

**MINNETONKA INDEPENDENT SCHOOL DISTRICT #276**  
**District Service Center**  
**5621 County Road 101**  
**Minnetonka, Minnesota**

**Minutes of November 4, 2021 Regular Board Meeting**

The School Board of Minnetonka Independent School District #276 met in regular session at 7:00 p.m. on Thursday, November 4, 2021 in the Community Room at the District Service Center, 5621 County Road 101, Minnetonka, Minnesota. Chairperson Chris Vitale presided. Other Board members present were: Mark Ambrosen, Katie Becker, Mike LeSage, John Odom, Lisa Wagner and Superintendent Dennis Peterson, ex officio. The meeting was also livestreamed on the District's YouTube channel. Absent: John Holcomb.

Prior to the meeting, the Board recognized, via a video, the AP Scholars with Distinction; National Merit Commended Students; DSC Honored Artists from MHS; and Jingbo Wang, recipient of the Educator of the Year Award from the MN Council on Economic Education.

Chairperson Vitale then called the regular meeting to order and asked that everyone stand and recite the Pledge of Allegiance to the Flag.

**1. AGENDA**

Wagner moved, Becker seconded, that the School Board approve the agenda as presented. Upon vote being taken thereon, the motion carried unanimously.

**2. SCHOOL REPORT: GROVELAND ELEMENTARY**

Principal Andrew Gilbertson and Assistant Principal Andrea Hoffmann updated the Board on how this school year has begun. They shared their work on a project involving teacher leadership and a project to strengthen students' building-wide experiences.

**3. COMMUNITY COMMENTS**

Chairperson Vitale noted that this opportunity for comment was available to community members who wished to address the Board on any item on that night's agenda. He also read the guidelines for Community Comments, for the benefit of those who wished to speak.

The following individuals then addressed the Board:

- Eden Prairie resident Sarah Jackson spoke regarding the importance of protecting children's gender identity as it relates to the Board's annual goals

- Excelsior resident Allison Baker spoke against masking requirements for children in special education
- Chanhassen resident Susanne Schaer spoke against requiring COVID vaccinations for young children
- Minnetonka resident Karl Bunday spoke in favor of COVID vaccinations for young children
- Excelsior resident Kathryn Rogness spoke in support of mask exemptions for children in special education
- Excelsior resident Kathryn Bonine spoke in support of mask choice
- Excelsior resident Nicole Nejezchleba spoke in support of mask exemptions for children in special education
- Excelsior resident Kristen Hanson spoke in support of mask exemptions for children in special education
- Chaska resident Kim LaRoche spoke in support of parent choice regarding masking, COVID testing and vaccination of children
- Excelsior resident Chad Herman spoke in support of mask choice

#### 4. **REVIEW OF DISTRICT GOALS**

Chairperson Vitale led the discussion. He noted that the Board members had spent several previous meetings developing the annual strategic goals for the District for 2021-22. The final drafts of the goals discussed this evening were: Excellence in Student Well-being and Belonging and Excellence in Student Learning and Support.

The Excellence in Student Well-being and Belonging goal combines the previous year's goals on student well-being and on belonging and increases the opportunities for feedback from stakeholders throughout the year. It includes a deep implementation of the Multi-tiered Systems of Support framework to support students' social, emotional and academic needs, it outlines training sessions for staff and it includes reports throughout the year from the Belonging Committees from all schools and from the Mental Health Advisory Council. It also includes hiring efforts to increase staff diversity efforts, ongoing communications and engagement opportunities throughout the year and the evaluation of resources to support belonging.

The goal on Excellence in Student Learning and Support includes the ongoing implementation and updating of the Safe Learning Plan, the deepening of the Multi-tiered Systems of Support instructional framework to ensure delivery of high-quality academics, the broadening of the Tonka Online K-12 e-learning program and the strategic use of space.

