

**DATE:**

**TO:** ESU #1 Board of Directors

**FROM:** Bill Heimann, Administrator

**RE:** Tuesday, September 13, 2022 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, September 13, 2022, at 5:30 PM in the

ESU #1 Conference Room  
211 Tenth Street  
Wakefield, NE 68784-5014

Consideration, discussion and any action necessary will be taken on the following items.

- A. Notification of Open Meetings Law
- B. Roll Call\*
- C. Consent Agenda\*
  - C.1. Previous Minutes (copy attached)
  - C.2. Financial Reports\*
    - C.2.a. Revenue Report/Treasurer's Report
    - C.2.b. Cash Summary/Expenditure Report
  - C.3. Bills for September
  - C.4. Administrator's Monthly Report
    - C.4.a. NASB State Conference November 16-18
    - C.4.b. ESU1 All - Staff Day
    - C.4.c. Superintendent and Principal Meeting
    - C.4.d. State Innovative Software Funds
- D. Public Comment
- E. Central Office Remodel Project\*
- F. Approve 2022-2023 Budget\*
- G. Property Tax Request\*
- H. Personnel\*
  - H.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.
    - H.1.a. Resignation(s)
    - H.1.b. New Hire(s)
    - H.1.c. Contract Change(s)
    - H.1.d. Termination(s)
- I. Adjournment

This agenda contains a list of subjects known at the time of its distribution on . A copy of the agenda reflecting any changes will be kept in the ESU #1 Administrative office and will be readily available for public inspection during normal office hours. Except for items of emergency nature, the agenda will not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. The Board reserves the right to change the order of business discussed.

\*Action Items

# 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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**ESU #1 Board Meeting  
Tuesday, August 9, 2022**

A meeting of the ESU #1 Board of Directors convened in open and public session on Tuesday, August 9, 2022, at 5:30 PM, at ESU #1. **Present:** Traci Haglund, Tucker Hight, AJ Johnson, Duane Krusemark, Helen Sorensen, Susan Strahm, Josh Weber, **Absent:** Jim Gunsolley, Paul Hans, Shannon Johnson, Sally Reinert.

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

Published and/or Posted Locations:

- Wayne Herald (Thursday before meeting date)
- Central Office Front Door (Friday before meeting date)
- Sparq (Friday before meeting date)

A. Public Hearing: Student Fees Policy

President AJ Johnson opened the ESU #1 Student Fee Public Hearing at 5:25 p.m. No members of the public were present. The Hearing closed at 5:29 p.m.

B. Notification of Open Meetings Law

At the beginning of the meeting, President AJ Johnson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting site and included electronically in the E-Meeting agenda.

C. Roll Call\*

Motion by Helen Sorensen, seconded by Tucker Hight, to excuse the absence of members: Sally Reinert, Shannon Johnson, Paul Hans and Jim Gunsolley. After discussion and on roll call vote, the Board voted as follows:

**Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

D. Consent Agenda\*

Motion by Traci Haglund, seconded by Susan Strahm, to approve all items on the consent agenda as provided (June 14 Minutes, June and July Financial Reports, July bills of \$1,003,046.13, August bills of \$1,011,563.43 and the Administrator's report. After discussion and on roll call vote, the Board voted as follows:

**Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

D.1. Previous Minutes (copy attached)

D.2. Financial Reports

D.2.a. Revenue Report/Treasurer's Report

D.2.b. Cash Summary/Expenditure Report

D.3. Bills for August

D.4. Administrator's Monthly Report

D.4.a. Facility Updates

Administrator Heimann provided an update on some facility improvements that happened over the summer.

D.4.b. Migrant Education Close-Up Trip

ESU #1 Migrant Education Program provided a week-long experience in Washington D.C to students as part of the Close-Up program.

D.4.c. Start of School Year

ESU #1 hosted many new teachers for training, as well as our bi-annual All Staff Day the first week of August to start the new school year.

E. Public Comment

F. Student Fee Policy\*

Motion by Helen Sorensen, seconded by Traci Haglund, to approve the ESU #1 Student Fee Policy as presented and with no modifications. After discussion and on roll call vote, the Board voted as follows:

**Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

G. Anti-Bullying Policy\*

Motion by Tucker Hight, seconded by Helen Sorensen, to approve the ESU #1 Anti-Bullying policy as presented and with no modifications. After discussion and on roll call vote, the Board voted as follows:

**Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

#### H. Early Childhood Grant Award

ESU #1 was a recipient of a NDE competitive grant for an Early Childhood Instructional Coaching position.

#### I. Additional August Expenditures\*

Motion by Susan Strahm, seconded by Helen Sorensen, to authorize up to \$100,000 of General Fund expenditures and \$30,000 of Grant funds on August 31, 2022 to close out the 2021-22 fiscal year. After discussion and on roll call vote, the Board voted as follows:

#### **Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

#### J. Hot Lunch Program Appointment\*

Motion by Tucker Hight, seconded by Duane Krusemark, to appoint Nicole Haglund as the Tower School Hot Lunch program manager, and Stuart Clark as the hearing officer for the 2022-23 school year. After discussion and on roll call vote, the Board voted as follows:

#### **Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

#### K. Central Office Remodel Project

Administrator Heimann shared plans for potential updates to the Central Office.

