes any officers of the Board to execute such Undertakings.

BE IT RESOLVED, that any officers of the Board are hereby authorized and directed to execute any and all documents and certificates required in order to issue and deliver the Bonds.

*Passed and Adopted this 16<sup>th</sup> day of April, 2019.*

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President, Board of School Trustees

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Secretary, Board of School Trustees



## EXHIBIT E

### RESOLUTION APPROVING AMENDED AND RESTATED POST-ISSUANCE COMPLIANCE PROCEDURES

WHEREAS, on July 7, 2016 the Board of School Trustees (the "Board") of the Middlebury Community Schools (the "School Corporation") previously adopted and approved Post Issuance Compliance Procedures (the "Original Procedures"); and

WHEREAS, the Board has now been presented with Amended and Restated Post-Issuance Compliance Procedures (the "Amended Procedures") which amend and restate the Original Procedures to provide for a new compliance officer and to incorporate recent changes in law; and

WHEREAS, the Board has issued securities or has had securities issued on its behalf in the form of bonds, notes or other types of indebtedness (the "Bonds") in order to finance or refinance various projects; and

WHEREAS, by issuing the Bonds, the School Corporation is obligated to comply with various restrictions and obligations, which are described in the financing and closing documents executed in connection with the issuance of Bonds, such as trust indentures, lease agreements, bond resolutions, tax certificates, arbitrage certificates and continuing disclosure undertakings, and which may extend for 20 years or more into the future; and

WHEREAS, school corporations experience administration changes over time and it is in this School Corporation's interest to ensure the continual satisfaction of these obligations and restrictions; and

WHEREAS, such restrictions and obligations require significant documentation, record keeping and diligence; and

WHEREAS, written procedures describing the monitoring, oversight and fulfillment of these post issuance obligations are beneficial to ensure maintenance of the tax-exemption or other tax beneficial treatment on the Bonds and compliance with Securities and Exchange Commission Rules and regulations;

NOW, THEREFORE, BE IT RESOLVED that the Board accepts and ratifies the Amended Procedures, presented to the meeting, and directs that these administrative Amended Procedures be incorporated into the procedure manuals of the School Corporation administration.

BE IT FURTHER RESOLVED that the Board appoints the person who is employed as Director of Business of the School Corporation to serve as the Compliance Officer (as defined in the Amended Procedures) and directs such Compliance Officer, in consultation with counsel, as appropriate, to implement such Amended Procedures.

BE IT FURTHER RESOLVED that the Compliance Officer is also directed to review any disclosure documents, such as an Official Statement, Offering Memorandum or any other type of offering material, prepared on behalf of the School Corporation in connection with the

issuance of any Bonds issued hereafter and such Compliance Officer is authorized to consult with any staff, municipal advisor or counsel to assist with such review.

*Passed and adopted this 16<sup>th</sup> day of April, 2019.*

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Secretary, Board of School Trustees

APPROVED:

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President, Board of School Trustees