

MINUTES
BOARD OF EDUCATION

September 28, 2022

6:30 PM

President Dave Zimmerman called the meeting to order at 6:30 PM with the following members in attendance:

I. Call Meeting to Order

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

I.C. Motion to Excuse Dave Zimmerman from the September Special School Board Meeting

Motion to excuse Dave Zimmerman from the September special school board meeting. This motion, made by Aaron Whitwer and seconded by Betsy Frerichs, passed.

David Zimmerman: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, Aaron Whitwer: yes, Jim Zvolanek: yes
yes: 5, no: 0, Absent: 1

II. Approval of Minutes from the September 12, 2022, Regular Board Meeting and the September 12, 2022, Budget Hearing

Motion to Approve the minutes from the September 12, 2022, Regular Board Meeting and the September 12, 2022, Budget Hearing. This motion, made by Dana Dorn and seconded by Angela Meyer, passed.

David Zimmerman: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, Aaron Whitwer: yes, Jim Zvolanek: yes
yes: 5, no: 0, Absent: 1

III. Items for Discussion, Consideration, and/or Action

III.A. The 2022-2023 Southern Public Schools Budget

Motion to approve the 2022-2023 Southern Public Schools budget. This motion, made by Angela Meyer and seconded by Betsy Frerichs, passed.

David Zimmerman: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, Aaron Whitwer: yes, Jim Zvolanek: yes
yes: 5, no: 0, Absent: 1

III.B. The 2022-2023 Property Tax Resolution

Motion to approve the 2022-2023 property tax resolution. This motion, made by Angela Meyer and seconded by Aaron Whitwer, passed.

David Zimmerman: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, Aaron Whitwer: yes, Jim Zvolanek: yes
yes: 5, no: 0, Absent: 1

IV. Adjournment

Motion to adjourn the meeting at 6:45 p.m. This motion, made by Dana Dorn and seconded by Angela Meyer, passed.

David Zimmerman: Absent, Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, Aaron Whitwer: yes, Jim Zvolanek: yes
yes: 5, no: 0, Absent: 1

BY

President of the Board of Education

Of this School District

ATTEST

Secretary of the Board of Education

of this School District

Nebraska Open Meetings Act

84-1407. Act, how cited. Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body.

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of

an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than one county in this state, of the governing body of a public power and irrigation district having a chartered territory of more than one county in this state, of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, or of a community college board of governors may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given as provided in subsection (1) of this section;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, council, or governing body is present at each site of the videoconference or telephone conference, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site; and

(e)(i) Except as provided in subdivision (2)(e)(ii) of this section, no more than one-half of the state entity's, advisory committee's, board's, council's, or governing body's meetings in a calendar year are held by videoconference or telephone conference; or (ii) In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, such organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conferencing.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the Educational Service Unit Coordinating Council, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act, of a community college board of governors, of the governing body of a public power district, of the governing body of a public power and irrigation district, or of the Nebraska Brand Committee may be held by telephone conference call if:

(a) The territory represented by the educational service unit, member educational service units, community college board of governors, public power district, public power and irrigation district, Nebraska Brand Committee, or member public agencies of the entity or pool covers more than one county;

(b) Reasonable advance publicized notice is given as provided in subsection (1) of this section which identifies each telephone conference location at which there will be present: (i) A member of the educational service unit board, council, community college board of governors, governing body of a public power district, governing body of a public power and irrigation district, Nebraska Brand Committee, or entity's or pool's governing body; or (ii) A nonvoting designee designated under subdivision (3)(f) of this section;

(c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or entity or pool or at a place which will accommodate the anticipated audience;

(d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recodation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used;

(e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call;

(f) At least one member of the educational service unit board, council, community college board of governors, governing body of the public power district, governing body of the public power and irrigation district, Nebraska Brand Committee, or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice, except that a member of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis, an organization created under the Municipal Cooperative Financing Act, or a governing body of a risk management pool or an advisory committee of such organization or pool may designate a nonvoting designee, who shall not be included as part of the quorum, to be present at any site;

(g) The telephone conference call lasts no more than five hours; and

(h) No more than one-half of the board's, council's, governing body's, committee's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that: (i) The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call if the governing body's quarterly meetings are not held by telephone conference call or videoconferencing; and (ii) An organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act may hold more than one-half of its meetings by telephone conference call if the organization holds at least one meeting each calendar year that is not by videoconferencing or telephone conference call.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right

to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an instate location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act;

(f) Reasonable arrangements are made to provide viewing at other instate locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and

(g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Revised
10/2020



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MINUTES
BOARD OF EDUCATION
September 12, 2022
7:15 PM

I. Call Meeting to Order

President Dave Zimmerman called the hearing to order at 7:15 p.m. and the following members were present: Aaron Whitwer, Angela Meyer, Betsy Frerichs, Dana Dorn, Dave Zimmerman, and Jim Zvolanek. The following administrator was present: Christopher Prosocki.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Posted Location:

- Fairbury Journal-News

Posted Date: 8/31/2022

Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act is posted in the back of the board of education meeting room.

