

**NORTH DAKOTA VETERANS HOME
LISBON, NORTH DAKOTA
GOVERNING BOARD MEETING**

Page 1 of 7

DATE/TIME: Tuesday, February 09, 2010 @ 10:30 AM. **LOCATION:** North Dakota Veterans Home-M/P Room: **MEETING:** X Regular Special

MEETING CALLED TO ORDER: by Chairman, Norris Braaten

Membership: Norris Braaten, Chairman Daryl Beard Darrol Schroeder DuWayne Ternes

Absent: Orletta Kilen Dean Overby Jerry Meske

Others present by invitation:

Mark B. Johnson, NDVH Administrator	Kristin Lunneborg, Accounting Manager
Bob Nelson, Physical plant Superintendant	Bernie Bailey, Owners Representative
Tom Dewald, Foss Architectures & Interiors Representatives	Several members of the Veterans Home Foundation board

Call in: Mike Mullen, Assistant Attorney General

**AGENDA ITEM
RECOMMENDATION/ACTION**

PRESENTATION/DISCUSSION

01. Pledge of Allegiance/Moment of silence for POW/MIA's requested by Chairman.		Chairman called for the Pledge of Allegiance, followed by a moment of silence for the POW/MIA's.
02. Roll Call: Recording Secretary	Roll call taken by recording secretary	A quorum was present.
03. Welcome: Chairman-Norris Braaten	Chairman welcomed Members and Guests.	
04. Approval of Minutes: Chairman-Norris Braaten Governing Board Minutes ➤ Regular Meeting-December 08, 2009	Minutes e-mailed to Board Members. Chairman called for additions/corrections/motion to accept the minutes.	Motion made by Beard, seconded by Schroeder to approve Governing board minutes from December 8, 2009. Roll call vote – all aye.
05. Foss Architecture & Interiors Tom Dewald	<ul style="list-style-type: none"> • Discussed Proposal Request 12 relating to the changes mandated by the review of the construction documents by the Department of Health. • Discussed the air handling units and why there was such a long wait for the units, how the Health Department's requirements for filters impacted the wait for the units, and why the roof had to be installed and now 	Tom Dewald will look into information to address the questions of the governing board.

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Page 2 of 7

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	<p>requested to be removed again for \$70,000. Point made that the contractor's schedule had the building enclosed prior to air handling units arriving so their original bid should have included money for bringing the units into facility. Questioned why there wasn't a credit on the change order for the way they had originally anticipated bringing in the air handling units.</p> <ul style="list-style-type: none"> • Discussed the following Proposal Requests: • Proposal Request 12 • includes material, labor and installation for changes mandated by the review of the construction documents by the Department of Health • 12G – Comstock Construction - \$159,300.00 • 12M – Grant's Mechanical - \$46,836.00 • 12E – Nordick Electric - \$30,101.97, with two alternates for \$802.94 and \$6,639.05 • Foss Architecture & Interiors - \$7,965.00 • Proposal Request 16 to furnish and install the sump discharge line for the geo-thermal vault. • 16G – Comstock Construction – no cost • 16M – Grant's Mechanical - \$751.00 • 16E – Nordick Electric - \$1,402.50 • Foss Architecture & Interiors – no cost • Proposal Request 19 to provide dedicated mechanical exhaust system for the oxygen storage. • 19G – Comstock Construction - \$589.00 	

