

Randolph County Commissioners

July 6, 2020

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

Jake Donham - HVAC at Community Corrections

Jake said a couple of weeks ago he received a call from Community Corrections for lack of air conditioning, Salyer Taylor was on site that day, found a bad compressor in their unit, come back and changed it the next day, the invoice was for \$2,498.75. My Cum cap building maintenance item I only has \$1,000.00 in it, I knew I didn't have the funding for it but it was an emergency repair, so I went ahead and had it taken care of. I would like to see if I could get some extra funds put into that line item to cover it.

Mike said we can and probably should recommend to council to move it out of Cum cap into your building maintenance to cover the basically \$2,500.00.

Jake said I hate to drain that \$1,000.00 out of there because something may come up in the remainder of the year.

Gary made a motion to recommend to council that they move \$2,500.00 out of Cum cap into the Building Maintenance. Tom seconded. All aye votes. Motion carried.

Tom asked Jake how the walk through went on Friday.

Jake said Friday we had a walk through, punch list with Argo and Salyer Taylor and some of the other contractors on this project. It went pretty well, we found a few hiccups, Argo is going to make notations of it and put a report together, hopefully the first or middle of this week, as soon as I get that I can forward it to you guys. Nothing super critical, just some small items, some sleeves where they put piping in and some cleaning issues. I also talked to Salyer Taylor, he has most of the equipment for the flu pipes we discussed at the last meeting, as soon as they get the rest of that equipment in, hopefully this week or next and finish this one up altogether.

Tom asked if Jake knew how much over budget we were going to be.

Jake said pretty much all expenses are accounted for as of now, but we have the addition we put on for the boiler fans.

Tom said you don't anticipate anything else.

Jake everything on the punch list should be covered, there is nothing, the things that were pointed out were spec'd out for the project, Argo pointed out so there should be know question, it will just get fixed and taken care of.

Jentry Flesher - Contamination Insurance

Jentry said what he has done is requested from a broker coverage for the underground storage tanks and I also requested terms on a pollution policy for the county, just to have two options. I am supposed to have those today, is what I have been told, but I don't have them this morning. He said he had a couple of questions for the Commissioners. I found out the deductible amount that was in these letters from IDEM for the violation "Failure to demonstrate the ability to pay the deductible amount to IC 13-23-9-1.3" and that deductible amount is \$15,000.00, my question is does the county pay the tank fees so they have access to the excess liability fund.

Mike said yes.

Jentry said I requested a \$1,000,000.00 policy, but what we could do is just request coverage to reimburse us for that deductible amount.

Mike said since you were first called, we have also investigated and probably could create, other financial responsibility with IDEM. I am not sure what the status of that is and how we go about doing that.

Meeks said I asked Laura if the Airport Board has looked into that.

Mike said he notified the Airport Board last week, I notified two members and I heard back from one member and they indicated that they had not seen that and they meet Wednesday.

Jentry asked if we knew how much the tank fees are. He said you have a couple of options, you can continue to pay the tank fees to have access to that trust fund or you could purchase coverage for \$1 million in liability for the tanks.

Meeks said that would be dependent on the cost.

Jentry said we need to see what the terms of the policy are.

Mike said the contamination and the cost of removal all could be an unknown, where if you participate in the trust fund you know your maximum liability is going to be that \$15,000.00 deductible, if we buy an insurance policy that has a million-dollar coverage and we find out our liability is greater than that, then we don't know what that is.

Jentry said they would require you to carry at least \$1 million if you have 12 or fewer tanks, now I would hope that a fuel spill would not cost \$1 million to clean up, I don't think we have ever seen one that cost that much, but if you have 12 tanks or more, they require you to carry \$2 million dollars.

Mike said we basically have until July 12th to provide financial responsibility.

Jentry said I have been told that I will have the terms today.

Mike said that would be good knowledge to have, the airport meets on Wednesday and I have asked the airport board president, that if they need any assistance with this or proving financial responsibility then let us know. It is our property and if we can put it in the right form there is no question that we can guarantee a \$15,000.00 deductible. I just don't know the best form that should take.

Meeks said what we need today is for somebody to have the authority to enter into an agreement with the insurance company if we think that is appropriate, because we will not have another meeting before July 12th. If Jentry comes back with a cheap policy and a good one that says we want to do it, then I think you give one of you three the authority to enter into that agreement and then we can still explore the other options after the airport board meets. Who is the airport liaison?

