

Randolph County Commissioners

December 29, 2021

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 Chief Deputy Auditor Angela Lowe.

Michael Wickersham, President presided over the meeting.

Pledge of Allegiance

Other Business:

Regular Claims \$543,366.99

Mike said these are our regular claims for the end of the year. We received a copy of these via email.

Gary made a motion to approve the regular claims as presented. Tom seconded. All aye votes. Motion carried.

Payroll Claims \$218,664.80

Gary made a motion to approve the payroll claims as presented. Tom seconded. All aye votes. Motion carried.

Rex Collins Electric claim \$11,122.00

Mike said the Rex Collins Electric claim which is his retainage for the Communication project in the amount of \$11,122.00. We have been tabling this along with the MPX and the other claims but he has done his work and based upon this it has been certified that he did.

Tom asked by who.

Gary said I talked to J&K and we've got all their equipment basically in and up and going, so that means that his electrical work is complete. They are going to come back this week and finish aligning it. They have affirmed that all of Rex Collins work is finished and complete and working.

Gary made a motion to approve the Rex Collins Electric claim. Mike seconded. Two aye votes/ Tom voted nay. Motion carried 2/1.

Motorola Claim \$500.00

Mike said this is the master system keys starter kit to reprogram the responder radios.

Tom asked if this is in the budget?

Mike asked where is the money coming from Angela?

Angela said that is our question.

Mike said it should come from project funds since we have to reprogram the radios do to our project. We don't have any project funds left, I presume.

Angela said the 1222 is E911.

Mike said he doesn't have money for it. Would that qualify for Cum cap?

Angela said sure.

Mike said I would think Cum cap could handle \$500.00. It looks like this has been do since October 2021 and we are just now seeing it.

Angela said is it related to the communications project?

Mike said yes.

Angela said if you are wanting to pay it this year then it can be paid out of the communications project funds.

Tom made a motion to pay the Motorola claim of \$500.00 out of the communications project funds. Gary seconded. All aye votes. Motion carried.

Barnes & Thornburg Claim \$2,500.00

Gary made a motion to approve the Barnes and Thornburg monthly claim as presented. Tom seconded. All aye votes. Motion carried.

Mike said either next month or soon after reconsider this retainage agreement with Barnes and Thornburg. Once we get a plan in place, I'm not sure we need their advice to go forward.

Tom asked how close are we to having a plan?

Mike said we don't meet until the 10th, so that will be the beginning of our plan.

Tom said I thought we had a committee?

Mike said no, we decided against a committee and decided to have a joint meeting.

Baker Tilly Claim \$5,911.90

Mike said this claim is for professional services related to assisting the county with the ARP funds, including calculating the revenue loss amount. That was the report they gave us showing how much we could spend out of the ARP funds for revenue loss.

Gary made a motion to approve the Baker Tilly claim. Tom seconded. All aye votes. Motion carried.

Life Stream Claim \$22,250.00

Mike said next is the Life Stream claim that we approved earlier this year from EDIT funds in the amount of \$22,250.00. They have new personnel and have just now submitted a claim and invoice for that amount.

Gary made a motion to approve the Life Stream claim as presented. Tom seconded. All aye votes. Motion carried.

Cyber Insurance

Mike said what I saw in the emails is that Five Star is willing to waive the cyber insurance clause in our contract and based upon Jentry's recommendation we could probably self-insure ourselves. Is that what we want to do or do we want to spend \$25,000.00 for a \$50,000.00 deductible and \$1million coverage?

Tom said I am tempted to be self-insured.

Mike asked how much insurance do we buy a year; how much is that premium?

Angela said it's large.

Mike said I'm leaning the other way now.

Gary asked did the insurance we had expire in December?

Mike said in November, we've been without it for almost two months now. Twenty-five thousand a year of coverage, if you have one claim of \$1 million that you had to pay out of your own pocket, that \$25,000 a year would cover that \$1 million claim.

Tom said the next \$50,000.00 is on you too, right?

Mike said right. I'm just saying you're going to expend \$1 million if you have a claim.

Gary said doesn't some of the insurance we have cover a virus? I thought it covered that and this is just for cyber if they had a ransom for amount of money?

Mike said this would definitely cover that, but I don't think we have any other technology insurance in the policy. We are paying Five Star to keep those out of here.

Missy asked what does your technology coordinator tell you?

Mike said they wanted us to have \$1 million coverage and then cyber insurance did a 20-point list that we have to implement in order to even buy cyber insurance, which they are implementing at an expense to the county. My original thought and it's still there is, we implement all this stuff to protect us then why do we need the insurance. Since then they have excluded that clause from our contract, so they'll still continue to represent us without the \$1 million insurance policy.

Missy asked will they provide insurance for you?

Mike said no, they are not involved in that at all.

Missy said they purchase it for other people through their business model.