The School Board discussed the drafts and made final small edits to them. Ambrosen then moved, Becker seconded, that the Board approve the goals. Upon vote being taken thereon, the motion carried unanimously. Chairperson Vitale thanked Board members for their hard work on the goals and noted that they would be posted to the District website tomorrow.

## **5. APPROVAL OF 2022 LEGISLATIVE POSITION STATEMENTS**

Executive Director of Finance and Operations Paul Bourgeois led the discussion. He explained that each year in the fall, the Finance Advisory Committee works with the District administrative staff and the citizens lobbying group Community Action for Student Education (CASE) to develop a platform of position statements for use in communicating District priorities to legislators during the subsequent legislative session. The 2022 Legislative Position Statements focus on the need for the Legislature to provide sufficient funding for key funding formulas that are the backbone of programmatic stability for Minnetonka Schools.

Wagner moved, Ambrosen seconded, that the Board approve the 2022 Legislative Position Statements as presented. Upon vote being taken thereon, the motion carried unanimously.

## **6. APPROVAL OF REVIEW AND COMMENT FOR VANTAGE/MOMENTUM BUILDING**

Mr. Bourgeois led the discussion. He noted that at the October regular meeting, the Board had approved the construction of the VANTAGE/MOMENTUM Building with a total estimated square footage of 36,300 and authorized Administration to commence the necessary steps for submittal of the project for Review and Comment by the Minnesota Department of Education. The project will also need various levels of approval from the City of Minnetonka, Hennepin County, the Minnesota Department of Labor and Industry and the Riley Purgatory Bluff Creek Watershed District. Those approvals will be worked on currently while the project is under review by the Minnesota Department of Education.

Becker moved, LeSage seconded, that the Board approve the following motion:

*BE IT RESOLVED, that the School Board of Minnetonka Independent School District 276 does hereby approve the Review and Comment Submittal for the VANTAGE/MOMENTUM Building Project and authorize Administration to submit it to the Minnesota Department of Education on November 5, 2021.*

Upon vote being taken thereon, the motion carried unanimously.

## **7. REVIEW OF SAFE LEARNING PLAN**

Director of Health Services Annie Lumbar Bendson provided an update on the number of COVID-19 cases, exposures and quarantines the District has experienced over the past month and how it compares with area school districts. She noted the District is at an all-time high in case counts this week. Board members LeSage and Odom asked about reasonable accommodations for students with special needs when a student cannot wear a mask and has a medical exemption. Ms. Lumbar Bendson said the schools work closely with each family on a case-by-case basis to determine

the reasonable accommodation options for each child, always with safety of students at the forefront of the decision-making. Board member Becker asked Ms. Lumbar Bendson to explain about the test kits that the District distributed recently to students. Ms. Lumbar Bendson explained that the State of Minnesota provided one test kit for each student in the state and asked districts to distribute them. Minnetonka Schools did not receive funding for distributing those test kits. Additionally, parents were informed their child could opt out of receiving a test kit, in which case the leftover kits could be distributed to another family in the future. Chairperson Vitale asked whether other districts are doing something very different than Minnetonka Schools when it comes to mask exemptions. Ms. Lumbar Bendson said they are not.

The Board then discussed whether it made sense to wait until after winter break to consider determining whether to possibly lighten mask restrictions. They also discussed whether they should consider possibly lightening restrictions first for middle school students and then for elementary students. They talked about whether to set a date now for restrictions to possibly change to “strongly recommended” or to wait until the next School Board meeting or the January meeting to discuss that possibility. A few Board members noted they would not be comfortable making a decision at this time, as the case numbers have been rising and the COVID vaccine has just now become available to students under age 12—and that a full vaccination process will take several weeks, as there are two doses recommended for children, spaced three weeks apart, with an additional two weeks after the second dose before a child would be fully vaccinated. In the end, the Board made the decision to make no changes to the Safe Learning Plan this evening, but to revisit the Plan at its December regular meeting.

