

PROCEEDINGS OF THE COUNTY BOARD

State of Minnesota }
County of Kanabec }
Office of the County Coordinator

April 22, 2009

The Kanabec County Board of Commissioners met at 6:30pm on Wednesday, April 22, 2009 pursuant to adjournment with the following Board Members present: Kim Smith, Kathi Ellis, Les Nielsen, Roger Crawford and Kevin Troupe.

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 - It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the agenda as amended:

- a. Tobacco License
- b. Claim approvals
- c. Evaluations

Action #2 – It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to approve the April 15, 2009 minutes of the Kanabec County Board of Commissioners as presented.

Action #3 – It was moved by Les Nielsen, seconded by Kevin Troupe, and carried unanimously to approve a **Consent Agenda** including all of the following actions:

Resolution #3a – 04/22/09

Bruce's Contracting Claim

WHEREAS Bruce's Contracting, Inc. is the Category #2—Concrete—contractor for the jail project, and

WHEREAS the board has received a claim from Bruce's Contracting for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Bruce's Contracting Application #10 for approval as follows:

Contract Sum	= \$260,039.80
Total Completed to date	= \$246,367.58
5% Retainage	= \$ 12,318.38
Less previous payments	= <u>\$232,965.73</u>
Current Due	= \$ 1,083.47

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$1,083.47 on Jail Bond Funds to Bruce's Contracting, Inc.

Resolution #3b – 04/22/09
Dynamic Structural Steel Claim

WHEREAS Dynamic Structural Steel, LLC, is the Category #5—Steel Supply—contractor for the jail project, and

WHEREAS the board has received a claim from Dynamic Structural Steel for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Dynamic Structural Steel's Application #6 for approval as follows:

Contract Sum	= \$235,243.65
Total Completed to date	= \$235,243.65
5% Retainage	= \$ 11,762.18
Less previous payments	= <u>\$221,298.37</u>
Current Due	= \$ 2,183.10

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$2,183.10 on Jail Bond Funds to Dynamic Structural Steel, LLC.

Resolution #3c – 04/22/09
Eagle Construction Claim

WHEREAS Eagle Construction Co., Inc. is the Category #6—Steel Erection—contractor for the jail project, and

WHEREAS the board has received a claim from Eagle Construction Co., Inc for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Eagle Construction's Application #8 for approval as follows:

Contract Sum	= \$169,587.00
Total Completed to date	= \$169,129.50
5% Retainage	= \$ 8,456.48

Less previous payments = \$158,704.15
Current Due = \$ 1,968.87

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$1,968.87 on Jail Bond Funds to Eagle Construction Co., Inc.

Resolution #3d – 04/22/09

Boser Construction Claim

WHEREAS Boser Construction, Inc. is the Category #7—Carpentry—contractor for the jail project, and

WHEREAS the board has received a claim from Boser Construction for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Boser Construction’s Application #10 for approval as follows:

Contract Sum = \$111,930.00
Total Completed to date = \$ 82,591.75
5% Retainage = \$ 4,129.59
Less previous payments = \$ 70,633.92
Current Due = \$ 7,828.24

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$7,828.24 on Jail Bond Funds to Boser Construction, Inc.

Resolution #3e – 04/22/09

A. J. Spanjers Company Claim

WHEREAS A. J. Spanjers Company, Inc is the Category #10—Joint Sealants—contractor for the jail project, and

WHEREAS the board has received a claim from A. J. Spanjers Company for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified A. J. Spanjers Company’s Application #1 for approval as follows:

Contract Sum = \$72,825.00
Total Completed to date = \$63,025.00

5% Retainage	= \$ 3,151.25
Less previous payments	= \$ <u>0.00</u>
Current Due	= \$59,873.75

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$59,873.75 on Jail Bond Funds to A. J. Spanjers Company, Inc.

