

Randolph County Commissioners

December 5, 2022

The Randolph County Commissioners met at their regular meeting at 9:00AM in the Commissioners and Council Room in the Courthouse with the following members present: Board President Michael Wickersham, Tom Chalfant and Gary Girton. Also present was Randolph County Auditor Laura J Martin, Sheriff Art Moystner and County Attorney Meeks Cockerill.

Michael Wickersham, President presided over the meeting.

Pledge of Allegiance

Chris Shaneyfelt - 911 Software License agreement

Mike said the first item on the agenda is Chris Shaneyfelt. We're here to talk about a 911 software license agreement.

Chris Shaneyfelt said I had a contract I'm in the process of trying to upgrade some of our software. It's called Rapid SOS. It is a piece of software that currently captures the 911 calls coming in either from a land line or a cell phone, and allows us some really good data and with the ability to follow people if they're on a cell phone, as they are talking. Just the software that we're wanting to upgrade will give us the ability also, to include our voip lines and any business line that would come in. And then, and the law enforcement body cameras. If they're using those, those will come up on line with those if the agencies want us to follow those. And there will be other advancements as it goes further. But, it will also give us the access, so it will give us the potential floor that the person is calling from, and the area of that floor as well. This stuff is more of a premium price than the free version. So, that's the reason for the contract change.

Mike said you're replacing software now.

Chris Shaneyfelt said well it was free software, and this, this here would be a purchase, and it would be upgraded software.

Mike said so it's enhanced software.

Chris Shaneyfelt said yes.

Mike said is this something you budgeted for.

Chris Shaneyfelt said I've got the money for it.

Gary said sounds to me like something that we need and need to keep that updated particularly in those areas. So, I'll move we approve this recommendation to purchase the upgrade and this

agreement for the new licensing. It was \$9,610.00 for the first year because of the discount and \$10,964 for the next 5-years.

Mike said I have a motion to approve this contract with for Rapid SOS premium. Do I have a second?

Tom seconded.

Mike said Meeks have you reviewed this contract.

Meeks said yeah, it's fine.

Mike said anything else Chris.

Chris Shaneyfelt said the only thing I want to let you know is we've been having, we've had issues with, I've been here since three this morning because they've gone down four times. Apparently, we have a bad switch. So, I'm hoping to have that replaced today.

Mike said Gary this contract calls for one signature, which would be mine.

Gary said yes.

Mike said is that okay in your motion.

Gary said yes.

Mike said is that okay for your second.

Tom said yes.

All aye votes. Motion carried.

Joe Edwards – SRI – Commissioner's Certificate sale

Mike said Joe with SRI, commissioner's certificate sale.

Mike said I understand you are retiring.

Joe Edwards said I am retiring, 59 days.

Mike said so this will be your last meeting with us.

Joe Edwards said this will probably, likely be my last meeting with you.

Mike said if I had a box of candy Joe, I would give you one, but I don't have a box of candy.

Joe Edwards said well I appreciate that. If I had a box of candy, I would give it to you. You folks are the proud owners of 34 tax lien certificates from the tax sale we held in this room last October. There are 34 listed in your packet. I know we've done certificate sales every year. I'm here to propose we do it again this year for those 34 properties. I think prior years the minimum bid's been 200 bucks. I wouldn't know of any reason to change that. And Meeks, the contract is the same one you've at for however many years now. We haven't changed it so. I just really need three things, the approval of resolution, approval of the contract, and the approval of the \$200 minimum bid. And then we'll set, your calendar and set the sale probably, hopefully, in March after it's done snowing and icing and all that, so we don't have a certificate sale that nobody shows up to, which we do if we intend to have it in January or February. So, we'll be looking at the spring to have the sale with your approval.

Gary said I move we approve resolution 2022-16 as presented.

Mike said have a motion to approve a resolution establishing the intent to conduct commissioner's sale of tax sale certificates for severely delinquent payment of property taxes. And those properties are listed on exhibit A as presented to us this morning. Do I have a second?

Tom seconded. All aye votes. Motion carried.

Mike said this would be the contract that, it's the details in that we are pay you 15% of all amounts collected on the properties.

Joe Edwards said correct.

Mike said your firm, SRI.

Joe Edwards said correct.

Mike said someone want to move approval of this contract with SRI for these property sales.

Tom made a motion to approve. Gary seconded. All aye votes. Motion carried.

Gary said I move that we leave the bid of \$200 the same as it has been.

Mike said the minimum bid. Have a motion to leave the minimum bid for these properties at \$200 per parcel. Do I have a second?

Tom seconded. All aye votes. Motion carried.

Mike said that should take care of it.

Joe Edwards said thank you. I've enjoyed working with you over the years, Gary. Laura, you can send that stuff to me when you're ready to. I've enjoyed it very much. Thank you.

Hugh Caperton, Vault – Cardinal Ethanol project

Mike said next item is Hugh Caperton with Vault.

Hugh Caperton said we had sent over a presentation to Laura.

Mike said we have that.

Hugh Caperton said is it okay. Would you just like us to, no ask for approval today. Just wanted to introduce the project here at the county level. So however, is the most beneficial for the commissioners and members here today, we welcome to answer questions or you know, start out by introductions, however, would be easiest for you all.

Mike said you've got a big group with you. So, if you want introduce your group, I think some of you are pictured in the package you sent us. But, and then if you just want to go through your packet as a power point presentation verbally, and then we can ask questions. I think that would probably be the best way to go.