8. **APPROVAL OF SALE OF 2021N CERTIFICATES OF PARTICIPATION REFUNDING BONDS**

Mr. Bourgeois presented this item to the Board. He noted that on April 8, 2021, the School Board approved the sale of the 2021N Certificates of Participation Refunding Bonds to refund and restructure the 2013D Certificates of Participation Bonds at their call date. The restructuring was expected to lower annual payments by an average of \$27,664, which would free up Lease Levy payment capacity to pay for approximately 1/6 of the estimated payment for a future Lease Levy project to replace the Clear Springs temporary classrooms in 2023. At that time, it was estimated the bonds could be refunded from their current rate of 2.85% to 2.78% with a net present value loss of (\$45,422.53) and a reduction in outstanding bond par value of \$60,000.

Sale of the 2021N Certificates of Participation Bonds took place on November 2, 2021. The refunding bonds were sold at a total interest cost of 2.65% with net present value loss of (\$58,931.61) and a reduction of outstanding par value bonds of \$65,000. In addition, the annual payments were reduced by \$27,885, which is estimated to be sufficient to free up Lease Levy payment capacity to support 1/6 of the annual payments on a future Clear Springs temporary classroom replacement project.

Wagner moved, Odom seconded, that the Board approve the sale resolution as presented. Upon vote being taken thereon, the motion carried unanimously. Board member LeSage, who had exited the room briefly, did not participate in the vote.

9. **AUTHORIZATION OF SALE OF CERTIFICATES OF PARTICIPATION BONDS FOR VANTAGE/MOMENTUM BUILDING**

Mr. Bourgeois presented this item to the Board. He noted that at the School Board meeting in October, the Board had approved moving forward with the financing and construction of the VANTAGE/MOMENTUM Building at 5735 County Road 101, Minnetonka, MN for classes commencing in September 2023, pending approval of the project from the Minnesota Department of Education (MDE) through the Review and Comment process.

The Review and Comment is scheduled to be submitted on November 5, 2021 after approval by the School Board. Concurrent with that review process, and given the rising interest rate environment, it is prudent to issue COP Bonds to fund the VANTAGE/MOMENTUM Building construction as soon as possible after receiving MDE approval of the project in order to lock in low rates and a low bond payment.

Mr. Bourgeois noted that the resolution prepared by the District's bond counsel Dorsey & Whitney authorizes the issuance of \$7,000,000 in Certificates of Participation bonds, contingent upon receiving approval of the project from MDE.

LeSage moved, Becker seconded, that the Board approve the resolution as presented. Upon vote being taken thereon, the motion carried unanimously.

10. **ACCEPTANCE OF BID FOR DEEPHAVEN UNIT VENTILATOR AND CABINET REPLACEMENT**

Mr. Bourgeois noted that as part of the rolling Long Term Facility Maintenance 10 Year Plan, replacement of the original unit ventilators in twelve rooms and cabinets in seven rooms at Deephaven Elementary School is scheduled for Summer 2022. The budget estimate for the project is \$960,400. Bids were opened at 2:00 PM on Thursday, October 21, 2021. Twelve (12) bids were received as follows:

<i>KUE Contractors, Inc.</i>	<i>\$ 793,711.00</i>
<i>Ebert Construction</i>	<i>\$ 800,200.00</i>
<i>Rochon Corporation</i>	<i>\$ 814,500.00</i>
<i>Morcon Construction</i>	<i>\$ 819,480.00</i>
<i>Sheehy Construction</i>	<i>\$ 858,300.00</i>
<i>Shaw-Lundquist Associates</i>	<i>\$ 871,300.00</i>
<i>Dering Pierson Group</i>	<i>\$ 871,900.00</i>
<i>CM Construction</i>	<i>\$ 873,600.00</i>
<i>Meisenger Construction</i>	<i>\$ 918,000.00</i>
<i>Cool Air Mechanical</i>	<i>\$ 966,000.00</i>

<i>RAK Construction</i>	<i>\$ 993,500.00</i>
<i>JPMI Construction</i>	<i>\$1,003,000.00</i>

Mr. Bourgeois recommended that the Board accept the low bid of KUE Contractors, Inc., in the amount of \$793,711 for replacement of unit ventilators and cabinets at Deeplaven Elementary School in summer 2022.