Resolution #3f – 03/25/09

Kendell Doors & Hardware Claim

WHEREAS Kendell Doors & Hardware is the Category #11—Standard Doors/Frames/Hardware—contractor for the jail project, and

WHEREAS the board has received a claim from Kendell Doors & Hardware for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Kendell Doors & Hardware’s Application #4 for approval as follows:

Contract Sum	= \$55,989.82
Total Completed to date	= \$51,147.98
5% Retainage	= \$ 2,557.40
Less previous payments	= <u>\$23,815.50</u>
Current Due	= \$24,775.08

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$24,775.08 on Jail Bond Funds to Kendell Doors & Hardware.

Resolution #3g – 04/22/09

Regal Contractors Claim

WHEREAS Regal Contractors, Inc is the Category #14—Gypsum Board—contractor for the jail project, and

WHEREAS the board has received a claim from the Regal Contractors for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Regal Contractors Application #7 for approval as follows:

Contract Sum	= \$160,747.00
Total Completed to date	= \$160,747.00
5% Retainage	= \$ 8,037.35
Less previous payments	= <u>\$147,413.40</u>
Current Due	= \$ 5,296.25

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$5,296.25 on Jail Bond Funds to Regal Contractors, Inc.

Resolution #3h – 04/22/09

St Cloud Acoustics Claim

WHEREAS St Cloud Acoustics, Inc. is the Category #16 —Acoustical Treatments—contractor for the jail project, and

WHEREAS the board has received a claim from the St Cloud Acoustics, Inc. for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified St Cloud Acoustics, Inc. Application #1 for approval as follows:

Contract Sum	= \$64,380.00
Total Completed to date	= \$13,005.00
5% Retainage	= \$ 650.25
Less previous payments	= <u>\$ 0.00</u>
Current Due	= \$12,354.75

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$12,354.75 on Jail Bond Funds to St Cloud Acoustics, Inc.

Resolution #3i – 04/22/09

Rich Prairie Painters Claim

WHEREAS Rich Prairie Painters is the Category #18—Painting—contractor for the jail project, and

WHEREAS the board has received a claim from Rich Prairie Painters for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Rich Prairie Painters Application #6 for approval as follows:

Contract Sum	= \$101,620.15
Total Completed to date	= \$ 74,892.89
5% Retainage	= \$ 3,744.64
Less previous payments	= <u>\$ 36,349.60</u>
Current Due	= \$ 34,798.65

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$34,798.65 on Jail Bond Funds to Rich Prairie Painters.

Resolution #3j – 04/22/09

Bartley Sales Company Claim

WHEREAS Bartley Sales Co., Inc. is the Category #19—Specialties—contractor for the jail project, and

WHEREAS the board has received a claim from Bartley Sales Co., Inc. for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Bartley Sales Co., Inc. Application #4 for approval as follows:

Contract Sum	= \$30,834.00
Total Completed to date	= \$27,639.00
5% Retainage	= \$ 1,381.95
Less previous payments	= <u>\$ 5,540.45</u>
Current Due	= \$20,716.60

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$20,716.60 on Jail Bond Funds to Bartley Sales Co., Inc.

Resolution #3k – 04/22/09

Pauly Jail Building Company Claim

WHEREAS Pauly Jail Building Company, Inc. is the Category #20—Detention Equipment—contractor for the jail project, and

WHEREAS the board has received a claim from Pauly Jail Building Company for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Pauly Jail Building Company Inc., Application #12 for approval as follows:

Contract Sum	= \$1,621,955.59
Total Completed to date	= \$1,568,783.96
5% Retainage	= \$ 78,439.20
Less previous payments	= <u>\$1,457,682.25</u>
Current Due	= \$ 32,662.51

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$32,662.51 on Jail Bond Funds to Pauly Jail Building Comany, Inc.

Resolution #3L – 04/22/09

Brother’s Fire Protection Claim

WHEREAS Brother’s Fire Protection Co. is the Category #21—Fire Protection—contractor for the jail project, and

WHEREAS the board has received a claim from Brother’s Fire Protection Co. for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Brother’s Fire Protection Co Application #8 for approval as follows:

Contract Sum	= \$111,380.00
Total Completed to date	= \$104,029.70
5% Retainage	= \$ 5,201.49
Less previous payments	= <u>\$ 94,173.02</u>
Current Due	= \$ 4,655.19

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$4,655.19 on Jail Bond Funds to Brother’s Fire Protection Co.