I.C. Hear Support, Opposition, Criticism, Suggestions, or Observations Related to the Proposed Southern Public Schools Budget for the 2022-2023 School Year

Dr. Prosocki gave an overview of the proposed 2022-2023 budget. The 2022-2023 budget continues to invest in meeting the needs of our district with growing student needs. The General Fund budget of expenditures shown on the Notice of Budget Hearing and Budget Summary (Public Notice) is greatly inflated to allow the district to expend "unused budget authority" for future years, and does not accurately reflect actual anticipated expenditures. The district over-estimates the budget of expenditures of all active funds so we don't have to amend them later in the year due to unanticipated costs (Activities Fund, Depreciation Fund, Employee Benefit Fund, General Fund, School Nutrition Fund, Special Building Fund, & Qualified Capital Purpose Undertaking Fund). The Notice of Budget Hearing and Budget Summary (Public Notice) is very deceiving to the public and the only actual figures are Actual Disbursements & Transfers (Column 1) and Total Personal and Real Property Tax Requirement (Column 7).

For the 2022-2023 school year, the district gained \$128,547 in valuation revenue and the district gained \$142,107 in state aid revenue. These numbers do not account for the increased costs to run a school district over the years (Utility increases, salary and benefit increases, insurance increases, inflation, etc.). The overall personnel cost will be down by \$25,903.02. He noted that this figure does not include purchased services through ESU 5 for special education services that

are mandated by state and federal law and these services will be up by \$10,737.

Dr. Prosocki noted the valuation in Gage County was \$399,748,194 and the valuation in Pawnee County was \$1,442,600. The district's overall valuation was \$401,190,794 and Southern saw a 3.05% increase or \$11,902,255 increase between Gage and Pawnee Counties from the prior year. Dr. Prosocki noted that 85% of the district expenditures are in personnel costs and the other 15% of expenditures are fixed costs that cannot change.

Tax Year	Gage County Valuation	% Change (Prior Year)	Pawnee County Valuation	% Change (Prior Year)	Overall Valuation	% Change (Prior Year)	\$ Change (Prior Year)
2018	\$399,062,663	0.003%	\$1,376,365	(4.84%)	\$400,439,028	0.003%	\$1,345,781
2019	\$382,188,694	(4.41%)	\$1,376,110	(.001%)	\$383,564,804	(4.39%)	(\$16,874,224)
2020	\$378,656,597	(0.93%)	\$1,374,630	(0.10%)	\$380,031,227	(0.92%)	(\$3,533,577)
2021	\$387,897,024	2.44%	\$1,391,515	1.23%	\$389,288,539	2.43%	\$9,257,312
2022	\$399,748,194	3.05%	\$1,442,600	3.67%	\$401,190,794	3.05%	\$11,902,255

II. Adjournment

Motion to adjourn the meeting at 7:28 p.m. This motion, made by Dana Dorn and seconded by Betsy Frerichs, passed.

yes: 6, no: 0

The next Regular Board meeting is scheduled for 7:30 p.m., September 12, 2022, at Southern Jr./Sr. High School Board Room in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY

President of the Board of Education
Of this School District

ATTEST

Secretary of the Board of Education
of this School District

MINUTES
BOARD OF EDUCATION
September 12, 2022
7:30 PM

I. Call Meeting to Order

President Dave Zimmerman called the meeting to order at 7:30 p.m. and the following members were present: Aaron Whitwer, Angela Meyer, Betsy Frerichs, Dana Dorn, Dave Zimmerman, and Jim Zvolanek. The following administrators were present: Jeff Murphy, & Christopher Prososki. The following student board member was present: Iasiah Hoover.