Ambrosen moved, Becker seconded, that the Board approve the following motion:

*BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby accept the low bid of KUE Contractors, Inc., in the amount of \$793,711.00 for replacement of unit ventilators and cabinets at Deeplaven Elementary School in summer 2022.*

Upon vote being taken thereon, the motion carried unanimously.

#### **11. ACCEPTANCE OF BID FOR GROVELAND UNIT VENTILATOR REPLACEMENT**

Mr. Bourgeois noted that as part of the rolling Long Term Facility Maintenance 10 Year Plan, replacement of the original unit ventilators in twelve rooms at Groveland Elementary School is scheduled for Summer 2022. The budget estimate for the project is \$543,900. Bids were opened at 2:00 PM on Tuesday, October 19, 2021. Nine (9) bids were received as follows:

<i>Burnn Boiler &amp; Mechanical</i>	<i>\$486,300.00</i>
<i>Cool Air Mechanical</i>	<i>\$488,800.00</i>
<i>CM Construction</i>	<i>\$561,800.00</i>
<i>Ebert Construction</i>	<i>\$582,700.00</i>
<i>Morcon Construction.</i>	<i>\$583,250.00</i>
<i>Northland Mechanical Contractors</i>	<i>\$598,300.00</i>
<i>Construction Results Corporation</i>	<i>\$622,820.00</i>
<i>NAC</i>	<i>\$629,992.00</i>
<i>Sheehy Construction</i>	<i>\$665,300.00</i>

Mr. Bourgeois recommended that the Board accept the low bid of Burnn Boiler & Mechanical in the amount of \$486,300.00 for replacement of unit ventilators at Groveland Elementary School in summer 2022.

LeSage moved, Odom seconded, that the Board approve the following motion:

*BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby accept the low bid of Burnn Boiler & Mechanical in the amount of \$486,300.00 for replacement of unit ventilators and cabinets at Groveland Elementary School in summer 2022.*

Upon vote being taken thereon, the motion carried unanimously.

12. **ACCEPTANCE OF BID FOR MME SCIENCE ROOM CABINETS AND PLUMBING REPLACEMENT**

Mr. Bourgeois noted that as part of the rolling Long Term Facility Maintenance 10 Year Plan, replacement of the original cabinets and plumbing in two science rooms at Minnetonka Middle School East is scheduled for Summer 2022. The budget estimate for the project is \$796,740.00. Bids were opened at 2:00 PM on Thursday, October 28, 2021. Ten(10) bids were received as follows:

<i>Ebert Construction</i>	<i>\$638,800.00</i>
<i>CM Construction</i>	<i>\$664,700.00</i>
<i>KUE Contractors Inc</i>	<i>\$665,037.00</i>
<i>Construction Results Corporation</i>	<i>\$702,317.00</i>
<i>Morcon Construction.</i>	<i>\$713,862.00</i>
<i>Sheehy Construction</i>	<i>\$720,100.00</i>
<i>Dering Pierson Group</i>	<i>\$720,500.00</i>
<i>Rochon Corporation</i>	<i>\$737,300.00</i>
<i>Parkos Construction</i>	<i>\$762,600.00</i>
<i>RAK Construction</i>	<i>\$781,300.00</i>

Mr. Bourgeois recommended that the Board accept the low bid of Ebert Construction in the amount of \$638,800.00 for replacement of science room cabinets and plumbing at Minnetonka Middle School East in summer 2022.

Odom moved, Ambrosen seconded, that the Board approve the following motion:

*BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby accept the low bid of Ebert Construction in the amount of \$638,800.00 for replacement of science room cabinets and plumbing at Minnetonka Middle School East in summer 2022.*

Upon vote being taken thereon, the motion carried unanimously.

