

ISD 877
BOARD OF EDUCATION SPECIAL MEETING

Tuesday, November 13, 2012
Board Room
7:45 a.m.

MINUTES

1. CALL TO ORDER BY CHAIR Dave Wilson at 7:45 a.m. AND ROLL CALL OF ATTENDANCE

Present: Patti Pokorney, Melissa Brings, Dave Wilson, Sue Lee, Doug Olson,
Absent: Laurie Raymond, Dean Perry

2. PLEDGE OF ALLEGIANCE
3. PES IAQ REVIEW AND COMMENT, Gary Kawlewski

**RESOLUTION STATING THE INTENTION OF THE SCHOOL BOARD TO
ISSUE GENERAL OBLIGATION BONDS TO FINANCE CERTAIN
HEALTH AND SAFETY PROJECTS; COVENANTING AND OBLIGATING THE
DISTRICT TO BE BOUND BY AND TO USE THE PROVISIONS
OF MINNESOTA STATUTES, SECTION 126C.55 TO GUARANTEE THE PAYMENT
OF THE PRINCIPAL AND INTEREST ON THE BONDS**

BE IT RESOLVED by the School Board of Independent School District No. 877, State of Minnesota, as follows:

1. The Board hereby finds and declares that it is necessary and expedient for Independent School District No. 877 (the "District") to issue its fully registered general obligation bonds (the "Bonds") pursuant to Minnesota Statutes, Section 123B.59, subdivision 3 and Chapter 475, as amended, to fund the costs of the following health and safety projects and related financing costs:

- indoor air quality improvements to the District's Parkview Elementary School facility

The Bonds would be issued in the total aggregate principal amount of not to exceed \$3,520,000. The issuance of the Bonds is hereby authorized, subject to the approval of the Commissioner of Education.

2. The five-year plan approved by the Board is incorporated in this resolution as though fully specified herein. The administration is authorized and directed to submit to the Commissioner such additional information as may be necessary to secure the approval of the Commissioner for the five-year plan and this bond issuance, as required by Minnesota Statutes,

Section 123B.59. The submission of a proposed plan and a request for approval prior to the date of this resolution is ratified and approved in all respects.

3. The District further covenants to comply with all procedures now or hereafter established by the Minnesota Department of Education pursuant to Minnesota Statutes, Section 123B.59 and otherwise to take such actions as necessary to comply with that statute. The chair, clerk, superintendent or business manager is authorized to execute any applicable Minnesota Department of Education forms.

4. The clerk is hereby authorized and directed to cause a notice substantially in the form of the Notice attached hereto as EXHIBIT A and incorporated herein by reference to be published as a legal notice one (1) time in the official newspaper of the District as soon as reasonably practicable after the adoption of this resolution, but at least twenty (20) days before the earliest of the solicitation of bids, the issuance of bonds, or the final certification of levies.

5. Any actions of the administration in consulting with the Minnesota Department of Education, causing a proposal to be prepared for submission on behalf of the board to the Commissioner of Education for the Commissioner's Review and Comment, if necessary, and taking such other actions as necessary to comply with the provisions of Minnesota Statutes, Section 123B.71, as amended, are hereby ratified and approved in all respects.

6. The Board, having been advised by Ehlers & Associates, Inc., its independent financial advisor, hereby determines that the Bonds shall be privately sold after receipt of written proposals, as authorized pursuant to Minnesota Statutes, Section 475.60, Subdivision 2, as amended.

7. If the issuance of the Bonds is approved, the Board shall meet at the time and place specified in the Official Statement to receive and consider proposals for the purchase of the Bonds. The terms and provisions specified in the Official Statement are hereby adopted as the terms and conditions of the Bonds and of the sale thereof, and shall be made available to all prospective purchasers of the Bonds. Ehlers & Associates, Inc., is authorized to prepare an Official Statement and to open, read and tabulate the proposals for presentation to the Board.

8. (a) The District hereby covenants and obligates itself to notify the Commissioner of Education of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 126C.55 to guarantee payment of the principal and interest on the Bonds when due. The District further covenants to deposit with the Bond Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Commissioner of Education that it will be unable to make all or a portion of that payment. The Bond Registrar for the Bonds is authorized and directed to notify the Commissioner of Education if it becomes aware of a potential default in the payment of principal or interest on the Bonds or if, on the day two (2) business days prior to the date a payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Bond Registrar. The District understands that as a result

of its covenant to be bound by the provisions of Minnesota Statutes, Section 126C.55, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.

(b) The District further covenants to comply with all procedures now or hereafter established by the Departments of Management and Budget and Education of the State of Minnesota pursuant to Minnesota Statutes, Section 126C.55, subdivision 2(c) and otherwise to take such actions as necessary to comply with that section. The chair, clerk, superintendent or business manager is authorized to execute any applicable Minnesota Department of Education forms.

Bonds will be issued according to State Statute 123B.59 and Chapter 475, and the Notice will be published in the Legals section of the Wright County Journal Press. Amount of bonds will not exceed \$3,520,000 to provide funding for the Parkside Elementary Alternative Facilities Project. The District has received approval from the Commissioner of Education of the Review and Comment which was approved by the Board in August.

Brings/Lee to approve resolutions

Discussion: Has this amount been included in the preliminary levy passed by the Board in September, 2012? Yes

Motion carried 5-0

4. OTHER

Olson/Brings to adjourn at 7:52 a.m.
Motion carried 5-0

Respectfully submitted,

Melissa Brings, Clerk
ISD 877 Board of Education