Reasonable advance publicized notice of the meeting was given according to law by publishing, a designated method for giving notice of the school district. Posted Location:

- Fairbury Journal-News

Posted Date: 8/31/2022

Reasonable advance notice was simultaneously given to board members and a copy of their acknowledgement of receipt of notice and the agenda attached. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

I.A. Roll Call

I.B. Notice of Nebraska Open Meetings Act Posted

President Dave Zimmerman announced that a complete copy of the Nebraska Open Meetings Act is posted in the back of the board of education meeting room.

II. Approval of Minutes from the August 8, 2022, Regular Board Meeting

Motion to approve minutes from the August 8, 2022, Regular Board Meeting. This motion, made by Aaron Whitwer and seconded by Betsy Frerichs, passed.

yes: 6, no: 0

III. Communications, Audiences, and Recognitions

III.A. Public comments will not be received after this period of time. Public comment period is limited to 5 minutes per person and a total of 30 minutes overall.

IV. Financial Statement: Items for Discussion, Consideration, and/or Action

IV.A. Approval of Bills

IV.A.1. General Fund, Special Building Fund, Depreciation Fund, and Qualified Capital Purpose Undertaking Fund Claims

Motion to approve the general fund, special building fund, depreciation fund, and qualified capitol purpose undertaking fund claims. This motion, made by Angela Meyer and seconded by Dana Dorn, passed.

Aaron Whitwer: Abstain (With Conflict), Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, David Zimmerman: yes, Jim Zvolanek: yes
yes: 5, no: 0, Abstain (With Conflict): 1

Dr. Prososki noted that the district had to subsidize the activity fund by over \$13,000 the past fiscal year. He noted that he will start to oversee this account again until it is out of the red. Over the past few years, it was in the black, but some changes need to be made moving forward to rectify some issues.

IV.A.2. Lunch & Activity Claims

V. Support Service

V.A. Facility Update

John Eisenhower provided the school board with a written report on trying to finalize the HVAC and classroom thermostats, outside maintenance, starting to use vans and not buses because of bus driver shortages, and being short on daily route drivers.

Dr. Prososki noted that the football scoreboard is over twenty years old and we cannot find replacement bulbs for it because they are so obsolete. The cost of a new scoreboard is around \$20,000 and he noted that the lead time to receive a newly purchased scoreboard was nine months. Dr. Prososki wanted to know if the board wanted to move forward with this purchase or not, and the board felt there were not any other options. Next, Dr. Prososki mentioned that a borrowed refrigerator went out and the district had to purchase a new one for the elementary school. Lastly, Dr. Prososki noted that it has become harder and harder to find bus drivers and our athletic teams are getting smaller and smaller. He proposed that the district purchase 2 new vans for both activity trips and athletic events. There are a lot fewer requirements for driving vans as compared to driving mini-school bus or a regular school bus and he did not want student athletes or their parents to have to drive them to events moving forward. The board agreed and decided to move forward with the purchase of 2 twelve passenger vans.

V.B. Personnel Items

V.C. Technology Update

Dr. Prososki thanked Cody Sabey and the technology committee for all of their hard work during the first few weeks of school. Dr. Prososki noted that ALICAP, the district's insurance company, recently changed Cyber Insurance Carriers and the majority of schools were dropped by the new provider. Dr. Prososki said that he was going to work on the new application this coming week with Cody Sabey.

VI. Administrative and Committee Reports

VI.A. Student Board Member Report

The student board member, Iasiah Hoover, reported on the following items: fall athletic team records, homecoming, spirit days, and the upcoming homecoming dance.

VI.B. Elementary Principal's Report

The elementary principal provided a written report over the following items: current enrollment figures (3-Year-Old Preschool - 10, 4-Year-Old Preschool - 19, K - 26, 1st - 17, 2nd - 33, 3rd - 24, 4th - 28, 5th - 21, 6th - 26), completing required safety drills (e.g., Fire drills, activity shooter drills, & bus evacuation drills), DIBELS and NSCAS testing, fall sports participation numbers (Football - 27, Softball, 13, & Volleyball - 14), and upcoming events (e.g., Constitution Day, MUDECAS Volleyball, and homecoming).

VI.C. Secondary Principal's Report

The secondary principal reported on the following items: current enrollment figures (7th - 21, 8th - 29, 9th - 29, 10th - 33, 11th - 26, 12th - 31), NSCAS testing in grades 7th & 8th, only using 2 of or 4 alternative education spots (Diller-Odell recently purchased 1 of our 4 spots from us), Homecoming on September 16, parent teacher conference on September 29, 19 students enrolled in 26 college classes (This is an all-time high for Southern), and QPR suicide prevention training for all 7-12 students.

