

**AN ORDER OF THE BOARD OF EDUCATION OF THE  
COUNTY OF MARSHALL DIRECTING THE SUBMISSION  
TO THE VOTERS OF MARSHALL COUNTY AT A  
GENERAL ELECTION TO BE HELD NOVEMBER 8, 2022  
ALL QUESTIONS CONNECTED WITH THE RENEWAL  
OF ADDITIONAL LEVIES TO PROVIDE SUFFICIENT  
FUNDS TO PAY THE GENERAL CURRENT EXPENSES  
OF SAID BOARD.**

After full consideration thereof, The Board of Education of the County of Marshall (the "Board"), being of the opinion that the levies for current expenses authorized by Article 8, Chapter 11 of the Code of West Virginia, 1931, as amended, will not provide sufficient funds for the payment of general current expenses of schools in Marshall County, West Virginia, including expenditures for the purposes hereinafter stated, during the fiscal years beginning July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027, and having ascertained that the approximate average amounts hereinafter shown in excess of the amounts raised by regular levies will be needed by the Board, subject to variations from year to year, during each of said five (5) fiscal years, and that the question of increase of such levies should be submitted to the voters of Marshall County at a general election to be held on November 8, 2022, in accordance with applicable law, it is hereby ORDERED and DECLARED that:

1. The purposes for which additional funds are needed during the term of this five year levy, and the approximate average annual amount for such purposes after due allowances for discounts, delinquencies, exonerations, uncollected taxes and shrinkage, subject to variation from year to year as set forth herein, are as follows:

| <b><u>PURPOSE FOR WHICH<br/>ADDITIONAL FUNDS ARE NEEDED</u></b>  | <b><u>ANNUAL AMOUNT<br/>FOR EACH PURPOSE</u></b> |
|--|--|
| A. Purchasing instructional equipment, teaching supplies, textbooks, and library books.                                | \$1,500,000                                      |
| B. Continuing to provide counselors throughout the county and funding their benefits beyond the State Funding Formula. | \$300,000  |
| C. Continuing to provide nurses throughout the county and funding their benefits beyond the State Funding Formula.     | \$300,000  |
| D. Continuing to provide social worker services to students.   | \$150,000  |
| E. Continuing to provide resource officers in the schools.   | \$325,000  |
| F. Providing for free breakfast and lunch to all students.   | \$400,000  |

|   |              |
|---|--------------|
| G. Continuing the Project Lead The Way / STEM curriculum for grades K-12.   | \$250,000    |
| H. Providing funding to library services through the Public/County libraries of Benwood, Cameron, and Moundsville.  | \$500,000    |
| I. Providing funding to the Marshall County 4-H through the West Virginia University Extension Service.   | \$75,000     |
| J. Providing funding to the Marshall County Health Department for county-wide health services.  | \$100,000    |
| K. Improving access to technology by purchasing hardware, software, infrastructure, repairs, training, and technical support personnel.   | \$1,500,000  |
| L. Providing for maintenance on equipment and buildings, including extended employment for summer maintenance workers.  | \$3,000,000  |
| M. Supplementing special education services for identified students beyond the State Funding Formula.   | \$300,000    |
| N. Providing vehicle maintenance, fuel, and county-wide bus replacement.  | \$900,000    |
| O. Contracting with various sites throughout Marshall County for the Pre-Kindergarten Program.  | \$300,000    |
| P. Providing supplemental funding for various renovations and new construction throughout the county including but without limitation; safety upgrades, renovation of SMS auditorium for classroom space, new SMS/Hilltop auditorium, new MMS auditorium, Sand Hill School facility upgrades, Cameron Elementary interior upgrades, new McMechen/Benwood School, JMHS and CHS athletic facility improvements, Glen Dale Elementary renovations, and MMS roof. | \$8,000,000  |
| Q. Funding employee salaries and benefits, including local salary supplements and fixed charges, such as dental and optical plans.  | \$15,267,276 |
| R. Providing for vocational supplies, equipment, and personnel.   | \$300,000    |
| S. Providing for music, band, and strings equipment.  | \$125,000    |

|  |                     |
|--|---------------------|
| T. Providing for extended day learning, including personnel and supplies.  | \$200,000           |
| U. Providing for summer school remediation, enrichment, and vocational training, including personnel and supplies.           | \$150,000           |
| V. Continuing to provide for intervention specialists, including fringe benefits throughout the county's elementary schools. | \$500,000           |
| W. Providing extra duty salary supplements for curricular positions and athletic coaches.                                    | \$700,000           |
| X. Providing for Back to School Fair.  | \$10,000            |
| <b>TOTAL:</b>  | <b>\$35,152,276</b> |

