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THE CONOTTON-SANDY-TUSCARAWAS VALLEY COMMUNITY IMPROVEMENT CORP.
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Tuscarawas Valley Local School District Board of Education
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RE: CSTVCIC Interest and Reuse of Elementary School(s) Proposed to be Retired

3-23-2009

Dear TVLSD Board of Education:

The new Conotton-Sandy-Tuscarawas Valley Community Improvement Corp. would like to introduce ourselves to you. We evolved from the Village of Mineral City Railroad Committee to pursue an expanded set of potential civic projects. Although our stated jurisdiction includes Sandy, Fairfield, and Warren Twps. in Tuscarawas County, Pike and Sandy Twps. in Stark County, and Rose Twp. in Carroll County, some projects and their services (i.e., cellular and wireless Internet service) may extend beyond those jurisdictions.

We understand the Board has placed a levy on the upcoming ballot proposing to construct a new consolidated elementary school on campus to replace Bolivar and Mineral City Elementary Schools. Should the levy pass the Ohio School Facilities Commission could provide additional funds to demolish the abandoned schools.

The CSTVCIC, a non-profit corporation and currently applying for IRS 50(c)(3) tax exemption status, is interested in repurposing one or both schools for other beneficial uses. A portion of Ohio Revised Code Section 3313.41 "Disposal of real or personal property - acquisition of real property" states the following-

(H) When a school district board of education has property that the board, by resolution, finds is not needed for school district use, is obsolete, or is unfit for the use for which it was acquired, the board may donate that property in accordance with this division if the fair market value of the property is, in the opinion of the board, two thousand five hundred dollars or less.

The property may be donated to an eligible nonprofit organization that is located in this state and is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3). Before donating any property under this division, the board shall adopt a resolution expressing its intent to make unneeded, obsolete, or unfit-for-use school district property available to these organizations. The resolution shall include guidelines and procedures the board considers to be necessary to implement the donation program and shall indicate whether the school district will conduct the donation program or the board will contract with a representative to conduct it. If a representative is known when the resolution is adopted, the resolution shall provide contact information such as the representative's name, address, and telephone number.

The resolution shall include within its procedures a requirement that any nonprofit organization desiring to obtain donated property under this division shall submit a written notice to the board or its representative. The written notice shall include evidence that the organization is a nonprofit organization that is located in this state and is exempt from federal income taxation pursuant to 26 U.S.C. 501(a) and (c)(3); a description of the organization's primary purpose; a description of the type or types of property the organization needs; and the name, address, and telephone number of a person designated by the organization's governing board to receive donated property and to serve as its agent.

After adoption of the resolution, the board shall publish, in a newspaper of general circulation in the school district, notice of its intent to donate unneeded, obsolete, or unfit-for-use school district property to eligible nonprofit organizations. The notice shall include a summary of the information provided in the resolution and shall be published at least twice. The second and any subsequent notice shall be published not less than ten nor more than twenty days after the previous notice. A similar notice also shall be posted continually in the board's office, and, if the school district maintains a web site on the internet, the notice shall be posted continually at that web site.

The board or its representatives shall maintain a list of all nonprofit organizations that notify the board or its representative of their desire to obtain donated property under this division and that the board or its representative determines to be eligible, in accordance with the requirements set forth in this section and in the donation program's guidelines and procedures, to receive donated property.

The board or its representative also shall maintain a list of all school district property the board finds to be unneeded, obsolete, or unfit for use and to be available for donation under this division. The list shall be posted continually in a conspicuous location in the board's office, and, if the school district maintains a web site on the internet, the list shall be posted continually at that web site. An item of property on the list shall be donated to the eligible nonprofit organization that first declares to the board or its representative its desire to obtain the item unless the board previously has established, by resolution, a list of eligible nonprofit organizations that shall be given priority with respect to the item's donation. Priority may be given on the basis that the purposes of a nonprofit organization have a direct relationship to specific school district purposes of programs provided or administered by the board. A resolution giving priority to certain nonprofit organizations with respect to the donation of an item of property shall specify the reasons why the organizations are given that priority.

Members of the board shall consult with the Ohio ethics commission, and comply with Chapters 102. and 2921. of the Revised Code, with respect to any donation under this division to a nonprofit organization of which a board member, any member of a board member's family, or any business associate of a board member is a trustee, officer, board member, or employee.

Effective Date: 11-04-2001; 09-23-2004; 03-30-2007

Once the IRS has granted our tax exempt status, we will submit to you a formal request of our interest in the real and personal property.

Also we spoke in person with an official of the OSFC in Columbus who clarified the demolition funds and requirements. Those funds are optional and are to be used for demolition purposes, but can be returned without penalty should they not be required up until after the new facility is constructed or

renovated and open for business. OSFC does not mandate demolition of old facilities in order for schools to receive state assistance to construct new facilities.

Recently we have also learned Stark State Technical College is inquiring about area facilities to potentially use for one if not more satellite branches. Should the levy pass and either or both elementary schools be left intact and renovated, Stark State could quickly and efficiently locate to the area, and possibly coordinate interdisciplinary programs and courses with TVLSD.

Thank you for your consideration of this proposal and please contact us at your convenience for any questions or information.

Sincerely,

A handwritten signature in black ink that reads "Daniel L. Van Epps". The signature is fluid and cursive, with the first name "Daniel" being the most prominent.

Daniel L. Van Epps
CSTVCIC Executive Director