

**UNIFIED SCHOOL
DISTRICT OF DE PERE**

1700 Chicago Street
De Pere, WI 54115

www.depere.k12.wi.us



DE PERE

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MISSION

As a responsible partner with our families and communities, we provide a distinct educational edge that prepares all learners to be successful and contributing members in our global society.

June 12, 2009

VIA EMAIL & FEDERAL EXPRESS MAIL

Ms. Natalie Rew, Auditor
Wisconsin Department of Public Instruction
P.O. Box 7841
125 South Webster Street
Madison, WI 53707-7841

RE: Qualified School Construction Bond "QSCB" Allocation

Dear Ms. Rew:

This letter is to apply for a \$2,000,000 allocation of Qualified School Construction Bonds. The Unified School District of De Pere appreciates the federal legislation and the support of the Wisconsin Department of Public Instruction in making this interest free (or low interest) bond program available. The District seeks any part of the \$2,000,000 request that is available to our District.

- The District proposes to finance the following eligible project:
 - **Repair and/or Rehabilitation:** School Energy Efficiency Projects
 - **Building: Dickinson Elementary School**
 - **Amount \$2,000,000**
- The District's project plan will meet the following objectives:

Green and Healthy Schools: The proposed energy and air quality project will improve the operations of the current facility through the installation of heat recovery technology to reduce the natural gas consumption of the District. We will replace two low efficiency boilers with new higher efficiency units to reduce the energy cost of the building. We will invest in upgrades to existing ventilation distribution systems to meet ASHRAE Standard 62.1 - Ventilation for improved Indoor Air Quality. We will invest in digital control technology to improve teaching space environments to further reduce our overall energy costs. We will also be conducting a retro-commissioning of the existing building to identify areas of potential future investment. Finally, we will invest in a domestic water solar heating system.

The District has (or is seeking) the Borrowing Authority via:

- Approved Referendum on _____
 - Fund 38 Borrowing Resolution to be approved on June 15, 2009
 - Planned Referendum on _____
- Estimated Construction start date December 15th, 2009
 - The District is confident that these projects will adhere to the "Prevailing Wage" requirements of the Davis-Bacon Act. Every step will be taken with our construction manager and project staff to ensure all reporting requirements are met.

The District's project will be "shovel ready" and will fulfill the intended goal of the **American Recovery and Reinvestment Act "ARRA" Stimulus Bill by creating or** maintaining jobs on and near the construction worksite. We also feel that our project meets the longer-term goal of "reinvesting" in our local community by improving the public infrastructure that serves our citizens in an energy-efficient and sustainable manner.

Discussions of the project details are currently underway at committee and school board level and we are working closely with our financial advisor and bond counsel. I will forward copies of the signed resolutions to you after the Board of Education authorizes them at their Regular Business Meeting on June 15th. We believe we have met the requirements for participation in the Qualified School Construction Bond program and your review of our request for an allocation is appreciated.

Please feel free to contact me at (920) 983-9174 Ext 4105 or Pat Meyer, Director of Buildings & Grounds at (920) 337-1042 Ext. 2, if an additional clarification is needed.

Sincerely,



Sue Buchholz
Director of Business Services

Enclosures (3)

cc: Jeff Belongia, Hutchinson, Shockey, Erley & Co.
Julie Ebert, Quarles & Brady

I. MEETING OPENING

A. **Pledge of Allegiance**

B. **Announcement(s)**

This is a meeting of the Board of Education of the Unified School District of De Pere being held in public. Prior to this meeting, notice was given to the public by posting at the appropriate places, and in addition, copies of the notice of this meeting were forwarded to the following news media who have filed requests for all public notices: Green Bay Press Gazette, and radio stations WDUZ and WTAQ. Finally a copy of the notice was forwarded to the De Pere Journal, the official newspaper of the district.

The Board of Education will enter executive session pursuant to Wisconsin Statute 19.85(1)(c) and (f) to hear and discuss an appeal for early entrance to kindergarten, to consider the employment, promotion, compensation or performance evaluation data of public employees and to discuss a request from an administrator.

The Board may reconvene in open session for possible transaction of business, if necessary.

- C. The regular meeting of the Unified School District of De Pere Board of Education is being held on Monday, June 15, 2009. The Board President will call the meeting to order at _____p.m.

D. Roll Call:

Jim Growt	_____	Bob Mathews	_____	Doug Seeman	_____
Jon Paque	_____	Sandy Mentzel	_____	Paul Summerside	_____
Bill Van Beek	_____				

E. Declaration of Quorum

II. A. **Foreign Exchange Student Presentation**

Daniela Geisler from Austria, Javiera Barra from Chile, Tobias Axelsson from Sweden, Giacomo Longo from Italy, and Andrea Benitez from Paraguay

B. **Public Comments:**

(Not to exceed 15 min.)

Any individual or group of individuals who would like to address the Board of Education will be given an opportunity to do so at this time. Individuals addressing the Board should limit their remarks so that this forum will not exceed fifteen minutes.