**NORTH DAKOTA VETERANS HOME
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GOVERNING BOARD MEETING**

Page 3 of 7

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	<ul style="list-style-type: none"> • 19M – Grant’s Mechanical - \$4,139.00 • 19E – Nordick Electric - \$5,569.78 • Foss Architecture & Interiors - \$823.80 	
06. Construction Report – New Facility	<p>Bernie Bailey, Owner’s Representative shared his observation report dated February 9, 2010</p> <ul style="list-style-type: none"> • January 2010 Pay Requests: <ul style="list-style-type: none"> ➤ Comstock Construction - \$802,430.48 ➤ Grant’s Mechanical - \$1,113,316.05 ➤ Nordick Electric - \$141,012.00 • January 2010 Professional Services <ul style="list-style-type: none"> ➤ Foss Architecture & Interiors - \$25,652.23 • Proposal Request # 12 G, M & E <ul style="list-style-type: none"> ➤ Comstock Construction - \$159,300.00 ➤ Foss Architecture & Interiors - \$7,965.00 ➤ Grant’s Mechanical - \$46,836.00 ➤ Foss Architecture & Interiors - \$2,341.80 ➤ Nordick Electric - \$30,101.9 + 2 alternates \$802.94 Item #12 & \$6,639.05 Item # 1 for Grand Total of \$37,543.96 ➤ Foss Architecture & Interiors - \$1,505.00 • Proposal Request # 16 G, M & E 	<p>Motion by Schroeder, seconded by Beard to pay Comstock Construction \$802,430.48 for pay request no. 9. Roll call vote – all aye.</p> <p>Motion by Ternes, seconded by Schroeder to pay Grant’s Mechanical \$1,113,316.05 for pay request no. 9. Roll call vote – all aye.</p> <p>Motion by Beard, seconded by Schroeder to pay Nordick Electric \$141,012.00 for pay request no. 8. Roll call vote – all aye.</p> <p>Motion by Ternes, seconded by Schroeder to approve the January 2010 pay request for Foss Architecture in the amount of \$25,652.23. Roll call vote – all aye.</p> <p>Motion by Ternes, seconded by Schroeder to table 12 G, M & E until we get the additional information requested from Foss Architecture. Roll call vote – all aye.</p> <p>Motion by Ternes, seconded by Beard to</p>

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Page 4 of 7

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	<ul style="list-style-type: none"> ➤ Comstock Construction - \$.00 ➤ Grant's Mechanical - \$751.00 ➤ Nordick Electric - \$1,402.50 ➤ Foss Architecture & Interiors - \$.00 • Proposal Request # 19 G, M & E <ul style="list-style-type: none"> ➤ Comstock Construction - \$589.00 ➤ Grant's Mechanical - \$4,139.00 ➤ Nordick Electric - \$5,569.78 ➤ Foss Architecture & Interiors - \$823.80 	<p>approve proposal request #16 G, M & E. Roll call vote – all aye.</p> <p>Motion by Beard, seconded by Schroeder to approve proposal request #19 G, M & E and the additional fees relating to this pay request for Foss Architecture. Roll call vote – all aye.</p>
<p>07. NDVH Foundation Chairman-Norris Braaten</p>	<ul style="list-style-type: none"> • The North Dakota Veterans Home Foundation is a 501(c) 3 corporation set up in 1987. The board has become dormant over the years but they are working to re-establish themselves. They have a desire to keep the foundation alive and are actively searching for board members and leadership. The foundation currently has approximately \$140,000 in assets. The by-laws only allow them to spend the interest earned off the donations. The Governing board expressed interest in working with the foundation to receive donations for the new veterans home. The foundation informed us that we could channel donations through the foundation so that the donor could get a tax deduction. The donor would only need to send a letter stating what the donation is to be used for. • The Foundation Committee held a meeting in the Museum following this presentation. 	<p>Several board members from the foundation plan to attend the next Administrative Committee meeting in April to see if they can gain more membership and support from the other veterans groups.</p>
<p>08. Executive Session</p>	<ul style="list-style-type: none"> • Motion to enter into executive session 	<p>Motion by Beard, seconded by Ternes to enter into executive session at 2:20 p.m. for</p>

