

# PROCEEDINGS OF THE COUNTY BOARD

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

**February 25, 2009**

The Kanabec County Board of Commissioners met at 6:30pm on Wednesday, February 25, 2009 pursuant to adjournment with the following Board Members present: Kim Smith, Kathi Ellis, Roger Crawford, Kevin Troupe and Les Nielsen.

The Chairperson led the assembly in the Pledge of Allegiance.

Action #1 - It was moved by Les Nielsen, seconded by Kim Smith, and carried unanimously to approve the agenda with the following additions:

- a. Raffle Approval
- b. Stimulus program
- c. Refuge

Action #2 - It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to approve the February 18, 2009 minutes of the Kanabec County Board of Commissioners as presented.

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

## **Resolution #3a - 02/25/09** Equipment Rental Bids

**WHEREAS** the Kanabec County Board of Commissioners wishes to obtain costs for the furnishing of seasonal supplies and equipment;

**BE IT RESOLVED** that the County Engineer is directed to advertise for bids for equipment rental and supplies.

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## **Resolution #3b - 02/25/09** Hospital Construction Claim

**BE IT RESOLVED** to approve payment of a claim totaling \$22,000.00 to Gorham-Oien Mechanical on Hospital Construction Funds.

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## **Resolution #3c - 02/25/09**

### 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 properly documented:

<b>DRIVER</b>	<b>AMOUNT</b>
Annette Majeski	256.35
Barb Maul	61.60
Barb Peterson	445.50
Betty Geisthardt	288.95
Beverly Gustafson	236.00
Bill Hood	669.55
Bob Hoefert	932.33
Charlyne Grant	991.30
Gary Nelson	557.35
Jean Newgard	350.63
Joy Morrell	785.40
Judy Colburn	176.60
Karen Loken	311.85
Karen Luberda	234.13
Linda Nelson	496.65
Marge Tadych	38.50
Marlys Wolbert	90.75
Mary Lou Moriarity	361.81
Millie Laska	265.80
Rollie Pieper	922.66
Ronette Nelson	347.58
Shirley Harff	185.35
Steve McIlhargey	245.30
Sy Tadych	906.94
Ted Lindgren	750.16
Willard Landreville	671.29
Total	\$11,580.33

### **Resolution #3d - 02/25/09**

#### Transit Software

**WHEREAS** the board did, by Resolution #17-02/11/09, approve the purchase of Shah Transportation Manager Software at a cost of \$60,745;

**BE IT RESOLVED** to approve payment of a claim totaling \$60,745.00 to SHAW Software.

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### **Resolution #3e - 02/25/09**

#### Viking Electric Claim

**BE IT RESOLVED** to approve payment of a claim totaling \$3,224.00 + tax to Viking Electric for two contactors for the courthouse compressors.

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Action #4 – It was moved by Les Nielsen, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

### **Resolution #4 - 02/25/09**

#### Teamsters MOU

**WHEREAS** the board did order reductions in hours for county employees by Resolution #31e – 02/11/09, and

**WHEREAS** this same resolution offered the Teamsters Local 320 bargaining unit the following option:

**BE IT FURTHER RESOLVED** that, as an alternate to the April 25 hour reduction, the board is willing to do a roll back of wages to the 2008 pay schedule if the union agrees to do so effective February 28, 2009, and

**BE IT FURTHER RESOLVED** that nothing in the offer to roll back wages at this time constitutes a promise or commitment not to do hour reductions in the future, and

and

**WHEREAS** the bargaining unit has agreed to the following Letter of Agreement:

**WHEREAS** the State of Minnesota is attempting to deal with a \$4.8 billion budget shortfall for the coming biennium, and

**WHEREAS** this will lead to funding reductions to Kanabec County, and

**WHEREAS** Kanabec County has insufficient reserves to absorb state funding

reductions, and

**WHEREAS** the most effective tool the board has remaining to reduce staffing costs, and

**WHEREAS** the Kanabec County Board of Commissioners has offered employees, through their exclusive representative, an option for reducing costs: to revert back to the 2008 wage schedule, and,

**WHEREAS** the current contract does not provide for such an action;

**BE IT RESOLVED** that Kanabec County and Teamsters Local 320 agree to a return to the "Effective July 1, 2008" wage schedule of the 2008 contract which is:

