

## **Regular School Board Meeting**

Duluth Public Schools, ISD 709

### Agenda

Tuesday, November 15, 2011

District Services Center

709 Portia Johnson Dr.

Duluth, MN 55811

6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of the Agenda**
5. **Reading and Approving Minutes**
  - A. Special School Board Meeting of October 18, 2011 2
  - B. Regular School Board Meeting of October 18, 2011 4
  - C. Special School Board Meeting of November 4, 2011 13
6. **Audience**
7. **Reading Communications, Petitions, Etc.** 15
8. **Report of the Superintendent**
  - A. Schedule of Meetings and Events 16
9. **Report of Standing Committees**
  - A. Education Committee (*see separate report*)
  - B. Human Resources Committee (*see separate report*)
  - C. Business Committee (*see separate report*)
10. **Special Resolutions**
  - A. Resolution B-11-11-2947 - Canvassing Returns of Votes of School District General Election of November 8, 2011 18
  - B. Resolution B-11-11-2948 - Canvassing Returns of Votes of School District Special Election of November 8, 2011 22
11. **Questions / Other**
12. **Adjournment**

**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, October 18, 2011

**Members Present:**

Gary Glass  
Tim Grover  
Art Johnston  
Tom Kasper  
Judy Seliga Punyko  
Ann Wasson

**Others Present:**

Bill Gronseth, Assistant Superintendent  
Bill Hanson, Deputy Clerk  
Melinda Thibault, Secretary

**Members Absent:**

Mary Cameron

Chair Seliga Punyko called the special school board meeting of October 18, 2011 to order at 6:00 p.m.

Member Wasson presented the resolution:

**RESOLUTION**  
**Executive (Closed) Session**

RESOLVED, By the School Board of Independent School District 709, St. Louis County, Minnesota, that the School Board shall meet in Executive (Closed) Session on Tuesday, October 18, 2011 at approximately 6:00 p.m. in the Board Conference Room of the Historic Old Central High School for the purpose of discussing private educational data relating to a possible student expulsion, conducted pursuant to MN Statute 13D.05 Subd. 2(3).

E-10-11-2940

October 18, 2011

**M-Wasson, S-Kasper, to approve the Resolution E-10-11-2940 - Executive Closed Session.**  
**Upon a vote the same was approved 6-0.**

The board recessed into closed session at 6:02 p.m.

The board reconvened at 6:29 p.m.

Member Wasson presented the resolution:

**RESOLUTION EXPELLING A STUDENT**

WHEREAS, written notice of intent to expel a student attending Woodland Middle School was served upon the student and the student's parents;

WHEREAS, the notice of intent to expel the student complied with the provisions of the Pupil Fair Dismissal Act, Minn. Stat. § 121A.47, subd. 2;

WHEREAS, the student and the student's parent waived their right to a hearing on the proposed expulsion in writing; and

WHEREAS, under the Minnesota Government Data Practices Act, the waiver of right to an expulsion hearing and the name of the student proposed for expulsion are private data.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The School Board hereby accepts the waiver and expels the student from the schools of Independent School District No. 709, Duluth, for one full year (12 months) from October 18, 2011 through October 18, 2012.

2. The Superintendent, or his designee, is directed to mail to the student and the student's parent a copy of this Resolution along with a letter stating that the student has been expelled and that the student has the right to reenroll in the District on October 19, 2012.

3. The Superintendent, or his designee, is directed to identify the alternative educational services that are available to the student during the period of expulsion, if the student wishes to take advantage of them.

4. The Superintendent, or his designee, is directed to make an electronic report of this expulsion to the Commissioner of the Department of Education within thirty (30) calendar days, as required by Minn. Stat. §121A.53.

Resolution E-10-11-2941

October 18, 2011

**M-Wasson, S-Kasper, to approve the Resolution E-10-11-2941 – Student Expulsion. Upon a vote the same was approved 6-0.**

Chair Seliga Punyko adjourned the Special School Board meeting of October 18, 2011 at 6:30 p.m.

**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, October 18, 2011

**Members Present:**

Gary Glass  
Tim Grover  
Tom Kasper  
Art Johnston  
Judy Seliga Punyko  
Ann Wasson

**Others Present:**

Bill Gronseth, Assistant Superintendent  
Bill Hanson, Deputy Clerk  
Melinda Thibault, Secretary  
**Student Representatives**  
Marcus Jahn  
Lindsay Redenbaugh

**Members Absent:**

Mary Cameron

Chair Seliga Punyko called the regular school board meeting of October 18, 2011 to order at 6:30 p.m., and the pledge of allegiance to the American flag was given.