13. **ACCEPTANCE OF BID FOR ARTS CENTER HVAC REPLACEMENT**

Mr. Bourgeois noted that as part of the rolling Long Term Facility Maintenance 10 Year Plan, replacement of three large heating, ventilation and air conditioning units at the Arts Center is scheduled for Summer 2022. The budget estimate for the project is \$245,000.00. Bids were opened at 2:00 PM on Tuesday, October 26, 2021. Four (4) bids were received as follows:

<i>Alliance Mechanical Services</i>	<i>\$181,727.00</i>
<i>Northland Mechanical Contractors</i>	<i>\$188,700.00</i>
<i>Pioneer Power</i>	<i>\$197,480.00</i>
<i>NAC</i>	<i>\$203,200.00</i>

Mr. Bourgeois recommended that the School Board accept the low bid of Alliance Mechanical Services in the amount of \$181,727.00 for replacement of three heating, ventilation, and air conditioning units at the Arts Center at MHS in summer 2022.

Wagner moved, Becker seconded, that the Board approve the following motion:

BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby accept the low bid of Alliance Mechanical Services in the amount of \$181,727.00 for replacement of three heating, ventilation, and air conditioning units at the Arts Center at MHS in summer 2022.

Upon vote being taken thereon, the motion carried unanimously.

14. **ACCEPTANCE OF BID FOR MME TENNIS COURT REPAVING**

Mr. Bourgeois noted that as part of the rolling Long Term Facility Maintenance 10 Year Plan, repaving and resurfacing five tennis courts at Minnetonka Middle School East is scheduled for Summer 2022. The budget estimate for the project is \$127,400.00. Bids were opened at 10:00 AM on Tuesday, October 19, 2021. Two (2) bids were received as follows:

<i>Northwest Asphalt</i>	<i>\$107,200.00</i>
<i>Bituminous Roadways</i>	<i>\$119,700.00</i>

Mr. Bourgeois recommended that the School Board accept the low bid of Northwest Asphalt in the amount of \$107,200.00 for repaving and resurfacing five tennis courts at Minnetonka Middle School East in summer 2022.

Ambrosen moved, Becker seconded, that the Board approve the following motion:

*BE IT RESOLVED that the School Board of Minnetonka Independent School District 276 does hereby accept the low bid of Northwest Asphalt in the amount of \$107,200.00 for repaving and resurfacing five tennis courts at Minnetonka Middle School East in summer 2022.*

15. **CONSENT AGENDA**

Wagner moved, Ambrosen seconded, that the School Board approve the recommendations included within the following Consent Agenda items:

- Minutes of October 7, 2021 Regular Meeting
- Payment of Bills
- Recommended Personnel Items – as shown in Addendum A
- Gifts and Donations
- Electronic Fund Transfers - as shown in Addendum B



- Policy #430: Reserve Teachers
- Policy #431: Wage Rates: Part Time or Substitute
- Policy #522: Title IX Sex Non-Discrimination
- Designation of District Title IX Coordinator and Alternate

Upon vote being taken on the foregoing Consent Agenda items, the motion carried unanimously.

16. **BOARD REPORTS**

There were no Board reports this evening.

17. **SUPERINTENDENT'S REPORT**

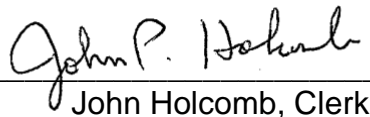
There was no Superintendent's report this evening.

18. **ANNOUNCEMENTS**

Chairperson Vitale announced that the Board would be holding a special meeting tomorrow morning at 8:30 a.m. to canvass the results of the recent School Board election. Board member Becker congratulated the two newly-elected Board members, Meghan Selinger and Patrick Lee-O'Halloran, and re-elected Board member Chris Vitale.

19. **ADJOURNMENT**

LeSage moved, Odom seconded, adjournment at 10:19 p.m. Upon vote being taken thereon, the motion carried unanimously.

  
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John Holcomb, Clerk