<b>Grade</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>1</b>	\$10.37	\$10.76	\$11.15	\$11.55	\$11.94	\$12.32	\$12.71
<b>2</b>	\$11.00	\$11.41	\$11.82	\$12.23	\$12.65	\$13.07	\$13.48
<b>3</b>	\$11.66	\$12.10	\$12.53	\$12.97	\$13.41	\$13.84	\$14.29
<b>4</b>	\$12.36	\$12.83	\$13.28	\$13.75	\$14.22	\$14.67	\$15.14
<b>5</b>	\$13.10	\$13.59	\$14.08	\$14.57	\$15.06	\$15.56	\$16.05
<b>6</b>	\$13.89	\$14.41	\$14.92	\$15.45	\$15.97	\$16.49	\$17.01
<b>7</b>	\$14.72	\$15.28	\$15.82	\$16.37	\$16.93	\$17.48	\$18.04
<b>8</b>	\$15.61	\$16.19	\$16.77	\$17.36	\$17.94	\$18.53	\$19.12
<b>9</b>	\$16.54	\$17.16	\$17.79	\$18.40	\$19.02	\$19.64	\$20.26
<b>10</b>	\$17.53	\$18.18	\$18.85	\$19.51	\$20.16	\$20.82	\$21.48
<b>11</b>	\$18.58	\$19.28	\$19.97	\$20.67	\$21.38	\$22.07	\$22.77

**BE IT RESOLVED** to approve the Letter of Agreement to return to 2008 wage levels and authorize County Coordinator Alan B. Peterson to sign the agreement.

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*Action #5* – It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to approve a **Consent Agenda** including all of the following actions:

**Resolution #5a – 02/25/09**  
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 the Bruce's Contracting for payment for worked performed on the jail project, and

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

Contract Sum	= \$260,199.30
Total Completed to date	= \$241,354.54
5% Retainage	= \$ 12,067.28
Less previous payments	= <u>\$222,698.75</u>
Current Due	= \$ 6,579.51

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$6,579.51 on Jail Bond Funds to Bruce's Contracting, Inc.

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### **Resolution #5b – 02/25/09**

#### Harbor City Masonry Claim

**WHEREAS** Harbor City Masonry is the Category #4—Masonry—contractor for the jail project, and

**WHEREAS** the board has received a claim from the Harbor City Masonry, Inc for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Harbor City Masonry Application #7 for approval as follows:

Contract Sum	= \$352,733.15
Total Completed to date	= \$352,233.15
5% Retainage	= \$ 17,611.66
Less previous payments	= <u>\$331,164.44</u>
Current Due	= \$ 3,457.05

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$3,457.05 on Jail Bond Funds to Harbor City Masonry, Inc.

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### **Resolution #5c – 02/25/09**

#### Dynamic Steel Construction Claim

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

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

**WHEREAS** the Construction Manager has certified Dynamic Structural Steel Application #5 for approval as follows:

Contract Sum	= \$233,945.65
Total Completed to date	= \$232,945.65
5% Retainage	= \$ 11,647.28
Less previous payments	= <u>\$214,660.24</u>
Current Due	= \$ 6,638.13

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$6,638.13 on Jail Bond Funds to Dynamic Structural Steel, LLC.

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### **Resolution #5d – 02/25/09**

#### 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 the Eagle Construction for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Eagle Construction Application #6 for approval as follows:

Contract Sum	= \$167,757.00
Total Completed to date	= \$163,270.90
5% Retainage	= \$ 8,163.55
Less previous payments	= <u>\$138,964.00</u>
Current Due	= \$ 16,143.35

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$16,143.35 on Jail Bond Funds to Eagle Construction Co., Inc.

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### **Resolution #5e – 02/25/09**

#### 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 the Boser Construction for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Boser Construction Application #7 for approval as follows:

Contract Sum	= \$109,190.00
Total Completed to date	= \$ 70,093.75
5% Retainage	= \$ 3,504.69
Less previous payments	= <u>\$ 61,332.95</u>
Current Due	= \$ 5,256.11

and,

**WHEREAS** the Construction Manager has certified Boser Construction Application #8 for approval as follows:

Contract Sum	= \$109,190.00
Total Completed to date	= \$ 71,666.50
5% Retainage	= \$ 3,583.33
Less previous payments	= <u>\$ 66,589.06</u>
Current Due	= \$ 1,494.11

and,

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of \$6,750.22 on Jail Bond Funds to Boser Construction, Inc.

