

**DELANO PUBLIC SCHOOLS  
Independent School District #879**

**Special School Board Meeting  
District Office Conference Room  
Wednesday, October 2, 2019  
5:30 PM**

1. Call to Order
  - A. Record Members Present
2. Approval of Meeting Agenda  
Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_
3. Approve School Bus Stop Resolution 2  
Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Roll Call Vote:  
\_\_\_\_\_
4. Approve Indemnification Agreement 3  
Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_
5. School board retreat
6. Adjournment  
Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Vote: \_\_\_\_\_

Member \_\_\_\_\_ introduced the following Resolution and moved its adoption:

**RESOLUTION**

WHEREAS, Minnesota Statutes section 169.443, subdivision 3, states that school bus drivers shall not activate the prewarning flashing amber signals or flashing red signals and shall not use the stop arm signal “when directed not to do so, in writing, by the local school board”;

WHEREAS, the District contracts with Stahlke Bus Company (“Stahlke”) for transportation services;

WHEREAS, after consulting with the Minnesota State Patrol, Stahlke has asked the School Board to direct Stahlke not to activate the prewarning flashing amber signals or flashing red signals and not to use the stop arm signal at specific locations; and

WHEREAS, Stahlke has agreed, in writing, to defend, indemnify, and hold the District harmless for any liability, injury, or harm that results from Stahlke not activating the prewarning flashing amber signals or flashing red signals and not using the stop arm signal at specific locations;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 879, Delano, as follows: Stahlke is directed not to activate the prewarning flashing amber signals or flashing red signals and not to use the stop arm signal at the following locations and at the following times:

[INSERT LOCATIONS WITH AS MUCH SPECIFICITY AS POSSIBLE; TIMES CAN BE SPECIFIED WITH MORNING OR AFTERNOON ROUTES]

The motion for the adoption of this Resolution was duly seconded by \_\_\_\_\_, and upon a vote being taken, the following voted in favor of the Resolution:

And the following voted against the Resolution:

Whereupon this Resolution was declared duly passed and adopted.

**INDEMNIFICATION AGREEMENT**

This Indemnification Agreement is entered into by the School Board of Independent School District No 879 ("District) and Stahlke Bus Service, Inc. ("Stahlke").

WHEREAS, Stalke provides transportation services to the District pursuant to a written contract;

WHEREAS, Minnesota Statutes section 169.443, subdivision 3, states that school bus drivers shall not activate the prewarning flashing amber signals or flashing red signals and shall not use the stop arm signal "when directed not to do so, in writing, by the local school board";


WHEREAS, after consulting with the Minnesota State Patrol, Stahlke has asked the School Board to direct Stahlke not to activate the prewarning flashing amber signals or flashing red signals and not to use the stop arm signal at specific locations; and

WHEREAS, the District's School Board is willing to issue such a directive, provided that Stahlke agrees, in writing, to defend, indemnify, and hold the District harmless for any liability, damages, injury, or harm that results from Stahlke not activating the prewarning flashing amber signals or flashing red signals and not using the stop arm signal at specific locations;

NOW, THEREFORE, IN CONSIDERATION OF the forgoing, the mutual promises contained in this Agreement, and other valuable consideration, the sufficiency of which is acknowledged, the District and Stahlke agree as follows:

1. Stahlke hereby assumes all risks and liability, and agrees to defend, indemnify, and hold the District harmless for any liability, damages, injury, or harm that results from Stahlke not activating the prewarning flashing amber signals or flashing red signals and not using the stop arm signal at specific locations. For purposes of this Addendum, the term "District" includes the District's School Board, employees, representatives, agents, and insurers.
2. In consideration for Stahlke defending, indemnifying, and holding the District harmless, as stated in the previous paragraph, the School Board will pass a resolution directing Stahlke not to activate the prewarning flashing amber signals or flashing red signals and not to use the stop arm signal at specific locations.
3. This Addendum does not modify the existing contract between the parties in any way other than to provide the indemnification stated in the first numbered paragraph, above.

**STAHLKE BUS SERVICE, INC.**

  
Owner

9/25/2019  
Dated

**SCHOOL BOARD OF INDEPENDENT SCHOOL DISTRICT NO. 879**

\_\_\_\_\_  
School Board Chair

\_\_\_\_\_  
Dated

\_\_\_\_\_  
School Board Clerk

\_\_\_\_\_  
Dated