#### L. Personnel\*

L.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.

#### L.1.a. Resignation(s)\*

Motion by Traci Haglund, seconded by Helen Sorensen, to accept the resignation of Angie Corderman, SPED Supervisor/Consultant as of August 10, 2022. After discussion and on roll call vote, the Board voted as follows:

#### **Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

#### L.1.b. New Hire(s)\*

- EC MTSS Facilitator (220 days), Toni Peters, effective August 1.
- Occupational Therapist (190 days), Justine Scott, effective 2022-23 school year.
- SPED Supervisor/Consultant (200 days), Jessica Heller, effective August 1.
- ELC CC - Early Learning Connection Coach Consultant (185 days), Sara Ortiz, effective September 1.

Tower Paraeducator Shelby Loberg, effective July 11, 2022

Motion by Susan Strahm, seconded by Traci Haglund, to approve the new hires for the 2022-23 academic year. After discussion and on roll call vote, the Board voted as follows:

**Motion Carried:**

Jim Gunsolley: Absent, Paul Hans: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Traci Haglund: For, Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Helen Sorensen: For, Susan Strahm: For, Josh Weber: For  
For: 7, Against: 0, Absent: 4

L.1.c. Contract Change(s)

L.1.d. Termination(s)

M. Adjournment

-  
As there were no other topics of discussion on the agenda, President AJ Johnson declared the meeting adjourned at 6:34 p.m.

Brittney Hampl, Recording Secretary

Helen Sorensen, Board Secretary

ESU # One

**NOTICE OF BUDGET HEARING AND BUDGET SUMMARY**

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 13th day of September 2022, at 5:15 o'clock P.M., at Central Office, Wakefield NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

|  |                  |
|--|------------------|
| 2020-2021 Actual Disbursements & Transfers               | \$ 10,674,038.00 |
| 2021-2022 Actual/Estimated Disbursements & Transfers     | \$ 15,004,935.00 |
| 2022-2023 Proposed Budget of Disbursements & Transfers   | \$ 16,535,235.00 |
| 2022-2023 Necessary Cash Reserve                         | \$ 2,750,000.00  |
| 2022-2023 Total Resources Available                      | \$ 19,285,235.00 |
| Total 2022-2023 Personal & Real Property Tax Requirement | \$ 1,784,637.68  |
| Unused Budget Authority Created For Next Year            | \$ 849,659.00    |

**Breakdown of Property Tax:**

|   |                 |
|---|-----------------|
| Personal and Real Property Tax Required for Non-Bond Purposes | \$ 1,784,637.68 |
| Personal and Real Property Tax Required for Bonds             | \$ -            |

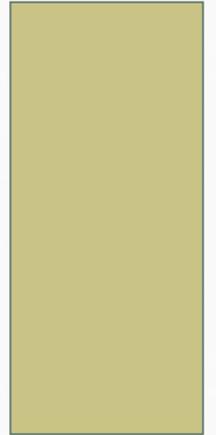
**NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST**

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1632, that the governing body will meet on the 13th day of September 2022, at following Budget Hearing o'clock P.M., at Central Office, Wakefield NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

|  | 2021            | 2022            | Change |
|--|-----------------|-----------------|--------|
| Operating Budget                                       | 14,984,800.00   | 16,535,235.00   | 10%    |
| Property Tax Request                                   | \$ 1,676,831.29 | \$ 1,784,637.68 | 6%     |
| Valuation  | 11,178,873,399  | 11,897,584,944  | 6%     |
| Tax Rate   | 0.015000        | 0.015000        | 0%     |
| Tax Rate if Prior Tax Request was at Current Valuation | 0.014094        |                 |        |

# ESU #1 BUDGET

OVERVIEW FOR 2022-23



# BUDGET PROCESS

- Fiscal Year is September 1 to August 31
- County Assessor provides property valuation by August 20.
- Publish notice of budget hearing in newspaper
- Tuesday, Sept. 13 budget hearing and property tax request hearing at 5:15 P.M.
- Hearings are mandated by state statute.
- The ESU #1 Board will be asked to approve the 2022-2023 budget and tax asking during the September 13 regular meeting.
- Budget must be adopted and submitted to the state by September 30.

HISTORICAL INFORMATION AND  
PROPOSED BUDGET



## HOW ARE ESU'S FUNDED?

- Contracted Services, Trainings, etc. (Schools)
- Grants (State or Federal)
- Core Service Dollars (State)
- State distributes amongst ESU's based on a formula
- Property Taxes (Local)
  - Statutory maximum levy is \$0.015
- What are Core Services and how are they funded?

