

Minutes of the Regular 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, April 26, 2011

Members Present:

Mary Cameron
Gary Glass
Tim Grover
Tom Kasper
Judy Seliga Punyko
Ann Wasson

Art Johnston

Members Absent:

Others Present:
Bill Hanson, Deputy Clerk
Melinda Thibault, Secretary
Student Representatives
Marcus Jahn

Others Absent:
Keith Dixon, Superintendent

Chair Seliga Punyko called the regular school board meeting of April 26, 2011 to order at 6:31 p.m., and the pledge of allegiance to the American flag was given.

M-Cameron, S-Wasson, to approve the agenda as presented.

Member Glass stated he had submitted five items and only two were on the agenda and he wanted to know why. Chair Seliga Punyko stated that his request had been responded to.

Member Glass stated that Member Johnston had given previous notice for 16 agenda items and only one was on the agenda.

Upon a vote on the agenda as presented the same passed – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of March 15, 2011.

M-Wasson, S-Cameron, to approve the minutes of the March 15, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the regular school board meeting of March 15, 2011.

M-Cameron, S-Wasson, to approve the minutes of the March 15, 2011 regular school board meeting.

Member Glass indicated that there was a difference in the dollar amounts listed in the title and acceptance of the resolution and the amount listed within the resolution. Melinda Thibault will check on the numbers and correct them as required. *Upon review of the resolution the numbers were correct – no correction to the minutes.*

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Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of April 11, 2011.

M-Wasson, S-Grover, to approve the minutes of the April 11, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of April 12, 2011.

M-Cameron, S-Grover, to approve the minutes of the April 12, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of April 13, 2011.

M-Wasson, S-Kasper, to approve the minutes of the April 13, 2011 special school board meeting. Upon a vote, the same was approved as presented – 6-0.

Public Comments
April 2011

Richard Paulson, 524 West Ideal Street, spoke to the board regarding his concern with information he had requested from administration and not received.

Communications, Petitions, Etc.
April 2011

Deputy Clerk Hanson acknowledged the communications received.

Superintendent's Report
April 2011

Deputy Clerk Hanson noted that there had been a change in the schedule and board members had been provided with an updated schedule.

Deputy Clerk Hanson acknowledged and congratulated the following:

- Congratulations to our 2011 Goldfine Gold Star Teacher Award nominees. They are: Kathy Akervik, Lincoln Piedmont Elementary, Lisa Bergman, Nettleton Elementary, Susan Borich, Laura MacArthur Elementary, Jill Dalbacka, Lowell Elementary, Carol Holm, Homecroft Elementary, Susan Janchar-Baker, Rockridge/Lester Park Elementary, Leah Klein, Congdon Park Elementary, Erica Wittmers-Graves, Lakewood Elementary, Mike Zeman, Stowe Elementary

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- Robotics Team – Best wishes to the Daredevils Robotics Team! They left for St. Louis this morning for their first trip to nationals. Their robot is ranked 23rd out of 380 teams in the competition.
- Cortez "CJ" Hamm is the recipient of a Peacemaker Scholarship through the 2011 Steve Rolland Peacemaker Awards. He is a member of Boys and Girls Club who tutored middle school students while in high school, is active in his church youth group and is a Junior Rotarian. "CJ" is also a standout athlete on the Central High School football, basketball and track teams.
- Congratulations to the following Duluth Speech Team Members who qualified for the National Speech Tournament in Dallas, Texas in June. Seniors: Anna Menzel and Matt Uttermark, Junior Nathan Olson and Sophomore Hailey Woolverton.
- Duluth students did well at the State Health Occupation Students of America (HOSA) Competition. The Duluth Team placed 1st thru 5th in 20 events with 13 students/teams finishing 1st thru 3rd place. This guarantees eligibility at the National Competition in Anaheim, California in June.
- Duluth Central-Denfeld High School was well represented at the Minnesota State Region 7AA Small Ensemble and Solo Contest, earning several Superior and Excellent ratings. Congratulations to the following orchestra students who competed and worked hard to achieve such outstanding results ("Superior" being the state's highest performance award): Chamber Orchestra, small ensemble - Superior rating, Ben Johnson, Alia Gribbon and Brianna Krause, violin trio - Superior rating, Michael Benjamin, violin soloist - Good rating, Alia Gribbon, violin soloist - Superior rating, William Husby, viola soloist - Excellent rating, Heidi Ludolph, violin soloist - Excellent rating, Xai Moua, cello soloist - Good rating, Julie Ostazeski, a viola soloist - Excellent rating, Annelise Salmela, a violin soloist - Excellent rating, Sam Vinnik, a violin soloist - Good rating

Education Committee Report

April 2011

Member Wasson presented the Education Committee report, a copy of same being in the hands of each school board member.