III. **Action and/or Discussion Items**

A. **Review of Business Agenda**

Action: 1st_____, 2nd_____

- B. Motion to enter executive session pursuant to Wisconsin Statute 19.85(1)(f) to hear and discuss an appeal for early entrance to kindergarten. Action 1st_____, 2nd_____

Roll Call. ___Growt ___Seeman ___Mathews ___Mentzel ___Paque ___Summerside ___Van Beek

- C. **Approval of Minutes** (Pgs 1-5) Minutes from May 18, 2009
Minutes from June 1, 2009

Action: 1st_____, 2nd_____

Action: 1st_____, 2nd_____

D. **Old Business / Reports and Recommendations**

D₁. **Curriculum Committee**

Motion to Approve Proposed Benchmarks for AP Physics (Pg 6-12)

Action: 1st_____, 2nd_____

Motion to Approve Proposed Benchmarks for Language Arts (Pg 13)

Action: 1st_____, 2nd_____

Motion to Approve Proposed Textbook Purchase for Language Arts (Pg 14-23)

Action: 1st_____, 2nd_____

D2. Finance Committee

- Motion to Approve 2009-2010 School Lunch Prices (Page 24-26) Action: 1st_____, 2nd_____
- Preliminary Review of 2009-10 School Year Budget (Page 27-34)
- Motion to Approve 2009-2010 CESA #6 Contract for Services (Page 35-38) Action: 1st_____, 2nd_____
- Authorization to Investigate Funding Options For Dickinson HVAC System (Pg 39-47) Action: 1st_____, 2nd_____

E. New Business

- E1. Application to DPI for Qualified School Construction Bonds (Page 48-60)
- E2. Resolution Authorizing The Borrowing Of Not To Exceed \$2,000,000; And Providing For The Issuance And Sale Of General Obligation Promissory Notes Therefor (Page 61-64) Action: 1st_____, 2nd_____ Roll Call. ___Growt ___Seeman ___Mathews ___Mentzel ___Paque ___Summerside ___Van Beek
- E3. Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Qualified Tax Credit Bonds (PAGE 65-67) Action: 1st_____, 2nd_____ Roll Call. ___Growt ___Seeman ___Mathews ___Mentzel ___Paque ___Summerside ___Van Beek
- E4. Review and Discussion of Debt Restructuring Options (Page 68-76)
- E5. Motion to Accept Letter of Resignation (Pages 77-78) Action: 1st_____, 2nd_____
- E6. Motion to Approve Teaching Contracts for 2009-10 (Pages 79-80) Action: 1st_____, 2nd_____
- E7. May Financial Reports (Pages 81-85) Action: 1st_____, 2nd_____
- E8. Set Date for Annual Budget Hearing (Pages 86)
- E9. Approval of Vouchers (Page 87) Action: 1st_____, 2nd_____
- E10. Presentation of School Building Strategic Planning Goals (Page 88)

IV. NON ACTION ITEMS

INFORMATION:

FUTURE MEETINGS:

The Board of Education has tentatively scheduled their July Committee meetings to be held on Monday, July 6, 2009, at 6:30 PM in the Board Conference Room, located on the west side of De Pere High School.

The Board of Education has tentatively scheduled their July Business meeting to be held on Monday, July 20, 2009 at 6:30 PM in the Board Conference Room, located on the west side of De Pere High School.

V. ADJOURNMENT

- A. Motion to enter executive session pursuant to Wisconsin Statute 19.85(1)(c) to consider the employment, promotion, compensation or performance evaluation data of public employees and to discuss a request from an administrator.

Action 1st_____, 2nd_____ Roll Call. ___Growt ___Seeman ___Mathews ___Mentzel ___Paque ___Summerside ___Van Beek

- B. Motion to Return to Open Session Action: 1st_____, 2nd_____
- C. Action Regarding Closed Session Discussion. Action: 1st_____, 2nd_____
- D. Action to Adjourn Meeting Action: 1st_____, 2nd_____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE BORROWING
OF NOT TO EXCEED \$2,000,000; AND
PROVIDING FOR THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PROMISSORY NOTES THEREFOR

WHEREAS, it is necessary that funds be raised by the Unified School District of De Pere, Brown County, Wisconsin (the "District") for the public purpose of paying the cost of rehabilitating and repairing public school facilities and acquiring equipment for those facilities, to wit: replacing and upgrading the HVAC system at Dickinson Elementary School (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the District hereby finds and determines that the Project is within the District's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, school districts are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes.

NOW, THEREFORE, BE IT RESOLVED by the School Board of the District, that;

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of not to exceed TWO MILLION DOLLARS (\$2,000,000) from a purchaser to be determined by subsequent resolution of the School Board (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the District President and District Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the District, general obligation promissory notes aggregating the principal amount of not to exceed TWO MILLION DOLLARS (\$2,000,000) (the "Notes").