Resolution #3m – 04/22/09

Alexandria Plumbing & Heating Claim

WHEREAS Alexandria Plumbing & Heating is the Category #22—Mechanical/Plumbing—contractor for the jail project, and

WHEREAS the board has received a claim from Alexandria Plumbing & Heating for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Alexandria Plumbing & Heating Application #10 for approval as follows:

Contract Sum	= \$997,490.00
Total Completed to date	= \$978,990.00
5% Retainage	= \$ 48,949.50
Less previous payments	= <u>\$912,940.50</u>
Current Due	= \$ 17,100.00

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$17,100.00 on Jail Bond Funds to Alexandria Heating & Plumbing.

Resolution #3n – 04/22/09

McDowall Company Claim

WHEREAS McDowall Company is the Category #23—HVAC—contractor for the jail project, and

WHEREAS the board has received a claim from McDowall Company for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified McDowall Application #10 for approval as follows:

Contract Sum	= \$531,810.00
Total Completed to date	= \$510,117.20
5% Retainage	= \$ 25,505.86
Less previous payments	= <u>\$472,411.44</u>
Current Due	= \$ 12,199.90

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$12,199.90 on Jail Bond Funds to McDowall Company.

Resolution #3o – 04/22/09

Gartner Refrigeration Claim

WHEREAS Gartner Refrigeration Co. is the Category #24—Controls—contractor for the jail project, and

WHEREAS the board has received a claim from Gartner Refrigeration for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Gartner Refrigeration Application #6 for approval as follows:

Contract Sum	= \$168,350.00
Total Completed to date	= \$107,923.50
5% Retainage	= \$ 5,396.17
Less previous payments	= <u>\$ 74,027.33</u>
Current Due	= \$ 28,500.00

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$28,500.00 on Jail Bond Funds to Gartner Refrigeration Co.

Resolution #3p – 04/22/09

Willmar Electric Services Claim

WHEREAS Willmar Electric Service Corp is the Category #26—Electrical—contractor for the jail project, and

WHEREAS the board has received a claim from Willmar Electric Service for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Willmar Electric Service Application #10 for approval as follows:

Contract Sum	= \$1,228,863.97
Total Completed to date	= \$ 887,487.83
5% Retainage	= \$ 44,374.39
Less previous payments	= <u>\$ 810,664.18</u>
Current Due	= \$ 32,449.26

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$32,449.26 on Jail Bond Funds to Willmar Electric Service Corp.

Resolution #3q – 04/22/09

All State Communications Claim

WHEREAS All State Communications is the Category #27—Communications—contractor for the jail project, and

WHEREAS the board has received a claim from All State Communications for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified All State Communications Application #3 for approval as follows:

Contract Sum	= \$70,139.58
Total Completed to date	= \$56,716.31
5% Retainage	= \$ 2,835.82
Less previous payments	= <u>\$35,525.38</u>
Current Due	= \$18,355.11

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$18,355.11 on Jail Bond Funds to All State Communications.

Resolution #3r – 04/22/09

Accurate Controls, Inc Claim

WHEREAS Accurate Controls, Inc. is the Category #28—Security Electronics—contractor for the jail project, and

WHEREAS the board has received a claim from Accurate Controls, Inc for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Accurate Controls Inc Application #10 for approval as follows:

Contract Sum	= \$507,576.16
Total Completed to date	= \$139,166.86
5% Retainage	= \$ 6,958.34
Less previous payments	= <u>\$118,643.16</u>
Current Due	= \$ 13,565.36

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$13,565.36 on Jail Bond Funds to Accurate Controls, Inc.

