



South St. Paul School Board - Committee-of-the-Whole
Monday, August 28, 2023 5:00 PM
Location: CITY HALL
125 THIRD AVENUE NORTH
South St Paul, Minnesota 55075

Agenda

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SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, August 28, 2023

Place on Agenda: COW and Regular Meeting

Action Requested: Approval

Attachment: Permanent Drainage and Utility Easement

Topic: Approval of Permanent Drainage and Utility Easement – North Fields
Presenter(s): Brady Hoffman, Director of Finance
In November of 2021, the School Board approved a purchase agreement to sell the Jefferson property to the City of South St. Paul. As part of the sale, the City and School District entered into a letter of agreement where the City will transfer ownership of the North Fields to the District. Before ownership could be transferred to the District, the City needed to conduct surveys of the property and secure legal descriptions and lot splits necessary to deliver recordable quit claim deeds to the property. The final step is for the District to approve the attached permanent drainage and utility easement.
Recommendation: Approval
Alternatives: N/A

PERMANENT DRAINAGE AND UTILITY EASEMENT

THIS PERMANENT DRAINAGE AND UTILITY EASEMENT (“Easement”) is made, granted and conveyed this 21 day of August, 2023 by and between Special School District No. 6 (South St. Paul Public Schools), a special school district and political subdivision under the laws of the State of Minnesota (“Landowner”), and the City of South St. Paul, a Minnesota municipal corporation (“City”).

WHEREAS, Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A** (“Landowner’s Property”); and

WHEREAS, the City has existing underground utilities on Landowner’s Property that requires this Easement from Landowner.

NOW THEREFORE, the Landowner in consideration of the sum of One Dollar and other good and valuable consideration to them in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, the following:

PERMANENT EASEMENT DESCRIPTION

The Landowner does hereby grant and convey unto the City, its successors and assigns, forever the following:

A permanent easement for drainage and utility purposes and all such purposes ancillary, incident or related thereto (“Permanent Easement”) under, over, across, through and upon that part of Landowner’s Property legally described on Exhibit B and depicted on Exhibit C (“Permanent Easement Area”), attached hereto and incorporated herein by reference.

The Permanent Easement rights granted herein are forever and shall include, but not be limited to, the construction, maintenance, repair and replacement of any sanitary sewer, storm sewer, water mains, storm water facilities, above ground and below ground drainage facilities, any utilities, underground pipes, conduits, culverts, other utilities and mains, and all facilities and improvements ancillary, incident or related thereto, under, over, across, through and upon the Permanent Easement Area.

The Permanent Easement rights further include, but are not limited to, the right of ingress and egress over the Permanent Easement Area to access the Permanent Easement for the foregoing purposes.

The rights of the City also include the right of the City, its contractors, agents and servants:

- (a) To enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of the Permanent Easement; and
- (b) To maintain the Permanent Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- (c) To remove from the Permanent Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the utility pipes, conduits, mains and above ground and below ground drainage facilities and to deposit earthen material in and upon the Permanent Easement Area; and
- (d) To remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Permanent Easement Area or the Landowner's Property prior to the date hereof.

Upon the City's completion of any construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration within the Permanent Easement Area, the City, at its own expense, shall promptly restore the Permanent Easement Area and any of the Landowner's Property affected by the City's activities to the same condition it was in immediately before the construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Landowner's Property described on Exhibit A, the Permanent Easement Area described on Exhibit B and depicted on Exhibit C and has good right to grant and convey the Permanent Easement herein to the City.

This Easement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

This Easement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

EXEMPT FROM STATE DEED TAX

[The remainder of this page was intentionally left blank.]

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER'S PROPERTY

Real property in Dakota County, Minnesota, legally described as follows:

The Southerly 500 feet of the property lying West of Kaposia Boulevard, North of 3rd Street North, and East of the Replat of Highland Heights Addition, according to the recorded plat thereof on file and of record in the office of the Registrar of Titles within and for said County and State, excepting, however, the Southerly 400 feet thereof, previously conveyed by the City of South St. Paul to Special School District No. 1, and reserving to the City of South St. Paul the right to maintain, repair, enlarge, or replace the trunk sewer now located across said premises but subject to the condition that existing manholes be maintained at any future ground levels established, Dakota County, Minnesota.

AND

Lots 1 through 6, Block 22, South St. Paul, Dakota County, Minnesota.