# NEBRASKA DEPARTMENT OF EDUCATION

## RULE 84 (SECTION 8) CORE SERVICES

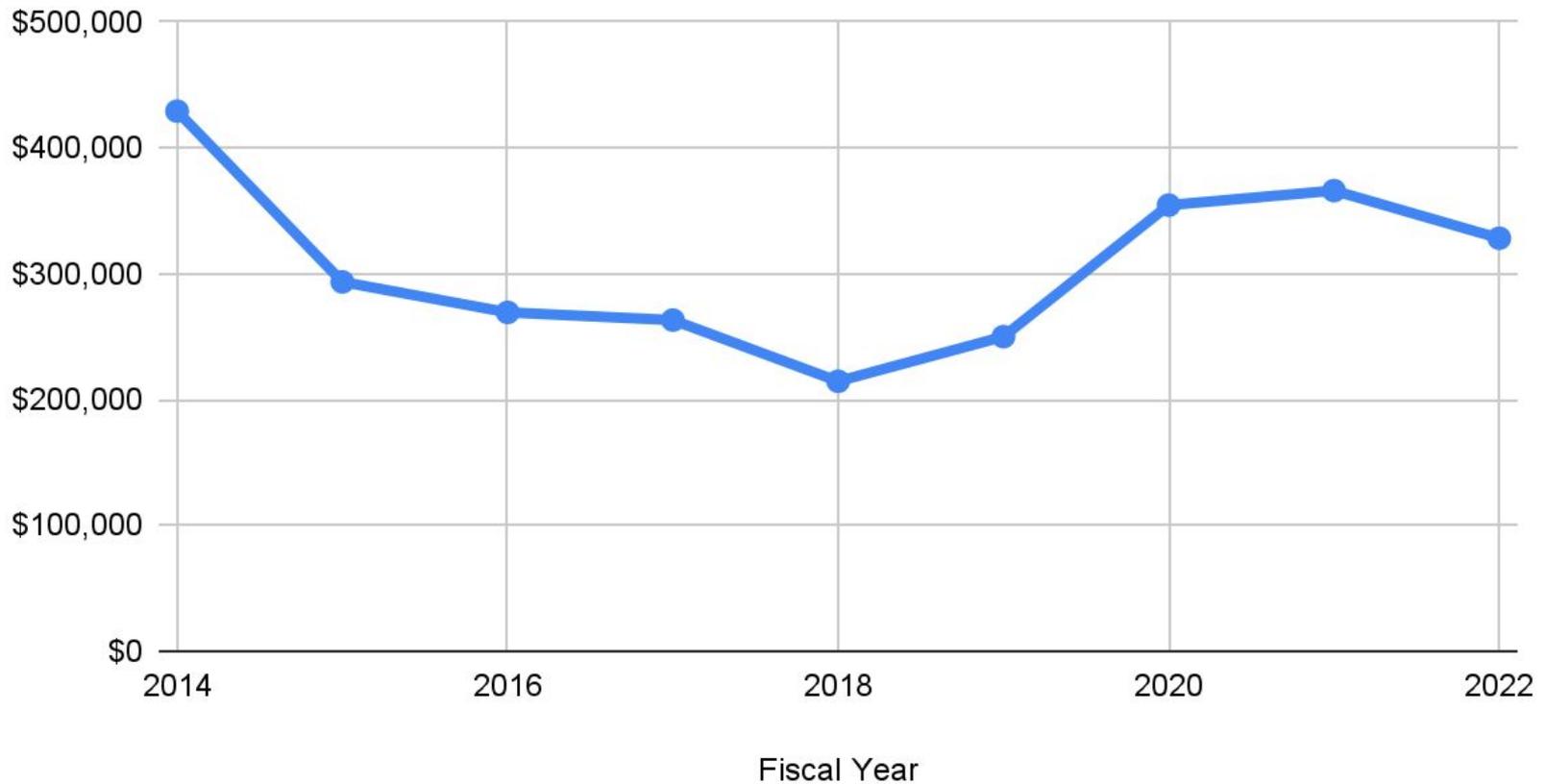
- TITLE 92 CHAPTER 84 008 Core Services
- 008.01 Provision of Core Services. Core services shall be provided by the ESU to all member school districts.
- Core services shall be defined by each ESU as follows:
- 008.01A Core services **shall be** within the following service areas in order of priority: **Staff development, which shall include staff development related to improving the achievement of all students including the achievement of students in poverty and students with diverse backgrounds; technology, including distance education services; and instructional materials services;**
- 008.01B Core services shall improve teaching and student learning by focusing on enhancing school improvement efforts, meeting statewide requirements including but not limited to accountability requirements, and achieving statewide goals in the state's system of elementary and secondary education;

# CORE SERVICES CONTINUED

- 008.01C Core services shall provide schools with access to services that:
- 008.01C1 the ESU and its **member school districts have identified as necessary services;**
- 008.01C2 are difficult, if not impossible, for most individual school districts to effectively and efficiently provide with their own personnel and financial resources;
- 008.01C3 can be efficiently provided by each ESU to its member school districts; and
- 008.01C4 can be adequately funded to ensure that the service is provided equitably to the state's public school districts;
- 008.01D Core services shall be designed so that the effectiveness and efficiency of the service can be evaluated on a statewide basis; and
- 008.01E Core services shall be provided by the ESU in a manner that minimizes the costs of administration or service delivery to member school districts.