Mike said they do?

Missy said they did, unless they have dropped all that.

Mike said they have not offered that to us. Five Star?

Missy said yes, north of Greenfield?

Mike said that's Nine Star.

Missy said I am thinking of the wrong one.

Mike said Five Star is a technology group that has represented the county on a piece meal basis for several years and when Fred left we hire them at a cost of \$6,000.00 a month.

Missy asked what does the IT technician tell you.

Mike said he tells us that the contract tells us that we need insurance and to get insurance the insurance people told us we need this and he's implementing that as we go.

Missy said he is comfortable and that would be his recommendation to do.

Mike said he is not recommending to do, all he recommended to do was create the system in our system that would protect us in order to buy insurance. They have pulled back and they are not requiring us to buy insurance now, it's our choice whether we want to or not.

Tom said are you comfortable that if we turn in a claim there is not going to be some fine print that we did something to disqualify it.

Mike said you know Jentry pretty well.

Tom said he's not the insurance carrier.

Mike said but he's the one that brought us the insurance policy and I don't think he would lead us down the wrong path.

Missy said intentionally he wouldn't but what other counties, where are other counties purchasing this insurance from?

Mike said I don't know but it's all over the place.

Tom said there aren't too many companies that offer it.

Mike said we had two quotes from one company.

Gary said I'm leaning on insuring, I don't like the fact that we have to do this but I'm not sure how we prevent a major claim. It's discouraging that we have to even consider it.

Mike said the other side of it is, we had an attack a few years back and we shut everything down and went to the back up. I'm not sure how much that cost us, if it cost us anything other than time and trouble recreating some documents. Everything was there from the backup, so if your backup is working. That is the same thing that happened at Wicks, Wicks had a cyber ransom attack, we just shut everything down and went to the backup and cleaned everything. I am okay to let it ride until next year.

Gary said I am too.

Public Official annual bonds (4)

Mike said we have public official annual bonds, we have one for Jane Grove, Laura Martin, Randolph County Government and Debbie Preston. Debbie's is \$300,000.00, Randolph County Government is \$435,000.00, Laura Martin's is \$30,000.00 and Jane Grove is \$15,000.00. I'd entertain a motion to approve these public official bonds as stated.

Tom made a motion to approve the public official bonds as presented. Gary seconded. All aye votes. Motion carried.

Gary Girton

Gary said I have a question about the email we received from Mike Haffner about the road closing on 1000, have we heard any more, is that going to be permanent?

Mike said he talked like he was going to talk to Joe and get the culvert fixed.

Gary said that is the last I heard.

Mike said I haven't heard anything since. Have you?

Tom said I am assuming they are going to try and fix it, but I don't know about the funding. I think it will be a pretty high priority with the traffic. It would be nice to be able to fix that.

Mike said that's the one that runs to Camp Modoc?

Tom said right.

Gary asked is it just a culvert or is it a bridge?

Tom said it is a small structure culvert. I think it's maybe an 8-foot concrete.

Citizen Comments

Missy Williams said I have a question, some citizens that called me and I met with a couple of them, they wanted a summary of where we are on broadband towers and certain locals in the north west section of the county. I didn't know what to tell them. I met with them and said I don't know where at but I told them I'd ask and try to get back to them. I think there is a possibly of a business in agriculture that is going to need that to determine whether to go back to Delaware County and do that or whether they stay in Randolph County.

Mike asked Gary do you have any report from the technology committee on that?

Gary said Tower King is working on that, wanting to set up on the Davis Purdue Farm, their working with Purdue on the legalities of that. We've set aside \$400,000.00 to work on broadband, not just that tower, but on broadband, so that is moving forward.

Mike said that tower is the priority tower.

Gary said right.

Missy said is there a timeline then?

Mike said you probably need to talk to either Joe Batt or Steve Barnes.

Gary said Joe Batt is the chairman.

Mike said they are the technology committee chairmen.

Missy said you know up in White County they have put up what is called a parastat and they seem to be, I'm going to find out a little more about it. It's bad weather to figure out what that is but I don't know if there are any other solutions that are more financially reasonable that as technology changes they might lend themselves to making those changes. There's not going to be something we can do, even with the tower that's 400 feet high for the next 20 years things are going to change.

Mike said the satellite system, if they can get more of those up there, I talked to our technology people said his mother was able to get on Musk's satellite system and her internet is faster than his infinity internet through satellite.

Missy said that is what parastat is, it has a satellite on it. I think I showed Gary a picture, it is what I consider to be a small and there's a satellite that it transports up and it is actually tethered to the ground. So far after 18 months of it, it has been doing well.