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

Member Johnston called a point of order regarding two agenda items (discussion of amendment number two to the red plan, and the resolution for transfer of funds from debt to general accounts) he had requested be put on the agenda by previous notice and submitted for agenda setting and requested that the items be added to the agenda.

Chair Seliga Punyko ruled that the items will not be put on the agenda. Discussion took place regarding the addition of the items.

**M-Johnston, S-Glass, to appeal the decision of the chair.**

Discussion took place regarding the appeal.

**Upon a vote to uphold the decision of the chair the same passed 4-2 as follows:**

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

**Nay: Glass, Johnston**

**M-Johnston, S-Glass, to amend the agenda to add discussion of amendment number two to the original red plan review and comment dated October 13<sup>th</sup> given to board members on Friday, September 16<sup>th</sup>.**

Discussion took place regarding the request to add the item to the agenda.

**Upon a vote, the same failed 2-4 as follows:**

**Yea: Glass, Johnston**

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

**M-Johnston, S-Glass, to add to the agenda discussion on information being presented to the public by the school district on the upcoming election on the operating levy.**

Discussion took place regarding the proposed addition to the agenda.

**Upon a vote, the same failed 2-4 as follows:**

**Yea: Glass, Johnston**

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

**M-Johnston, S-Glass, to add to the agenda discussion of staff using internal public school communications and computers to campaign and solicit funds for the upcoming general election of the levy referendum.**

Discussion took place regarding the proposed addition.

**Upon a vote, the same failed 2-4 as follows:**

**Yea: Glass, Johnston**

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

**Upon a vote on the agenda as presented, the same passed 4-2 as follows:**

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

**Nay: Glass, Johnston**

Chair Seliga Punyko asked school board members if there were any corrections or changes to the minutes of the special school board meeting of September 16, 2011.

**M-Wasson, S-Kasper, to approve the minutes of the September 16, 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 September 20, 2011.

**M-Wasson, S-Kasper, to approve the minutes of the September 20, 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 September 20, 2011.

**M-Grover, S-Kasper, to approve the minutes of the September 20, 2011 regular school board meeting.**

Member Johnston stated that the time listed that Member Seliga Punyko arrived was incorrect. Upon review the time is correct – no change to the minutes. Member Johnston noted that in three places within approval of minutes it said Chair Seliga Punyko and it should have been Vice-Chair Wasson. Member Johnston stated that he made a point of order at the end of the meeting that it was illegally adjourned. Upon review the tapes had been shut off at adjournment and there is no record – no change to the minutes.

**Upon a vote, the same was approved as corrected – 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 October 6, 2011.

**M-Wasson, S-Kasper, to approve the minutes of the October 6, 2011 special school board meeting.**

Member Glass stated that he had made a motion regarding adding an agenda item to appoint the makeup of the school naming committee and Member Johnston stated he had made a point of order regarding a motion that was on the floor and neither of those items was listed in the minutes.

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

**Public Comments**  
**October 2011**

Bob Lyman, 3205 Greyslon Road, spoke to the board regarding his concern with remodeling at Congdon Elementary School and the plan to buy properties for the relocation of the hockey rink.

Mike Piette, 3214 Greysolon Place, spoke to the board regarding his concern with remodeling at Congdon Elementary School and the placement of the hockey rink which could displace homeowners.

Rich Paulson, 524 West Ideal Street, spoke to the board regarding his concern with the bond resolution on the agenda and the method of borrowing.

Loren Martell, 623 East 7<sup>th</sup> Street, spoke to the board regarding his concern with school board members' behavior toward each other at the last meeting.

Scott Fisher, 1801 Wallace Avenue, spoke to the board regarding naming the Eastern Middle School to recommend that the building be named Ordean Middle School.

Claudie Washington, 11 West 4<sup>th</sup> Street, spoke to the board in support of renaming the Eastern Middle School the Meyers-Wilkins Middle School.

Marcia Stromgren, 6179 Lakewood Road, spoke to the board regarding a complaint against the district by the MN Voters Alliance and Duluth Taxpayers Association.