Hugh Caperton said that sounds good.

Mike said if we have any. It's a little above me I'll say.

Hugh Caperton said well first and foremost, thank you all very much for having us this morning. My name is Hugh Caperton. I am the vice president of business development and land for Vault 4401. I am here today with three other team members from Vault, Mr. Craig Hall who's our business development manager, Mr. Ricky Weimer, who is the project manager, and Mr. Joe Selipo who is actively involved in our land department. Also joining us and maybe more familiar is Mr. Jeremy Herlyn plant manager at Cardinal Ethanol, and Mr. Jeff Painter, the CEO of Cardinal Ethanol. And we're here this morning to talk to you all and inform about the project at Cardinal Ethanol that Cardinal Ethanol has partnered with Vault 4401 to perform a carbon capture and sequestration project at the ethanol facility there in Union City. We have been engaged with Cardinal for approximately 18 months. We have been engaged with the individual land owners or with individual land owners here in the community since January, actually of this year, we have met with approximately 10,000 acres for both sub-surface and surface access. And we are progressing the project as partners. Vault and Cardinal Ethanol have formed an entity called One Carbon partnership where both parties contribute capital, and human capital to the project to bring it to fruition. Our process is to the point where we have acquired or committed approximately 3600 acres of sub-surface pour space to permanently sequester CO2 for approximately 25 years. Taking all of the CO2 that is currently emitted from the Cardinal Ethanol facility and permanently storing it under ground. The additional acreage that we have engaged is for acquisition of 3D seismic. Mr. Selipo has been heavily engaged with the assistance of Mr. Herlyn in speaking with members of the community to acquire that right to access those properties during the wintertime to conduct that study. From a permit prospective, as of July, we have submitted a Class 6 permit with the Environmental Protection Agency. That is usually between an 18 to 24-month process. We wanted to come to the county today. We've spoken, as I've mentioned, with various members of the community. We also spoke last year at Cardinal's members meeting. I believe that was last December. But we wanted to, now that we have solid support from area landowners, we can speak to projects specifics about permit timing

as we see it, and also start to understand needs from a county perspective as we look to initiate building permits, road permits for conducting 3D seismic, which will be performed by Jack Racer, whose done some 2D work here in the county as well. To start to verbalize those things, have you all become familiar with us, and really introduce and ask, answer any of those technical questions you may have at this time.

Mike said so your carbon capture is just right now going to be from Cardinal Ethanol.

Hugh Caperton said yes sir that is correct.

Mike said and the landowners you're talking with, you're going to set up carbon storage facilities underneath at deep, deep areas in the ground that have vacancy that can hold this.

Hugh Caperton said that's correct. So, we plan to sequester the CO₂ from the Cardinal Ethanol facility that's currently being emitted into the air today. It's approximately 400,000 tons per annum. It will be done from Cardinal Ethanol's property with a single injection well. And from a sub-surface perspective, we would access and would garner rights from the individual land owners for about 3,600 acres. That would span approximately 25 to 30 years of sequestration. We have taken the stance working with Cardinal as our partner, that those individuals we would with from day one. It wouldn't be, you know, a smaller subset on day one, taking that entire 30-year period and bringing them together, from the initiation of the project. So, one injection well at the Cardinal facility, and then two monitoring wells all on the Cardinal Ethanol facility property.

Mike said and as I looked at this, it looked like your area of interest for storage went as far maybe west of the east edge of Winchester and then crossing over into Ohio, somewhat. Is that the map I saw?

Jeff Painter said so that, the Mt. Simon storage that's what the formation is called, the Mt. Simon exists all the way from the western side of Illinois all the way through to the middle of Ohio, and then down into Kentucky as well. It's a massive area. It varies in thickness across the area. So, The Mt. Simon exists across the four-state area. So that does continue over across the border, but our area is going to be confined to, like you mentioned, that 3500 acres is where the CO₂ will be confined within.

Hugh Caperton said the actual CO₂ plume over thirty years would not reach into the western portion of Winchester. It would be quite a distance away. Where you could see the closest we would access anywhere toward Winchester is a lot of the work that Joe is working with Jeremy on right now would be to access for 3D Seismic. And what we utilize 3D seismic for is we take 3D seismic acquisition at the beginning of the project and then every three to seven years after we started to inject to determine exactly where that CO₂ plume is, and to regulate and monitor that.

Mike said so is that your, so your area storage, would that be the red circle on page 20 of your power point. And then the yellow circle would be a greater distance. The red circle, I guess my question is, is it all around Cardinal Ethanol and continuous.

Jeff Painter said if you're dumping water on a sidewalk. You know, it just keeps going out. And will stay relatively confined in that it won't go outside of the 3500 acres.

Hugh Caperton said the inner red circle on slide 20 would be the, the plume area, give or take.

Mike said roughly?

Hugh Caperton said yes that's correct.

Mike said and somewhere east of Harrisville. Well it sounds like an opportunity for the environment. It sounds like an opportunity for the community. Not sure what we need or what you are going to ask us to approve, other than the road permitting at some point in the future. And if there's building permits or improvement location permits needed. I'm not sure where this would fall in zoning as well.

Tom said it's pretty non-intrusive.

Mike said it sounds like it, unless you go several hundred feet below the ground.

Jeff Painter said it, thousands yeah, for sure.

