

AMENDED

Minutes of the Special School Board Meeting

Of the School Board of Independent School District No. 709 held at the Historic Old Central High School, 215 North First Avenue East, Duluth, Minnesota 55802, on

Tuesday, June 27, 2011

Members Present:

Mary Cameron (arrived late)
Gary Glass
Tim Grover
Art Johnston
Tom Kasper
Judy Seliga Punyko
Ann Wasson

Others Present:

Keith Dixon, Superintendent
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary

Chair Seliga Punyko called the special school board meeting of June 27, 2011 to order at 4:34 p.m.

Member Johnston called a point of order that the meeting is illegal because he didn't receive proper advanced notice and that no prior information was provided. Chair Seliga Punyko stated "so noted".

M-Johnston, S-Glass, appealed to the Chair's decision not to call it an illegal meeting.

Chair Seliga Punyko stated that it is not an illegal meeting and he could leave if he wanted to, and called for a vote on the appeal. Member Johnston stated that there has to be discussion. Discussion took place regarding the appeal.

Upon a vote on upholding the chairs decision, the same was approved 4-2 as follows:

Yea: Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Absent: Cameron

Superintendent Dixon asked to add a resolution under other to the agenda dealing with a Human Resources issue that has to be approved by June 30, 2011.

M-Grover, S-Cameron, to approve adding the Human Resources resolution under other.

Discussion took place regarding adding the resolution to the agenda.

Upon a vote, the same was approved – unanimously.

Member Grover presented the resolution:

R E S O L U T I O N

RE: Termination of Tenured Assistant Principals

WHEREAS, enrollment in the School District is declining;

WHEREAS, during the 2011-2012 school year, the School Board adopted a budget to reduce the number of Assistant Principals currently employed by the District;

WHEREAS, the School Board finds that it is necessary to discontinue two (2) Assistant Principal positions;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 709, St. Louis County, Minnesota, as follows:

1. The Board proposes that the employment of the following two (2) Assistant Principals terminate effective at the end of their contract year, due to discontinuance of position due to budgetary reasons.
2. The Clerk of the School Board shall notify the two (2) Assistant Principals in writing of the proposed layoff, the grounds for the proposed layoff, and the right to request a hearing within ten (10) calendar days after receiving said notice. The Clerk shall also notify the two (2) Assistant Principals that if they fail to request a hearing within ten (10) days, they will be deemed to have acquiesced in the Boards action.

Charles Leibfried – 6/24/11

Kathi Marshall – 6/17/11

HR-6-11-2903

June 27, 2011

M-Grover, S-Wasson, to approve the Resolution HR-6-11-2903. Upon a vote on the resolution, the same was approved 4-3 as follows:

Yea: Cameron, Grover, Seliga Punyko, Wasson

Nay: Glass, Johnston, Kasper

Superintendent Dixon gave a presentation to the board regarding the long range facilities plan, where we are with the plan and possible changes to funding to implement items currently included in the plan.

Discussion took place regarding the funding options and the first resolution was provided to board members.

The board took a recess at 6:46 p.m. and reconvened at 7:00 p.m.

Discussion continued regarding the resolution and funding options.

Member Grover presented the resolution:

RESOLUTION APPROVING AMENDMENTS TO DISTRICT LONG-RANGE
FACILITIES PLAN APPROVED BY PREVIOUS REVIEW AND COMMENT DOCUMENTS
AND APPROVING AMENDMENTS TO FINANCING PLAN THEREFORE

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota (the "District"), as follows:

WHEREAS, The Board approved on June 19, 2007, a Long-Range Facilities Plan (the "Facilities Plan"), which calls for renewal and remodeling of existing school facilities, additions to existing facilities and construction of new schools; and

WHEREAS, The District submitted the Facilities Plan to the Minnesota Department of Education (i) for approval of the Facilities Plan; (ii) for approval of the financing of the Facilities Plan; and (iii) for review and comment on the Facilities Plan. The Commissioner of Education approved the Facilities Plan and the financing and submitted its review and comment dated November 2007, although approval of the new Piedmont/Lincoln Elementary and the new West Middle School were delayed, but later approved pursuant to its review and comment dated July 2009; and

WHEREAS, The board approved on June 24, 2010, an amended Long-Range Facilities Plan. The Commissioner of Education approved the amendments to the Facilities Plan and the associated financing plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the Red Plan Amendment 2, Line 1.1 (Base) as summarized on "Red Plan" Amendment 2 dated June 27, 2011 (attachment A to this resolution) as the Long-range Facilities Plan ("Plan") for the District. By approving this adoption, the Board authorizes all necessary action to immediately implement this amended Plan. Implementation is to be completed in accordance with, and subject to all requirements of, all applicable Minnesota Statutes and the District's Policies and any other applicable requirements. The Board will determine the financing of the amendment to the Long-range Facilities Plan by way of a separate resolution.

BE IT FURTHER RESOLVED, that the Board directs the District's administrative staff to work with Johnson Controls, Inc. and the District's legal counsel to complete the following Work:

- A. Prepare a Review & Comment amendment document and submit it to the Minnesota Department of Education as it may be required by MS 123B.70 and 123B.71.
- B. Commence with detailed designs for specific projects, prepare construction plans & specifications, and complete all necessary pre-construction work.
- C. Commence any other appropriate action to implement this Long-range Facilities Plan.
- D. To complete the aforementioned Work, pursuant to the Long-Range Facilities Plan Development & Implementation Master Agreement, dated January 29, 2007, the Board authorizes the District's School Board Chair to sign Project Specific Agreements with Johnson Controls, Inc.