Mike said I am.

Meeks said I would probably give the authority to Mike.

Tom said we don't have enough information to make a very intelligent decision. How many tanks do we have?

Jentry said there is two at the airport and one at the highway department. I have gone ahead and requested coverage for the tank at the new highway department for the above ground storage tank.

Tom said does it take special coverage separate from anything else?

Jentry said our policy with Bliss McKnight and our airport policy specifically exclude pollution, I don't know if this has ever come up before in conversation in years past, from inspections but it has probably always excluded pollution in those policy to specifically exclude that.

Mike said I'm not sure, evidently the highway wasn't inspected this time around. He asked Mike Haffner if his tank was inspected this time around. Have you heard anything from IDEM?

Mike Haffner said his inspection is not until November.

Jentry said he thought it would be a good practice to go ahead and include that one and the new highway department as well. I guess when I get the terms, who does everyone want to be

included, send it to Laura and she can forward it. Then we can go from there and decide what you want to do.

Mike said yes, do that. That sounds like a good plan to me.

Tom said it would not hurt to get a bid on removing all the tanks because Mike Haffner explained to him that the tanks were inspected yearly and now they are going to be inspected monthly.

Mike said you are talking about the tanks at the highway department.

Tom said yes, but I assume all buried tanks, IDEM will be inspecting them monthly instead of annually. It was \$600.00 for an inspection and so what is it going to be monthly to inspect these tanks, I don't think it will hurt to find out what it will cost to have them removed. In a few months the highway is not going to need them, the airport we can maybe look at above ground tanks. It would be nice to have that information to make an informed decision.

Mike asked Tom if he wants to pursue that.

Tom said yes.

Meeks said unless you want to have a meeting on Friday, I think you probably want to grant somebody the authority or have a meeting on Friday.

Tom said we can appoint Mike.

Meeks said I think it will be obvious what's the best once we get all the information.

Jentry said yes, I don't know if we could look up what the fees are for that trust fund, because it may be more cost effective to just buy \$1 million dollars' worth of coverage on the tanks.

Tom said I would guess that would be expensive but I don't know.

Mike asked Mike Haffner if he knew what it cost to participate in the trust fund for underground tank coverage.

Mike Haffner said the laws are changing from my understanding, we were told that right now it was annual but when we were purchasing the tanks they said it was going to change to monthly so the cost could have been \$1500.00 to \$2500.00 they did not know at the time. The laws are changing for underground tanks.

Mike said we are talking about the excess liability trust fund. Do you know what our highway cost is to participate in the excess liability trust fund?

Mike Haffner said he does not know.

Mike said okay, because if you are a participant in that, we basically can just show a bond rating and cover that deductible, can we not?

Meeks said we would need to check.

Mike said we would not need any insurance, so your question is pertinent, if a million-dollar coverage which we could have in lieu of the trust fund, if it's less expensive than the trust fund annually, then it's a win, win for us and you.

Jentry said I am just trying to have the best interest in mind here.

Mike said he would reach out to Eric today with an e-mail to see if he can share with me what that amount is, I cannot imagine it being that much, in a sense that I don't think it is its own line item. We will do that and then we will get a quote on what the fee will be and we will meet with the airport on Wednesday and have this hashed out by Friday. If we choose to do a bond rating, how would we provide that to them.

Meeks said I don't know, I can look into it. We do have a bond rating from last January.

Jentry said he would send that quote to Laura and then she can forward it to everyone.

Mike said we could authorize that \$15,000.00 out of EDIT and that would be a local government fund with money set aside.

Meeks said that would take an EDIT Board meeting

Mike asked if someone wants to authorize me to work with the airport board and Jentry and determine the best way to provide IDEM our financial responsibility.

Gary made a motion to authorize Mike to do this. Tom seconded. All aye votes. Motion carried.

Mike Haffner - Utility Agreement and Highway business

Mike Haffner said I have a couple of simple bores under 400 N, west side and 700 N just to go to residence copper lines.

Mike asked if these were from Frontier Communications.

Mike Haffner said yes.

Tom asked do you know where these are at.

Mike Haffner said the guy from Frontier apologized, I do have a map at my office, but I couldn't get it printed.

Mike asked are you recommending we approve these.

Mike Haffner said I am recommending to do them.

Mike said do you want to see this Gary, it's a standard form agreement with no location on it. Mike Haffner has looked at it and he is okay with it.

