

**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**KENTUCKY SCHOOL BOARDS ASSOCIATION (KSBA)**

**AND**

**NELSON COUNTY SCHOOLS**

**LGE-KU SPECIAL ENERGY PROJECT FUNDING**

**THIS MEMORANDUM OF AGREEMENT (the "AGREEMENT")** is made and entered into this August 15, 2016 by and between the Kentucky School Boards Association, 260 Democrat Drive, Frankfort, Kentucky 40601 (hereinafter "KSBA") and Nelson County Schools, 288 Wildcat Lane, Bardstown, KY, 40004 (hereinafter "District").

**W I T N E S S E T H:**

**WHEREAS,** The Louisville Gas and Electric ("LGE") and Kentucky Utilities ("KU") Companies have been authorized by the Kentucky Public Service Commission in a final order of PSC Case No. 2015-00398 to provide KSBA special energy project funding to be distributed to eligible K-12 public schools located in their service territory; and

**WHEREAS,** KSBA and LGE-KU entered into a Program Agreement whereby LGE-KU agreed to provide \$1,000,000 for said projects to be completed by June 30, 2018; and

**WHEREAS,** KSBA can reimburse eligible districts either a base option amount or a match option amount for energy projects in their LGE-KU served facilities; and

**WHEREAS,** KSBA may reimburse districts an additional matched share from funds not utilized by eligible districts; and

**WHEREAS,** the expenditure of funds shall be monitored by KSBA and subject to LGE-KU review within the terms of the Program Agreement; and

**WHEREAS,** District is a body politic and corporate, pursuant to KRS 160.160, having the authority to contract;

**NOW, THEREFORE,** in consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the receipt, mutuality and sufficiency of which is hereby acknowledged by the parties to this AGREEMENT, KSBA and District hereby COVENANT AND AGREE to the following terms and conditions of the Special Energy Project Funding and to participate in the program as follows:

## 1. OBLIGATIONS OF District

1.1 District shall undertake the following obligations for itself for LGE-KU served K-12 schools and further agrees that such terms shall be binding as applicable:

1.1.1 Comply with the applicable requirements and installation of energy efficiency measures as specified in district's Proposal – Attachments B and C, which are attached and are hereby incorporated into this AGREEMENT;

1.1.2 Provide the following information as applicable for each funded project;

- i. Physical description of location
- ii. Account Number
- iii. Installed measures type as applicable
- iv. Data specific to:
  1. Quantities
  2. Type measure/description (LED/fixture, A/C type, Heat Pump, Motors/Pumps, VFD, Other)
  3. Type fixture (description)
  4. Number of lamps per fixture (when applicable)
  5. Lamp/fixture wattage (actual draw) (when applicable)
  6. Estimated annual operating hours
  7. Actual equipment cost per fixture/unit
  8. Actual installed /operable date (final report)
  9. Unit make/model and tonnage
  10. Unit description (Packaged/Unitary A/C; Heat Pump; Rooftop A/C; Ground Source A/C)
  11. Number units
  12. Tons per unit (BTUs, MBTUs)
  13. ARI Rating (SEER/EER)
  14. Motor/Pumps unit descriptions, make/model #, age
  15. Motor/Pumps HP, type, RPM, installed efficiency
  16. VFD unit descriptions, make/model #, HP
  17. Full load efficiency in kW/ton (Final Report - New)
- v. Inoperable equipment should be specified by measure type/location.
- vi. All associated savings calculations to confirm operating hours & coincidence factors use in savings calculations
- vii. Engineer reports (when available)
- viii. Energy and demand before project (by project, including primary source of data used to verify savings)
- ix. Energy and demand after project (by project and aggregated projects)

- x. Calculation methodologies applied to operating hours, energy and demand impacts ( applies to preliminary project and completed calculation methodologies)
- xi. Copy of all equipment invoices (materials and labor)
- xii. Photos of existing and new measures
- xiii. Other installed measures not cited above shall include applicable account detail, project/unit descriptions, unit, operation hours, annual kWh savings, peak demand savings, costs (labor and equipment), and calculation methodologies applied.

