

PROCEEDINGS OF THE COUNTY BOARD

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

July 22, 2009

The Kanabec County Board of Commissioners met at 9:00am on Wednesday, July 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 Roger Crawford, seconded by Les Nielsen, and carried unanimously to approve the agenda as presented.

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

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

Resolution #3a - 07/22/2009 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 properly documented:

	AMOUNT
Annette Majeski	\$ 272.90
Barb Maul	\$ 117.70
Barb Peterson	\$ 111.10
Bill Hood	\$ 526.35
Bob Hoefert	\$1,120.84

Charlyne Grant	\$ 936.45
Gary Nelson	\$1,137.15
Jean Newgard	\$ 303.09
Jennifer Leerssen	\$ 572.62
Jerald Nelson	\$ 174.50
Joy Morrell	\$1,337.60
Judy Colburn	\$ 224.95
Karen Luberda	\$ 451.58
Linda Nelson	\$ 923.75
Marlys Wolbert	\$ 112.20
Mary Lou Moriarity	\$ 249.90
Millie Laska	\$ 289.84
Ray Zamora	\$1,247.51
Rollie Pieper	\$1,676.80
Ronette Nelson	\$ 462.40
Sy Tadych	\$ 809.78
Ted Lindgren	\$ 551.62
Terrie Reed	\$ 167.75
Willard Landreville	\$ 630.18
Total for Volunteer Drivers	\$14,408.56

Resolution #3b - 06/24/2009

Snake River Claims

WHEREAS the Snake River Watershed Management Board (SRWMB) did approve claims for payment on their funds, and

WHEREAS these claims have been presented to the county board for payment as Fiscal Agent for the SRWMB;

BE IT RESOLVED to approve payment of the following claims on SRWMB funds:

CLAIM	AMOUNT
Quill	\$82.15
Brunswick Township	\$20,404.60
James Maiser, CPA	\$2,500.00
Yigliola Malca	\$759.40
Spee Dee Delivery Service	\$77.15
Kanabec County Soil & Water	\$8,580.00
ERA Laboratories	\$800.50

ERA Laboratories	\$515.75
ERA Laboratories	\$453.50
Weisenbach Specialty Printing	\$758.18
Spee Dee Delivery Service	\$46.69
Spee Dee Delivery Service	\$45.40
Kanabec County Infor Systems	\$35.00
TOTAL	\$35,058.32

Resolution #3c - 07/22/2009

Library Claims

WHEREAS the East Central Regional Library has submitted a request for second half 2009 payment, and

WHEREAS this is a payment as stipulated by the ECRL Master Agreement and is a budgeted expense;

BE IT RESOLVED to authorize payment of \$79,343.50 to the East Central Regional Library.

Action #4 – It was moved by Les Nielsen, seconded by Roger Crawford, and carried unanimously to approve a **Consent Agenda** including all of the following actions:

Resolution #4a – 07/22/09

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 #11 for approval as follows:

Contract Sum	= \$260,039.80
Total Completed to date	= \$255,205.08
5% Retainage	= \$ 12,760.25
Less previous payments	= <u>\$234,049.20</u>
Current Due	= \$ 8,395.63

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$8,395.63 on Jail Bond Funds to Bruce's Contracting, Inc.

Resolution #4b – 07/22/09

Wells Concrete Products Claim

WHEREAS Wells Concrete Products, Inc. is the Category #3—Precast Concrete—contractor for the jail project, and

WHEREAS the board has received a claim from Wells Concrete Products for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Wells Concrete Products, Inc Application #4 for approval as follows:

Contract Sum	= \$1,262,920.00
Total Completed to date	= \$1,262,920.00
5% Retainage	= \$ 63,146.00
Less previous payments	= <u>\$1,194,477.75</u>
Current Due	= \$ 5,296.25

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$5,296.25 on Jail Bond Funds to Wells Concrete Products, Inc.

Resolution #4c – 07/22/09

Harbor City Masonry Claim

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

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

WHEREAS the Construction Manager has certified Harbor City Masonry Application #8 for approval as follows:

Contract Sum	= \$354,443.02
Total Completed to date	= \$354,443.02
5% Retainage	= \$ 17,722.15
Less previous payments	= <u>\$334,621.49</u>
Current Due	= \$ 2,099.38

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$2,099.38 on Jail Bond Funds to Harbor City Masonry, Inc.

