

**NORTH BUTLER COMMUNITY SCHOOL DISTRICT
BOARD OF EDUCATION**

Special Meeting

December 16, 2024

The board special meeting was called to order by Board President Ty Crawford-Miller at 3:15 p.m. in Allison superintendent's office. Board members present were Ty Crawford-Miller, Amanda Lund, Jordan Nolz (via phone), Heather Shook (via phone) and Laurie Shultz; others present were Superintendent Bryan Boysen, Business Manager/Board Secretary Shellee Bartlett.

Director Amanda Lund then introduced the following Resolution and moved that the Resolution be adopted. Director Laura Shultz seconded the motion to adopt. The roll was called and the following directors voted:

AYES: Laurie Shultz, Jordan Nolz, Heather Shook

Amanda Lund, Ty Crawford-Miller

NAYS: None

The President declared the resolution adopted as follows:

RESOLUTION AUTHORIZING APPROVAL OF LEASE PURCHASE AGREEMENT BETWEEN
DAIMLER TRUCK FINANCIAL SERVICES USA LLC, AS LESSOR, AND NORTH BUTLER
COMMUNITY SCHOOL DISTRICT, AS LESSEE, INCLUDING THE MASTER INSTALLMENT
PURCHASE AGREEMENT NO. 359679, AMENDMENT NO. 1, EQUIPMENT SCHEDULE NO.
359679, AND EXHIBITS

WHEREAS, North Butler Community School District is authorized by Iowa Code section 274.1 to hold property and execute lease purchase agreements for equipment pursuant to Iowa Code sections 298.3, and to acquire items of equipment as are needed to provide authorized programs and services, and to acquire such equipment by entering into a lease with option to purchase agreement ("Lease Purchase Agreement"); and

WHEREAS, at a special meeting of the Board of Education on July 10, 2023, the Board unanimously approved leasing eight (8) buses in April, 2024 for five (5) years; and

WHEREAS, the buses did not become available until November, 2024; and

WHEREAS, on December 4, 2024, Daimler Truck Financial Services USA LLC offered to lease eight (8) new buses for \$140,211 each over either a three (3) year or a five (5) year term (see attached proposal); and

WHEREAS, on or about December 11, 2024, Lessor provided a Master Installment Purchase Agreement No. 359679; Exhibit A – Equipment Schedule No. 359679; Exhibit 1 – Equipment Description; Exhibit A-1 – Installment Payment Schedule, Exhibit B – Final Acceptance Certificate; Exhibit C – (sample) Opinion of Borrower's Counsel; Exhibit D – Acceptance of Installment Obligation; Insurance Coverage Requirements; Certificate of Signature Authority of Borrower; Payment Instructions; Bank Qualified Designation Certificate; Essential Use Letter; Acknowledgement of Board Approval and Board Meeting Minutes; IRS form 8038-G Information Return (the "Lease Purchase Documents"); and

WHEREAS, Board Policy No. 705.1 requires, for goods and services exceeding \$50,000, the competitive request for proposal or competitive bid process be used and received prior to Board approval; and

WHEREAS, the Lease Purchase Agreement, consisting of the Master Installment Purchase Agreement No. 359679 between Daimler Truck Financial Services USA LLC and North Butler Community School District, Schedule No. 359679, Amendment No. 1, and Exhibits, is for an equipment transaction that exceeds \$50,000 in value; and

WHEREAS, at an election held on December 2, 2014 the electors of the North Butler Community School District approved a voter-approved physical plant and equipment levy not to exceed One Dollar Thirty-Four Cents (\$0.67) per One Thousand Dollars (\$1,000) of the assessed valuation of the taxable property within the school district for a period of ten (10) years commencing with the fiscal year ending June 30, 2016 and ending with the fiscal year ending June 30, 2025, and at such election authorized expenditure of the revenue from that levy for uses that include the lease-purchase of equipment; and

WHEREAS, on November 11, 2024, the Board of Directors of North Butler Community School District, State of Iowa approved a Resolution Ordering Election on the Question of Continuing to Levy a Voter Approved Physical Plant and Equipment Property at a rate not to exceed One Dollar Thirty-Four Cents (\$1.34) per One Thousand Dollars (\$1,000) of the assessed valuation of the taxable property within the school district for a period of ten (10) years commencing with the fiscal year ending June 30, 2026 and ending with the fiscal year ending June 30, 2035; and

WHEREAS, such election will be held on March 4, 2025 and at such election the electors of the North Butler Community School District will be asked to approve the expenditure of the revenue from that levy for uses that include the lease-purchase of equipment; and

WHEREAS, at an election held on November 7, 2023 the electors of the North Butler Community School District approved a Revenue Purpose Statement authorizing the use of money received by the North Butler Community School District from the State of Iowa secure an advanced vision for education fund to provide funds for the purchase, lease or lease-purchase of transportation equipment; and

WHEREAS, North Butler Community School District has determined that it is necessary and desirable to provide for the educational needs of the District by acquiring the transportation equipment listed in Exhibit 1 to Exhibit A to the MIPA (the "Equipment"); and

WHEREAS, Daimler Truck Financial Services USA LLC is willing to finance the Equipment and lease the Equipment to North Butler Community School District pursuant to the Lease Purchase Agreement and North Butler Community School District is willing to lease the transportation equipment from Daimler Truck Financial Services USA LLC pursuant to the Lease Purchase Agreement; and

WHEREAS, North Butler Community School District has determined that this Lease Purchase Agreement will be funded with revenue from the regular and voter-approved Physical Plant and Equipment Levy and / or the State of Iowa secure an advanced vision for education fund;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of North Butler Community School District, State of Iowa:

1. The Board of Directors finds and determines that the Lease Purchase Agreement is in the best interest of North Butler Community School District. The Lease Purchase Agreement consisting of the Master Installment Purchase Agreement No. 359679 between Daimler Truck Financial Services USA LLC and North Butler Community School District, Amendment No. 1, Schedule No. 359679, and Exhibits, is

authorized and approved subject to such variations, changes, insertions, deletions, adjustments due to delivery schedule, and filling in of blanks as may be approved by Legal Counsel and the officers executing the Lease Purchase Agreement. The execution and delivery of the Lease Purchase Agreement is conclusive evidence of approval of any such variations, changes, insertions, deletions, or filling in of blanks.

2. For the sole purpose of qualifying the Lease as a "Qualified Tax-Exempt Obligation" pursuant to the Internal Revenue Code of the United States, the District designates the Lease as a qualified tax-exempt obligation and represents that the reasonably anticipated amount of tax-exempt government and Code Section 501(c)(3) obligations which will be issued during the current calendar year will not exceed \$10,000,000.

3. That any potential application of Board Policy No. 705.1 is waived for this transaction.

4. The Superintendent and Board Secretary are hereby authorized to take such action as they deem necessary and appropriate to enter into the Lease Purchase Agreement, upon the advice of Legal Counsel.

PASSED AND APPROVED this 16th day of December, 2024.

Moved by Lund, seconded by Shultz, to set a public hearing for the sale of buses – January 13, 2025 @ 6:00 p.m. in the Allison Media Center. Carried unanimously.

Item 3. Gym Sound System was tabled.

Moved by Shultz, seconded by Lund, to approve Emergent Architecture for facility improvements. Carried unanimously.

Moved by Shultz, seconded by Lund to adjourn the meeting at 3:33 p.m. Carried unanimously.

Board President

January 13, 2025

Date

Board Secretary

January 13, 2025

Date