Hugh Caperton said the near-term items would be the road permits, which we will be reaching out to the county shortly on, more than likely, spearheaded by Mr. Racer. On the next front to the point, previously stated would be zoning. And then any building permits. We will have a compressor. The wells will be located at the Cardinal Ethanol facility. And any building permits associated with that, we'll also have to work through IDEM or IDNR for our state permits for our wells and about a 1000 feet of pipeline. We want to make sure that everything is verbalized and discussed at the county level as well so the folks know what's going on. This has presented a very nice opportunity given the partnership work that's been done to engage individuals of the community. Everybody has been wonderfully welcoming to us, and has been very nice to work with. And we thought with the center of mass that we had around the project now from a corporate level with our partnership being formed from the land acquisition, it was the right time to discuss it and let you all know that these permits would start coming through. And then we are always available to answer questions as they arise, whether they're be from members here today, or from the community as a whole.

Mike said so do you have other partnerships like this.

Hugh Caperton said yes sir. We're working on other projects in the state of Indiana, as well as Illinois. Vault, itself has projects in Canada and then we also are working on the gulf coast. One carbon partnership. This is our only project that we are working on with Cardinal Ethanol.

Mike said I was just curious when you do come into a community, if road permitting, and we've had experience with wind energy and solar energy, and we typically enter into road use agreements.

Hugh Caperton said yes sir.

Mike said where, the company promises to put the roads back to the way they were before they started and go through a process of determining what condition they're in. Is that something you do when you come in.

Hugh Caperton said yes sir, absolutely. So, we're actually, currently as we sit here conducting 2D seismic operations, one an extensive round of acquisition in Illinois, and then we're also working in Montgomery County, Indiana and Tippecanoe County, Indiana. And I hope I said Tippecanoe right. But yes sure. Absolutely.

Mike said and then is that, do you seek then tax abatements for equipment that you install.

Hugh Caperton said that would be something that we work with the county to determine. Frankly, the industry, they are currently sequestering approximately a million tons a year of CO2 from the Archer Daniels Midland Facility in Decatur. So, would not call this new, as they've been sequestering CO2 in the US for quite some time, and certainly internationally, as well. But most counties that we work in are relatively new from a zoning perspective and abatement perspective. So, we want to absolutely not only lend our technical expertise, but then also be able to work with folks in the community on how this will, you know, impact the county level from an abatement perspective, and what's going on, on a day-to-day basis.

Mike said okay. Well that sounds like an exciting opportunity. Thank you.

Hugh Caperton said well thank you all very much. Appreciate it.

Tom said could you, go into the difference between this and fracking and how this doesn't create earth quakes.

Hugh Caperton said so certainly. It's a question we're asked often. So, through our EPA permitting, we have to maintain a minimum of what they call 90% of fractured gradient or pressure. So, what that means in the natural gas and oil industry, you're actually trying to break rock, sub-surface. So, you inject water and sand primarily, to actually break rock, and then sand. Sand is injected to actually prop it up and allow natural gas and oil to come to the surface. Now we are not fracking. At 90% frack gradient, we are not breaking the rock. That is EPA mandated. So, it's not fracturing. It is simply injecting at a pressure that would not break the rock.

Mike said yeah. You're using the hole that's already there I guess is the simplest way to put it.

Hugh Caperton said that's correct.

Jeff Painter said well it's like a sponge. You know, you're putting fluid into this sponge and it's dissipating and it's, what's currently there very salty, salty, salty water. So, you're putting this CO2 into the water, it's dissolving and like a sponge.

Mike said okay. Any questions Gary.

Gary said I'm fascinated by the opportunity that they're coming here. I've kind of followed a little of this along.

Mike said have you been introduced to our area planning office.

Hugh Caperton said we have not.

Mike said that would be Randy Abel is the building inspector and Debra Johnting is our area planning executive director. Our zoning ordinance is on line. You can review it there.

Hugh Caperton said okay.

Mike said and then our highway superintendent is Mike Haffner, who normally here, but is not here this morning.

Hugh Caperton said we will make sure and make contact with them all.

Mike said okay. If you need contact information, Laura Martin in the Auditor's office can give you that.

Hugh Caperton said Laura has been very helpful and patient with me.

Mike said okay thank you.

Joshua Kimbrell said I got a question.

Mike said we're not taking questions at this time.

Joshua Kimbrell said they said they are. They said they'll take questions.

Mike said oh they did, okay.

Joshua Kimbrell said so you guys described the best-case scenario capturing the carbo. What's the worst case scenario for the surrounding lands, like what's the possibility it could have an impact other areas.

Jeff Painter said incredibly low. I mean it's, you open up your soda can CO2 is coming out of it, right. So, this is pure CO2 that's coming off the fermenters. There's very little in terms of contaminants with it. Your deep underground, far below the water table. You're 3000 feet. You have 500 feet of shale, I'd say above that. They're preventing any CO2 from moving up. We're doing monitoring, continually testing to see if anything comes above that seal. We have a well that sits there permanently cornering CO2, making sure nothing comes above that seal.

Joshua Kimbrell said there's no way it can affect farm land or anything like that.

Jeff Painter said the worst, worst case incredibly unlikely, CO2 makes it into the fresh water. We'd see it. You have a well that's like 100 feet deep, we'd see it and shut that down. So, if somehow, we didn't see it there, which is incredibly unlikely, it makes it's way up, it'll start changing the Ph in the water. The worst-case scenario, you have to put a water softener on, if anyone was even pulling from 500 feet. Most of the water wells here are 200 feet. So, it would be incredibly unlikely. I mean you know, several layers of protection to make sure that doesn't happen.