Section 3. Notice to Electors. Pursuant to Section 67.12(12)(e)2 of the Wisconsin Statutes, the District Clerk shall, within ten (10) days of adoption of this Resolution, cause public notice of such adoption to be given to the electors of the District by publishing a notice in the De Pere Journal, the official newspaper of the District. The notice to electors shall be in substantially the form attached hereto as Exhibit A and incorporated herein by this reference (the "Notice").

Section 4. Award of the Notes. Following receipt of the purchase proposal from the Purchaser specifying the terms of and interest rates on the Notes, the School Board shall consider taking further action to provide the details of the Notes and to levy a direct annual irrevocable tax to pay the principal of and interest on the Notes as required by law. Any such further action shall be subject to the condition that no petition for referendum on the question of the issuance of the Notes has been filed within thirty (30) days of publication of the Notice.

Section 5. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the School Board or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded June 15, 2009.

Paul Summerside
District President

Attest:

Jonathan Paque
District Clerk

(SEAL)

EXHIBIT A

NOTICE TO THE ELECTORS
OF THE
UNIFIED SCHOOL DISTRICT OF DE PERE
BROWN COUNTY, WISCONSIN

NOTICE IS HEREBY GIVEN that the School Board of the above-named School District, at a regular meeting duly called, noticed, held and conducted on June 15, 2009, adopted a resolution entitled:

RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$2,000,000;
AND PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION
PROMISSORY NOTES THEREFOR

Said Resolution was adopted pursuant to the provisions of Section 67.12(12) of the Wisconsin Statutes to authorize a borrowing for the public purpose of paying the cost of rehabilitating and repairing public school facilities and acquiring equipment for those facilities, to wit: replacing and upgrading the HVAC system at Dickinson Elementary School (the "Project").

Copies of said Resolution are on file in the District office, located at 1700 Chicago Street, De Pere, Wisconsin 54115 and may be inspected weekdays, except holidays, between the hours of 9:00 a.m. and 4:00 p.m.

Section 67.12(12)(e)2 of the Wisconsin Statutes provides in part that a referendum is required on the question of this borrowing only if a petition is filed within 30 days after this publication signed by at least 7,500 District electors or 20% of the District electors voting for Governor at the last general election, whichever is the lesser. If no such petition is filed, then the Resolution shall be effective without a referendum.

Dated this 15th day of June, 2009.

BY THE ORDER OF THE
SCHOOL BOARD

Jonathan Paque
District Clerk

Published this ____ day of June, 2009 in the De Pere Journal.

RESOLUTION NO. _____

RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF QUALIFIED TAX CREDIT BONDS

WHEREAS, the Unified School District of De Pere, Brown County, Wisconsin (the "District") plans to undertake rehabilitating and repairing public school facilities and acquiring equipment for those facilities, to wit: replacing and upgrading the HVAC system at Dickinson Elementary School (the "Project");

WHEREAS, the District plans to take the steps necessary to authorize the issuance of general obligation bonds or promissory notes (collectively, the "General Obligation Securities") to pay the cost of the Project;

WHEREAS, the District intends to apply to the Wisconsin Department of Public Instruction for an allocation of qualified tax credit bonds (the "Tax Credit Bonds") and issue all or a portion of the General Obligation Securities as Tax Credit Bonds;

WHEREAS, if any portion of the costs of the Project are expended prior to the issuance of the Tax Credit Bonds, the School Board of the District deems it to be necessary, desirable, and in the best interests of the District to advance moneys from its funds on hand on an interim basis to pay such portion of the costs of the Project prior to the issuance of the Tax Credit Bonds.

WHEREAS, pursuant to Section 54A(d)(2)(D) of the Internal Revenue Code of 1986, as amended (the "Code"), the District may only reimburse itself from proceeds of the Tax Credit Bonds for amounts paid for a qualified purpose;

WHEREAS, only original expenditures paid after the adoption of this Resolution may be reimbursed with the proceeds of the Tax Credit Bonds; and

WHEREAS, the reimbursement must be made not later than 18 months after the date the original expenditure is paid.

NOW, THEREFORE, BE IT RESOLVED by the School Board of the District that:

Section 1. Expenditure of Funds. The District shall make expenditures as needed from its funds on hand to pay the cost of any portion of the Project until proceeds of the Tax Credit Bonds become available.

Section 2. Declaration of Official Intent. The District hereby officially declares its intent pursuant to Section 54A(d)(2)(D) of the Code and as described under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Tax Credit Bonds, the principal amount of which is not expected to exceed \$2,000,000. The District intends to apply to the Wisconsin Department of Public Instruction for an allocation of Tax Credit Bonds.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the portion of the Project expected to be financed by the Tax Credit Bonds from sources other than the Tax Credit Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the District pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the District Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Tax Credit Bonds are issued.

Section 5. Applicability of Davis-Bacon Act. The District hereby commits to comply with the prevailing wage requirements of subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the Davis-Bacon Act) for any portion of the Project to be financed with proceeds of the Tax Credit Bonds.

Section 6. Effective Date. This Resolution shall be effective upon its adoption and approval.

Adopted and recorded June 15, 2009

Paul Summerside
District President

ATTEST:

Jonathan Paque
District Clerk

(SEAL)