PIDs: 36-02200-55-020 and 36-70300-22-280

Abstract Property

EXHIBIT B
LEGAL DESCRIPTION OF PERMANENT EASEMENT AREA

A 20.00 foot perpetual easement for drainage and utility purposes over, under and across that part of the Southwest Quarter of Section 22, Township 28, Range 22 of the 4th Principal Meridian; that part of Block 22, "South St Paul", according to the recorded plat thereof; those parts of Block 7 and 8, together with those portions of the vacated streets and alleys accruing thereto by reason of vacation, of Union Addition to South St. Paul, Dakota Co., Minn., according to the recorded plat thereof; all lying southerly of Lot 2, Block 1, WENTWORTH HOLLOW 2ND ADDITION, according to the recorded plat thereof, lying westerly of the westerly right-of-way line of Kaposia Boulevard, lying northerly of the northerly right-of-way line of 3rd Street North, and lying easterly of Replat of Highland Heights Addition to South St. Paul Minnesota, according to the recorded plat thereof, all in Dakota County, Minnesota. The centerline of said easement is described as follow:

Commencing at the southeast corner of said Lot 2; thence on an assumed bearing of South 89 degrees 52 minutes 11 seconds West along the south line of said Lot 2, a distance of 129.48 feet to the point of beginning of the centerline of the easement to be described; thence South 23 degrees 11 minutes 01 second West, a distance of 278.84 feet; thence South 43 degrees 52 minutes 01 second West, a distance of 248.64 feet; thence South 38 degrees 10 minutes 37 seconds East, a distance of 64.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate at the south line of said Lot 2 and the northerly right-of-way line of said 3rd Street North.

AND

A 20.00 foot perpetual easement for drainage and utility purposes over, under and across that part of the Southwest Quarter of Section 22, Township 28, Range 22 of the 4th Principal Meridian, lying southerly of Lot 2, Block 1, WENTWORTH HOLLOW 2ND ADDITION, according to the recorded plat thereof, lying westerly of the westerly right-of-way line of Kaposia Boulevard, lying northerly of the northerly right-of-way line of 3rd Street North, and lying easterly of Replat of Highland Heights Addition to South St. Paul Minnesota, according to the recorded plat thereof, all in Dakota County, Minnesota. The centerline of said easement is described as follow:

Commencing at the southeast corner of said Lot 2; thence on an assumed bearing of South 89 degrees 52 minutes 11 seconds West along the south line of said Lot 2, a distance of 275.92 feet to the point of beginning of the centerline of the easement to be described; thence South 29 degrees 24 minutes 59 seconds West, a distance of 121.33 feet; thence South 29 degrees 55 minutes 07 seconds West, a distance of 314.11 feet; thence South 13 degrees 38 minutes 07 seconds West, a distance of 119.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate at the south line of said Lot 2 and the northerly right-of-way line of said 3rd Street North.

C-2

PROPOSED EASEMENT DESCRIPTIONS:

A 20.00 foot perpetual easement for drainage and utility purposes over, under and across that part of the Southwest Quarter of Section 22, Township 28, Range 22 of the 4th Principal Meridian; that part of Block 22, "South St Paul", according to the recorded plat thereof; those parts of Block 7 and 8, together with those portions of the vacated streets and alleys accruing thereto by reason of vacation, of Union Addition to South St. Paul, Dakota Co., Minn., according to the recorded plat thereof; all lying southerly of Lot 2, Block 1, WENTWORTH HOLLOW 2ND ADDITION, according to the recorded plat thereof, lying westerly of the westerly right-of-way line of Kaposia Boulevard, lying northerly of the northerly right-of-way line of 3rd Street North, and lying easterly of Replat of Highland Heights Addition to South St. Paul Minnesota, according to the recorded plat thereof, all in Dakota County, Minnesota. The centerline of said easement is described as follow:

Commencing at the southeast corner of said Lot 2; thence on an assumed bearing of South 89 degrees 52 minutes 11 seconds West along the south line of said Lot 2, a distance of 129.48 feet to the point of beginning of the centerline of the easement to be described; thence South 23 degrees 11 minutes 01 second West, a distance of 278.84 feet; thence South 43 degrees 52 minutes 01 second West, a distance of 248.64 feet; thence South 38 degrees 10 minutes 37 seconds East, a distance of 64.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate at the south line of said Lot 2 and the northerly right-of-way line of said 3rd Street North.