Resolution #3s – 04/22/09

General Jail Project Claims

WHEREAS the board has received a claim from various vendors for payment for the jail project, and

WHEREAS the billing appears consistent with the service delivered and the documentation is in order, and

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of the following claims on Jail Bond Funds:

Brian's Welding	\$1,231.45
Ecowater Systems	\$ 12.45
Ecowater Systems	\$ 8.52
Knife Lake Sanitation	\$ 900.00
Minnesota Energy Resources	\$2,305.29
Minnesota Energy Resources	\$ 7.36
Sanitary Systems	\$ 255.60
Meadowbrook, Inc.	\$9,175.00
Metro Fire	\$ 40.24

Resolution #3t – 04/22/09

Construction Manager's Claim

WHEREAS the board has received a claim from the Contegrity Group for payment for worked performed in the construction phase the jail project, and

WHEREAS the work was performed in accordance with Board Resolution #14-09/26/07, the billing appears consistent with work performed and the documentation is in order;

BE IT RESOLVED to authorize payment of \$23,243.43 on Jail Bond Funds to the Contegrity Group.

Resolution #3u – 04/22/09

Architect's Claim

WHEREAS the board has received a claim from Klein McCarthy for payment for worked performed in February and March, 2009 on a proposed jail as follows:

Professional Services	\$14,815.50
Reimbursables	\$ 3,335.00

and

WHEREAS the billing appears consistent with work performed and the documentation is in order and the Construction Committee has recommended approval;

BE IT RESOLVED to authorize payment of \$18,150.50 on Jail Bond Funds to Klein McCarthy Architects.

6:34pm – Jail Administrator Joanne Nelson met with the board to discuss a radio purchase.

Action #4 - It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to approve the following resolution:

Resolution #4 - 04/22/09

Radios

WHEREAS additional radios will be needed to operate the new county jail, and

WHEREAS an opportunity has presented itself to purchase the radios with upgraded equipment and warrantee at no additional cost, and

WHEREAS this is a budgeted item in the jail project;

BE IT RESOLVED to authorize the purchase of seven Motorola XPR 6500 UHF Portable radios at a cost of \$5,880.00 plus tax on Jail Project Funds.

Action #5 – It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

Resolution #5 - 04/25/09

Reevaluations

WHEREAS County Policy P-117 calls for all scheduled reevaluations to be turned in by July 1st of the reevaluation year, and

WHEREAS outcome for not meeting that time line are not clear in the policy;

BE IT RESOLVED to amend Section III of Policy P-117 to read as follows:

B. No later than July 1st of each year, each department head shall submit to the County Coordinator for each position being evaluated in their department:

1. Updated job description. Any differences from the previous job description will be detailed as to the change and reason for the change.
2. Updated position questionnaire. This will be prepared by the employee in the position, then annotated and approved by the department head.
3. For department head positions, the Chairperson of the County Board will review the updated job description and updated position questionnaire prepared by the department head.

C. Any position not submitted by July 1st is assumed to have no change and will be reset in the 5 year schedule. After the July 1st date, the board may direct a department head to submit a job description and position questionnaire where the supervisor did not meet the July 1st deadline.

BE IT FURTHER RESOLVED that this change is effective May 1, 2009.

It was agreed by consensus that each commissioner would return \$340.31 to the Revenue Fund as an equivalent to the 3% reduction that most county employees have taken.

Action #6 – It was moved by Roger Crawford, seconded by Kim Smith, and carried unanimously to approve the following resolution:

Resolution #6 - 04/22/2009

Transit Claims

WHEREAS the Transit uses volunteer drivers for many public purposes, and

WHEREAS these drivers are reimbursed for incurred expenses in accordance with County Policy and public law, and

WHEREAS the Transit Department Manager recommends approval of these claims;

BE IT RESOLVED to approve the following driver expense claims for reimbursement, all of which are property documented:

DRIVER	AMOUNT
Annette Majeski	\$ 130.90
Barb Maul	\$ 112.20
Betty Geisthardt	\$ 209.00