**Communications, Petitions, Etc.**

**October 2011**

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Assistant Superintendent Gronseth acknowledged the communications received.

**Superintendent's Report**

**October 2011**

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Assistant Superintendent Gronseth thanked the community for their help in addressing issues that have come up with the start of the school year.

**Education Committee Report**

**October 2011**

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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.

	Organization	Author/Contact	Project Title	Award Amount	Terms
1	Northland Foundation	Annette Petersmeyer	REACH Program – Making Positive Connections Between At-Risk Youth and the Community	\$2,500	Funds from this grant award will be used to support the REACH Program with student incentives, monthly awards, transportation,

					and community outings.
2	Qwest Foundation	Bonnie Fritch/Kimberly Evavold-Bolf	2010 Qwest Teachers and Technology Grant	\$7,500	Funds from this grant award were used to purchase and integrate a SMART table into Lakewood's K-3 curriculum in the areas of critical thinking, problem solving, and decision making skills.

Resolution E-10-11-2938

October 18, 2011

**M-Wasson, S-Kasper, to approve Resolution E-10-11-2938 - Acceptance of Grant Awards to the Duluth Public Schools. Upon a vote taken, the same was approved – 6-0.**

**M-Wasson, S-Kasper, to name the Eastern Middle School the Ordean East Middle School.**

Board discussion took place regarding naming of the middle school.

**M-Grover, S-Johnston, to amend Member Wassons motion to name the school Myers-Wilkins Middle School.**

Discussion took place regarding the proposed amendment.

**Upon a vote on the amendment to the motion, the same failed 3-3 as follows:**

**Yea: Glass, Grover, Johnston**

**Nay: Kasper, Seliga Punyko, Wasson**

Discussion took place regarding the original motion and the committee's recommendation.

**M-Johnston, S-Glass, to postpone the motion/decision until the next regular meeting.**

Discussion took place regarding the amendment and what would happen if a decision isn't made.

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

**Yea: Glass, Grover, Johnston**

**Nay: Kasper, Seliga Punyko, Wasson**

**Upon a vote on the original motion to name the school Ordean East Middle School, the same failed 3-3 as follows:**

**Yea: Kasper, Seliga Punyko, Wasson**

**Nay: Glass, Grover, Johnston**

**M-Grover, S-Johnston, to add this item to the November agenda because the board is at an impasse on this issue. Member Grover withdrew his motion and will bring it forward for**

**placement on the November agenda.**

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

Member Kasper withheld Item A.1) – 2011 MCA and 2011 AYP Results to ask for the reports in color. Member Glass noted his concern with the results and bringing teachers up to speed on the curriculum.

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

**Human Resources Committee Report**

**October 2011**

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

**M-Kasper, S-Wasson, to approve the Human Resources Committee Report, withholding the action items as presented.**

Member Glass asked about co-curricular positions and Member Kasper asked about the number of employee recalls to date.

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

**M-Kasper, S-Grover, to approve the Increase of Hourly Rates for Retired Employee/Laid Off Clerical. Upon a vote the same was approved 5-1 as follows:**

**Yea: Grover, Johnston, Kasper, Seliga Punyko, Wasson**

**Nay: Glass**

**M-Kasper, S-Wasson, to approve the Individual Contract for Sarah Ullmer, MN Alliance With Youth. Upon a vote taken, the same was approved – 6-0.**

**M-Kasper, S-Wasson, to approve the New Curriculum & Instruction Coordinator Position.**

Board discussion took place regarding the proposed positions.

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

**Yea: Grover, Johnston, Kasper, Seliga Punyko, Wasson**

**Nay: Glass**

**M-Kasper, S-Wasson, to approve the Revised Job Description for the Federal Programs**

**Supervisor/Grant Writer. Upon a vote taken, the same was approved – 5-1 as follows:**

**Yea: Grover, Johnston, Kasper, Seliga Punyko, Wasson**

**Nay: Glass,**

**Business Committee Report**

**October 2011**

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

**M-Grover, S-Kasper, to approve the Business Committee Report, withholding the resolution, as presented.**

Member Glass withheld Items 1.A., 1.B., and 3.A.1)

Member Johnston withheld Item 1.F., 3.A.1), 4.A.1) and 3)

Member Glass withheld Item 1.A. – Financial Report to ask about budget transfers. Jody LeBlanc, Finance Manager explained the transfers.