AND

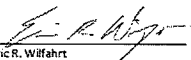
A 20.00 foot perpetual easement for drainage and utility purposes over, under and across that part of the Southwest Quarter of Section 22, Township 28, Range 22 of the 4th Principal Meridian, lying southerly of Lot 2, Block 1, WENTWORTH HOLLOW 2ND ADDITION, according to the recorded plat thereof, lying westerly of the westerly right-of-way line of Kaposia Boulevard, lying northerly of the northerly right-of-way line of 3rd Street North, and lying easterly of Replat of Highland Heights Addition to South St. Paul Minnesota, according to the recorded plat thereof, all in Dakota County, Minnesota. The centerline of said easement is described as follow:

Commencing at the southeast corner of said Lot 2; thence on an assumed bearing of South 89 degrees 52 minutes 11 seconds West along the south line of said Lot 2, a distance of 275.92 feet to the point of beginning of the centerline of the easement to be described; thence South 29 degrees 24 minutes 59 seconds West, a distance of 121.33 feet; thence South 29 degrees 55 minutes 07 seconds West, a distance of 314.11 feet; thence South 13 degrees 38 minutes 07 seconds West, a distance of 119.00 feet and said centerline there terminating.

The sidelines of said easement shall be prolonged or shortened to terminate at the south line of said Lot 2 and the northerly right-of-way line of said 3rd Street North.

SURVEYOR'S CERTIFICATION

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.


Eric R. Wilfahrt
License Number 46166

08/05/2022
Date

REVISION: REFERENCE TO WENTWORTH HOLLOW 2ND ADDITION
01/30/2023

REVISION: PARCEL LINES & PID #'S 03/29/2023
REVISION: DESCRIPTIONS & GRAPHIC 08/11/2023

EASEMENT EXHIBIT SOUTH ST. PAUL, MN 55075		PART OF: W 1/2 OF SW 1/4 SEC. 22, TWP. 28, RGE. 22 DAKOTA COUNTY, MN FOR: CITY OF SOUTH ST. PAUL
 BOLTON & MENK 12224 NICOLLET AVENUE BURNSVILLE, MINNESOTA 55337 (952) 890-0509		