Mike said we have basically authorized the spending of \$400,000.00 of EDIT funds and allowed the technology committee to determine what the best route to go at this point is and they have determined that a 250-foot tower, at least 250 feet at the Davis Purdue farm is the priority broadband initiative at this point in time. I think they have turned that over to Tower King to get that done. If they don't have an answer, then they ought to be getting an answer from Tower King so we can respond to those people. Do you want to follow up on that Gary and see what Tower Kings position is?

Gary said I can.

Mike asked did I answer your question regarding Camp Slingshot as well?

Missy said yes, I guess as a Council person I'm thinking when spring comes, so if that transpires in January, they give that back to the county, which I don't know if we have an option that no we don't want it or yes, we do want it but how we going to mow that, they just sold all the mowing equipment.

Tom said they ruttud it up pretty good selling it too.

Mike said we have different people mowing different places now, I presume that if we continue to hold on to it, we are going to have to have some minor maintenance out there, we will just have to hire that done. We don't have the personnel and we don't have a park department. There're various ways to go about, once it's given back to us it's the counties to determine what to do with it. We could sell it, we could lease it to somebody to make it a park. I think until we get it back.

Gary Girton – Communication towers

Gary said in reference to the email we just got from Chris Shaneyfelt, what are we going to do with this issue? We've been told for a number of months that the FCC had already agreed to let us go on for a period of time and they would make a decision in September and that never happened, then we were told just a few weeks ago that we had a right to operate for a year until the decision was made and that doesn't seem right from what IPSIC is telling us, that that's going to happen. From the email we got yesterday from Chris Shaneyfelt, which came from IPSIC. The only thing it seems like they're wanting to do with all the equipment we've got is to help us with some of our radios.

Mike said I'm sure they're willing for us to buy a different microwave system. That was the initial alternative and I guess I'm not certain that Terry Burnworth's email included IPSIC on operating for a year in an emergency situation. I don't know if that requires IPSIC's approval if that is just something we do without a license to operate for a year. I don't know what he meant by that.

Gary said I don't either.

Mike said the first thing we do is follow up with him to find out what he's advising us after the last email we got from IPSIC to say we can't get on their system.

Gary said I don't understand that either since the FCC said that IPSIC does have the capability. The Attorney General makes that decision?

Mike said it became an issue, so the Attorney General would have made that decision. We don't want to be responsible for Randolph County's radio communication system. That is why the Attorney General was involved because he's the one that is going to defend the state against claims.

Gary said I talked to J&K and they told me last week that, sometime this week they hoped to come back and line up everything and have everything tested and up and going, turn it on to check it etcetera and then they would shut it down until they got approval to put it in full operation. Based on that I'm assuming, because I haven't heard anything differently, I'm assuming the system will be by the end of the week, up and ready to go as soon as we can turn it on and use it. Based on that it is a shame to me anyway that we've had these people telling us that we have the ability to go online and will have and all this and nothing's happened for all these months that we've been waiting to get it built. Then we got an email that Pyramid told us the towers have all been repaired to the extent that what Reece's company showed these deficiencies and issues that needed to be corrected but yet we have no way of know if any of that's true without hiring them to come back and reinspect it. We've hired Pyramid to oversee the erection of these towers and oversee that everything is put together right and it looks to me like that's their responsibility or was to see that, that was done before tower's were erected and as they were being erected and that's the same way like I told you at the last meeting with this generator at the north site. It's sitting about 2 1/2 feet lower than the building containing all the electrical and control system and it's actually down in a hole where the water is. Why would you pour a concrete base to sit a generator? I was at the north tower and talking to a J&K tech and he said one time he was up there and the water was clear up into the base of the generator which is over and above the fuel tank, the fuel tank is underneath of it. I just don't understand where Pyramids person who is over seeing these is letting all this stuff happen. It looks to me like it is their responsibility to see that they're corrected.

Mike said the Deerfield site probably should never have been located there.

Gary said Ed and I been up there a couple times and looked at it and it's not the capability of the soil to hold the tower, right Ed?

Ed said the soil will hold the tower except for every time it rains. If that stays under water for years on end, that's going end up being an issue for the pilings, the pilings are going to hold the thing up but you don't normally put a tower in a lake.

Mike said in reading Pyramids email, they've given up on a solution to repair that one. The school tower sits in a flood area it may continue to have water. The question becomes how do we get the water out of there so it doesn't continue to have water.

Ed said it can be drained.

Gary said Ed looked at it and it can be drained.

Mike said we need to consider doing that and show Pyramid that bill and demand that they pay that bill.

Gary said I don't disagree with that.

Mike said the other sites require Cobalt or MPX to come back, which Todd will have them do this.

Gary said unless somebody that we trust is standing there watching them do these corrections, right now at least the way I read it, they are just saying these issues have been corrected.

Mike said this one says it's not been corrected.

Gary said what? It says the tower issues have been corrected.

Mike said I'm not sure what he means by the other sites, we require Cobalt or MPX to come back. The question would be what are they coming back for.