Joshua Kimbrell said thank you.

Mike said okay. Anybody else have any questions.

Tom said Craig, could you tell us about the CO2 stream at the Ethanol plant compared to other people that capture, like refineries and cement plants.

Jeff Painter said sure, yeah. You've got an incredibly pure stream. You know, it's 99.5 percent CO2 already. They're using it for a beverage grade CO2. They're taking it and pulling some of the oxygen and the water out and selling it to put it into your coke can. That's where the CO2 is coming from. So, it's a much different stream. There's not all these other contaminants they need to remove versus refineries that their combustion emissions. This is from fermentation, so, it's the purest stream CO2 you can get out.

Mike said okay. Anything else, Gary.

Gary said no.

Mike said okay well thank you gentlemen.

Kathy Stephens-Miller – Promise Indiana – Request for funding

Kathy Stephens-Miller said thank you for having us back. Last meeting, we gave you a report on our Promise Indiana Randolph County project. And we asked for you to make your last payment of \$25,000.00, which was a five-year pledge. And I see that's on the agenda. And we thank you. What we're coming back for, I guess, is to give you an end of the year bargain because we have been very successful at fundraising, and we feel like this is still an important project for the commissioners to fund through Economic Development because this helps ready our community for post-secondary education, which is very important. But were asking for another five-year commitment, but at the level of \$10,000.00. And those checks would go to the community foundation, which is our fiscal agent, but we are a separate entity from the community foundation.

Mike said I presume that would be treated the same way the 25 has been.

Kathy Stephens-Miller said exactly. We would send you a bill. We'll give you yearly reports if you so wish. We're always happy to come back and tell you how we're going.

Mike said okay. The last time we did this, we paid this out of our EDIT fund as a payment for economic development. And I guess I'll ask Gary or Tom if that's something you're interested in doing.

Tom said I'm very interested. I guess I'm a little reluctant since I'm going off in you know, less than a month. I guess I'd like my replacement to weigh in on this. I haven't talked to him about it. Is it important that you have this done today?

Kathy Stephens-Miller said we have talked to him about it. He grabbed us as we were walking out last time.

Gary Friend said I spoke to them. I'm in favor of this. I'd move forward with it.

Tom said okay. That makes that a little simpler then.

Kathy Stephens-Miller said thank you.

Mike said someone want to make approval of this request of \$10,000.00 a year for five years from EDIT for the college 529 program.

Gary said I'll move that we move forward with this \$10,000.00 per year for five years as requested. I was in the position to favor the 25 because I think it's so important that this be established and followed through with this. It's just crucial in my perspective to help this county in every way that we can for the young people. If there's ever a time in the future, as long as I'm here for the next couple of years, that you need monies additional, I'd be in favor of supporting that. So, don't hesitate, from my perspective to come back.

Tom seconded. All aye votes. Motion carried.

Kathy Stephens-Miller said thank you very much for your continued support.

Chris Beasley and Andy Fahl & Grace – EDPR – Easements

Mike said Chris Beasley, Andy and you're not Grace.

Chris said Austin is the newest member of our team and new developer. I'm sure you guys have met Mr. Andy Fahl. So, our purpose today is to touch base on three items, the status of the 100-megawatt Riverstart III Solar Park, then to brief you on our upcoming plans and developments in the county looking forwards, and finally, to initiate conversations around a road use agreement, economic development agreement, and decommissioning agreement for a new project that I will propose today. So, first and foremost, Riverstart Solar Park III, we officially broke ground on October 10th and we currently have roughly 15 persons working on site on preliminary construction activities. To date, we completed construction of the site lay down yard and we are now working through the initial site grading, access road, installation, and drain tile re-routing. We have received delivery for 10,000 steel piles, 25% of the piles needed for construction, and we received delivery for over 34 miles of median voltage electrical cable. Finally, we have completed the installation of the INDOT style speed limit signs that were recently accrued by the

changes to the county's speed limit ordinance. Riverstart Solar Park III has funded its first cycle of the \$360,000.00 Union township endowment fund. And with that, has sponsored improvements to the local trails, via the Cardinal Greenway, a local food bank, Second Harvest, police and fire equipment for the town of Modoc, and the building and delivery of beds and bedding for Union Township children in need. Also, we are in the final steps of implementing the \$100,000.00 Modoc utility reimbursement program, which will directly reduce the utility bills for the residents of Modoc. And we have funded the secondary \$100,000.00 utility systems fund, which will provide benefit for households and be a support for their utility payments. We're incredibly excited to be partnering with Randolph County on this build, and we're on track to wrap up construction by end of the year 2023. And with that, I will pause to ask for any questions on the Riverstart III Solar Park.

Mike said I don't have any questions. Tom, Gary.

Gary said no, I just know that from attending the township meetings at Modoc and Losantville, they're both, particularly, Modoc appreciated all they are receiving, because they have certainly had a struggle over the years with their other system. So, it's been quite beneficial to them.