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M-Grover, S-Cameron, To Approve Resolution B-6-11-2904 – Resolution Approving Amendments To District Long-Range Facilities Plan Approved By Previous Review And Comment Documents And Approving Amendments To Financing Plan Therefore. Upon A Vote, The Same Was Approved ~~4-3~~ 5-2 As Follows:

M-Johnston, S-Glass, to postpone a vote on this resolution until the regular July 19th School Board meeting.

Discussion took place regarding the motion to postpone the vote.

Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, S-Glass, to amend the resolution to state at the end “be it further resolved that this will be put up for a referendum in this falls general election”.

Discussion took place regarding the proposed amendment.

Upon a vote on the amendment, the same failed – 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Glass, S-Johnston, to amend the resolution to remove item C.

Discussion took place regarding the proposed amendment.

Upon a vote, the same failed 3-4 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Seliga Punyko, Wasson

M-Kasper, S-Cameron, to change the base option to 15,450,000 dollars to complete phase one of the Long Range Facilities Plan (the base costs) and additional funding for the Congdon project .

Discussion took place regarding the proposed amendment.

Upon a vote on the amendment the same was approved 5-2 as follows:

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

M-Glass, S-Johnston, to remove item D from the resolution.

Upon a vote on the proposed amendment the same was failed 2-5 as follows:

Nay: Glass, Johnston

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Discussion took place regarding the original resolution.

Upon a vote on the **original amended resolution, the same passed 5-2 as follows:**

Yea: Cameron, Grover, Kasper, Seliga Punyko, Wasson

Nay: Glass, Johnston

Member Grover presented the resolution:

RESOLUTION APPROVING WORK SCOPE AMENDMENTS TO DISTRICT LONG-RANGE FACILITIES PLAN APPROVED BY PREVIOUS REVIEW AND COMMENT DOCUMENTS AND APPROVING AMENDMENTS TO FINANCING PLAN THEREFOR

BE IT RESOLVED, by the School Board of Independent School District No. 709, St. Louis County, Minnesota (the "District"), as follows:

WHEREAS, The Board approved on June 19, 2007, a Long-Range Facilities Plan (the "Facilities Plan"), which calls for renewal and remodeling of existing school facilities, additions to existing facilities and construction of new schools; and

WHEREAS, The District submitted the Facilities Plan to the Minnesota Department of Education (i) for approval of the Facilities Plan; (ii) for approval of the financing of the Facilities Plan; and (iii) for review and comment on the Facilities Plan. The Commissioner of Education approved the Facilities Plan and the financing and submitted its review and comment dated November 2007, although approval of the new Piedmont/Lincoln Elementary and the new West Middle School were delayed, but later approved pursuant to its review and comment dated July 2009; and

WHEREAS, The board approved on June 24, 2010, an amendment to the Long-Range Facilities Plan; and the Commissioner of Education approved the amendments and the associated financing plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts the Red Plan Amendment 2, Line 1.1 and

_____ , for a total work scope of \$ _____ as summarized on "Red Plan" Amendment 2 dated June 27, 2011 (attachment A to this resolution) as the Long-range Facilities Plan ("Plan") for the District. By approving this adoption, the Board authorizes all necessary action to immediately implement this amended Plan. Implementation is to be completed in accordance with, and subject to all requirements of, all applicable Minnesota Statutes and the District's Policies and any other applicable requirements. The Board will determine the financing of the amendment to the Long-range Facilities Plan by way of a separate resolution.

BE IT FURTHER RESOLVED, that the Board directs the District's administrative staff to work with Johnson Controls, Inc. and the District's legal counsel to complete the following Work:

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- A. Prepare a Review & Comment amendment document and submit it to the Minnesota Department of Education as it may be required by MS 123B.70 and 123B.71.
- B. Commence with detailed designs for specific projects, prepare construction plans & specifications, and complete all necessary construction work.
- C. Commence any other appropriate action to implement this Long-range Facilities Plan.
- D. To complete the aforementioned Work, pursuant to the Long-Range Facilities Plan Development & Implementation Master Agreement, dated January 29, 2007, the Board authorizes the District's School Board Chair to sign amendments to the Project Specific Agreements with Johnson Controls, Inc., as required for item B above.

B-6-11-2905

June 27, 2011

M-Grover, S-Cameron, To Approve Resolution B-6-11-2904 – Resolution Approving Work Scope Amendments To District Long-Range Facilities Plan Approved By Previous Review And Comment Documents And Approving Amendments To Financing Plan Therefore and inserting the dollar amounts of \$18,606,669 and \$34,056,669.

M-Johnston, S-Glass, to postpone a vote on this item until regular July board meeting.

Upon a vote, the same failed 2-5 as follows:

Yea: Glass, Johnston

Nay: Cameron, Grover, Kasper, Seliga Punyko, Wasson

M-Johnston, S-Glass, to this put the additional funding up for a vote by referendum at the November election.

Upon a vote, the same failed 3-4 as follows:

Yea: Glass, Johnston, Kasper

Nay: Cameron, Grover, Seliga Punyko, Wasson

Discussion took place regarding the original resolution.

Upon a vote on the original resolution, the same failed 3-4 as follows:

Yea: Cameron, Grover, Seliga Punyko

Nay: Glass, Johnston, Kasper, Wasson

Chair Seliga Punyko adjourned the Special School Board meeting of June 27, 2011 at 9:09 p.m.