Member Glass withheld Item 1.B. – Approval of Payment of Claims to ask about attorney costs, and note specific payments to JCI. He also asked for a report of total payments to JCI.

Member Johnston withheld Item 1.F. – WADM Projections to ask about the increase in ADMs. Bill Hanson, Director of Business Services, explained the projections.

Members Glass and Johnston withheld Item 3.A.1) – Suspension of Bylaw 9095 – Order of Business to note their concerns with the proposed agenda.

**M-Grover, S-Johnston, to postpone this item until the November Board meeting. Upon a vote the same passed – 6-0.**

Member Johnston withheld Item 4.A.1) – Delta Dental Renewal to ask about the fee included in the agreement and increases in premiums. Bill Hanson and Jody LeBlanc explained the costs.

Member Johnston withheld Item 4.A.3) – Health Reimbursement Arrangement/125 Flex Plan/Third Party Administrators Renewal to clarify that it is for the administration of the program and not the actual insurance. Member Glass asked for information on how many employees are served by the plans.

**Upon a vote on the remainder of the business committee report as presented, the same was approved 4-2 as follows:**

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

**Nay: Glass, Johnston**

Member Grover presented the resolution:

Resolution Declaring Intention To Issue General Obligation  
Alternative Facilities Capital Appreciation Bonds, Series 2011b,  
Of Independent School District No. 709 In The Principal Amount  
Of Not To Exceed \$787,634.25

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

Section 1. Authority. Under and pursuant to the authority contained in Minnesota Statutes, Section 123B.59 (the “Act”), and Minnesota Statutes, Chapter 475, the District is authorized to issue general obligation bonds to provide funds to finance repairs and replacements contained in the District’s ten-year facility plan under the Act, as updated (the “Plan”), as approved by the School Board. The Plan is incorporated in this resolution as though fully specified herein.

Section 2. The Bonds. The School Board hereby determines that it is necessary, expedient, and in the best educational interest of the District’s pupils and residents that the District issue, sell and deliver its General Obligation Alternative Facilities Capital Appreciation Bonds, Series 2011B (the “Bonds”), in the principal amount not to exceed \$787,634.25, for the purpose of providing funds for the abatement of hazardous components at East High School (Ordean), Grant Elementary and Congdon Elementary, pursuant to the Plan (the “Projects”) and costs of issuance of the Bonds.

Section 3. Notice of Intent to Issue Bonds. Pursuant to the requirements of the Act, the Chief Financial Officer/Executive Director of Business Services shall cause the publication in the official newspaper of the District a notice of intent to issue the Bonds for the Projects.

Section 4. Official Intent. This resolution constitutes a declaration of official intent under Treasury Regulations Section 1.150-2. The District reasonably expects to reimburse expenditures with respect to the capital expenditures being financed.

**M-Grover, S-Kasper, to approve Resolution B-10-11-2939 – Resolution Declaring Intention To Issue General Obligation Alternative Facilities Capital Appreciation Bonds, Series 2011b, Of Independent School District No. 709 In The Principal Amount Of Not To Exceed \$787,634.25.**

Board discussion took place regarding the resolution.

**Upon a vote, the same was approved – 4-2 as follows:**

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

**Nay: Glass, Johnston**

**Other**  
**October 2011**

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Student Representative Jahn stated that in general students are very happy in the new building and some class sizes have improved.

Chair Seliga Punyko adjourned the regular school board meeting of October 18, 2011 at 9:05 p.m.

## Minutes of the Special School Board Meeting

13

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

Friday, November 4, 2011

### Members Present:

Mary Cameron  
Gary Glass  
Tim Grover  
Art Johnston  
Tom Kasper  
Judy Seliga Punyko  
Ann Wasson (left before voting)

### Others Present:

I.V. Foster, Superintendent  
Bill Hanson, Deputy Clerk  
Melinda Thibault, Secretary

Chair Seliga Punyko called the special school board meeting of November 4, 2011 to order at 12:00 p.m.

### Public Comment:

Joan Peterson, 3025 East 2<sup>nd</sup> Street, spoke to the board regarding her concern with board members publicly advocating for the failure of the district levy.

Bill Mittlefehldt, 31 College Street, spoke to the board regarding his concern that board members are publicly working to defeat the levy, and asked that people vote yes for the levy on all three levels.