Chris Beasley said it's been an awesome partnership. We're really excited to find something that works for them that can make the project make a lot of sense to that community. So, moving on to our plans and developments in the county looking forwards, in front of you is a map demonstrating the facilities that we've chose for our building in Randolph County, to date. This includes the Headwaters I and II wind farms, and the Riverstart I and III Solar Parks. These projects represent over a billion, 1.1 billion dollars invested in the county. And if you flip to the next page, represent over \$9,000,000.00 paid to the county local governments, over \$25,000,000.00 just, for 25,000,000.00 additional dollars committed to the county between now and 2034. Over \$700,000.00 in community funds and donations and 26 local jobs. Flipping to the next page, you will see these projects are projected to represent 23% of the county tax base by 2034. And over 50% of the Union township tax base by 2034. On to the next page, I'd like to introduce our plans for the county. Between now and 2026, we are hoping to nearly double our investment in accounting from 1.1 billion to over 2 billion dollars. This will be realized via three projects. First, a 150-megawatt project to be built in 2024, Riverstart Solar Park IV, sited in the northwest corner of the Headwaters II wind farm, a few miles south of the town of Windsor. Second, a 200-megawatt project to be built in 2025, Headwaters wind farm III, sited to the north of Parker City and Farmland. And keep an eye out on that one for a special press release that will be in the papers in the next few days. And finally, a 100-megawatt project to be built in 2026, Riverstart Solar Park V, sited just north east of the town of Saratoga. These projects represent an estimated \$930,000,000.00 investment in the county, and will come along with proportional tax and economic development dollars, and also community funds. Looking at 2027 and beyond, Randolph County can expect incremental investment and renewable energy. You potentially might see new phases of solar. You might see battery storage facilities, either stand alone or being added to our existing facilities. And you could also see re-power opportunities where aging turbines or solar panels are replaced with newer, more efficient technology. All these opportunities incurring new investment in the county, and expanding our partnership.

Mike said I'm going to test you here. So how many headwaters wind farm III, how many acres is that going to cover.

Chris Beasley said we have 16,000 acres leased. I expect we'll trim that down to about 12,000 for the actual facility.

Mike said and how many turbines will 200 megawatts take.

Chris Beasley said we are within the turbine recurrent process right now. The lowest you would see would be 42 turbines. The highest that you would see would be 60 turbines. So, with the larger turbines that produce more power, you have to space them further apart. So, you end up with roughly the same project size, just that a different density of turbines within the area.

Mike said and the Riverstart Solar Park V and IV, how many acres are those.

Chris Beasley said so, Riverstart Solar Park IV would be roughly, 1000 acres fenced and Riverstart Solar Park V would be roughly 650 acres fenced.

Mike said that's the only questions I have. So, I don't know, anybody else have any questions of Chris or Austin or Andy. Okay.

Chris Beasley said so finally, as I mentioned prior, I'd like to ask the county to consider a road use agreement, economic development agreement, and decommissioning agreement for the Riverstart Solar Park IV, which as a mission, would be built in 2024. So, we're getting close to the timeline for that one. If that is agreeable, in the coming weeks, I would send documentation to Meeks for initial review, and those documents would essentially mirror the agreements we've committed to past, just put updates to the name, the numbers.

Mike said I'm willing to start that process.

Gary said I am too.

Tom said yeah.

Mike said okay.

Chris Beasley said awesome. That's all I have. Then Andy was going to give an update on the community fiber.

Andy Fahl said just wanted to speak to you, give you an update on the Headwaters II, fiber optic. Been tasked with that, and I have made progress, though it is still in progress. Currently, out of 46 parcels on that, we still have 10, are either no or undecided. And still in progress, it's come down to 4 landowners. And I've met with John Greene. He's from LBC. We've discussed this per the map, and if we get them, we get them. If we don't, it is still feasible to use the conduit, just re-adjust in the engineering. So initially, there was an urgency to this because he's informed me that they have other projects that have taken front burner, and they'll be back to this. But,

had a little bit of mixed reaction, questions from all of them. Once it was explained, some were an automatic yes I'll sign it, others, not so much. Just wanted to give you an update.

Mike said okay. Appreciate that. Thank you. Anything else this morning Chris, Austin. Anybody have anything else for EDPR. Okay. That brings us to the end of our agenda. Council, it looks like I have three council members here this morning, Dave, Gary and Missy.

Gary Friend said other than we'll be meeting tomorrow, so.

Mike said that'll be your last meeting as a council member.

Gary Friend said as a councilman, yes.

Mike said well I plan to be here tomorrow. So, it's my month. Don't see a mayor here today. Okay, brings us to other business.

Other Business:

Ken Hendrickson, Randolph County Sheriff

Mike said looks like the sheriff's department is represented by chief deputy. Ken Hendrickson.

Ken Hendrickson said no business.

Minutes of October 3 and October 17

Mike said brings us to our minutes of October 3rd and October 17th meeting, which we received copies of via email. Are there any additions, corrections or deletions to those minutes? Hearing none, I'd entertain a motion to approve them as presented to us.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

Payroll Claims \$233,292.04

Mike said next item is our payroll claim, the 2nd day of December, at our place in the amount of \$233,292.04. I'd entertain a motion to approve as presented this payroll claim.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

Payroll deduction claims \$274,772.98 & 270,742.36

Mike said and our State board of accounts payroll deduction claims, we have two of them this morning. One in the amount of 274,772.98 and the other in the amount of 270,742.36. I'd entertain a motion to approve this claim.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

Regular Claims \$398,088.19

Mike said next item, regular claims, which we received a copy of these via email, and I trust everyone's had an opportunity to go through them. I would entertain a motion to approve the regular claims at this time.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

J&K Communications Claim \$10,000.00

Mike said the next item is the J&K Communications claim, the \$10,000.00 that has been left over from the retainage on the communications project. We've been holding that for completion and testing the project. Do you guys want an update on that.