1.1.3 Retain all records relating to the Project for at least three (3) years after the end of the term of this AGREEMENT;

## 2. OBLIGATIONS OF KSBA

2.1 KSBA shall undertake the following obligations:

- 2.1.1 Pay District the amount of "LGE-KU Funding" as set forth on Attachment A of this MOA .
- 2.1.2 Payment for the project will be made within 30 days of receipt of a copy of verifiable paid invoices and proof of payment.

## 3. MUTUALITY OF OBLIGATIONS

3.1 The obligations imposed upon the parties to this AGREEMENT are for the benefit of the parties and we each hereby agree that timely fulfillment of each and every obligation in accordance with this AGREEMENT is material and necessary. In the event of a material breach by either party to this AGREEMENT, the other party shall give written notice of the breach to the breaching party and the opportunity to cure such breach within (10) business days. Upon the failure of the breaching party to cure within said timeframe, the non-breaching party may terminate this AGREEMENT upon notice without further obligation to the other party.

- 3.2 Except as otherwise provided in this AGREEMENT, the parties to this AGREEMENT shall be solely responsible for any costs incurred in fulfilling their obligations under the AGREEMENT, and no party shall have any claim against the other party for reimbursement of such costs.
- 3.3 District agrees and understands that this AGREEMENT allows for a potential grant funding source which, subject to conditions of the grant and as set out herein, may apply towards certain costs of energy project work and District further agrees and understands that District shall be solely responsible for any and all legal, statutory, contractual, and financial obligations (over and above proper application of grant funding, including, but not limited to KDE Facilities Requirements).

#### 4. TERM OF AGREEMENT

- 4.1 The term of this AGREEMENT shall run from August 15, 2016 through July 31, 2018, or upon final payment by KSBA, whichever occurs first, or until termination of the Program Agreement as otherwise provided herein.

#### 5. CANCELLATION

- 5.1 This AGREEMENT can be terminated without cause by mutual consent of the parties following thirty (30) days prior written notice to the other party, or by KSBA at any time upon depletion of the grant funding and for cause as provided for in paragraph 3.1.

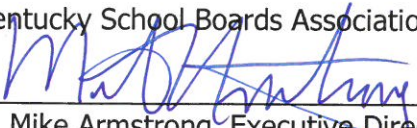
#### 6. NOTICE

- 6.1 Notices required under this agreement shall be mailed by registered or certified mail, or hand-delivered, to the District Schools' Superintendent at the address at the beginning of this AGREEMENT and to the KSBA Executive Director at the address at the beginning of this AGREEMENT

IN WITNESS WHEREOF, KSBA and District have executed this AGREEMENT as of the date first written above.

AGREED TO BY:

Kentucky School Boards Association

  
\_\_\_\_\_  
Mike Armstrong, Executive Director

Date: 8-16-16

District School Board of Education

\_\_\_\_\_  
Board Chairperson

Date: \_\_\_\_\_

Attested by: \_\_\_\_\_  
Board Secretary

Date: \_\_\_\_\_

Attachment A Funding Distribution  
District: NELSON COUNTY

**Match Option Selected**

The LGE/KU Grant will reimburse the district up to     \$ 10,000.00  
For Projects totaling or exceeding                             \$ 20,000.00

If projects do not total                                     \$ 20,000.00  
the LGE/KU Grant will reimburse the district up to but not exceeding half of the the project total.

For Clarity:

|                       |              |
|-----------------------|--------------|
| Grant Share           | \$ 10,000.00 |
| District Share        | \$ 10,000.00 |
| Project Total Minimum | \$ 20,000.00 |

All other requirements of the MOA must be met for reimbursement.