Member Wasson presented the resolution:

RESOLUTION

Acceptance of Grant Awards to Duluth Public Schools

WHEREAS, Minnesota Statute 465.03 requires a school district to accept grants by resolution expressed in the terms prescribed by the donor in full; and,

WHEREAS, acceptance of the grant in accordance with the donor's terms is in the best interest of the Duluth Public Schools:

NOW, THEREFORE, BE IT RESOLVED that the Duluth Public Schools does accept the below-described grants from said organizations in accordance with the terms set forth herein.

BE IT FURTHER RESOLVED that the Duluth Public Schools wishes to extend its grateful appreciation to these various organizations.

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	Organization	Author/Contact	Project Title	Award Amount	Terms
1.	Minnesota Department of Education	Jody LeBlanc	152 Stimulus Education Jobs Fund	\$1,750,516.97	Funds from this grant award will be used to support the salary and fringe of certified FTE's.
2.	Junior League of Duluth	Kathy Bartsias	Hands-on Learning/Service-Learning Project	\$8,125	Funds from this grant award will be used to support hands-on learning/service-learning for elementary-aged students to be introduced to farming. Students will be planting vegetables and learning about food production and organic farming. They will share their vegetables with their senior friends and CHUM.

Resolution E-4-11-2873

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M-Wasson, S-Kasper, to approve Resolution E-4-11-2873 - Acceptance of Grant Awards to the Duluth Public Schools. Upon a vote taken, the same was approved – 6-0.

M-Wasson, S-Kasper, to approve the Education Committee Report as presented.

Member Glass withheld Item A.2) – Withdrawal of Duluth Public Schools' Charter Sponsorship of Lake Superior High School to ask if they had found a new sponsor. Bill Gronseth, Assistant Superintendent, stated that they are pairing with the Audubon Society.

Upon a vote on the remainder of the Education Committee report as presented, the same was approved – 6-0.

Human Resources Committee Report

April 2011

Member Cameron presented the Human Resources Committee report, a copy of same being in the hands of each school board member.

Member Cameron presented the resolution:

RESOLUTION
EXECUTIVE EMPLOYEES ASSOCIATION

RESOLVED, By the School Board of Independent School District #709, St. Louis County, Minnesota, that the Collective Bargaining Agreement between Independent School District #709 and Executive Employees Association, a summary of which is in the hands of all School Board

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members, be approved and adopted for the period July 1, 2010 to June 30, 2011, inclusive, and that the Chairperson and Clerk of the School Board be hereby authorized to execute said Agreement on behalf of the School District.

HR-4-11-2875

April 26, 2011

M-Cameron, S-Wasson, to approve Resolution HR-4-1-2875 – Executive Employees Association Contract.

Member Glass asked who negotiated the contract and asked questions about the insurance benefits.

Upon a vote taken, the same was approved – 5-1 as follows:

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

Abstain: Glass

Absent: Johnston

M-Cameron, S-Kasper, to approve the remainder of the Human Resources Committee as presented.

Member Kasper asked what the total number of certified retirements for the year is, and how that compares to the numbers in the budget assumptions. Tim Sworsky stated that the number is approximately 30, and that they are still expecting more to come over the summer.

Upon a vote, the same was approved 6-0.

Business Committee Report

April 2011

Member Grover presented the Business Committee report, a copy of same being in the hands of each school board member.