Gary said I would move that we just hold \$5,000 as of now, because they have made quite a few improvements. But we still, Chris just told me he thought they were going to be back here today possibly to do more work.

Mike said okay. So, you want to pay \$5,000 or do you just want to wait and hold it until our next meeting.

Gary said that's up to you. I don't care. They're down to the repeater work that they're doing on that.

Mike said what do you want to do Tom.
Tom said I'd take Gary's lead I guess.

Mike said okay I have a motion to approve \$5,000 of this \$10,000.00 retainage claim. Do I have a second?

Tom seconded. All aye votes. Motion carried.

Community Foundation – Promise Claim \$25,000.00

Mike said the next item is the community foundation promise claim in the amount of \$25,000.00. As we discussed, this is our last installment of our first five-year commitment. I'd entertain a motion to approve this claim.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

Randolph County United Claim \$14,771.33

Randolph County United Tourism Claim \$6062.33

Mike said brings us to our Randolph County United claim and our Randolph County United Tourism claim. And these are the final claims of the year December, 2022. And they include an internal adjustment, which creates a positive increase to the tourism claim, and a negative reduction to the Randolph United claim. And the adjustment of \$4,066.33 was made because throughout the year, Randolph Tourism draw was not what it should have been, and Randolph United draw was not what it should have been. However, both draws go to the same account at Randolph United, so, what we're doing is correcting an internal adjustment for the books. And appreciate councilman Dave Lenkendofer for catching this, so that everything is correct throughout the system. So, I'd entertain a motion to approve both of these claims at this time.

Gary made a motion to approve. Tom seconded. All aye votes. Motion carried.

Edit Plan - Set EDIT meeting

Mike said that brings us to our EDIT Plan, which we amended today.

Laura said so do you want to table that.

Mike said and I'm just, well no, I think we need to, we need to determine what it's going to be so we can approve it next month, and still maybe get an EDIT plan in before the end of the year. So, I guess we can't approve it. We just need to make sure we've amended it. We've added the Promise Indiana request to it, and I didn't know if we wanted to deal with the Eastern Indiana partnership request that of dues of \$9,676.40. This is our regional group that we belong to, centered in Wayne County, consists of Fayette, Randolph, Rush, Union and Wayne Counties, and these dues, and Henry, and these dues are based upon population, our population being 24,191 citizens, and it's at 40 cents per citizen. I serve on that board, and have served since the beginning. And I think the board's planning group has done good work. And we've got a CED's plan, which qualifies the region for United States federal economic development. They have done traffic counts for us in the county. They've done a housing study, which we did participate in payment of that, but I would recommend we go ahead and continue to be a member, and pay the dues of \$9,676.40 from our EDIT plan.

Tom said I thought we already approved that.

Mike said we didn't approve it.

Tom said okay.

Mike said we talked about it. I said we'd approve it today.

Tom said okay that's right.

Mike said we can approve it next month if you don't want to buy in on it.

Gary said I think we need to move forward with it. I think we've, we'll have as a united group and we'll benefit from the united group in the future. So, I think it's important that we continue to be a member.

Mike said I think you are right. I think the regions are becoming a bigger thing, in both state government and federal government. So, I'll second that motion.

All aye votes. Motion carried.

Mike said so that would become part of the EDIT Plan as well. And then the third thing that I had on, I had promised the dues, and I didn't know if we wanted to address Fountain Park. They made a presentation last month, and it's one of those things if we help them, there's a lot of cemeteries throughout the county that we might be asked to help. And I'm just wondering if that might be something that they address the Funders Forum when it gets up and going, and they could seek help that way.

Tom said I think we're a little obligated to take care of the deserted cemeteries in the townships more than this.

Mike said yeah that's a good thing. That's a good thing.

Gary said I think that would be a good source of revenue for them. I agree with Tom because there are a lot of cemeteries in the county that are, particularly if it's an older one that's not as regular use and maintained and needs some assistance, may need some assistance.

Mike said okay. Well that's all I have for the EDIT plan. So, we make those two amendments and then present it at next meeting and we can vote on it. And then we set a hearing.

Laura said do you want to go ahead and set the hearing for after your next meeting so that we can get it advertised.

Mike said yes that would be great. Our next meeting is the 19th.

Tom said 19th, yeah.

Mike said want to meet on Wednesday the 21st.

Tom said yeah I guess so. 3 o'clock. I'm okay with whatever.

Mike said okay 4 o'clock.

Tom said well that will, is that a hardship on other people. I think.

Gary said yeah there's some that.

Mike said okay, six o'clock.

Gary said I think so.

Mike said okay. On the 21st.

APC/BZA attendance reports

Mike said next item is the Area Planning Commission, BZA attendance reports which we received copies of those via email. Any comments or questions about those.

Paws Lights and Flights fundraiser

Mike said next item we have a request from Shelley King with Paws animal rescue and shelter. They want to use the airport for their Paws and flights event. And it completed the non-profit and profit facility use agreement for the Randolph County airport, which the purpose of the meeting is a fundraiser for lights and flights. Shelley King's address is given. And they provided a certificate of insurance and signed the agreement to abide by the rules and regulations

out there, other than they cannot provide a handwashing station because of the water being potentially, freezing in the handicapped portable restroom. I presume they will have sanitation, hand sanitation in those. I'd entertain a motion to approve this unless someone wants to object to it.

Gary made a motion to approve. Tom seconded.

Mike said I guess I should say this Friday, this Saturday and then Sunday is a backup day.