Frank Wanner, 1135 Mississippi Avenue, President of the DFT, spoke to the board regarding his issue with a board member saying that the cuts the district has made are not real, and the need to support the levy for the future of our students.

Loren Martell, 623 East 7<sup>th</sup> Street, spoke to the board regarding his concerns with the levy and to clarify that he hopes it passes for the sake of the students.

Marcia Stromgren, 6179 Lakewood Road, spoke to the board regarding her concern with the levy and the increased taxes it will create.

### Levy Discussion:

**M-Glass, S-Johnston, to appoint a committee to select an independent auditor to review the Districts operating levy information for accuracy and relevancy and, if the operating levy passes, the district will prepare a detailed document of how the additional tax money raised will be spent.**

Member Johnston gave a presentation stating his opinion on the accuracy of the information being put out by the District on the levy.

Discussion took place by board members regarding the information being presented by the District and the information presented by Member Johnston.

Chair Seliga Punyko called for a vote on the motion.

**Member Cameron called the question.**

Member Johnston called a point of order for further discussion, and continued his discussion on the levy information.

**Upon a vote to call the question the same passed 6-0.**

**Upon a vote on the motion, the same failed 2-4 as follows:**

**Yea: Glass, Johnston**

**Nay: Cameron, Grover, Kasper, Seliga Punyko.**

**Absent: Wasson**

Chair Seliga Punyko adjourned the Special School Board meeting of November 4, 2011 at 1:05 p.m.

7. Communications, Petitions, etc.

- 10/25/11 Copy of letter addressed to Dr. I.V. Foster and cc'd to Duluth School Board Members from Jeff Tweten, expressing concern that communication was stifled at the October 7, 2011 school board meeting, the importance of taxpayers receiving accurate information as to how increased tax revenues would be spent, and requesting that school board members be allowed to pontificate at meetings.
- 10/26/11 Copy of letter addressed to School Board Members from Adrian Lester, expressing his thoughts on the naming of the eastern middle and high schools, offering his suggestions of: Duluth East-Ordean High School, Duluth East Middle School, Duluth East Hawthorne MS, Duluth East Academic MS, and Duluth East Tischer Creek MS.

Independent School District 709  
**SCHEDULE OF MEETINGS AND EVENTS**

*All meetings are scheduled at Historic Old Central High School unless otherwise noted.*

**Week of November 14 – November 18, 2011**

Tuesday	November 15	4:30 p.m.	Special School Board Meeting (Agenda Attached) Adjourn to Executive (Closed) Session Re: Discussion Related to the Sale and Acquisition of Properties Board Room
Tuesday	November 15	5:30 p.m.	Tenured Teacher Reception Board Room
Tuesday	November 15	6:30 p.m.	Regular School Board Meeting (Agenda Attached) Board Room*

*\* Member Cameron will be participating from an alternate location via Skype, pursuant to MN Statute 13D.02: University Hotel (lobby), 615 Washington Avenue SE, Minneapolis, MN 55414*

Wednesday	November 16	4:15 p.m.	Parent Advisory Council on Special Education (PACSE) Room 203C
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**Week of November 21 – November 25, 2011**

*No meetings scheduled at this time.*

**Week of November 28 – December 2, 2011**

Wednesday	November 30	5:30 p.m.	Education Equity Advisory Committee Board Room
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**Week of December 5 – December 9, 2011**

Wednesday	December 7	9:00 a.m.	PTSA City Wide Council Board Room
Thursday	December 8	5:00 p.m.	Education Equity Advisory Budget Subcommittee Room 302

**Week of December 12 – December 16, 2011**

Monday	December 12	4:15 p.m.	Human Resources Committee Board Room
Monday	December 12	4:30 p.m. <i>(or to follow Human Resources Comm. Mtg)</i>	Business Committee Board Room
Tuesday	December 13	4:15 p.m.	Education Committee Board Room
Thursday	December 15	5:30 p.m.	Education Equity Advisory Committee Board Room

**Week of December 19 – December 23, 2011**

Tuesday	December 20	6:30 p.m.	Regular School Board Meeting <i>Includes Truth in Taxation Hearing</i> Board Room
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**Week of December 26 – December 30, 2011**

*No meetings scheduled at this time.*

**Week of January 2 – January 6, 2012**

Tuesday	January 3	6:30 p.m.	Annual Organizational Meeting Board Room
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Wednesday	January 4	9:00 a.m.	PTSA City Wide Council Board Room
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**Week of January 9 – January 13, 2012**