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

Mike Haffner said Milestone was definitely the cheaper on the Camden road at Ridgeville that connects on to Como road where there is a dual Community Crossings going on with the City of Ridgeville and Jay County. I did get some pricing if we would help out with the edging, they would reduce all that and pretty much they feel that price will definitely be under what they are quoting is because of the price of emulsion and oil is down. I told them that was fine. I am basically recommending them and they want to start Wednesday on that project. The City of Ridgeville, there is a little bit of confusion, so we are working that out today, because they have marked on the south side of 7th street, but I think they need to go on the north side of 7th street and include that intersection on their tab, but Tom Friend is checking with their Community Crossing to verify for sure where that is.

Mike said so right now there is a gap.

Mike Haffner said right now there is an intersection gap who's going to do it. Milestone said don't worry about it, we will take care of it if we need to. They are going to grind theirs, we are doing wedging and they really need a transition anyway, so Brandon from Milestone told me, if it is just the north side of intersection, south side of intersection don't worry about it we will work it out.

Mike said our share is from the North side North.

Mike Haffner said the way he understands it, that is still within the city limits on 700 so therefore it is their stop sign everything else so they should be responsible for their intersection.

Mike asked how far are we going.

Mike Haffner said we are going from 7th street to the county line.

Mike said and that is how far.

Mike Haffner said 9.3 tenths of a mile.

Mike said that cost to us is how much.

Mike Haffner said they quoted it at \$153,000.00 but there was \$26,000.00 of that was the edging so if we do most of that or help them on that then they will deduct \$15,000 or better, if we use our stone instead of their stone, so basically it is \$153,000 minus whatever I can save on the

edging. I don't have that exact number as of right now. They told me that they would under that, but until they get the tonnage down, it definitely won't exceed that, but if they can save, they are not going to use near as much tonnage as they figured, then it would be reduced. I'm just thinking on that one it is pretty important to go ahead and connect the dot and not have a missing gap. He said in Farmland there is really not a missing gap, so we are going to table that to see where we are at on money.

Mike said you have heard the recommendation any questions.

Gary made a motion to approve the recommendation of the Highway Superintendent. Tom seconded. All aye votes. Motion carried.

Mike asked Mike Haffner what other business he has.

Mike Haffner said the emulsion tank that we bring up at the highway at the last meeting I presented the cost of putting a new tank out at that location and just wondered, electric is kind of estimated at \$2,500.00, I did get an actual quote at \$3,550.00 but I thought the electric went right to the salt barn, that conduit actually goes 400 feet back into main into the building, so that probably about right. I think we are still looking at that 52, 53,000 area for that. I didn't know if you wanted me to pursue that or we are just thinking about it toward the end of the year.

Mike asked if the other one is working?

Mike Haffner said the other one is working. It will probably be at the end of the season to this fall, winter before they would need it for the trade anyway. I was just thinking if we were going to use part of the bond, then when do we need to know that. Can we wait until later on?

Mike said we can wait.

Mike Haffner said then we should continue to table that.

Mike said I think so, considering everything.

Mike Haffner said the only other thing that I have, I will just hand it over to Tom, Oscar Lawrence did give me an estimate to remove the old fuel system from the old county highway building, \$26,440.00. Again, that is just to give you a quote if you did decide to remove it what that cost would be.

Meeks asked if that included the underground tanks.

Mike Haffner said yes.

Tom asked if there was any credit for the pumps or any of the equipment out there.

Mike Haffner said I asked him that and he is checking on that to see, he didn't think he would be interested in it, but he has another supplier/vendor that deals with some used stuff, he possibly could give us something, but probably not a lot is what he told me.

Mike said right now they are being inspected every six months and that is going to change.

Mike Haffner said they have not given me an actual date, they told me that date was going to change in 2020, but with all this stuff going on, we have not received any letter saying they are going to inspect it anything. I think our next inspection will be November and we hope to have those tanks out of use by then, so therefore they wouldn't need to be inspected. There are requirements when you abandon them, there are certain procedures and he told me that the cost would be roughly around \$4,000.00 to legally close the system down.

Mike said and once you do that, then you don't have to worry about inspecting them anymore.

Mike Haffner said then you don't have to worry about inspections anymore.

Tom said another question is, if we were to lease that facility, would the lessee want those tanks and assume that responsibility. The value of having tanks there, I don't know what that would entail. I had two realtors give appraisals on a business lease last Friday to give us an idea of what we would lease those for, there is interest of people using those tanks, but I don't know.

