

EXTRACT OF MINUTES OF A MEETING  
OF THE SCHOOL BOARD OF  
INDEPENDENT SCHOOL DISTRICT NO. 191  
(BURNSVILLE-EAGAN-SAVAGE)  
DAKOTA AND SCOTT COUNTIES, MINNESOTA

Pursuant to due call and notice thereof a regular meeting of the School Board of Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota, was held in the School District on March 23, 2023 at 6:30 o'clock p.m.

The following members were present: Directors Alt, Chester, Conner, Miller, Mursal, and Chair Hume

and the following were absent: Director Werb

Member Conner introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING MODIFICATIONS TO THE  
DISTRICT'S OPEN FACILITIES ACTION PLAN AND  
AUTHORIZING DISTRICT ADMINISTRATION TO CONSIDER  
OPTIONS FOR THE SALE OR LEASE OF CERTAIN OPEN  
FACILITIES**

BE IT RESOLVED by the School Board (the "Board") of Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota (the "District"), as follows:

1. Background. It is hereby determined that:

(a) On October 22, 2020, the Board adopted a resolution (the "Resolution") approving an open facilities action plan (the "Plan") which addressed the potential lease and/or sale of Marion W. Savage Elementary School ("MW Savage"), Sioux Trail Elementary School ("Sioux Trail"), River Ridge Education Center ("River Ridge"), Metcalf Middle School ("Metcalf"), and up to four acres of land at the Diamondhead Center ("Diamondhead")(collectively, the "Open Facilities"), all of which were deemed by the District to be surplus properties and no longer needed for school purposes.

(b) The Resolution further provided that the Open Facilities would not be sold or leased to organizations that would compete with the District for enrollment or funding, or that would interfere with the educational programs taking place on such property.

(c) The Resolution authorized District staff and consultants to implement the Plan including, without limitation, pursuing special legislation (the "Special Legislation") from the Minnesota Legislature which would provide that, notwithstanding the provisions of Minnesota Statutes, Section 123B.51, subdivisions 4 and 6, proceeds of the sale or lease of the Open Facilities may be transferred into the District's general undesignated fund to the fullest extent permitted under applicable federal tax law and associated regulations (the "Tax Laws").

(d) On August 18, 2021, the District sold River Ridge to a private buyer.

(e) In January 2023, the Special Legislation was introduced and is currently pending in the Minnesota Legislature.

(f) In light of events following the Board's adoption of the Resolution, the Board desires to modify the Resolution as set forth below.

2. Authorization to Sell and/or Lease Remaining Open Facilities. District administrators and staff are hereby authorized and directed to take reasonable and appropriate actions to lease and/or sell the remaining Open Facilities as follows:

(a) MW Savage. Subject to Minnesota Statutes, Section 123B.51, Subdivisions 3 and 4, as amended, the Tax Laws, and Board approval, the District may lease some or all space at MW Savage to noncompetitive partner organizations with an understanding that such lease(s) will terminate as of the date the Board agrees to sell the MW Savage site.

(b) Sioux Trail. Subject to Minnesota Statutes, Section 123B.51, Subdivisions 3 and 4, as amended, the Tax Laws, and Board approval, the District may lease some or all space at Sioux

Trail to noncompetitive partner organizations with an understanding that such lease(s) will terminate in the event the Board agrees to sell the Sioux Trail site.

(c) Metcalf. Subject to Minnesota Statutes, Section 123B.51, Subdivisions 3 and 4, as amended, the Tax Laws, and Board approval, the District may lease some or all space at Metcalf to noncompetitive partner organizations with an understanding that such lease(s) will terminate as of the date the Board agrees to sell the Metcalf site.

(d) Diamondhead. Up to 4 (four) acres of land at the Diamondhead site may be sold after the Special Legislation is passed by the Minnesota Legislature and approved by the Board in accordance with Minnesota Statutes, Section 645.021, and the Board approves the proposed sale.

3. Prior Actions. Any actions taken by the District administration and staff in furtherance of the Plan prior to the date of this resolution are hereby ratified, confirmed, and approved.

4. Effect of Resolution. Except as modified and updated herein, the Resolution remains in full force and effect.

(The remainder of this page is intentionally left blank.)

The motion for the adoption of the foregoing resolution was duly seconded by Member Chester, and upon vote being taken thereon the following director voted in favor of the motion: Directors Alt, Chester, Conner, Miller, Mursal, and Chair Hume

and the following voted against: None

whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA            )  
  )  
COUNTIES OF DAKOTA         )  
AND SCOTT                        ) ss.  
  )  
INDEPENDENT SCHOOL         )  
DISTRICT NO. 191                )

I, the undersigned, being the duly qualified and acting Clerk of Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota (the “District”), hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the School Board of the District held on the date specified above, with the original minutes on file in my office and the extract is a full, true, and correct copy of the minutes, insofar as they relate to approving modifications to the District’s open facilities action plan and authorizing the administration to consider options for the sale or lease of certain open facilities of the District.

WITNESS My hand as such Clerk this 23 day of March, 2023.



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Lesley Chester, Clerk of the School Board  
Independent School District No. 191 (Burnsville-Eagan-Savage), Dakota and Scott Counties, Minnesota