Monday	January 9	4:15 p.m.	Human Resources Committee Board Room
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Monday	January 9	4:30 p.m. <i>(or to follow Human Resources Comm. Mtg)</i>	Business Committee Board Room
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Tuesday	January 10	4:15 p.m.	Education Committee Board Room
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Thursday	January 12	5:00 p.m.	Education Equity Advisory Budget Subcommittee Room 302
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**Week of January 16 – January 20, 2012**

Tuesday	January 17	6:30 p.m.	Regular School Board Meeting Board Room
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*Office of the Superintendent  
November 10, 2011*

**RESOLUTION**

Canvassing Returns of Votes of School District General Election of November 8, 2011

BE IT RESOLVED, by the School Board of Independent School District 709, as follows:

1. It is hereby found, determined and declared that the GENERAL election of the voters of this district, held on November 8, 2011, was in all respects duly and legally called and held.

2. A. At Large:

As specified in the attached Abstract and Return of Votes Cast, a total of 22,575 voters of the district voted at said election for election as a school board member At Large for a four year term vacancy on the school board caused by expiration of terms on January 3, 2012 next following the general election as follows:

Michael Miernicki	<u>12,649</u>
Ryan Stauber	<u>9,926</u>

B. Second District:

As specified in the attached Abstract and Return of Votes Cast, a total of 5,390 voters of the district voted at said election for election as a school board member Second District for a four year term vacancy on the board caused by expiration of the term on January 3, 2012 next following the general election as follows:

Loren Martell	<u>1,906</u>
Judy Seliga Punyko	<u>3,484</u>

C. Third District:

As specified in the attached Abstract and Return of Votes Cast, a total of 5,113 voters of the district voted at said election for election as a school board member Third District for a four year term vacancy on the board caused by expiration of the term on January 3, 2012 as follows:

Jon Donahue	<u>1,864</u>
Bill Westholm	<u>3,249</u>

3. Candidate Michael Miernicki having received the highest number of votes, is elected to a four-year term for the At Large school board seat beginning January 3, 2012.

4. Candidate Judy Seliga Punyko having received the highest number of votes, is elected to a four-year term for the Second District school board seat beginning January 3, 2012.

5. Candidate Bill Westholm having received the highest number of votes, is elected to a four-year term for the Third District school board seat beginning January 3, 2012.

6. The School District Clerk is hereby authorized to certify the results of the election to the County Auditor of each County in which the School District is located in whole or in part.

**ABSTRACT AND RETURN OF VOTES CAST  
FOR GENERAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA  
ABSTRACT AND RETURN OF VOTES CAST  
GENERAL ELECTION, DISTRICT NO. AT LARGE  
November 8, 2011**

.....  
A. TOTAL NUMBER OF PERSONS REGISTERED:  
AT 7:00 O'CLOCK A. M. 58,201

B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY: 1034

.....  
C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER 21,751

D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS  
ABSENTEE BALLOTS 860

E. TOTAL NUMBER OF PERSONS VOTING IN THE GENERAL ELECTION 22,611  
(add C plus D equals E):

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F. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT \*  
BOX           

G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE \*  
BALLOT BOX:           

\*\*\*\*\*

H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT \*  
ENVELOPE           

I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK \*  
          

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**SCHOOL BOARD MEMBER  
DISTRICT NO. AT LARGE**

**CANDIDATE Michael Miernicki** 12,649

**CANDIDATE Ryan Stauber** 9,926

Total number of Write In votes for this office:            \*

Total number of ballots defective for this office: (Overvotes)            \*

Total number of ballots blank for this office: (Overvotes)            \*

TOTAL VOTES COUNTED FOR THIS OFFICE: 22,575

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\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.