VI.D. Superintendent's Report

Dr. Prosocki went over the Continuum Employee Assistance Program (EAP) Annual Report, he noted that he will be leading 2 Special Purpose Schools external visitation teams in April (YRTC in Hastings and in Kearney), and he went over the fall DIBELS testing results (53% of students were at benchmark in the fall). Next, Dr. Prosocki presented the school board with an updated Legal Representation Agreement from KSB School Law and he gave an extensive overview of LB 644 (Post Card Bill). Southern will have to attend the Joint Public Hearing on September 27 at 6:30 p.m. at the Gage County Court House. Since Southern is faced with an all-time high inflation rate, since the unemployment rate in Nebraska is at an all-time low, and with the consent need to budget for the unexpected, there is no way for Southern to be below the 2% plus real growth threshold. Dr. Prosocki noted that the district will be on the hook for around \$5,000 or more to pay for the cost of the post cards. He said that this is a primary example of another unfunded mandate that are imposed on school districts in Nebraska. Dr. Prosocki provided the school board with a negotiation update for all certificated staff members. Currently, the certificated staff are at 99.40% of the required 98%-102% of mid-point of total compensation range set by LB 397. Lastly, Dr. Prosocki presented the October 10 in-service agenda, he reminded the Committee on American Civics of the upcoming meeting prior to the October school board meeting, he went over the annual safety and security minutes, and he went over the Special Program enrollment numbers for the 2022-2023 school year.

VII. Items for Discussion, Consideration, and/or Action

VII.A. Approve the Southern Education Association (SEA) as the Exclusive Bargaining Agent for the District's Non-Supervisory Certificated Staff for the 2024-2025 Contract Year

Motion to approve the Southern Education Association (SEA) as the exclusive bargaining agent for the district's non-supervisory certificated staff for the 2024-2025 contract year. This motion, made by Jim Zvolanek and seconded by Betsy Frerichs, passed.

yes: 6, no: 0

VII.B. Extended Leave Time for Steve Whitwer for the 2022-2023 School Year

Motion to approve extended leave time for Steve Whitwer for the 2022-2023 school year. This motion, made by Angela Meyer and seconded by Jim Zvolanek, passed.

Aaron Whitwer: Abstain (With Conflict), Dana Dorn: yes, Betsy Frerichs: yes, Angela Meyer: yes, David Zimmerman: yes, Jim Zvolanek: yes
yes: 5, no: 0, Abstain (With Conflict): 1

Based on the negotiated agreement, the superintendent only has the authority to grant unpaid leave for as many as five contract days. Unpaid leave in excess of five days will require the approval of the board of education.

VII.C. Option Enrollment Applications

VIII. Adjournment

Motion to adjourn the meeting at 8:25 p.m. This motion, made by Dana Dorn and seconded by Angela Meyer, passed.

yes: 6, no: 0

The next Regular Board meeting is scheduled for 7:30 p.m., October 10, 2022, at Southern Jr./Sr. High School Board Room in Wymore. There will be a Special Board meeting for 6:30 p.m., September 28, 2022, at Southern Jr./Sr. High School Board Room in Wymore. The Board of Education will usually adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to amend the agenda as deemed necessary.

BY

President of the Board of Education
Of this School District

ATTEST

Secretary of the Board of Education
of this School District

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

Southern School District (34-0001) in Gage County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 12th day of September, 2022 at 7:15 o'clock, P.M, at Jr./Sr. High School Boardroom for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget and to consider amendments relative thereto. The budget detail is available at the office of the Clerk/Secretary during regular business hours. For more information on statewide receipts and expenditures, and to compare cost per pupil and performance to other school districts, go to: <https://nep.education.ne.gov>