As noted above and as provided in Paragraph 2 of this Order, the amounts set forth above are the anticipated average annual amounts for each purpose. The actual amounts for each purpose likely will vary from one fiscal year to the next. If any item in the above-stated purposes is declared unconstitutional or invalid due to judicial or legislative action, then any affected funds will be distributed among the remaining constitutional and valid itemized purposes.

2. The total amount necessary to carry out the above purposes over five fiscal years, after making reasonable allowances for discounts, delinquencies, exonerations, uncollected taxes and shrinkage, is \$175,761,380 or the average sum of \$35,152,276 annually. The actual amounts budgeted, as well as the amounts spent, for each purpose and in aggregate, likely will vary from one fiscal year to the next depending on the realized tax collections and the needs of the Marshall County School District, as determined by the Board with respect to each fiscal year. If the amounts budgeted by the Board for a specific purpose or purposes for a fiscal year are not able to be spent entirely in such fiscal year, then the unspent amounts shall be carried over and spent on such specific purpose or purposes in subsequent fiscal years.

3. The separate and aggregate assessed valuation of each class of taxable property within Marshall County for the most recent assessment year is as follows:

|                  |                        |
|------------------|------------------------|
| <b>Class I</b>   | <b>\$0</b>             |
| <b>Class II</b>  | <b>\$604,454,786</b>   |
| <b>Class III</b> | <b>\$3,780,328,842</b> |
| <b>Class IV</b>  | <b>\$392,158,265</b>   |
| <b>TOTAL</b>     | <b>\$4,776,941,893</b> |

4. The proposed additional rate of levies in cents for each \$100 of value on each class of property within Marshall County for the fiscal years beginning July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027 is as follows:

|                           |                    |
|---------------------------|--------------------|
| <b>Class I Property</b>   | <b>20.66 cents</b> |
| <b>Class II Property</b>  | <b>41.32 cents</b> |
| <b>Class III Property</b> | <b>82.64 cents</b> |
| <b>Class IV Property</b>  | <b>82.64 cents</b> |

Provided, however, that the Board reserves unto itself as the levying body the right and authority to reduce the rates of the excess levy, in its sole discretion, if increased assessments would produce funds beyond projected needs in any fiscal year specified in the levy call.

5. If authorized by the voters the additional levies shall apply to the fiscal years beginning **July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027.**

6. The question of such additional levies shall be submitted to a vote at the general election to be held in Marshall County, West Virginia, on the 8th day of November, 2022.

7. The Board will not issue bonds in connection with the approval of the proposed increased levy.

8. If additional State, Federal, private or other special funds become available to provide funding for any of the above-stated purposes, or if surplus funds are generated due to increased assessed valuations, then in either case the Board shall be authorized and empowered to expend at the end of each fiscal year, during the term of the levies, the surplus (if any) in excess of the amount needed for any of the above-stated purposes for the enrichment, supplementation and advancement of all educational programs in Marshall County, and other purposes pertinent to the operation of Marshall County Schools, in the discretion of the Board. Such additional or surplus funds may be used either in substitution for or in addition to the funds obtained from the excess levy.

9. In the event that the actual amount collected is less than the approximate annual amounts allocated for the above-stated purposes for any one or more fiscal years (including, without limitation, as a result of any amendments to the West Virginia Constitution or changes the Code of West Virginia impacting property taxes, levy rates or similar matters), the Board is hereby authorized and empowered to determine in its discretion (i) which one or more of the above-stated purposes shall be reduced for each such fiscal year and (ii) the amount of each such reduction for such fiscal year; provided, however, that the total of all such reductions shall not exceed the amount of such collection shortfall each year.

10. In the event that a specific library or school facility that is named in the above-stated purposes closes or otherwise ceases operation, the Board, in its sole discretion, may reallocate funds that were originally allocated to those specific library or school facilities to any of the other above-stated purposes.

11. The Secretary of the Board is hereby authorized and directed to attend to the publication requirements of Paragraph 11 of this Order, and to do all things necessary to present

the question proposed by this Order to the voters in the Marshall County School District at the above-referenced general election.