Mike said he has had a couple of people approach him and they both, based upon what their intended use would be, would have value in those tanks.

Tom said that is a question, if somebody would be willing to take that liability over.

Mike Haffner said at least you have a rough price if you did have to remove them what it would cost.

Tom said if we have to maintain and keep them or get rid of them.

Mike Haffner said I can check on that inspection and the exact cost and send all three of you that information.

Mike asked if he had that information in an e-mail.

Mike Haffner said he did.

Mike said to forward it to Laura and she can forward it to us or you can just forward it to each of us.

Mike asked if he had anything else.

Mike Haffner said no.

Tom asked Mike if he had tar in the emulsion tanks now.

Mike Haffner said yes.

Tom said you are not planning on or you don't have anyone to run the box.

Mike Haffner said we are using that emulsion in the tanks for our total patcher. What we use for chip and seal is a different material and it comes straight from a tanker truck.

Tom said I was interested in where you were at on 1100, I didn't know how many miles you wanted to chip and seal or had intended to chip and seal this year.

Mike Haffner said right now, I do not have a distributor operator, my distributor operator quit and they shut the schooling down, so I could not get a person trained and Wayne County has offered if we need to send a driver their way, they would help train, but that's a lot of money and pretty important position, so I probably won't chip and seal any this year. I realize we have some money to do it but I don't want to waste money if we don't have a good operator and trained.

Tom said what I was thinking is that we did some tar on 1100 was pretty bad, so Scott Fisher has a clam shell truck that he did basically chip and seal, I thought about experimenting with him and trying to put some tar down and let him coat it with stone like he did on 1100. It is a very different technique, he can drive 25 miles per hour spreading stone over the tar. It seemed to look pretty good.

Mike Haffner said it is good for bleed through but it would not work for a total chip and seal road. First of all, for a bleed through environment it was okay. I still have a box and I still have a box operator and I can take it out and we can put down the exact amount. If he goes a mile faster or a mile slower than you don't get enough, it worked fine for that type of environment but I would not recommend it to do a chip and seal road with it. The emulsion I use has a palmer additive that goes down into the cracks and actually seals the cracks, you have to spray that down and then you have to put enough aggregate that you don't pull it back off, but if you get too much then everybody complains because you have loose gravel. We have had too much problem with that.

Tom said I thought trying this on a few miles, it would not hurt to experiment.

Mike Haffner said anything we do over in the windmill area that is eventually going to be, for bleed through what we are doing, he is probably, the good thing about him is he is just covering one side of the lane, my box is so big and by the time I get my trucks, we pretty much have to shut down mile to mile, where he didn't have to, he was able to let people pass, but if you look at that, there is missing strips which is fine because that is what it is. For bleed through and putting stone down on a road that is bleeding, I think that type of system is great.

Mike asked if there are roads out there that if we had the proper personnel you would say need to be chip and sealed?

Mike Haffner said absolutely.

Mike asked is there a firm out there you can hire to chip and seal?

Mike Haffner said in our area, no.

Mike said what does that mean.

Mike Haffner said Milestone can do it but they only have a rig and they keep it down in Texas, so there is nothing local and you are at the mercy of when they can do it. I think it is more important to keep our total patcher's out there and take care of our worse cracks so if we get a freeze and thaw they won't come apart. Normally you try to run about 80 mile a year, we been running 120 plus over the last three years, since I have been here. We are okay, my recommendation is we save the money and then our budget and transfer it, our budget is cut so we were looking at maybe only doing 50 to 60, with the can-yover ifl can do the 80 to 100 next year, I think we can do it ourselves a lot cheaper and I don't think we are going to be in any jeopardy of losing any roads, because we didn't do the 40 or so this year.

Mike said are there roads out there that Scott Fisher can help us with?

Mike Haffner said definitely any road over at the windmill and I believe he has already been instructed, he is working for the windmill company right now. He is doing all of the bleed through roads and that is just going to help that situation through winter. They are not putting any emulsion, right now as hot as it is, you don't need the emulsion because it is hot and sticky and we are taking care of the rest of the county, I've got three trucks that go out practically every day and take care of our bleed through's.

Mike asked if there were any more questions or comments.

Mike Haffner said right now with my budget, I really don't want to do any outsourcing.