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## **Resolution #5f – 02/25/09**

### **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 #5 for approval as follows:

Contract Sum	= \$159,187.00
Total Completed to date	= \$141,710.00
5% Retainage	= \$ 7,085.50
Less previous payments	= <u>\$ 73,726.65</u>

Current Due = \$ 60,897.85

and,

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of \$60,897.85 on Jail Bond Funds to Regal Contractors, Inc.

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### **Resolution #5g – 02/25/09**

#### 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 the Regal Contractors for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Regal Contractors Application #4 for approval as follows:

Contract Sum	= \$97,578.00
Total Completed to date	= \$21,590.88
5% Retainage	= \$ 1,079.54
Less previous payments	= <u>\$17,537.84</u>
Current Due	= \$ 2,973.50

and,

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of \$2,973.50 on Jail Bond Funds to Rich Prairie Painters.

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### **Resolution #5h – 02/25/09**

#### Bartley Sales Claim

**WHEREAS** Bartley Sales Co., Inc is the Category #18—Painting—contractor for the jail project, and

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

**WHEREAS** the Construction Manager has certified Bartley Sales Application #2

for approval as follows:

Contract Sum	= \$30,834.00
Total Completed to date	= \$ 1,918.17
5% Retainage	= \$ 95.91
Less previous payments	= \$ <u>147.25</u>
Current Due	= \$ 1,675.01

and,

**WHEREAS** the Construction Committee has approved these claims;

**BE IT RESOLVED** to authorize payment of \$1,675.01 on Jail Bond Funds to Bartley Sales Co., Inc.

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### **Resolution #5i – 02/25/09**

Pauly Jail Building Company, Inc.

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

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

**WHEREAS** the Construction Manager has certified Pauly Jail Building Application #10 for approval as follows:

Contract Sum	= \$1,616,707.59
Total Completed to date	= \$1,527,093.52
5% Retainage	= \$ 76,354.68
Less previous payments	= \$ <u>1,450,738.84</u>
Current Due	= \$ 76,794.41

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$76,794.41 on Jail Bond Funds to Pauly Jail Building Company, Inc.

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### **Resolution #5j – 02/25/09**

Brothers Fire Protection Co.

**WHEREAS** Brothers Fire Protection Co. is the Category #20—Detention Equipment—contractor for the jail project, and

**WHEREAS** the board has received a claim from Brothers Fire Protection for payment for worked performed on the jail project, and

**WHEREAS** the Construction Manager has certified Brothers Fire Protection Building Application #6 for approval as follows:

Contract Sum	= \$111,380.00
Total Completed to date	= \$ 91,624.20
5% Retainage	= \$ 4,581.21
Less previous payments	= <u>\$ 50,486.18</u>
Current Due	= \$ 36,556.81

and,

**WHEREAS** the Construction Manager has certified Brothers Fire Protection Building Application #7 for approval as follows:

Contract Sum	= \$111,380.00
Total Completed to date	= \$ 99,129.50
5% Retainage	= \$ 4,956.48
Less previous payments	= <u>\$ 87,042.99</u>
Current Due	= \$ 7,130.03

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$43,686.84 on Jail Bond Funds to Brothers Fire Protection Co.

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## **Resolution #5k – 02/25/09**

### **Alexandria Plumbing & Heating**

**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 #8 for approval as follows:

Contract Sum	= \$997,490.00
Total Completed to date	= \$940,990.00
5% Retainage	= \$ 47,049.50
Less previous payments	= <u>\$865,839.50</u>
Current Due	= \$ 28,101.00

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$28,101.00 on Jail Bond Funds to Alexandria Plumbing & Heating.

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**Resolution #5l – 02/25/09**

McDowall Company Claim

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

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

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

Contract Sum	= \$526,441.00
Total Completed to date	= \$458,981.20
5% Retainage	= \$ 22,949.06
Less previous payments	= <u>\$398,734.19</u>
Current Due	= \$ 37,297.95

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$37,297.95 on Jail Bond Funds to the McDowall Company.

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**Resolution #5m – 02/25/09**

Gartner Claim

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

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

**WHEREAS** the Construction Manager has certified Gartner Application #4 for approval as follows:

Contract Sum	= \$168,350.00
Total Completed to date	= \$ 47,497.21
5% Retainage	= \$ 2,374.86
Less previous payments	= <u>\$ 27,140.75</u>
Current Due	= \$ 17,981.60

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$17,981.60 on Jail Bond Funds to Gartner Refrigeration Co.