Proposal for New Haven School

District: Nelson County  
 Building Name: New Haven School  
 Contact: Kevin Mattingly  
 Project Description: This will be a retrofit of the exterior wall packs and pole lights at New Haven School. The existing fixtures will be replaced with new LED fixtures. The lighting supplier evaluated the site and the replacement fixtures have been determined to meet the light level requirements.

| Existing Equipment |                |             |                   |            |                   |             |                        |                |                    |
|--------------------|----------------|-------------|-------------------|------------|-------------------|-------------|------------------------|----------------|--------------------|
| Project List       | Account Number | Light Type  | # lamps / fixture | # fixtures | watts per fixture | total watts | Annual Operating Hours | Total kwh/year | Monthly demand, KW |
| Exterior           | 3000-0278-0876 | Wall Packs  | 1                 | 54         | 129               | 6,966       | 4500                   | 31,347         | 6.97               |
| Parking            | 3000-0278-0876 | Pole Lights | 1                 | 9          | 458               | 4,122       | 4500                   | 18,549         | 4.12               |

| New Equipment |                |                   |            |                   |             |                        |                |                    |                        |
|---------------|----------------|-------------------|------------|-------------------|-------------|------------------------|----------------|--------------------|------------------------|
| Project List  | Light Type     | # lamps / fixture | # fixtures | watts per fixture | total watts | Annual Operating Hours | Total kwh/year | Monthly demand, KW | Total Cost of Fixtures |
| Exterior      | LED Wall Packs | 1                 | 54         | 25                | 1,350       | 4500                   | 6,075          | 1.35               | 223.75                 |
| Parking       | LED Pole Heads | 1                 | 9          | 129               | 1,161       | 4500                   | 5,225          | 1.16               | 593.75                 |

| Annual Savings |            |                    |
|----------------|------------|--------------------|
| annual kwh     | monthly KW | Annual Savings, \$ |
| 38,597         | 9          | 3,860              |

| Project Cost |
|--------------|
| \$ 20,114    |

| Simple Payback |
|----------------|
| 5.21           |



This Tab Summarizes all of the projects for the district.

| Projects                 | Monthly KW Savings | Annual KWH Savings | Annual \$ Savings | Installed Cost, \$ | Rebates, \$ | Final Installed Cost,\$ | Simple Payback |
|--------------------------|--------------------|--------------------|-------------------|--------------------|-------------|-------------------------|----------------|
| Pine Knot Primary School | 8.577              | 38,597             | 3,860             | 20,114             |             | 20,114.46               | 5.211          |
|                          |                    |                    |                   |                    |             |                         |                |
| Total                    | 8.577              | 38,597             | 3,860             | 20,114             |             | 20,114.46               | 5.211          |

**Nelson County Regular**  
July 19, 2016 5:00 PM  
Central Office

**Attendance Taken at 5:00 PM:**

Present Board Members:

Mrs. Diane Berry  
Mrs. Diane Breeding  
Mr. David Norman  
Mr. Larry Pate

Absent Board Members:

Mr. Damon Jackey

**I. Call to Order**

The meeting was called to order at 5:00 p.m. by Chairperson, Diane Berry.

**II. Changes to the Agenda**

There were no changes to the agenda.

**III. Student & Stakeholder Engagement**

**III.A. Student Performance**

Julia Clark, 3<sup>rd</sup> grader from New Haven School, performed a solo based on the Seven Daily Habits.

**III.B. Good News**

Brooklyn Roller of **Bloomfield Middle School** was recently elected as the National Junior Beta Chaplain at the National Junior Beta Convention held in New Orleans. Brooklyn will be traveling to various Junior Beta State Conventions during the 2016-2017 academic year. She will serve as a guest speaker and assist the National Beta staff at each convention.

Team Brooklyn - The Voice of Beta - Campaign Skit placed first at the National Junior Beta Convention. Nelson County had students from Bloomfield Middle, **Bloomfield Elementary, Cox's Creek and Old Kentucky Home Middle** that participated in the skit.