FUNDS	Actual Disbursements & Transfers	Actual/Estimated Disbursements & Transfers	Budgeted Disbursements & Transfers	Necessary Cash Reserve (4)	Total Available Resources Before Property Taxes (5)	Total Personal and Real Property Tax Requirement (7)
	2020-2021 (1)	2021-2022 (2)	2022-2023 (3)			
General	\$ 6,357,164.00	\$ 7,375,000.00	\$ 8,198,662.00	\$ 1,850,218.00	\$ 6,077,091.00	\$ 4,011,908.00
Depreciation	\$ 292,913.00	\$ 225,000.00	\$ 1,038,425.00		\$ 1,038,425.00	
Employee Benefit	\$ -	\$ 20,000.00	\$ 50,000.00	\$ -	\$ 50,000.00	
Contingency	\$ -	\$ -	\$ -		\$ -	
Activities	\$ 158,317.00	\$ 300,000.00	\$ 450,000.00	\$ -	\$ 450,000.00	
School Nutrition	\$ 279,061.00	\$ 296,500.00	\$ 450,000.00	\$ -	\$ 450,000.00	
Bond	\$ 203,768.00	\$ -	\$ -	\$ -	\$ -	\$ -
Special Building	\$ 173,870.00	\$ 300,000.00	\$ 450,000.00		\$ 251,411.00	\$ 200,595.00
Qualified Capital Purpose Undertaking	\$ 113,410.00	\$ 118,698.00	\$ 301,839.00	\$ -	\$ 182,685.00	\$ 120,358.00
Cooperative	\$ -	\$ -	\$ -	\$ -	\$ -	
Student Fee	\$ -	\$ -	\$ -	\$ -	\$ -	
	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTALS	\$ 7,578,503.00	\$ 8,635,198.00	\$ 10,938,926.00	\$ 1,850,218.00	\$ 8,499,612.00	\$ 4,332,861.00

	Bond Purposes	Non-Bond Purposes	Total
Breakdown of Property Tax	\$ 118,500.00	\$ 4,214,361.00	\$ 4,332,861.00

Notice of Special Hearing To Set Final Tax Request

Southern School District (34-0001) in Gage County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1632, that the governing body will meet on the 26th day of, September 2022 at 6:30 o'clock P.M., at Gage County Courthouse for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

	2021-2022	2022-2023	Change
Property Valuations	389,031,227	401,190,794	3%

2021-2022 Budget Information

2022-2023 Budget Information

Fund	2021-2022 Operating Budget	2021-2022 Property Tax Request	2021 Tax Rate	Property Tax Rate (2021-2022 Request Divided By 2022 Valuation)	2022-2023 Operating Budget	2022-2023 Proposed Property Tax Request	Proposed 2022 Tax Rate	Change in Tax Rate	Change in Operating Budget
General Fund	8,562,096.00	4,048,600.00	1.040688	1.009146	8,198,662.00	4,011,908.00	1.000000	-4%	-4%
Bond Fund(s) K - 12			0.000000	0.000000	-	-	0.000000	#DIV/0!	0
Bond Fund(s) K - 8			0.000000	0.000000			0.000000	#DIV/0!	0
Bond Fund(s) 9 - 12			0.000000	0.000000			0.000000	#DIV/0!	0
Bond Fund			0.000000	0.000000			0.000000	#DIV/0!	0
Special Building Fund	1,414,530.00	38,928.00	0.010006	0.009703	450,000.00	200,595.00	0.050000	400%	-68%
Qualified Capital Purpose Undertaking Fund K - 12	268,341.00	116,786.00	0.030020	0.029110	301,839.00	120,358.00	0.030000	0%	12%
Qualified Capital Purpose Undertaking Fund K - 8			0.000000	0.000000			0.000000	#DIV/0!	0
Qualified Capital Purpose Undertaking Fund 9 - 12			0.000000	0.000000			0.000000	#DIV/0!	0
Total	10,244,967.00	4,204,314.00	1.080714	1.047959	8,950,501.00	4,332,861.00	1.080000	0%	-13%

RESOLUTION SETTING THE PROPERTY TAX REQUEST

RESOLUTION NO. Gage County School District 34-0001

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of Southern School District passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Southern School District resolves that:

- 1. The 2022-2023 property tax request be set at:

General Fund:	\$	4,011,908.00
Bond Fund:	\$	-
Special Building Fund:	\$	200,595.00
Qualified Capital Purpose	\$	120,358.00
Undertaking Fund:		

- 2. The total assessed value of property differs from last year’s total assessed value by 3.13 percent.
- 3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 1.047959 per \$100 of assessed value.
- 4. Southern School District proposes to adopt a property tax request that will cause its tax rate to be 1.08 per \$100 of assessed value.
- 5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Southern School District will increase (or decrease) last year’s budget by -12.64 percent.
- 6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2022.

Motion by _____, seconded by _____ to adopt Resolution #_____.

Voting yes were:

 Aaron Whitwer

 Angela Meyer

 Betsy Frerichs

 Dana Dorn

 David Zimmerman

 Jim Zvolanek

Voting no were:

Dated this 28 day of September, 2022