Bev Gustafson	\$ 156.30
Bill Hood	\$ 615.40
Bob Hoefert	\$1,171.52
Charlyne Grant	\$ 699.94
Gary Nelson	\$ 641.95
Jean Newgard	\$ 321.30
Jennifer Leerssen	\$ 443.30
Joy Morrell	\$1,005.95
Judy Colburn	\$ 283.25
Karen Luberda	\$ 174.45
Linda Nelson	\$ 617.75
Marge Tadych	\$ 9.90
Mary Lou Moriarity	\$ 380.01
Millie Laska	\$ 236.80
Ray Zamora	\$1,108.35
Roger Homan	\$ 50.60
Rollie Pieper	\$1,127.23
Ronette Nelson	\$ 233.80
Shirley Harff	\$ 53.35
Steve McIlhargey	\$ 122.10
Sy Tadych	\$1,050.30
Ted Lindgren	\$ 762.63
Vonda Terpstra	\$ 125.95
Willard Landreville	\$ 712.10
Total for Volunteer Drivers	\$12,556.33

Action #7 – It was moved by Roger Crawford, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution #7 - 04/22/09

Rule 25 Contract

WHEREAS the county is temporarily without a person qualified to do Rule 25 assessments, and

WHEREAS the county is still required to perform such assessments:

WHEREAS Pine Assessment Services performs such work and has done so with a neighboring county;

BE IT RESOLVED to Purchase Of Service Agreement between Kanabec County Family Services Agency and Pine Assessment Services for the period from April 28, 2009 through July 01, 2009.

Action #8 – It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to recess the board meeting at 6:50pm to a time immediately following the Kanabec County Regional Rail Authority.

See the Rail Authority Minutes for further information.

The meeting of the Kanabec County Board of Commissioners resumed at 7:05pm.

Action #9 – It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

Resolution #9 - 04/22/09
Tobacco License K2008-09

WHEREAS the Kanabec County Board of Commissioners has been presented with a request for a tobacco sales license within Kanabec County, and

WHEREAS the application was complete, included all necessary documentation, appears in accordance with County Policies and the applicant and facility owners are in good standing with the County;

BE IT RESOLVED to approve the Application for License to Sell Tobacco Products and issue License #K2008-09 for The Brunswick General Store, 2054 Wren Way, Mora, MN 55051.

Action #10 – It was moved by Kim Smith, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution #10 - 04/22/2009
Bus Purchase Claim

WHEREAS the Kanabec County Board of Commissioners did approve the purchase of a 2009 Glaval Universal Lift Bus by Resolution #16-02/11/09, and

WHEREAS the board has presented with a claim for payment for that bus;

BE IT RESOLVED to approve payment of a claim of \$61,940.00 to Hoglund Bus Company.

Action #11 – It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to approve the following resolution:

Resolution #11 - 04/22/09
ATOD Training

WHEREAS Kanabec County Public Health accepted an Alcohol, Tobacco and Other Drug (ATOD) Grant, and

WHEREAS one requirement of the grant is grant program administrators must take and provide specific training, and

WHEREAS one such training requirement is an upcoming Youth Leadership Academy, and

WHEREAS the Health & Human Service Director has requested approval to pay a claim to enable training for youth and parents on ATOD funds;

BE IT RESOLVED to authorize payment of \$1,254.00 drawn on ATOD funds to Cragun's Conference Center for a Youth Leadership Academy.

Action #12 – It was moved by Kevin Troupe, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution #12 - 04/22/09
Veteran's Van

WHEREAS the Kanabec County Board of Commissioners did approve the purchase of a new Veteran's Van by Resolution #13-11/25/08, and

WHEREAS this van has been delivered;

BE IT RESOLVED to approve payment of a \$20,365.15 claim to Nelson's Auto Center, 2228 College Way, Fergus Falls, Minnesota on grant funds.

7:42pm - The Chairperson then called for public comment three times. None responded.

7:44pm - The Chairperson closed public comment.

Action #13 – It was moved by Les Nielsen, seconded by Kevin Troupe, and carried unanimously to adjourn at 7:44pm to meet again in regular session on Wednesday, May 13, 2009 at 9:00am.

Signed _____
Chairperson of the Kanabec County Board of Commissioners,
Kanabec County, Minnesota

Attest: _____
Alan B. Peterson, Kanabec County Coordinator