

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

Minutes of November 17, 2022 Special School Board Meeting

The School Board of Minnetonka Independent School District #276 met in special session at 6:00 p.m. on Thursday, November 17, 2022 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, Patrick Lee-O'Halloran, Michael Remucal, Meghan Selinger, Lisa Wagner and Superintendent David Law, ex officio.

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

1. AGENDA

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

2. CANVASS OF NOVEMBER 8, 2022 SCHOOL BOARD SPECIAL ELECTION

Superintendent Law called upon Paul Bourgeois, Executive Director of Finance and Operations, to present the results of the School Board special election on November 8, 2022.

Mr. Bourgeois noted that MN Statutes 205A.10, Subd. 3 states that between the third and tenth days after a school district election other than a recount of a special election conducted under section 126C.17, subdivision 9, or 475.59, the School Board shall canvass the returns and declare the results of the election. The School Board held the election on Tuesday, November 8, 2022, for one School Board seat to be filled immediately. Thursday, November 17, is the ninth calendar day after the election. The results of the election are presented for the School Board's approval.

Minnesota Statutes 123B.09 Subd.5b states If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

Mr. Bourgeois presented the resolution canvassing the return of the votes cast that determined that Michael Remucal was the top vote-getter for the vacancy expiring January 1, 2024, and recommended that the Board approve the resolution.

Lee-O'Halloran moved, Wagner seconded, that the Board approve the following resolution:

**RESOLUTION CANVASSING THE RETURNS OF VOTES CAST IN THE
SCHOOL BOARD SPECIAL ELECTION OF NOVEMBER 8, 2022**

BE IT RESOLVED by the School Board of Minnetonka Independent School District No. 276, as follows:

It is hereby found, determined and declared that the special election of the voters of this school district held on November 8, 2022, in conjunction with the state general election, was in all aspects duly and legally called and held.

As specified in the attached Abstract and Return of Votes Cast, a total of 18,998 voters of the district voted at said special election on the election of one (1) individual to fill the vacancy in the term of the school board member expiring January 1, 2024, as follows:

<i>Michael Remucal</i>	<i>10,213</i>
<i>Brandon Voges</i>	<i>8,671</i>

Candidate Michael Remucal, having the highest number of votes, is elected to fill the vacancy in the term of the school board member expiring January 1, 2024. Said individual shall take office as soon as he or she qualifies.

The school district clerk is hereby directed to certify the results of the election to the county auditors in which the school district is located in whole or in part.

Upon vote being taken thereon, the motion carried unanimously.

3. RESOLUTION AUTHORIZING ISSUANCE OF CERTIFICATES OF ELECTION AND DIRECTING SCHOOL DISTRICT CLERK TO PERFORM OTHER ELECTION-RELATED DUTIES

Mr. Bourgeois presented this item to the Board. He noted that after canvassing the special election and after the time for contesting elections has passed and candidates have filed the required campaign financial reports, the School Board is required to issue a certificate of election to the candidate for each office who received the largest number of votes cast for the office. (MS 205A.10, Subd. 3.)

Based upon the results of the November 8, 2022, School Board Special Election, Michael Remucal was elected to the Board and this requires the issuance of a Certificate of Election following the receipt of Campaign Financial Report Certificate of Filing as required by Minnesota Statutes, Chapter 211A.

Mr. Bourgeois recommended that the Board approve the presented resolution authorizing issuance of Certificate of Election and directing the school district clerk to perform other election duties.

Ambrosen moved, Wagner seconded, that the Board approve the following resolution:

***RESOLUTION AUTHORIZING ISSUANCE OF CERTIFICATE OF ELECTION AND
DIRECTING SCHOOL DISTRICT CLERK TO PERFORM OTHER ELECTION
RELATED DUTIES***

WHEREAS, the board has canvassed the special election for school board member held in conjunction with the state general election on November 8, 2022.

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 276, State of Minnesota, as follows:

- 1. The chair and clerk are hereby authorized to execute a certificate of election on behalf of the school board of Independent School District No. 276 to the following candidate:*

Michael Remucal

who has received a sufficiently large number of votes to be elected to fill the vacancy in the term of school board member Christine Ritchie expiring January 1, 2024. Such individual shall take office as soon as he or she qualifies.

- 2. The certificate of election shall be in substantially the form attached hereto.*
- 3. After the time for contesting the election has passed and the candidate has filed all campaign financial reports required by Minnesota Statutes, Chapter 211A, the clerk of the school board is hereby directed to deliver the certificates to the persons entitled thereto personally or by certified mail.*
- 4. The clerk is hereby directed to enclose with the certificate a form of acceptance of office and oath of office.*

CERTIFICATE OF ELECTION
(Filling Vacancy of Term)

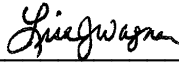
This is to certify as follows:

1. *The School Board of Independent School District No. 276 on November 17, 2022, canvassed the special election of school board members held on November 8, 2022.*
2. *Michael Remucal received the largest number of votes cast for the office of school board member of Independent School District No.276 for a vacancy in term expiring January 1, 2024.*
3. *Therefore, Michael Remucal is elected to the office of school board member of Independent School District No. 276 for the remainder of the term expiring January 1, 2024 (MS 123B.09, MS 205A.046)*

By authority of the School Board of Independent School District No. 276, pursuant to resolution dated November 17, 2022.



Chair



Clerk

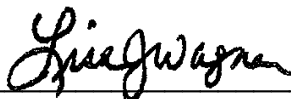
Upon vote being taken thereon, the motion carried unanimously.

4. **SWEARING-IN OF NEW BOARD MEMBER**

Superintendent Law then administered the oath of office to new Board member Michael Remucal.

5. **ADJOURNMENT**

Becker moved, Wagner seconded, adjournment to study session at 6:09 p.m. Upon vote being taken thereon, the motion carried unanimously.



Lisa Wagner, Clerk