Division One Betas: Audrey Milburn, Carson Mattingly, Kaden Roller and Leandra Kidwell placed in the Top Ten in Convention Invention. In the final round they were asked to present their invention in front of the 8,000 Betas in attendance at the National Junior Beta Convention.

Bloomfield Elementary Betas received the National Beta Scholarship Service Project Award.

Bloomfield Middle School placed second in the Trading Pin design.

At **Boston**, Camp Invention was a great success with over 50 students in attendance. This camp focuses on STEM and facilitates students' opportunities for enhancing critical thinking skills around the area of science and engineering.

Over the summer, the staff at **Foster Heights Elementary** have received training to implement the Leader in Me for this upcoming school year. The team is confident this will develop and increase the leadership skills of our students.

Twenty-one **high school students** have completed a total of 32 summer school courses. We still have several days of summer school to go!!!!

The Parent Teacher Organization held two "Spruce up **New Haven**" days. New plants were added to the front of the building and a fresh coat of paint was added in some much needed areas. Several teachers, their families, and PTO members showed up to help.

Congratulations to **Thomas Nelson High School** student Nathan Zabrecky (Class of 2016) for placing 2nd in the United States at the Skills USA Competition earlier this month. Nathan competed in the Heating Ventilation and Air Conditioning Skills competition.

#### **IV. Operations Consent Agenda**

**Motion Passed:** Motion to approve consent items as presented passed with a motion by Mrs. Diane Breeding and a second by Mr. David Norman.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

#### **IV.A. Information: Personnel Actions**

##### **Employment:**

|                  |                    |                |
|------------------|--------------------|----------------|
| Diana Smith      | Principal          | Cox's Creek    |
| Kevin Payton     | Principal          | New Haven      |
| Jaime Smith      | Principal          | OKH            |
| Peggy Gaona      | Teacher            | OKH            |
| Jeffrey Neagle   | Teacher            | OKH            |
| Makenzie Thomas  | Teacher            | NCH            |
| Scott Scheerhorn | Teacher            | TNHS           |
| Samantha Geary   | Teacher            | BMS            |
| Hayley Foster    | Teacher            | BMS            |
| Wesley Broderick | Teacher            | NCHS           |
| Dennis Dow       | Teacher            | NCHS           |
| Richard T. Mudd  | Teacher            | New Haven      |
| Lila Foster      | IA III             | Foster Heights |
| Shannon Layman   | FRYSC Coordinator  | TNHS/NCHS      |
| Anna Maria Voils | Nurse              | TNHS/FH        |
| Joseph Walker    | Bus Driver         | Transportation |
| Heather Styer    | Bus Driver         | Transportation |
| Devin O'Bryan    | Bus Driver         | Transportation |
| Hoyt Ball        | Bus Driver         | Transportation |
| Meagan Spalding  | Speech Pathologist | BES/BMS        |
| Chris Upton      | Spec Ed Teacher    | FHES           |
| Erin Milburn     | IAIII              | OKH            |
| Jessica Vittitow | IAIII              | OKH            |
| Alicia Newton    | IAIII              | OKH            |
| Shandy Seymour   | IAIII              | FHES           |
| Jamie Garcia     | IAIII              | NCHS           |

Transfers: None

Reinstatements: None

One Year Certification: None

Classified Subs: Brooklyn O'Bryan, Martha Martin, Markus Phillips

Certified Substitute: Michelle Blevins, Lauren Furnish, Adam Futch, Thomas Lynch, Jennifer Stumph, Emily Borders, Elaine Arms, Ruth Hamilton, Andrea Darby

Student Workers: Paula Marie Gagne, David M. Williams, Larkin Williams

Non-Renewals: None

Resignation:

|                 |           |      |
|-----------------|-----------|------|
| Leah Hardin     | Principal | BES  |
| Mona Miller     | Custodian | CCES |
| Charlie Adams   | Teacher   | TNHS |
| Andrew Courtney | Teacher   | NCHS |

Retirements: None

Reprimands/Terminations: None

#### **IV.B. Treasurer's Report**

#### **IV.C. Bills and Claims**

#### **IV.D. MUNIS Report**

#### **IV.E. Leaves of Absence**

There are no active leaves needing approval at this time.