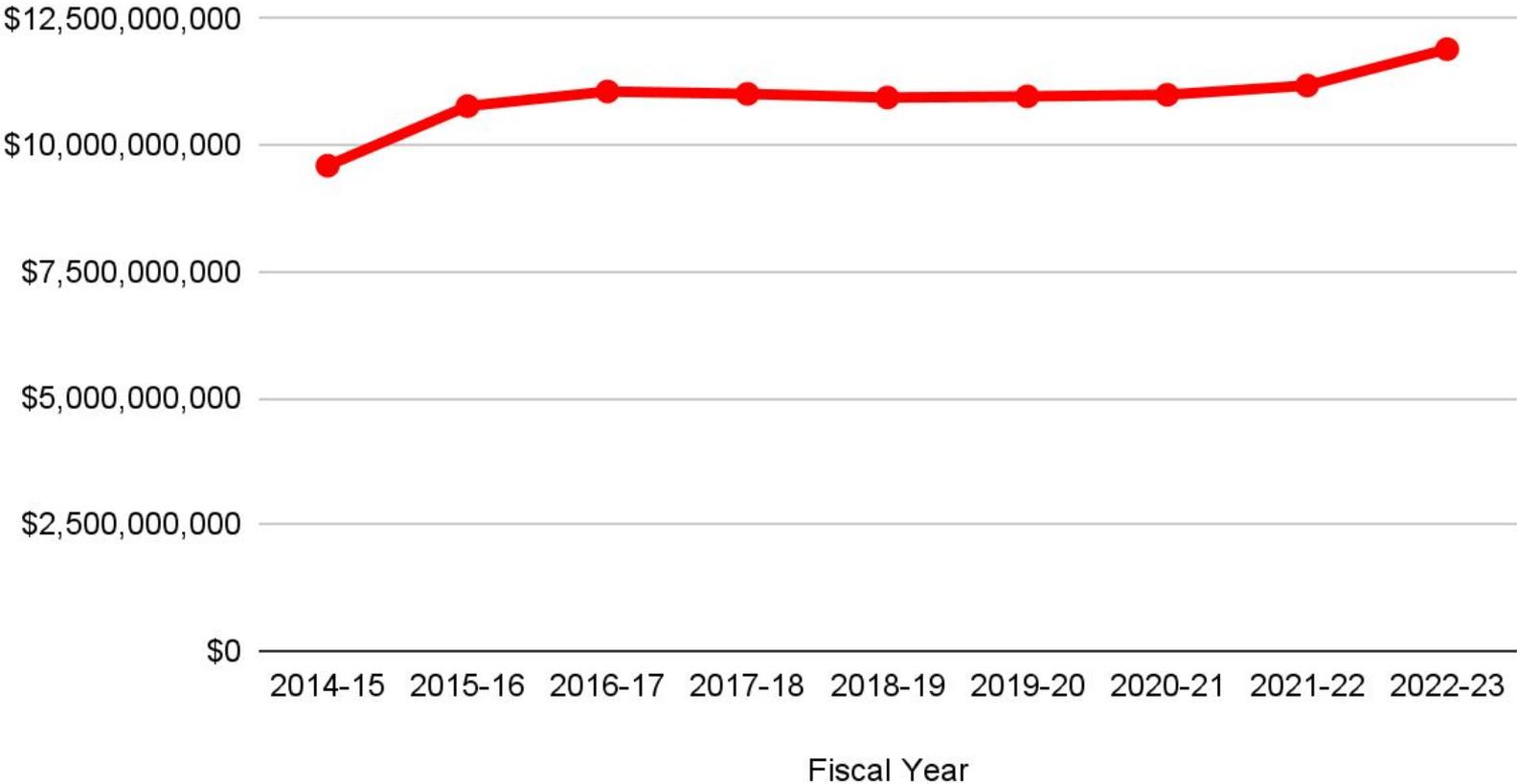
# ESU1 CORE SERVICE HISTORY

## Core Service Dollars



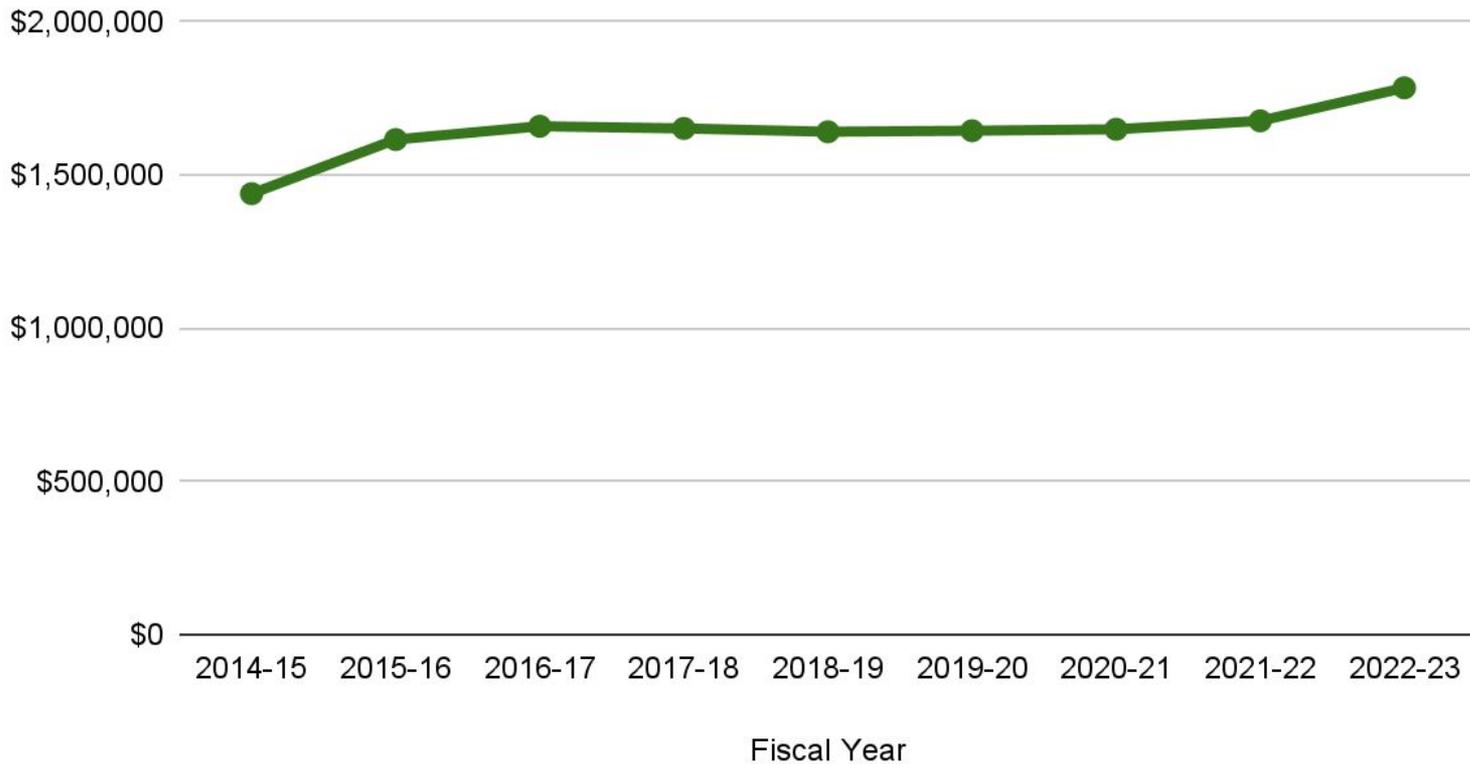
# ESU1 PROPERTY VALUATION

## Assessed Property Valuation



# ESU1 PROPERTY TAX REQUEST HISTORY

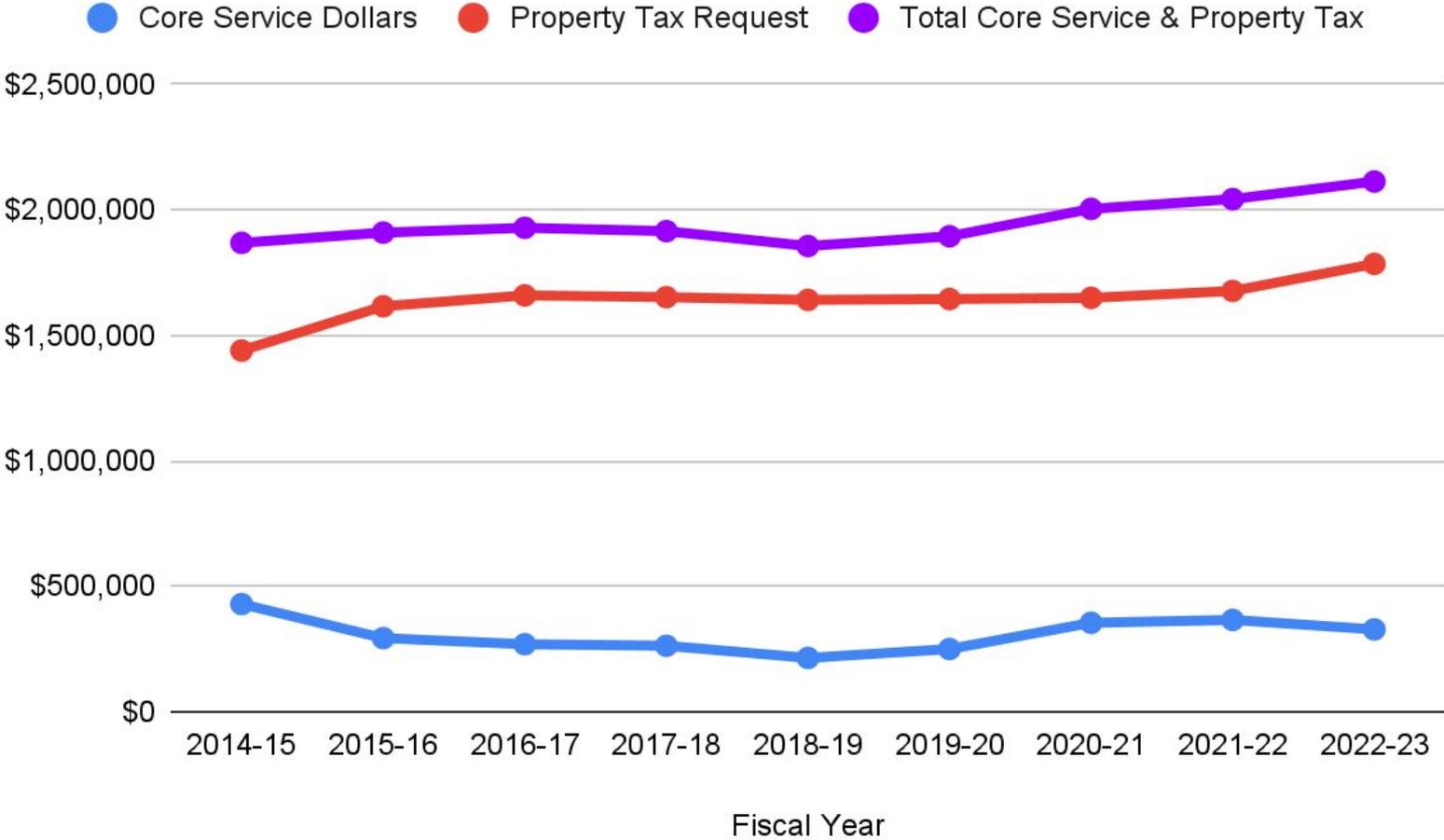
## Property Tax Request



# ESU1 PROPERTY TAX REQUEST HISTORY

| Fiscal Year | Property Tax Request | Change – previous year | Percent Change – previous year |
|-------------|----------------------|------------------------|--------------------------------|
| 2014-15     | \$1,439,220          | \$240,187              | 20.03%                         |
| 2015-16     | \$1,615,843          | \$176,623              | 12.27%                         |
| 2016-17     | \$1,659,201          | \$43,358               | 2.68%                          |
| 2017-18     | \$1,652,105          | (\$7,096)              | - 0.428%                       |
| 2018-19     | \$1,641,218          | (\$10,887)             | - 0.659%                       |
| 2019-20     | \$1,644,645          | \$3,427                | 0.209%                         |
| 2020-21     | \$1,649,385          | \$4,740                | 0.288%                         |
| 2021-22     | \$1,676,831          | \$27,446               | 1.664%                         |
| 2022-23     | \$1,784,638          | \$107,807              | 6.429%                         |