12. Notice calling the general election shall be given by the publication of this Order once each week for two successive weeks before said election in the Moundsville Daily Echo, a newspaper of general circulation in the Marshall County School District, as qualified by the Secretary of State of West Virginia. All provisions of the laws concerning general elections shall apply as far as they are practicable.

13. The official ballot to be used in the general election shall be in a form as follows:

**OFFICIAL BALLOT**  
**SPECIAL LEVY ELECTION**  
 General Election on November 8, 2022 to Authorize  
 Additional Levies According to the Order of  
 The Board of Education of the County of Marshall  
 Adopted and Entered on August 9, 2022

Special election to authorize additional levies (the "Excess Levy") for the fiscal years beginning July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027 in the approximate average amount of \$35,152,276 annually for the purpose of the payment of the general current expenses of The Board of Education of the County of Marshall (the "Board"), including for the purposes hereinafter set forth; all according to the Order of the Board entered on the 9th day of August, 2022, and as more particularly described below.

The purposes for which additional funds are needed during the term of this five year levy, and the approximate average annual amount for such purposes after due allowances for discounts, delinquencies, exonerations, uncollected taxes and shrinkage, subject to variation from year to year as set forth herein, are as follows:

| <b><u>PURPOSE FOR WHICH<br/>ADDITIONAL FUNDS ARE NEEDED</u></b>  | <b><u>ANNUAL AMOUNT<br/>FOR EACH PURPOSE</u></b> |
|--|--|
| A. Purchasing instructional equipment, teaching supplies, textbooks, and library books.                                | \$1,500,000                                      |
| B. Continuing to provide counselors throughout the county and funding their benefits beyond the State Funding Formula. | \$300,000  |
| C. Continuing to provide nurses throughout the county and funding their benefits beyond the State Funding Formula.     | \$300,000  |
| D. Continuing to provide social worker services to students.   | \$150,000  |

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|---|--------------|
| E. Continuing to provide resource officers in the schools.  | \$325,000    |
| F. Providing for free breakfast and lunch to all students.  | \$400,000    |
| G. Continuing the Project Lead The Way / STEM curriculum for grades K-12.   | \$250,000    |
| H. Providing funding to library services through the Public/County libraries of Benwood, Cameron, and Moundsville.  | \$500,000    |
| I. Providing funding to the Marshall County 4-H through the West Virginia University Extension Service.   | \$75,000     |
| J. Providing funding to the Marshall County Health Department for county-wide health services.  | \$100,000    |
| K. Improving access to technology by purchasing hardware, software, infrastructure, repairs, training, and technical support personnel.   | \$1,500,000  |
| L. Providing for maintenance on equipment and buildings, including extended employment for summer maintenance workers.  | \$3,000,000  |
| M. Supplementing special education services for identified students beyond the State Funding Formula.   | \$300,000    |
| N. Providing vehicle maintenance, fuel, and county-wide bus replacement.  | \$900,000    |
| O. Contracting with various sites throughout Marshall County for the Pre-Kindergarten Program.  | \$300,000    |
| P. Providing supplemental funding for various renovations and new construction throughout the county including but without limitation; safety upgrades, renovation of SMS auditorium for classroom space, new SMS/Hilltop auditorium, new MMS auditorium, Sand Hill School facility upgrades, Cameron Elementary interior upgrades, new McMechen/Benwood School, JMHS and CHS athletic facility improvements, Glen Dale Elementary renovations, and MMS roof. | \$8,000,000  |
| Q. Funding employee salaries and benefits, including local salary supplements and fixed charges, such as dental and optical plans.  | \$15,267,276 |

|  |                     |
|--|---------------------|
| R. Providing for vocational supplies, equipment, and personnel.  | \$300,000           |
| S. Providing for music, band, and strings equipment.   | \$125,000           |
| T. Providing for extended day learning, including personnel and supplies.  | \$200,000           |
| U. Providing for summer school remediation, enrichment, and vocational training, including personnel and supplies.           | \$150,000           |
| V. Continuing to provide for intervention specialists, including fringe benefits throughout the county's elementary schools. | \$500,000           |
| W. Providing extra duty salary supplements for curricular positions and athletic coaches.                                    | \$700,000           |
| X. Providing for Back to School Fair.  | \$10,000            |
| <b>TOTAL:</b>  | <b>\$35,152,276</b> |