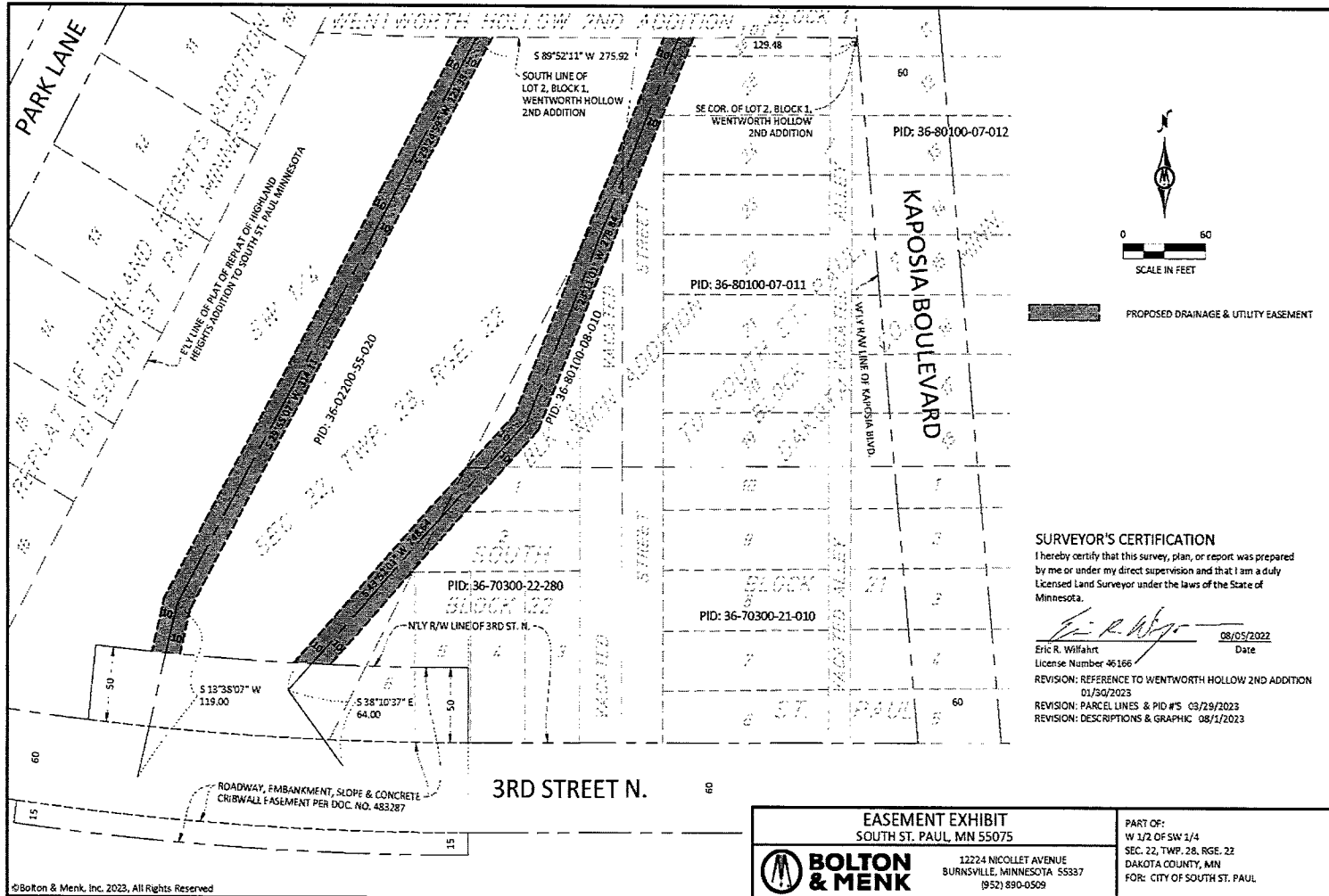


EXHIBIT C
DEPICTION OF PERMANENT EASEMENT AREA

(Top 3 inches reserved for recording data)

QUIT CLAIM DEED

Business Entity to Business Entity

eCRV number: _____

DEED TAX DUE: \$1.65

DATE: _____, 2023

FOR VALUABLE CONSIDERATION, City of South St. Paul, a municipal corporation under the laws of Minnesota ("Grantor"), hereby conveys and quitclaims to Special School District Number 6, South St. Paul, Minnesota, a public corporation under the laws of Minnesota ("Grantee"), real property in Dakota County, Minnesota, legally described as follows:

That part of the parcel of land described as follows:

That part of Block 7, formerly platted as Union Addition to South St. Paul, Dakota Co., Minn., except that part platted as WENTWORTH HOLLOW, according to the recorded plats, Dakota County, Minnesota.

Together with those portions of the vacated streets and alleys accruing thereto by reason of vacation.

Lying westerly of the westerly right-of-way line of Kaposia Boulevard, same being the southerly extension of the westerly right-of-way line of Kaposia Boulevard, as delineated and dedicated, in WENTWORTH HOLLOW, according to the recorded plat thereof, Dakota County, Minnesota.

AND

All of Block 8, Union Addition, Dakota County, Minnesota.

AND

Lot 2, Block 1 WENTWORTH HOLLOW 2ND ADDITION.

TOTAL CONSIDERATION IS LESS THAN \$3,000.

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto.

Check applicable box:

- The Seller certifies that the Seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

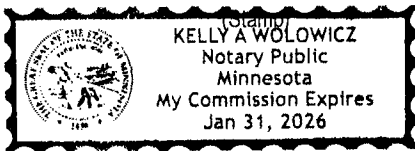
Grantor
City of South St. Paul

By: *James P. Francis*
James P. Francis
Its: Mayor

By: *Deanna Werner*
Deanna Werner
Its: City Clerk

State of Minnesota, County of Dakota

This instrument was acknowledged before me on August 21, 2023 by James P. Francis as Mayor and Deanna Werner as City Clerk of the City of South St. Paul, Minnesota, a Minnesota municipal corporation.



Kelly A. Wolowicz
(signature of notarial officer)
Title (and Rank): Notary Public
My commission expires: 1-31-26
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

LeVander, Gillen & Miller, PA
1305 Corporate Center Drive, Suite 300
Eagan, MN 55121
File #: 41000.06032
TITLE NOT EXAMINED

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

Special School District Number 6, South St. Paul
104 5th Avenue South
South St. Paul, MN 55075



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, August 28, 2023

Place on Agenda: Committee-of-the-Whole

Action Requested: Informational Presentation

Attachment: Presentation – Overdose Medication School Board Update

Topic: Overdose Medication School Board Presentation
Presenter(s): Director of Student Services Dr. Candace Burckhardt
Background: School district policy #516.5 for Overdose Medication was passed by the school board in June 2023. This presentation provides school board members with an update on the steps the district has taken this summer to be in full compliance with the new district policy and recent legislation including our standing order, naloxone kits, and staff training.
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: August 28, 2023

Place on Agenda: Committee-of-the-Whole

Action Requested: None.