All aye votes. Motion carried.

Additional Appropriations:

ARPA

South Street drainage project (shortage)	\$550.00
--	----------

Mike said that brings us to additional appropriations. The South Street drainage project that we did to repair the drainage on the east side of the South Street bridge, over ran our budget by \$550.00. If you recall, we paid that out of ARPA funds. And this would be an additional appropriation from ARPA funds to finish the project. I'd entertain a motion to approve this.

Tom made a motion to approve. Gary seconded. All aye votes. Motion carried.

General

Color Printer for Coroner	\$1,700.00
---------------------------	------------

Mike said next is a appropriation to General fund for a color printer for the Coroner office in the amount of \$1,700.00.

Tom said is this a one time, or will this be recurring.

Laura said it's one time. It's buying a printer.

Mike said it's buying a printer.

Tom said that like a five, so five years probably, something, I mean, there won't be maintenance or anything.

Mike said he may have that in his budget, maintenance, I don't know. He's not asking for that. Just buying this printer for \$1,700.00.

Tom said okay.

Mike said and he needs additional appropriation to pay it because he doesn't have it in his budget. I move approval of this added additional appropriation.

Gary seconded. All aye votes. Motion carried.

Mike said okay Laura do you have anything for us this morning.

Laura Martin -Letter supporting CCEDS, map data application, FLMA section of handbook

Laura said I do have a few things. This is the letter that you approved last meeting, and then it just needs signed.

Mike said this is the letter where we're supporting the Eastern Indiana Regional Planning Commission's Comprehensive Economic Development Strategy for the next five years. The one Jeff presented on two weeks ago, and we said we would support the project.

Laura said then I have an electronic map data application for, this is where they pay us \$1200 to get information.

Mike said and they've agreed to pay the \$1200.

Laura said yes.

Mike said so this is their request from Real Estate Wealth Network. Someone want to move approval of this electronic map data application agreement.

Tom made a motion to approve. Gary seconded. All aye votes. Motion carried.

Laura said I also wanted to bring up that, and Meeks and I had talked about this, the FMLA always basically required people to use their vacation and personal time before they go FMLA. I'm not finding anything in writing. I don't care one way or the other whether we do it or not. I just feel like it's been asked of me because somebody used their time this year, FMLA, and then the FMLA is going to go into next year. And they have new time coming up in January, so they want to know do I have to use my time.

Mike said and that's not in the handbook.

Laura said I can't find it anywhere in there. Meeks did you look also or not.

Meeks said no.

Laura said okay. I didn't find it anywhere in there. There's a FMLA section.

Mike said it's what we've been doing.

Laura said right.

Mike said and it's pretty standard in those cases that you use your paid time off prior to FMLA. And I don't think, I think it's supported by the Federal Law to do that.

Meeks said we just need you to, approval, so I can put it in the handbook.

Laura said yeah update the handbook.

Mike said I don't see any reason. For me, I don't see any reason to change it.

Laura said okay.

Mike said Gary are you okay with it that way.

Gary said no, I thought it was that way.

Mike said okay. Meeks do you have anything for us.

Meeks said I don't.

Mike said Tom do you have anything for us.

Tom said I just saw Joe come in. I don't know if he might have something to talk about so I guess you can catch him.

Mike said okay. You don't have anything Joe.

Joe Copeland said no I'm good.

Mike said Gary do you have anything for us.

Gary Girton – update on radio system

Gary said just a little bit of update. The, on the radio system and so on, the highway now, they were in there a week ago, and put up a new antenna and did a little bit of work. And Lonnie, Friday, took one of the trucks and traveled the county. And he feels, considering everything that there are a few areas, it's a little marginal, but they still can communicate their tracking system, which is very important to them. He did not find any place where they couldn't monitor the tracking system.

Mike said that's good.

Gary said and so as I said, they put up a new antenna, and did some other work, and so I think the highway now is up going strong. There's still issues, some issues apparently with the paging system. And that's what J&K supposedly be back sometime this week to do additional work. They were here a week ago working on it. Is Chris still here.

Mike said I don't think so.

Gary said he went ahead and ordered that new system that he had money in his account some 12 thousand some dollars I talked about last month, tracking system. And he's gone ahead and ordered that. So, they are working on it, but there's still some issues.

Mike said okay.

Gary said the rest of it seems to be working well.

Mike said okay.

Gary said that's all I have.

Mike Wickersham – Housing Resource Hub

Mike said the only other thing I have is the agreement between the Housing Resource Hub and Randolph County Board of Commissioners and City of Union and the Winchester Redevelopment Commission. If you recall, several weeks ago, we approved entering into this agreement. And it's to take effect, the work is to begin in January of 2023. And the city of Winchester, Redevelopment Commission has signed the agreement, and I brought it here this morning for Tom, you and Gary to sign it so I can forward it to Chad Spence, the mayor of Union City to get his signature also on that Housing Hub agreement. Thank you. Gary. While Gary is signing, that brings us to the end of our agenda. Do we have any citizen comments this morning?

Citizen Comments

Eric Lewis said good morning. I wanted to give you an update on, I had mentioned last time about the disability access. And, first I'm wanting to know where is it that I would direct small businesses to seek funding to help become accessible. It's not an expensive thing to do.

Mike said Randolph United.

Eric Lewis said okay, Randolph United.