Resolution #4d – 07/22/09

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 Application #11 for approval as follows:

Contract Sum	= \$11,930.00
Total Completed to date	= \$87,463.00
5% Retainage	= \$ 4,373.15
Less previous payments	= <u>\$78,462.16</u>
Current Due	= \$ 4,627.69

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$4,627.69 on Jail Bond Funds to Boser Construction, Inc.

Resolution #4e – 07/22/09

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 Application #6 for approval as follows:

Contract Sum	= \$56,308.82
Total Completed to date	= \$56,308.82
5% Retainage	= \$ 2,815.44
Less previous payments	= <u>\$53,190.33</u>
Current Due	= \$ 303.05

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$303.05 on Jail Bond Funds to Kendell Doors & Hardware.

Resolution #4f – 07/22/09

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 St Cloud Acoustics for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified St Cloud Acoustics Application #3 for approval as follows:

Contract Sum	= \$64,380.00
Total Completed to date	= \$59,795.00
5% Retainage	= \$ 2,989.75
Less previous payments	= <u>\$23,168.60</u>
Current Due	= \$33,636.65

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$33,636.65 on Jail Bond Funds to St Cloud Acoustics, Inc.

Resolution #4g – 07/22/09

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 the Bartley Sales Co for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Bartley Sales Co Application #7 for approval as follows:

Contract Sum	= \$30,975.00
Total Completed to date	= \$30,975.00
5% Retainage	= \$ 1,548.75

Less previous payments = \$29,103.25
Current Due = \$ 323.00

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$323.00 on Jail Bond Funds to Bartley Sales Co., Inc.

Resolution #4h – 07/22/09

Pauly Jail Building Co Claim

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

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

WHEREAS the Construction Manager has certified Pauly Jail Building Co Application #15 for approval as follows:

Contract Sum = \$1,621,955.59
Total Completed to date = \$1,615,721.13
5% Retainage = \$ 80,786.06
Less previous payments = \$1,517,738.02
Current Due = \$ 17,197.05

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$17,197.05 on Jail Bond Funds to Pauly Jail Building Co., Inc.

Resolution #4i – 07/22/09

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 for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Brother's Fire Protection Application #10 for approval as follows:

Contract Sum = \$110,428.55

Total Completed to date	= \$110,428.55
5% Retainage	= \$ 5,521.43
Less previous payments	= <u>\$103,483.40</u>
Current Due	= \$ 1,423.72

and,

WHEREAS the Construction Committee has approved these claims;

BE IT RESOLVED to authorize payment of \$1,423.72 on Jail Bond Funds to Brother's Fire Protection Co.

Resolution #4j – 07/22/09

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 Company Application #13 for approval as follows:

Contract Sum	= \$532,734.00
Total Completed to date	= \$532,734.00
5% Retainage	= \$ 26,636.70
Less previous payments	= <u>\$505,219.50</u>
Current Due	= \$ 877.80

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$877.80 on Jail Bond Funds to McDowall Company.

Resolution #4k – 07/22/09

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 #9 for approval as follows:

Contract Sum	= \$168,462.00
Total Completed to date	= \$157,947.00
5% Retainage	= \$ 7,897.35
Less previous payments	= <u>\$131,309.00</u>
Current Due	= \$ 18,740.65

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$18,740.65 on Jail Bond Funds to Gartner Refrigeration Co.

Resolution #4L – 07/22/09

William Electric Service Claim

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

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

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

Contract Sum	= \$1,232,225.61
Total Completed to date	= \$1,189,841.59
5% Retainage	= \$ 59,492.09
Less previous payments	= <u>\$1,094,634.95</u>
Current Due	= \$ 35,714.55

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$35,714.55 on Jail Bond Funds to William Electric Service Corp.

Resolution #4m – 07/22/09

Accurate Controls 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 for payment for worked performed on the jail project, and

WHEREAS the Construction Manager has certified Accurate Controls Application #13 for approval as follows:

Contract Sum	= \$508,137.16
Total Completed to date	= \$425,470.95
5% Retainage	= \$ 21,273.55
Less previous payments	= <u>\$299,969.39</u>
Current Due	= \$104,228.01

and,

WHEREAS the Construction Committee has approved this claim;

BE IT RESOLVED to authorize payment of \$104,228.01 on Jail Bond Funds to Accurate Controls.