As noted above, the amounts set forth above are the average annual amounts for each purpose. The actual amounts for each purpose likely will vary from one fiscal year to the next. If any item in the above-stated purposes is declared unconstitutional or invalid due to judicial or legislative action, then any affected funds will be distributed among the remaining constitutional and valid itemized purposes. The actual amounts budgeted, as well as the amounts spent, for each purpose and in aggregate, likely will vary from one fiscal year to the next depending on the realized tax collections and the needs of the Marshall County School District, as determined by the Board with respect to each fiscal year. If the amounts budgeted by the Board for a specific purpose or purposes for a fiscal year are not able to be spent entirely in such fiscal year, then the unspent amount shall be carried over and spent on such specific purpose or purposes in subsequent fiscal years.

If additional State, Federal, private or other special funds become available to provide funding for any of the above-stated purposes, or if surplus funds are generated due to increased assessed valuations, then in either case the Board shall be authorized and empowered to expend at the end of each fiscal year, during the term of the levies, the surplus (if any) in excess of the amount needed for any of the above-stated purposes for the enrichment, supplementation and advancement of all educational programs in Marshall County, and other purposes pertinent to the operation of Marshall County Schools, in the discretion of the Board. Such additional or surplus funds may be used either in substitution for or in addition to the funds obtained from the Excess Levy.

In the event that the actual amount collected is less than the approximate annual amounts allocated for the above-stated purposes for any one or more fiscal years (including, without limitation, as a result of any amendments to the West Virginia Constitution or changes the Code

of West Virginia impacting property taxes, levy rates or similar matters), the Board is hereby authorized and empowered to determine in its discretion (i) which one or more of the above-stated purposes shall be reduced for each such fiscal year, and (ii) the amount of each such reduction for such fiscal year; provided, however, that the total of all such reductions shall not exceed the amount of such collection shortfall each year.

In the event that a specific library or school facility that is named in the above-stated purposes closes or otherwise ceases operation, the Board, in its sole discretion, may reallocate funds that were originally allocated to those specific library or school facilities to any of the other above-stated purposes.

The proposed additional rate of levy in cents per \$100 of assessed valuations on each class of property within Marshall County for fiscal years beginning July 1, 2023; July 1, 2024; July 1, 2025; July 1, 2026; and July 1, 2027, is as follows:

|                           |                    |
|---------------------------|--------------------|
| <b>Class I Property</b>   | <b>20.66 cents</b> |
| <b>Class II Property</b>  | <b>41.32 cents</b> |
| <b>Class III Property</b> | <b>82.64 cents</b> |
| <b>Class IV Property</b>  | <b>82.64 cents</b> |

The Board will not issue bonds in connection with the approval of the proposed Excess Levy.

#### **INSTRUCTIONS TO VOTERS**

**Those favoring the renewal of the additional levies shall cast a vote after “FOR THE LEVIES.” Those against such levies shall cast a vote after “AGAINST THE LEVIES.”**



**VOTE BELOW**

**FOR THE LEVIES**

**AGAINST THE LEVIES**

\*\*\*\*\***END OF FORM OF BALLOT**\*\*\*\*\*

14. All provisions of law concerning excess levies and general elections shall apply as far as they are practicable. The Secretary of the Board of Education is hereby authorized and directed to acquire and furnish to election officials all proper election supplies, attend to the publication of the relevant parts of this Order and to do all things necessary to present the question proposed by this Order to the voters in the Marshall County School District at said General Election. Canvassing of the returns from said levy election shall be the responsibility of the County Commission of Marshall County as provided by law.

15. Absentee ballots shall be applied for, obtained from, and returned to the Clerk of the County Commission of the County of Marshall, and said Clerk is hereby appointed the agent for the Board to perform all duties relating to absentee ballots in the general election.

16. The registration of voters and the use of the registration booths shall be governed by the permanent registration laws of the State of West Virginia and the Board hereby adopts the registration list of Marshall County as the official registration list of the school district for the general election.

*[Signature page follows this page.]*

Adopted and entered on this 9th day of August, 2022.

**THE BOARD OF EDUCATION OF THE  
COUNTY OF MARSHALL**

John H. Miller  
President

[SEAL]

**ATTEST:**

Shelby Haines  
Secretary