Mike said I would start there. And they have access to potential grants. They have access to loans, and then they have access to our EDIT Fund should we approve their request. There's also a Funders Forum that's in the county that is not really, it's not taken off yet for sure, but it's going to be there available. And Randolph United could direct you there as well. Randolph United is also the county chamber. So, businesses should be very aware of that so.

Eric Lewis said and I've been talking with Dan about getting information out to small businesses on what's going on.

Mike said Dan.

Eric Lewis said with Randolph United. I want to make sure that the businesses know that I'm not targeting anyone, I'm not suing anyone. I am filing with the state to bring everything into compliance, not just for myself, but for several other wheelchair users in the area who have come to me, who, for whatever their reason is, they're afraid to speak out. A lot of times we don't like to draw the extra attention to ourselves. And, I don't mind it, but it, other people do. Well the state has taken a turn that I didn't expect. It's their prerogative. I was hoping they would look at the, the total evidence involved, and would come to the county to access the county with going

out to businesses. And the investigators have decided that they would prefer to, to investigation on each individual business first to establish a pattern. And again, I'm not playing a fault game or anything like that. I'm just trying to get it corrected. And so, they are going to be investigating each individual business. There are nine in the immediate area here, as well as to county facilities that are completely inaccessible. So, they are going to be looking at those individually first, then compiling it and they will be approaching the county is my understanding, to assist the county in becoming compliant through, usually through the building commission. And it's something that's supposed to be part of the planning process when someone goes to remodel. Anytime that they file for a permit as a business. That's supposed to be something that's included in it.

Mike said many of them are sent to the state. That's what I don't quite understand.

Eric Lewis said well the state doesn't have the authority to enforce it locally.

Mike said no but they have to approve the permit is what the Building Inspector has told me.

Eric Lewis said okay. Well they, they don't look at that on a permit. They expect that the compliance part to be through the inspection process. But it's neither here or there. The law had changed in 2008 and then in 2012 again it was updated. And my understanding from businesses is that either they thought they were in a historic building and were exempt, that was a law that changed in 2008. Historical buildings are no longer exempt from the ADA compliance. And or they felt that they were told that they couldn't put ramps.

Mike said you shared that last meeting.

Eric Lewis said okay.

Mike said and the sidewalks so.

Eric Lewis okay. Let me give you an update on where it's at.

Mike said okay.

Eric Lewis said my main concern is that businesses don't look at this as an attack, because it's not. It's just trying to bring everyone into compliance.

Mike said well I hope not. I hope they don't look at it that way.

Eric Lewis said me too sir.

Tom said what are the two county facilities that are not compliant.

Eric Lewis said the probation office and the animal shelter, which I believe is a city/county combined.

Mike said that's a city building.

Tom said it's city building, yeah.

Eric Lewis said that is city building.

Mike said we contract with the city.

Eric Lewis said they use a title, Randolph County, City of Winchester.

Mike said well that's by contract.

Eric Lewis said okay. And, but I wanted to keep you updated, and I'm open to any questions. If anybody wants to get ahold of me about it, I'm fairly easy to get ahold of here in town so, I appreciate your time.

Mike said okay. Thank you. Anyone else have citizen comments.

Joshua Kimbrell said my name is Joshua Kimbrell. I'm here on one of you guys' ordinance that you guys recently passed, 22-29. Anybody here who has a cell phone and not monitoring anything you guys are actually right now in violation.

Mike said that is not correct sir. I'm going to stop you right there. The ordinance just like your camera's are allowed in here.

Joshua said it only states for the purpose of recording. Not for the purpose of having it in their possession. It states only if they are using it for recording. Maybe you need a new lawyer. It also states in here it's for security reasons that people can't do their jobs effectively. There are camera's all over this building, consistently, constantly recording your employees. Does that impose a safety issue? Or is it the camera that's held by an individual, a certain individual that's a safety issue.

Mike said it's the camera that's held by the person that's trying to film the courtroom or the courtroom people.

Joshua said there are already on statute crimes against doing that. Yes, there are.

Mike said but it can't be stopped if they don't know it's happening. That's why it's there. We are not going to argue about the ordinance.

Joshua said I am going to speak about this.

Mike said this is the Commissioner's meeting and we are going to adjourn.

Joshua said I don't care if you adjourn or not. 36-13 is what give you that power. It says right here a unit does not have the following. The power to prescribe the law governing civil action

between private persons. That's us on the third floor, private persons. Number 7 the power to regulate conduct that is regulated by a state agency except as expressly granted by statute. I don't see it here. You don't have that power. The power to prescribe a penalty for conduct, crime or infraction under statute. So what grants you that power because this says right here, this IC code that you claim 36-13-8. It states that you do not have that power. So, Mr. Commissioner what grants you that power? Why are you guys so afraid of a camera?

Mike said we're not. You can have a camera in here anytime you want to have a camera in here when we're in meetings. The Judges do not want a camera on that end of the...

(Joshua is talking over Mike, this is not understandable)

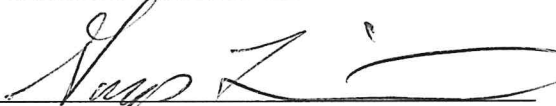
Adjournment

Tom said I move to adjourn. Gary seconded. All aye votes. Meeting adjourned.

Reviewed and signed this 16 day of January, 2023.

RANDOLPH COUNTY COMMISSIONERS


Michael D. Wickersham


Gary D. Friend Sr.

Gary L. Girton

ATTEST: Laura J. Martin
Laura J Martin, Auditor of Randolph County