**NORTH DAKOTA VETERANS HOME
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Page 5 of 7

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	<ul style="list-style-type: none"> • Chairman Braaten appointed Daryl Beard, DuWayne Ternes, Bernie Bailey and Mark Johnson to meet with the Veterans Home's legal counsel and representatives for Grant's Mechanical. 	<p>attorney consultation regarding change requests for additional payments and issues relating to the construction project. Roll call vote – all aye.</p> <p>Motion by Schroeder, seconded by Beard to end executive session at 2:53 p.m. and go back into regular session. Roll call vote – all aye.</p> <p>Motion made by Beard, seconded by Schroeder to direct the Veterans Home's legal counsel, Mike Mullen to write a letter to Grant's Mechanical concerning their claims for additional compensation. Letter will be forwarded to Bernie Bailey, DuWayne Ternes and Mark Johnson for approval. Roll call vote – all aye.</p>
<p>09. Financial Report: Accounting Manager-Kristin Lunneborg</p>	<ul style="list-style-type: none"> • Construction Financial Report was given. If all current change orders were approved we would have a negative \$8,800 in our Contingency fund. In order to fund additional change orders, we need to move the nurse call system from contingency funding to FF&E funding. In discussions with OMB, the Veterans Home will need to find ways to fund this project without going back to the legislature for additional funding. The only items we can go back to the legislature for would be items not funded last 	<p>Motion by Beard, seconded by Schroder to have Mark contact the congressional delegation regarding the per diem payments that the Department of Veterans Affairs did not pay to us while we were evacuated during the April 2009 flood. Roll call vote - all aye.</p>

**NORTH DAKOTA VETERANS HOME
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GOVERNING BOARD MEETING**

Page 6 of 7

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	<p>session.</p> <ul style="list-style-type: none"> • Discussed FF&E purchases for the new facility. Due to the complicated and lengthy processes we would need to follow to purchase the FF&E for the new facility, we would either need to hire someone full-time to work on RFP's and bids or put this piece back into our original contract with Foss Architecture. Procurement and Facilities Management in Bismarck strongly recommended that we go back to our original contract with Foss Architecture and have them handle the FF&E purchases. All other state projects always have the architect or project manager do all the purchasing of FF&E. • Appropriation Status Report includes all funding and potential funding we received for the biennium including flood, new building and stimulus. As far as we know we are not eligible for any stimulus funding. The second report provided reflects our 09-11 budget without funding received for the new building. This allows us to get a better view of our financial condition. We do not have any areas of concern relating to the financial reports at this time. • Census Data report was provided. • Basic/Skilled Accounts Receivable reports provided. 	<p>Motion made by Beard, seconded by Schroeder to go back to our original contract with Foss Architecture and have them handle the FF&E purchases; but check with Mike Mullen to see if we can negotiate the fees with Foss. Roll call vote – all aye.</p> <p>Motion by Beard, seconded by Schroeder to approve financial reports. Roll call vote - all aye.</p>
<p>10. Administrator's Report Mark B. Johnson</p>	<ul style="list-style-type: none"> • We are expecting surveyors any day now. The recent surveys conducted around the state have really focused on infection control. Many facilities already surveyed have been hit hard with deficiencies relating to infection control. 	

**NORTH DAKOTA VETERANS HOME
LISBON, NORTH DAKOTA
GOVERNING BOARD MEETING**

Page 7 of 7

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11. Closing Comments	<ul style="list-style-type: none"> • VFW Post # 3363 	The local VFW Post # 3363 was selected as the outstanding volunteer group of the year by the North Dakota Long Term Care Association.
12. ACOVA Meeting		Friday, February 19, 2010 Bismarck Comfort Inn 9:00 a.m.
13. Next Meeting – Governing Board:		Tentative-Tuesday, April 13, 2010 Lisbon-NDVH M/P Room 10:30 AM
14. Adjournment	Request motion to adjourn meeting.	Motion by Beard, seconded by Schroeder to adjourn. All aye.
Approved by Governing Board & Administrator		/s/ Mark B. Johnson Mark B. Johnson, Administrator

Legal Notices Posted By Margie

Ourenhagen