Resolution #4n – 07/22/09

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	\$7,512.44
Ecowater	\$ 92.62
Hirshfield's Decorating	\$ 152.42
Johnson's Hardware	\$ 22.39
Knife Lake Sanitation	\$1,200.00
Sanitary Systems	\$ 256.35
Sound Ceilings	\$ 86.06
Metro Fire	\$ 377.98

Resolution #40 – 07/22/09

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:

Scott's Lawn Care	\$4,697.54
Ace Hardware	\$ 54.94
Johnson's Hardware	\$ 9.56
Rohman Lawn Care	\$ 83.00
CDWg	\$ 139.76
Global Furniture	\$1,798.15
Kanabec Co Hwy Dept	\$5,019.54
Minnesota Energy	\$ 14.47

Resolution #4p – 07/22/09
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 \$23,027.68 on Jail Bond Funds to the Contegrity Group.

Resolution #4q – 06/24/09
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.

6:35pm – Kanabec Soil & Water Board Member Karen Longerbone and District Manager Kelly Osterdyk met with the county board to present an annual update of the activities of the Kanabec Soil & Water Conservation District. The board took the information under advisement.

7:00pm – County Engineer Greg Nikodym met with the county board to discuss matters concerning the Highway Department.

Action #5 - It was moved by Les Nielsen, seconded by Kim Smith, and carried unanimously to approve the following resolution:

Resolution #5 – 07/22/09
Knife River Corp Payment

WHEREAS Knife River Corp has completed work on project SAP 33-601-07 and SAP 33-617-09 from CSAH No. 17 to CSAH No. 11 on CSAH No. 1 and from CSAH No. 1 to TH No. 23 on CSAH No. 17 in accordance with plans and specifications;

BE IT RESOLVED to authorize payment in the amount of \$ 321,116.33 to Knife River Corp.

Action #6 - It was moved by Roger Crawford, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution #6 – 07/22/09
Knife River Corp Payment

WHEREAS Knife River Corp has completed work on project SP 33-611-21 from TH No. 23 to CSAH No. 19 on CSAH No. 11 in accordance with plans and specifications

BE IT RESOLVED to authorize payment in the amount of \$264,304.27 to Knife River Corp.

Action #7 - It was moved by Kim Smith, seconded by Kevin Troupe, and carried unanimously to approve the following resolution:

Resolution #7 – 07/22/09
Spring Lake Trail

WHEREAS the City of Mora has received TEA-21 Federal Funding for the construction of project SP 33-090-01, Spring Lake Trail, and

WHEREAS the County of Kanabec is required to be the sponsoring agency for these funds;

BE IT RESOLVED that the City of Mora and Kanabec County enter into a “Funding Participation” and “Construction Agreement” for the completion of SP 33-090-01 contingent on County Attorney approval, and

BE IT FURTHER RESOLVED that the chairperson and County Coordinator are authorized to sign the agreement on behalf of the Kanabec County Board of Commissioners.

Action #8 - It was moved by Kevin Troupe, seconded by Roger Crawford, and carried unanimously to approve the following resolution:

Resolution #8 – 07/22/09
Dust Control Waiver

WHEREAS the Kanabec County Highway Department provides dust control products to individuals living on gravel county roads, and

WHEREAS there are certain inherent risks in its application, that cannot be eliminated or controlled by Kanabec County;

BE IT RESOLVED that all property owners obtaining dust control chemicals from Kanabec County be required to sign an “Assumption of Risk, Waiver of Liability and Indemnity Agreement” prior to receiving the material.

Action #9 - It was moved by Kim Smith, seconded by Les Nielsen, and carried unanimously to approve the following resolution:

Resolution #9 – 07/22/09
Bituminous Surfacing Bids

WHEREAS Bids were received for the bituminous surfacing of all of CR No. 90 (SAP 33-600-001), CR No. 69 from CSAH No. 11 to CR No. 69 North, CSAH No. 14 from TH No. 65 to CR No. 62, and Miscellaneous patching, and

WHEREAS the Knife River Corp. was awarded the contract based on their low bid of \$791,557.60;

BE IT RESOLVED that the Chairperson and County Coordinator are authorized to sign the contracts on behalf of the Kanabec County Board of Commissioners.

7:33pm - The Chairperson then called for public comment three times. None responded.

7:36pm - The Chairperson closed public comment.

7:36pm - The County Attorney gave her semi-annual report.

Action #10 – It was moved by Kim Smith, seconded by Roger Crawford, and carried unanimously to adjourn at 7:56pm to meet again in regular session on Wednesday, August 12, 2009 at 9:00am.

Signed _____

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

Attest: _____

Alan B. Peterson, Kanabec County Coordinator