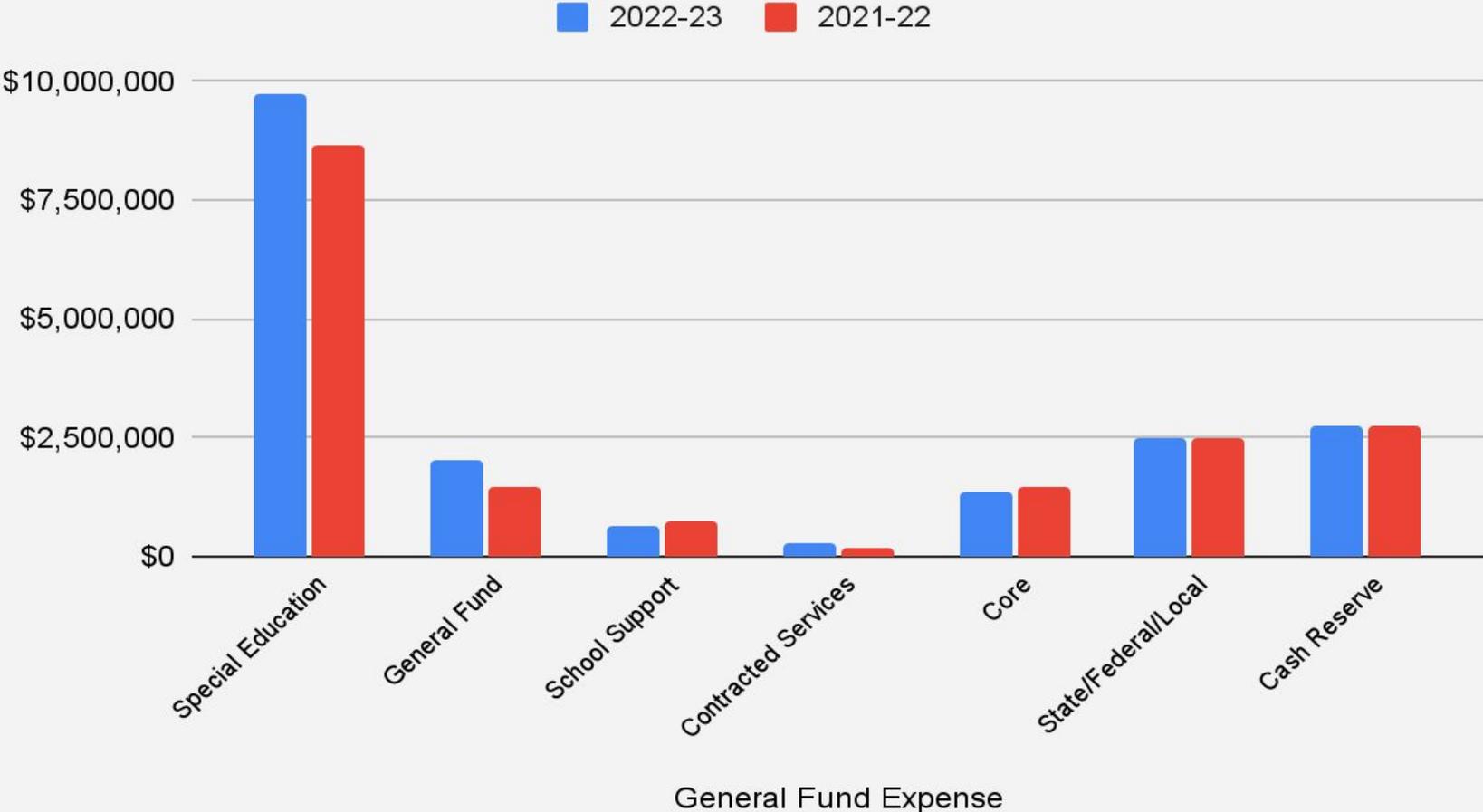
# ESU1 PROPERTY TAX & CORE SERVICE DOLLARS HISTORY



# BUDGET OF EXPENDITURES COMPARISON

| General Fund Expense        | 2022-23      | 2021-22      | 2020-21      |
|-----------------------------|--------------|--------------|--------------|
| Special Education           | \$9,722,995  | \$8,661,490  | 8,458,910    |
| General Fund                | \$2,040,535  | \$1,481,860  | \$1,320,525  |
| School Support General Fund | \$647,250    | \$750,900    | \$737,075    |
| Contracted Services (other) | \$262,125    | \$177,125    | \$219,275    |
| Core Service/Infrastructure | \$1,343,830  | \$1,442,175  | \$1,331,200  |
| State/Federal/Local         | \$2,518,500  | \$2,471,250  | \$1,995,000  |
| Cash Reserve                | \$2,750,000  | \$2,750,000  | \$2,500,000  |
| Total                       | \$19,285,235 | \$17,734,800 | \$16,561,985 |