**ABSTRACT AND RETURN OF VOTES CAST  
FOR GENERAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA  
ABSTRACT AND RETURN OF VOTES CAST  
GENERAL ELECTION, DISTRICT NO. 2  
November 8, 2011**

.....	
A. TOTAL NUMBER OF PERSONS REGISTERED: AT 7:00 O'CLOCK A. M.	<u>14,439</u>
B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY:	<u>358</u>
*****	
C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER	<u>5,644</u>
D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS ABSENTEE BALLOTS	<u>239</u>
E. TOTAL NUMBER OF PERSONS VOTING IN THE GENERAL ELECTION (add C plus D equals E):	<u>5,883</u>
*****	
F. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT BOX	<u>*</u>
G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE BALLOT BOX:	<u>*</u>
*****	
H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT ENVELOPE	<u>*</u>
I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK	<u>*</u>
*****	

**SCHOOL BOARD MEMBER  
DISTRICT NO. 2**

CANDIDATE <b>Loren Martell</b>	<u>1,906</u>
CANDIDATE <b>Judy Seliga Punyko</b>	<u>3,484</u>
Total number of Write In votes for this office:	<u>*</u>
Total number of ballots defective for this office: (Overvotes)	<u>*</u>
Total number of ballots blank for this office: (Overvotes)	<u>*</u>
TOTAL VOTES COUNTED FOR THIS OFFICE:	<u>5,390</u>
*****	

\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.

**INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA  
ABSTRACT AND RETURN OF VOTES CAST  
GENERAL ELECTION, DISTRICT NO. 3  
November 8, 2011**

.....	
A. TOTAL NUMBER OF PERSONS REGISTERED:	_____
AT 7:00 O'CLOCK A. M.	14,678
B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY:	_____ 251
*****	
C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER	_____ 5,479
D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS ABSENTEE BALLOTS	_____ 339
E. TOTAL NUMBER OF PERSONS VOTING IN THE GENERAL ELECTION (add C plus D equals E):	_____ 5,818
*****	
G. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT BOX	* _____
G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE BALLOT BOX:	* _____
*****	
H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT ENVELOPE	* _____
I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK	* _____
*****	

**SCHOOL BOARD MEMBER  
DISTRICT NO. 3**

CANDIDATE <b>Jon Donahue</b>	_____ 1,864
CANDIDATE <b>Bill Westholm</b>	_____ 3,249
Total number of Write In votes for this office:	_____ *
Total number of ballots defective for this office: (Overvotes)	_____ *
Total number of ballots blank for this office: (Overvotes)	_____ *
TOTAL VOTES COUNTED FOR THIS OFFICE:	_____ 5,113
*****	

\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.

**RESOLUTION****Canvassing Returns of Votes of School District Special Election of November 8, 2011**

BE IT RESOLVED, by the School Board of Independent School District 709, as follows:

1. It is hereby found, determined and declared that the special election of the voters of this district, held on November 8, 2011, was in all respects duly and legally called and held.
2. As specified in the attached Abstract and Return of Votes Cast, a total of 22,369 voters of the district voted at said election on Question One (1) to revoke its existing referendum revenue authorization of \$365.60 per pupil and replace that authorization with a new authorization of \$650.37 per pupil of which 9,865 voted in favor, 12,504 voted against the same.
3. As specified in the attached Abstract and Return of Votes Cast, a total of 22,292 voters of the district voted at said election on Question Two (2) of Increasing the General Education Revenue of the School District by an additional \$122.70 per pupil of which 8,323 voted in favor, 13,969 voted against the same.
4. As specified in the attached Abstract and Return of Votes Cast, a total of 22,236 voters of the district voted at said election on Question Three (3) of Increasing the General Education Revenue of the School District revenue by an additional \$98.15 per pupil of which 7,574 voted in favor, 14,662 voted against the same.
5. Said proposition One (1), not having received the approval of at least a majority of such votes, is hereby declared to have failed.
6. Said proposition Two (2), not having received the approval of at least a majority of such votes, is hereby declared to have failed.
7. Said proposition Three (3), not having received the approval of at least a majority of such votes, is hereby declared to have failed.
8. The School District Clerk is hereby authorized to certify the results of the election to the County Auditor of each County in which the School District is located in whole or in part.

**ABSTRACT AND RETURN OF VOTES CAST  
FOR SPECIAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA**

**ABSTRACT AND RETURN OF VOTES CAST  
SPECIAL ELECTION QUESTION ONE (1)  
November 8, 2011**

\*\*\*\*\*

A. TOTAL NUMBER OF PERSONS REGISTERED:  
AT 7:00 O'CLOCK A. M. 58,201

B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY: 1,034

\*\*\*\*\*

C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER 21,751

D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS  
ABSENTEE BALLOTS 860

E. TOTAL NUMBER OF PERSONS VOTING IN THE ELECTION 22,611  
(add C plus D equals E):

\*\*\*\*\*

F. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT  
BOX \*

G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE  
BALLOT BOX: \*

\*\*\*\*\*

H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT  
ENVELOPE \*

I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK \*

\*\*\*\*\*

**SCHOOL DISTRICT BALLOT QUESTION ONE (1) - PROPOSITION OF EXCESS  
LEVY REFERENDUM – REVOKING CURRENT LEVEL OF \$365.60 PER PUPIL AND  
REPLACE WITH NEW LEVEL OF \$650.37 PER PUPIL**