Terry Burnworth - permission to send out RFP's and bids for the 911 Infrastructure project

Terry said a couple of things, one is, we are looking for approval for two different things. One is an RFP which you utilize the RFP method when your comparing apples and oranges rather than hard bid and that is for the recorder, the log in recorder system for dispatch. I am asking for approval of that and then also tower bidding. The tower bidding will include eight packages. The tower steel, the stacking of the tower, concrete, the shelters, the system, the fencing, the civil work for the compounds and then dispatch furniture in the jail. We are bidding this but we are not going to be stacking these towers until probably October, but the procurement time on the steel is so long. Its three months. Gary has actually been attending the progress meetings we been having every two weeks with the vendor. The schedule will be, we will put it out on the street, we are about 90% done with the documents right now, it will go out on the street on July 22, the bids will be do at the Commissioner's meeting on September 7th and we will take them under advisement and then the following meeting they will be awarded. Before you make a

motion on that I want to give you a quick update, the five channels with 700 Megahertz, the STA's which is the first process of going through those channels being given over to the county, your ownership, that is part of your system and the STA is a temporary license and then it goes through the final license with the FCC. All sites as of last week have 300-foot approval from the FAA, that got approved last week. The one at the highway department was in a fly around, but nobody at the airport objected to the 30-day procedure that we went through on that. Shippo has approved two of the sites, the only reason they haven't done the site down at the hog farm is because Ball State just got finished and we sent it over to the State Historic Preservation office, the DNR. FCC has already started on all of them which is called your ASR's, the Antenna Structure Registration and the functional test for your system is scheduled for August 13th at Columbia City. That is your vendor J & K Communications, there is about a 24-page document that we go through for the functional testing and then Meeks on the southern site, I talked to Tim Hagey this morning and he will definitely have that instrument done for you this week for that purchase. We just did 100 foot by 100 foot. We know your compound is only 75 x 75, we just went a little bit outside of it, understanding that when the tower is being stacked there will have to be a lay down area. That is where we are at.

Mike said our meeting is on the 8th of September. The 7th is Labor Day.

Terry said that is what I am looking at for approval as the executive body, you have to approve that so that I can put those on the street for bidding.

Mike said on the RFP we have steel, stacking, concrete, civil work, recorder, furniture. You said there are eight.

Terry said that is actually the bidding, there is the tower, steel and stacking, those are two. Then the concrete, the shelters, the electrical and fencing. Locally within this county, those should be really competitive, the concrete, this is not specialized concrete, when the tower steel is done, they send a set of shop drawings to show and they have to send the anchor bolts and everything, these concrete systems are not piers that go down 50 feet, we stopped doing that years ago. We are basically a 30 x 30 big hole that goes down 6 feet and then there is a 3-foot-deep mat, yes all you see are the piers that are above because they are short piers, the point being that somebody locally could and should be bidding on this. The ten or twelve truckloads of concrete does a dead poor basically. The electrical without question, basically is a 200-amp service at every site, the fencing is just basic chain link fencing and the civil work, those should be going to local people. I also want to reiterate if you remember because broadband is so important to this, we are bidding the 180-foot sites as an alternate cost, because that way we know what that cost factor is, we know that two of the 300-foot sites, the north and south will probably be utilized for broadband, we are finished with the broadband report for Ceann. They moved that meeting off when the virus started and we just have not gotten another meeting to present that report to show where the 180-foot sites would go. I'm not concerned with those because those don't require FCC approval, that's just a flight plan approval. You are one of the very few counties that actually takes into consideration the broadband and what has to happen.

Mike said we need a motion to approve your recommendations.

Terry said yes for the bidding.

Mike asked is there any questions for Terry or Chris.

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

Meeks asked Terry if we have received the freedom of information stuff fixed.

Terry said he had not received the redactions.

Meeks said we need somebody to say these are proprietary trade secrets with the redactions.

Tom said Terry we are burying some fiber around in the southwest part of the county, would that impact where you site towers.

Terry said yes.

Tom said so that would be good for you to know.

Terry said absolutely right.

Tom said I will try to get that information to you.

Terry said the only other way we can get it back is through a microwave and we all know fiber is what you want.

Tom said we can give you the general area.

Terry asked if you have that as a pdf.

Tom said yes.

