

**SCHOOL DISTRICT OF LANCASTER SCHOOL BOARD**  
**Lancaster, Pennsylvania**

**Special Meeting – PlanCon Documents**

**March 4, 2009**

The School District of Lancaster School Board held a special meeting to approve submission of PlanCon Documents to PA Department of Education and other business to come before the Board on Wednesday, March 4, 2009 at 5:15 p.m. at the Scheffey Board Room, Lancaster, Pennsylvania. The following members of the Board answered roll call:

Mr. Patrick Snyder, President  
Mrs. Barbara Boben  
Mrs. Marta Howell  
Mrs. Jacqueline McCain  
Mrs. Linda Troublefield Owens  
Ms. Janelle M. Simms

Mr. Michael Rowen, Vice President – Tardy  
Mrs. Stacey Marten – Absent  
Dr. Nenita Faller-Miller – Absent

Officers: Mr. Pedro Rivera, Superintendent  
Mr. Matt Przywara, Treasurer  
Mrs. Rita Balogh, Secretary – Absent

Legal Counsel: Mr. Robert Frankhouser, Solicitor

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**3/4/2009: CALL TO ORDER:** The meeting was called to order at 5:17 p.m. by President Snyder. Roll call was answered by: *Directors Boben, Howell, McCain, Owens, Simms, and Snyder: Present – 6; Absent: Directors Marten, Miller and Rowen – 3.* (Director Rowen joined the meeting at 5:27 p.m.)

**CALL TO ORDER**

**3/4/2009: Approval of Temporary Board Secretary:** Director Owens made a motion to approve Kelly Burkholder as Temporary Board Secretary. The motion was seconded by Director Simms and approved as follows: *Aye: Directors Boben, Howell, McCain, Owens, Simms, and Snyder – 6; Nay – 0.*

**Approval of Temporary Board Secretary**

**3/4/2009: Approval to Submit PlanCon D and E for Ross Elementary School:** On a motion by Director Howell, seconded by Director McCain PlanCon D and E for Ross Elementary School was approved as follows: *Aye: Directors Boben, Howell, McCain, Owens, Simms, and Snyder – 6; Nay – 0.*

**Approval to Submit PlanCon D and E for Ross Elementary School**

**3/4/2009: Approval to Submit PlanCon F for Wharton Elementary School:** Following a second by Director Boben, Director Howell's motion to approve PlanCon F for Wharton Elementary School was approved as follows: *Aye: Directors Boben, Howell, McCain, Owens, Simms, and Snyder – 6; Nay – 0.*

**Approval to Submit PlanCon F for Wharton Elementary School**

**3/4/2009: Letter of Credit:** President Snyder asked Matt Przywara, Chief Financial Officer, to explain the Letter of Credit prior to the vote. Mr. Przywara's response was the City of Lancaster requires the District to guarantee an amount of money, in our

**Letter of Credit**

case \$569,522, as a way of guaranteed payment to contractors as we sign off on the projects. We will be required to do this with each project. An alternative would have been to set up an escrow account but the City likes to do it this way.

President Snyder clarified that this in not any additional borrowing of money.

Director Simms asked for an explanation regarding the expiration date and extension.

Mr. Przywara responded that it will keep extending itself based on the anniversary date until Washington Elementary is complete.

Mr. Frankhouser supplemented Mr. Przywara's remarks by adding under the Subdivision and Land Development Ordinance, any developer who comes into the City and says we're going to improve land must comply with that ordinance. That includes items such as storm water, street improvements on the property, etc. It requires every developer to post security for completion of those mandated improvements under the ordinance. If the developer does not complete the project or skips town, the City has the ability to make sure those improvements are completed and draw on either an Escrow Account or a Letter of Credit issued by a bank which secures a guarantee of the completion of the improvements.

Director Boben inquired about the alternative to the Letter of Credit, which Mr. Przywara responded that an Escrow account takes longer and would also incur additional legal expenses.

Director Rowen joined the meeting at 5:27 p.m.

Director Boben made a motion to approve the following resolution:

I hereby move that the letter of credit of Commerce Bank, as presented to this Board of School Directors, relating to the Washington Elementary School project, is hereby approved as a current obligation, for the full payment of which current revenues have been appropriated and shall continue to be appropriated in all future fiscal years of the School District, and the appropriate officers of the School District are hereby authorized to review, approve, execute and deliver all related, necessary and appropriate documents, and to take all necessary and appropriate related actions.

The motion was seconded by Director Howell and approved as follows: *Aye: Directors Boben, Howell, McCain, Owens, Rowen, and Simms – 6; Nay – 0; Abstain: Snyder – 1.*

**3/4/2009: ADJOURNMENT:** Director Howell made a motion to adjourn, which was seconded by Director Boben. President Snyder adjourned the meeting at 5:30 p.m.

Attest:

Kelly Burkholder  
Temporary Board Secretary

Letter of Credit (cont.)

ADJOURNMENT