YES 9,865

NO 12,504

Completely Blank Ballots \*

Completely Defective Ballots \*

TOTAL BALLOTS COUNTED FOR THIS QUESTION: 22,369

\*\*\*\*\*

\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.

**ABSTRACT AND RETURN OF VOTES CAST  
FOR SPECIAL ELECTION**

**INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA  
ABSTRACT AND RETURN OF VOTES CAST  
SPECIAL ELECTION QUESTION TWO (2)  
November 8, 2011**

*****	
A. TOTAL NUMBER OF PERSONS REGISTERED: AT 7:00 O'CLOCK A. M.	<u>58,201</u>
B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY:	<u>1,034</u>
*****	
C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER	<u>21,751</u>
D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS ABSENTEE BALLOTS	<u>860</u>
E. TOTAL NUMBER OF PERSONS VOTING IN THE ELECTION (add C plus D equals E):	<u>22,611</u>
*****	
F. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT BOX	<u>  *</u>
G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE BALLOT BOX:	<u>  *</u>
*****	
H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT ENVELOPE	<u>  *</u>
I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK	<u>  *</u>
*****	

**SCHOOL DISTRICT BALLOT QUESTION TWO (2) - PROPOSITION OF EXCESS  
LEVY REFERENDUM – INCREASING GENERAL EDUCATION REVENUE BY AN  
ADDITIONAL \$122.70 PER PUPIL**

<b>YES</b>	<u>8,323</u>
<b>NO</b>	<u>13,969</u>
<b>Completely Blank Ballots</b>	<u>  *</u>
<b>Completely Defective Ballots</b>	<u>  *</u>

TOTAL BALLOTS COUNTED FOR THIS QUESTION: 22,292  
\*\*\*\*\*

\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.

**ABSTRACT AND RETURN OF VOTES CAST  
FOR SPECIAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 709 (DULUTH)  
STATE OF MINNESOTA**

**ABSTRACT AND RETURN OF VOTES CAST  
SPECIAL ELECTION QUESTION THREE (3)  
November 8, 2011**

\*\*\*\*\*

A. TOTAL NUMBER OF PERSONS REGISTERED:  
AT 7:00 O'CLOCK A. M. 58,201

B. TOTAL NUMBER OF NEW REGISTRATIONS ON ELECTION DAY: 1,034

\*\*\*\*\*

C. TOTAL NUMBER OF SIGNATURES ON THE POLLING PLACE ROSTER 21,751

D. TOTAL NUMBER OF ACCEPTED REGULAR, MILITARY AND OVERSEAS  
ABSENTEE BALLOTS 860

E. TOTAL NUMBER OF PERSONS VOTING IN THE ELECTION 22,611  
(add C plus D equals E):

\*\*\*\*\*

F. TOTAL NUMBER OF COMPLETELY BLANK BALLOTS IN THE BALLOT  
BOX \*

G. TOTAL NUMBER OF COMPLETELY DEFECTIVE BALLOTS IN THE  
BALLOT BOX: \*

\*\*\*\*\*

H. TOTAL NUMBER OF SPOILED BALLOTS IN THE SPOILED BALLOT  
ENVELOPE \*

I. TOTAL NUMBER OF UNUSED BALLOTS RETURNED TO THE CLERK \*

\*\*\*\*\*

**SCHOOL DISTRICT BALLOT QUESTION THREE (3) - PROPOSITION OF EXCESS  
LEVY REFERENDUM – INCREASING ITS GENERAL EDUCATION REVENUE BY AN  
ADDITIONAL \$98.15 PER PUPIL**

**YES** 7,574

**NO** 14,662

**Completely Blank Ballots** \*

**Completely Defective Ballots** \*

TOTAL BALLOTS COUNTED FOR THIS QUESTION: 22,236

\*\*\*\*\*

\*City Clerk's System does not generate blank or defective ballot information, which could be used for this abstract.