Attachment: Standard Response Protocol

Topic: Safety and Security Update
Presenter(s): Superintendent Dr. Brian Zambreno
<p>Background:</p> <p>South St. Paul Public Schools is committed to the safety of every student, staff member and person who enters our buildings. From the time they arrive in the morning to the time they leave in the afternoon, the wellbeing of our students and staff remains our top priority. There are a number of key components that go into this work. From crisis management planning and training to effective and timely communication.</p> <p>This summer district teams participated in an <i>I Love You Guys</i> crisis response training that our district will be adopting to guide this work. Site teams will take this training back to their buildings to train all staff and students. Our District communications team is working to streamline informative and effective communication for our families.</p> <p>On Monday evening, Dr. Zambreno will highlight this work with our School Board.</p>
<p>Recommendation:</p> <p>N/A</p>
<p>Alternatives:</p> <p>N/A</p>

IN AN EMERGENCY TAKE ACTION



HOLD! In your room or area. Clear the halls.

STUDENTS

- Clear the hallways and remain in room or area until the “All Clear” is announced
- Do business as usual

ADULTS

- Close and lock the door
- Account for students and adults
- Do business as usual



SECURE! Get inside. Lock outside doors.

STUDENTS

- Return to inside of building
- Do business as usual

ADULTS

- Bring everyone indoors
- Lock outside doors
- Increase situational awareness
- Account for students and adults
- Do business as usual



LOCKDOWN! Locks, lights, out of sight.

STUDENTS

- Move out of sight
- Maintain silence
- Do not open the door

ADULTS

- Recover students from hallways if possible
- Lock the classroom door
- Turn out the lights
- Move out of sight
- Maintain silence
- Do not open the door
- Prepare to evade or defend



EVACUATE!

STUDENTS

- Leave stuff behind if required to
- If possible, bring your phone
- Follow instructions

ADULTS

- Lead students to evacuation location
- Account for students and adults
- Notify if missing, extra, or injured students or adults



SHELTER! Hazard and safety strategy.

STUDENTS

Use appropriate safety strategy for the hazard

Hazard

Tornado

Hazmat

Earthquake

Safety Strategy

Evacuate to shelter area

Seal the room

Drop, cover, and hold

ADULTS

- Lead safety strategy
- Account for students and adults
- Notify if missing, extra, or injured students or adults





SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: August 28, 2023

Place on Agenda: Committee-of-the-whole and Regular Business Meeting

Action Requested: Approval

Attachment: Resolution for Counting Write-in Votes for Local Elective Office.

Topic: Election Resolution
Presenter(s): Lisa Brandecker, Manager of Administrative Services and Communications
<p>Background:</p> <p>New legislation allows cities and school districts to pass resolutions that require that write-in votes are only tabulated if they exceed the votes for non-write-in candidates. The write-in voting counting process is overly time consuming and unnecessary. This new legislation will alleviate this extra work for districts and cities.</p>
<p>Recommendation:</p> <p>Administration recommends the approval of the Resolution for Counting Write-in Votes for Local Elective Office.</p>
<p>Alternatives:</p> <p>Do not approve and direct administration with next steps.</p>

EXTRACT OF MINUTES OF A MEETING
OF THE SCHOOL BOARD
OF SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
STATE OF MINNESOTA

HELD: August 24, 2023

Pursuant to due call and notice thereof, a regular meeting of the School Board of Special School District No. 6 (South St. Paul Public Schools), State of Minnesota, was duly held in the South St. Paul City Council Chambers on Monday, August 28, 2023, at 6:00 o'clock p.m.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION FOR COUNTING WRITE-IN VOTES
FOR LOCAL ELECTIVE OFFICE**

WHEREAS, Minnesota Statutes 204B.09, subdivision 3 allows for the governing body of a school district to adopt a resolution governing the counting of write-in votes for local elective office.

WHEREAS, the current write-in vote counting process is overly time consuming and unnecessary. It does not result in a change in election results unless a single write-in candidate receives the most vote for an office.

Therefore, BE IT RESOLVED that South St. Paul Public Schools, Special School District 6 hereby requires that write-in vote for an individual candidate will only individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

The motion for the adoption of the foregoing resolution was duly seconded by

_____. On a roll call vote, the following voted in favor:

and the following voted against:

whereupon said resolution was declared duly passed and adopted.



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: August 28, 2023

Place on Agenda: Committee-of-the-Whole

Action Requested: None. Discussion Only.

Attachment: None

Topic: Committee Updates
Presenter(s): School Board Members
Background: School Board members will provide an update for the following committees that they serve on: <ul style="list-style-type: none">• District 917• Association for Metropolitan School Districts (AMSD)• Community Education• SSP Educational Foundation• Finance, Facilities and Long-Range Planning• Local Issues• SSP Open Foundation• District Policy• District Community Engagement and Public Relations• District Superintendent/Executive
Recommendation: N/A
Alternatives: N/A