#### **IV.F. Minutes from Previous Meeting**

June Board Meeting - 6/21/16

July Work Session - 7/7/16

#### **IV.G. Fundraiser Requests**

#### **IV.H. Policies 2nd Reading**

03.4 Substitute Teachers

09.123 Absences and Excuses

#### **V. Efficient Resource Management**

#### **V.A. Energy Project Funding**

Tim Hockensmith reviewed the KU/LGE Energy Project Funding resolution as discussed at the July Work Session. This grant provides a dollar for dollar match to be used on an upcoming energy project.

**Motion Passed:** Motion to approve the attached resolution regarding energy project funding passed with a motion by Mr. Larry Pate and a second by Mr. David Norman.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

#### **V.B. Energy Manager Funding MOA**

Tim Hockensmith reviewed the Energy Manager MOA for FY 2016-2017. This agreement allows the Nelson County Schools to partner with four other school districts within the state to share resources and cost for an energy manager. The energy manager will work in Nelson County two days a week.

**Motion Passed:** Motion to approve the attached Energy Manager MOA for 2016-2017 passed with a motion by Mrs. Diane Breeding and a second by Mr. David Norman.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

#### **VI. College and Career Readiness**

##### **VI.A. Instructional Fees**

Kim Brown and Ann Marie Williams reviewed instructional fees for 2016-2017 as presented at the July Work Session.

**Motion Passed:** Motion to approve request for instructional fees as presented passed with a motion by Mr. Larry Pate and a second by Mr. David Norman.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | No     |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

#### **VII. Safe and Caring Environment**

##### **VII.A. Head Start Memorandum of Agreement**

Cheryl Pile presented the Memorandum of Agreement between Nelson County Schools and Central Kentucky Head Start.

**Motion Passed:** Motion to approve Memorandum of Agreement for Special Education Services between the Nelson County Board of Education and Central Kentucky Head Start passed with a motion by Mr. David Norman and a second by Mrs. Diane Breeding.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

##### **VII.B. 504/ARC Chairpersons 2016-2017**

Cheryl Pile presented the 2016-2017 District Approved ARC/504 Chairperson by position as detailed below:

##### **Cox's Creek**

Principal  
Guidance Counselor

##### **Boston**

Principal  
Guidance Counselor

##### **Foster Heights**

Principal  
Assistant Principal  
Guidance Counselor

##### **Bloomfield Elementary**

Principal  
Guidance Counselor

**NCHS**

Principal  
 Assistant Principals  
 Guidance Counselors

**OKHMS**

Principal  
 Assistant Principal  
 Guidance Counselor

**Bloomfield Middle**

Principal  
 Assistant Principal  
 Guidance Counselor

**Horizons**

Principal  
 Guidance Counselor

**ELC/Headstart/Private**

Principal

**District**

Cheryl Pile, Director of Special Education  
 Mary Beth Clements, District ARC Chairperson  
 Amber Ervin, District ARC Chairperson  
 Amy Jo Crumbley, District Speech

**Motion Passed:** Motion to approve ARC/504 Chair People for the 2016-2017 school year by position passed with a motion by Mr. David Norman and a second by Mr. Larry Pate.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

**VIII. Student and Stakeholder Engagement****VIII.A. Guest Comments**

There were no guest comments.

**IX. Adjourn Regular Session**

**Motion Passed:** Motion to adjourn the Regular Session of the Nelson County Board of Education passed with a motion by Mr. Larry Pate and a second by Mr. David Norman.

|                     |        |
|---------------------|--------|
| Mrs. Diane Berry    | Yes    |
| Mrs. Diane Breeding | Yes    |
| Mr. Damon Jackey    | Absent |
| Mr. David Norman    | Yes    |
| Mr. Larry Pate      | Yes    |

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Chairperson

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Superintendent