Member Grover presented the resolution:

RESOLUTION

RESOLUTION AWARDING BID

WHEREAS, on June 19, 2007 the School Board approved a Long-range Facilities Plan (Red Option) by adopting Resolution B-6-07-2452 and authorized further proceedings toward implementation of the Plan; and

WHEREAS, the School District has undertaken the partial construction and remodeling of the eastern middle school (current East High School) in order to provide a quality and safe facility within the School District; and

WHEREAS, in March 2011, the School District advertised and solicited bids for the asbestos abatement at this site in preparation for the new construction/remodeling/renovation project; and

WHEREAS, bid specifications notified bidders that the timeline for completing this project was short and required the bulk of the work be completed by mid-July 2011 when determining the lowest responsible bidder; and

WHEREAS, six bids were received and opened on April 5, 2011 at 2:00 p.m.; and

WHEREAS, Pladson Environmental, Inc. submitted the lowest dollar bid which includes Alternates #1 and #3 for the abatement work in the amount of \$204,700.00; and

WHEREAS, Pladson Environmental, Inc. has only been in business since January 7, 2011, has not completed a project of this size and scope, currently has a workforce equal to the minimum expected will be required for completing the work on schedule, and has indicated it also has four other projects this summer which have the potential to overlap the timeframe of the eastern middle school project; and

WHEREAS, Mavo Systems submitted the next lowest dollar bid of \$213,860; and

WHEREAS, the School District has worked with Mavo Systems on previous contracts and found that it provided excellent quality work, has adequate workforce for a project of this size, and has completed work in a workman-like manner, was reliable and knowledgeable, and had excellent customer service; and

WHEREAS, Carlson Professional Services, which was hired as the environmental consultant for this project, has recommended awarding the bid to Mavo Systems; and

WHEREAS, the School District has never worked with Pladson Environmental, Inc.; and

WHEREAS, Minn. Stat § 123.B52 and 471.345 require the School Board to award construction contracts to the “lowest responsible bidder;” and

WHEREAS, the above statutes, as construed by the courts, vest the School Board with administrative discretion in determining “responsibility” of the parties submitting bids; and

WHEREAS, Minnesota courts have indicated that a governing body, in determining responsibility, may consider factors other than price, including the character of work done by the bidder on prior contracts performed for the governing body; and

WHEREAS, the Minnesota Attorney General has determined that a governing body has the right to consider the character of work done by the bidder on prior contracts performed for the governing body in assessing responsibility.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Based on the past experience of the District, Johnson Controls, Inc., Kraus Anderson and the recommendation of Carlson Professional Services, all having worked with Mavo Systems on past contracts and Pladson Environmental’s short time in business, lack of company experience in completing projects of this scope, and its other project overlaps potentially impacting the completion timeline, the School Board concludes Pladson Environmental is not the lowest responsible bidder.
2. The contract for asbestos abatement at the current East High School is awarded to Mavo Systems in the amount of \$213,860, as the lowest responsible bidder.

M-Grover, S-Kasper, to approve the remainder of the Business committee report.

Member Glass withheld Items 2.A.3) & 4), and 6.H., I., and J.

Member Glass withheld Items 2.A.3) and 4) – HVAC Testing and Balancing at Denfeld and East High Schools to ask what the difference is between commissioning and testing and balancing. Kerry Leider, Facilities Management Supervisor, explained the difference.

Member Glass withheld Item 6.H. –Review Life-Safety-Security Implementation progress at all Schools/Sites. To ask for an update on when work will take place in the HOCHS building. Kerry Leider stated that this building is slated to be worked on in 2012 in the LRFP.

Member Glass withheld Item 6.I. – Discussion of alternate choices for transportation of secondary students before/after school to note his desire to have this adopted by the board. Bill Hanson stated that he intends to have more information provided for the May meeting. Board discussion took place.

Member Glass withheld Item 6.J. – School Closing Hearings to ask questions regarding the closing hearings.

Upon a vote on the remainder of the business committee report as a whole, the same was approved 5-1 as follows:

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

Nay: Glass

Absent: Johnston

Special Resolutions

April 2011

Member Grover presented the resolution:

RESOLUTION

School Board Members Attendance at MSBA 2011 Joint Legislative Conference

RESOLVED, That Independent School District 709, St. Louis County, Minnesota, pay costs incurred, as per District policy, for school board members to attend the MSBA 2011 Joint Legislative Conference in St. Paul on March 24, 2011.

B-4-11-2874

April 26, 2011

M-Grover, S-Wasson, to approve Resolution B-4-11-2874 - School Board Members Attendance at MSBA 2011 Joint Legislative Conference. Upon a vote, the same was approved 6-0.

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Other
April 2011

Chair Seliga Punyko congratulated Member Cameron for obtaining her doctorate.

Student Representative Jahn stated that if anyone ever has questions regarding the student opinions on things to please feel free to ask either one of them.

Chair Seliga Punyko adjourned the regular school board meeting of April 26, 2011 at 7:32 p.m.