Gary said I don't know.

Mike said we'll ask them that. The other, the 4.9 gigahertz lit up for 12 months without any registration, that can be done independently of IPSIC based on this email.

Why haven't we pursued that and up and going?

Mike said I guess because they have not been aligned yet. Once J&K aligns everything and shuts it down, once they do their test, then I presume we can open it back up.

Tom said why not just leave it on?

Mike said your asking the wrong person. We can sit here and question but we don't have the answers.

Gary said my question today is, what's our next step?

Mike said to me the next step would be to send Terry Burnworth an email and ask him what needs to be done on the other two sites that Cobalt and MPX are coming back for and tell him we are going to look at draining the school tower site and we'll provide you a plan and a bill for that.

Then we want to know on what authority do we open ours up after the test on the 4.9 gigahertz for 12 months.

Gary said I think we need to get the thing up and going first and then we'll deal with, to me the top priority is to get this unit going so we can use it. We've been working on this for several years and we have our public service people out here that are somewhat in jeopardy at different times because of our communications system. We've done all we can after we hired Pyramid to do this, we can't make them, we've tried but have not been successful in getting some of these things done. As of this date, we've got a system that according to J&K is operable, that all the equipment they've got in there is working and it's just a matter of aligning and fine tuning it and that's basically the microwave system so the towers can communicate to one another.

Mike said that is what I would suggest we do, if anybody has any other suggestions I'm open to them.

Gary said I don't but when we emailed Pyramid before, we got the reply that we could operate for a year without a license, they said we had to be registered but if we can't register we would have to be rogue to operate for a year.

Missy asked who selected that site for a place to put that tower?

Gary said Pyramid. They test bored it and Ed and I looked at it, the soil is fully capable of holding the tower.

Missy said but it's a flood plain.

Ed said technically it is not a flood plain, it's a flood prone area. There's 18 acres draining right through that soil. There are two different ways to go, one if they could coat the tower with something so you could fill up over it, you could build that area up around it and bypass it. You shouldn't have to do that. It can be drained with tile drains, two, possibly three different directions but none of them close, your looking at 1000, 1500 feet to drain. We actually got an offer from one land owner to tie on but you have to go 1/2 way across his farm to get to a downhill outlet.

Gary said I would go with what Mike suggested, have Ed come up with a plan of what the best way is to drain that and then get us an estimate.

Ed asked do you want me to go as far as to contact, to make this work, I need to contact the school and three other land owners to get options to make this work. How far do I pursue this at this point?

Mike said we want to drain it, that's the key. I think your right, it will set there for a while in a lake but I think eventually its going to deteriorate faster then it should. I don't know if you could dike it or not, build a cement box around it.

Ed said that would be interesting.

Tom said if you can't drain it, then yes, you could put a pump in there and sump it out.

Ed said I suppose it would be possible to do that.

Mike said I will ask him in an email what he recommends to do to get that tower out of a lake.

Ed said I need to talk to the person that takes care of the grounds for the school, the school drains to the north and I believe outlets into the side ditch of the highway. They have drainage around the buildings and I don't know that they were designed to handle drainage out of this back field. In need to talk to two separate land owners to get across, I think they would cooperate with us. To the west that land owner has agreed to cooperate with us. In any directions we have to go quite a way.

Mike said my question is should I have Meeks send this email instead of me? Meeks started the conversation with him. I will put an email together and ask Meeks to send it to Terry to ask these questions that we've talked about this morning.

Tom Chalfant- Airport event

Tom asked how did the event at the airport go?

Mike said it was very successful, they had to cancel Saturday, so they did Friday and Sunday.

Mike Wickersham – Airport board

I do have a new airport board appointee, but it may take some discussion with Meeks. I reread the statute that says you cannot sit on two lucrative board positions if one of the board positions is a sovereign position, sovereign position meaning you can pass ordinances and pass laws. So, we would not be able to sit on the airport board, we would not be able to sit on the Winchester board of works but I'm not sure the airport board is considered a sovereign position. So, I'm going to raise that issue with Meeks. I have someone who is willing to do it but he is already serving on another board.

Missy asked how do we get board members, do we ever put out a notice that your looking for people to serve on this board or this committee to see what young 30 or 40-year old might say.

Mike said they have two on the airport board that are in their 30's or early 40's.

Missy said how do you decide who to go ask?

Mike said the airport board, I've always pursued somebody that is interested in flying first, word of mouth, we announce it here. Typically, the board might find its own person, we don't advertise. I know Tyler Martin and Greg Sickels both had an interest in taking lessons at one time and I think they are pretty good board members.

Adjournment

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

Reviewed and signed this 21 day of March, 2022.

RANDOLPH COUNTY COMMISSIONERS

M. Adkins

Jan Chappell

Ray Capps

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