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**Resolution #5n – 02/25/09**

Willmar Electric Service Corp

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

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

**WHEREAS** the Construction Manager has certified Willmar Electric Application #8 for approval as follows:

Contract Sum	= \$1,228,863.97
Total Completed to date	= \$ 659,579.68
5% Retainage	= \$ 32,978.98
Less previous payments	= \$ <u>505,741.54</u>
Current Due	= \$ 120,859.16

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$120,859.16 on Jail Bond Funds to Willmar Electric Service Corp.

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**Resolution #5o – 02/25/09**

All State Communications, Inc Claim

**WHEREAS** All State Communications, Inc 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 #2 for approval as follows:

Contract Sum	= \$70,139.58
Total Completed to date	= \$37,395.14
5% Retainage	= \$ 1,869.76
Less previous payments	= \$ <u>12,337.70</u>
Current Due	= \$23,187.68

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$23,187.68 on Jail Bond Funds to All State Communications, Inc.

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**Resolution #5p – 02/25/09**

Accurate Controls, Inc

**WHEREAS** Accurate Controls 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 Application #7 for approval as follows:

Contract Sum	= \$507,576.16
Total Completed to date	= \$ 88,371.02
5% Retainage	= \$ 4,418.55
Less previous payments	= <u>\$ 77,556.07</u>
Current Due	= \$ 6,396.40

and,

**WHEREAS** the Construction Committee has approved this claim;

**BE IT RESOLVED** to authorize payment of \$6,396.40 on Jail Bond Funds to Accurate Controls, Inc.

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**Resolution #5q – 02/25/09**

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:

Ecowater Systems	\$	8.52
Knife Lake Sanitation	\$	900.00

Minnesota Energy Resources	\$ 3,735.29
Sanitary Systems	\$ 255.60
Meadowbrook Insurance Group	\$ 9,175.00

### **Resolution #5r – 02/25/09**

#### 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 \$23,165.54 on Jail Bond Funds to the Contegrity Group.

### **Resolution #5s – 02/25/09**

#### Architect's Claim

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

Professional Services	\$7,407.76
Reimbursables	\$1,667.50

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 \$9,075.26 on Jail Bond Funds to Klein McCarthy Architects.

Action #6 – It was moved by Roger Crawford, seconded by Les Nielsen, and carried unanimously to approve payment of a claim of \$19.52 to Janice Mowry for postage.

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

### **Resolution #7 – 02/25/09**

#### Firewood Permit

**WHEREAS** Doug Campbell has requested a permit to remove timber on tax forfeited property, and

**WHEREAS** the request has been reviewed by a DNR Forester, and

**WHEREAS** the DNR Forester has set forth conditions that appear consistent with good land management;

**BE IT RESOLVED** to approve a firewood permit application for Doug Campbell to remove dead and downed trees at NENE of Section 12, Township 41N, Range 23W; pid# 12.00655.00, and

**BE IT RESOLVED** that all conditions of set forth by the DNR Forester be met.

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*Action #8* – It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

**Resolution #8 - 02/25/09**

RESOLUTION AUTHORIZING APPLICATION FOR MHFA FAMILY HOMELESS PREVENTION AND ASSISTANCE PROGRAM  
July 1, 2009-June 30, 2011

**WHEREAS** the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide assistance to low-income families and youth to prevent homelessness, and

**WHEREAS** Lakes and Pines Community Council, Inc. has developed an application as an Administering Entity for the Minnesota Housing Finance Agency family Homeless Prevention and Assistance program, and

**WHEREAS** Lakes and Pines Community Action Council, Inc. has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family homeless Prevention and Assistance Program;

**NOW, THEREFORE BE IT RESOLVED**, that Lakes and Pines Community Action Council, Inc. is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family homeless Prevention and Assistance Program, in the County of Kanabec.

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

**Resolution #9 - 02/25/09**

Raffle Approval

**WHEREAS** the Kanabec County Board of Commissioners has been presented with a request for lawful gambling 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 Permit for the Rum River Chapter, Ruffed Grouse Society for a raffle event to be held at Pheasant Ridge Shooting Preserve, 1547 Imperial Street, Ogilvie, MN 56358 on April 4, 2009.

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**7:30pm** - The Chairperson then called for public comment three times. None responded.

**7:33pm** - The Chairperson closed public comment.

Action #10 – It was moved by Les Nielsen, seconded by Roger Crawford, and carried unanimously to adjourn at 7:37pm to meet again in regular session on Wednesday, March 11, 2009 at 9:00am.

*Signed* \_\_\_\_\_

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

*Attest:* \_\_\_\_\_

Alan B. Peterson, Kanabec County Coordinator