# BUDGET OF EXPENDITURES COMPARISON



# EXPENDITURE SUMMARY

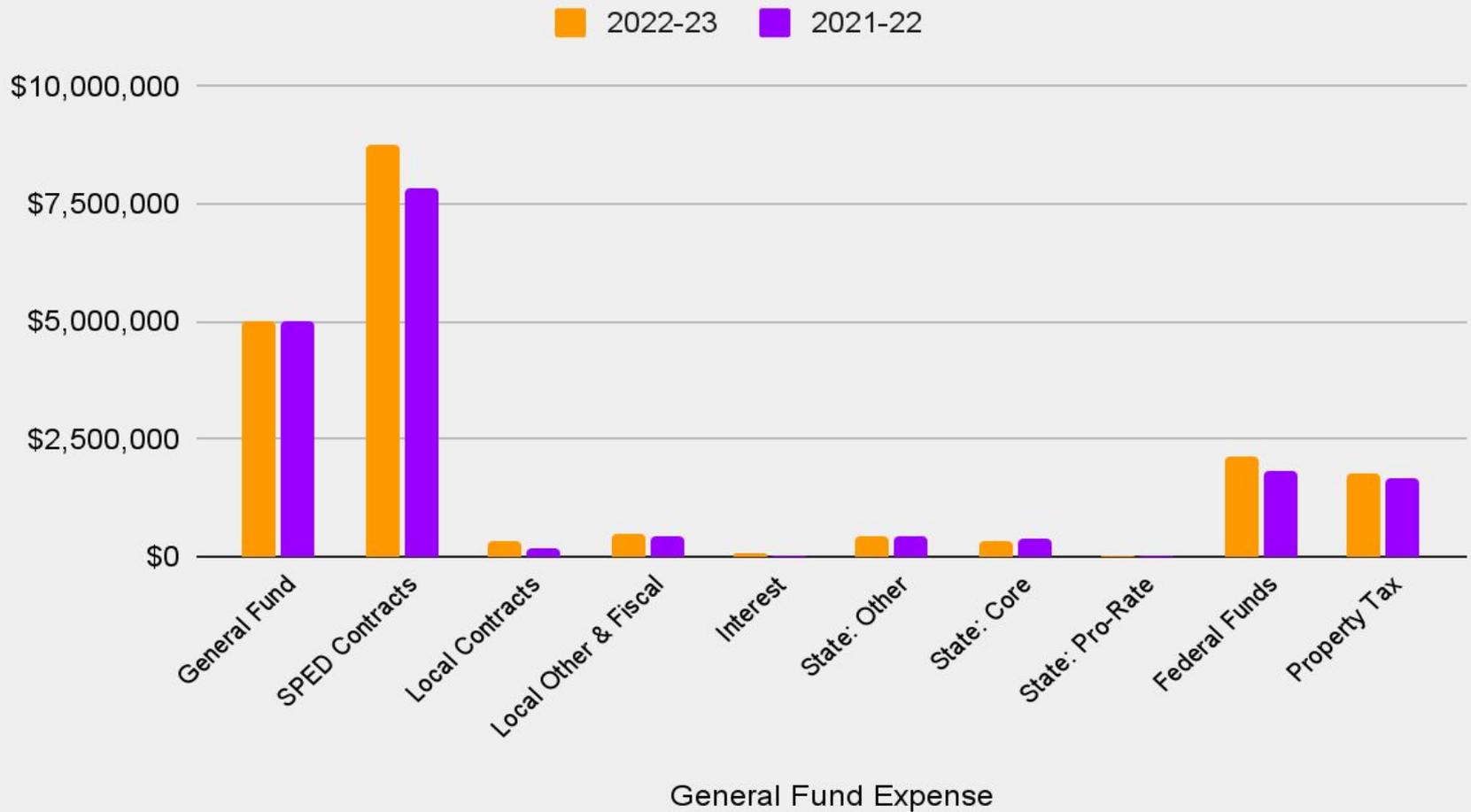
- Budget of Expenditures

- A budget is an estimate and identifies maximum expenditure limit
- Special Education
  - Personnel provide required services ages birth to age 21 services to all 23 districts
  - Increase: Employee compensation, additional FTE at Tower School
  - Higher costs for travel, training, computers, supplies, equipment and related costs
- General Fund
  - Board, Administration, Business Office, Operation and Maintenance
  - Increase for Employee compensation, central office remodel
- School Support - approved in the spring by Superintendents, ESU1 Board
- Contracted Services (other): Tech network support for schools, school nurse
- Core Services/Infrastructure: Media, Staff Development, Technology Infrastructure, Technology Training
- Federal, State, Local Grants: Migrant, ELC, Perkins
  - Increase for NDE MTSS, ELC; Mental Health and Migrant

# EXPENDITURE SUMMARY

- Special Education and Contract Services
  - Estimated expenditures equals **60%** of budget
- Core Services/Property Tax/General Fund
  - Estimated expenditures equals **24%** of budget
- Grants Funds
  - Estimated expenditures equals **16%** of budget
- Cash Reserve is budgeted amount that will not expend

# BUDGET OF REVENUE COMPARISON



# REVENUE SUMMARY

- General Fund Revenue
  - Beginning Balance is estimated funds from previous year
    - Strong cash position necessary because ESU1 expends Grants and Special Education funds first, receives reimbursement months afterwards
- Special Education and Contract Service
  - Revenue offsets expenditures – billed quarterly
- Local, State, Federal Resources
  - Property Tax, Core Service Funds combined 3.4% increase
  - Less than 10% of budgeted revenue are local ESU1 property taxes
  - State and Federal Grants provide reimbursement for allowable expenditures

## RESOLUTION SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of ESU #1 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 ESU #1 resolves that:

1. The 2022-2023 property tax request be set at:  
General Fund: \$1,784,637.68  
Bond Fund: \$ -----
2. The total assessed value of property differs from last year's total assessed value by 6.43%.
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 0.014094 per \$100 of assessed value.
4. ESU #1 proposes to adopt a property tax request that will cause its tax rate to be 0.015 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of ESU #1 will increase last year's budget by 10%.
6. A copy of this resolution is to be certified and forwarded to the County Clerk on or before October 13, 2022.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to adopt this Resolution.

Voting yes were:

Voting no were:

Dated this 13<sup>th</sup> day of September, 2022