Terry said if that could be e-mailed to him, that would be fantastic. Because that is extremely important. What you are doing on your three major public safety towers, your microwave system will be able to carry broadband also, but we don't have that for the others. We would have to put on the microwave, if we don't have what your saying. Fiber would be so much better. The thing is some of these vendors may assist you with bringing fiber only because they want that tower.

Ed Thornburg - Section Corner Agreement

Ed said this is the same thing we do every year, it is what we are intending to work on this year.

Meeks said don't we have them all done yet, how many corner stones are there.

Ed said there are around 1700 overall. The state requires us to reference so many of them every year and now we are at the point of trying to reestablish long lost corners and go over and make

sure we have them all, nearly everything is GPS at this point. We have the money, surveyor's perpetuation pays for that, so financially we are good on this. I just need your approval.

Mike asked who is Louis Bergman?

Ed said Mote & Associates out of Greenville Ohio.

Mike said I thought that was the case but there is no reference to that at all on here.

Ed said we have had the same firm doing the section comer's here for over 30 years now.

Mike said it's a pretty standard agreement and we have the money, if it needs to be done, I'm not sure there is a whole lot to discuss about it. If you are recommending it as county surveyor.

Ed said yes, I am. This is our main responsibility outside of ditches.

Meeks said you are legally required to do it.

Tom made a motion to approve the agreement with Mote and Associates to do the comer stones. Gary seconded. All aye votes. Motion carried.

Solar Ordinance

Mike said I see that Randy is here and Chris is here. Do we want to talk about the Solar Ordinance right now? Randy, Chris and Matt if you want to come up and we can talk about the Solar Ordinance again.

Meeks said Tom and I had a meeting with Chris and Matt and we went down what we had discussed on Wednesday with them, then we had the e-mail that I forwarded with the 12 items on there and a lot of them, looks like they agree. We concluded that it would probably be a good idea to discuss it again today, because the company really wants to get started. When is our public hearing?

Randy said it will be July 22.

Meeks said July 22 is the public hearing, so it would be nice to have this done at that point and then we can hear public input and if we have to amend something we could.

Mike said I am not seeing your e-mail with the 12 points that were discussed.

Meeks said it was sent Wednesday.

Randy said he will add that the Solar Committee has invited these two gentlemen to meet with us this week at some time and place. We had several questions on things and of course without having you two gentlemen there it is pretty hard to answer the questions. He said they made several decisions that night but not a complete agreement on what should be done.

Meeks said when did we have that solar meeting.

Mike said Wednesday night July 1st. A couple of things I'm going to take away from the meeting is, in our last meeting here, we through out a recommendation as to a residential buffer zone of 400 feet from the house, 40 feet from the property line with screening, or 20 feet from the property line with waiver and I was a little naive, I was looking at a house being sided on one side in that respect and in our meeting Wednesday night it was brought up that some houses out there will be sided on three sides and Randy is saying four now. It was raised that night by a citizen that a property owner could seem very small out there if they are surrounded on four sides by solar panels, I'm wondering if there is something and I've heard from other people in the county, farmers that are not involved in this at all, that is a little much and maybe we should look at protecting those folks a little more than somebody that just has it down one side or two sides. I left that meeting and I shared a little bit of that with one of the committee members and I think we should be able to find a way to protect that property owner that's going to be bounded on four sides and I don't know how to do that but I think we should be able to.

Randy said that was a concern of the committee after that.

Mike said you mentioned it in your e-mail, but I didn't think about it.

Tom asked how many people have solar panels on three for four sides?

Mike said I don't know.

Chris said there are a couple, two or three that I can think of off the top of my head. I know that we have verbal neighbor agreements with those landowners, there may be a couple that we have not been able to connect with yet, but we have made some progress there.

Mike said I don't know how we put that in the ordinance.

Randy said it needs to be in the ordinance for all developers coming into Randolph County. I think that is why the committee wanted to meet with these gentlemen to hash out the possibilities and honestly, we want their investment in the county but we don't want it to be at the cost of individual property owners.

Mike said it boils down to protecting the individual property owners. If you have them on one side protection can be this, if you have them on three or four sides protections should be this. Reasonable people would understand that.

Randy said we have an individual farmer who made comments later in that meeting. He said what about this for one side, this for two sides, this for three sides, that sounds good but how do we do it in a way that were sure it is going to protect them.

Mike said he had one of the solar farm lessor's contact me and obviously he was kind of anxious to get this put to bed and I told him our dilemma and he said he could appreciate that. You weren't able to make it Wednesday night Gary and you kind of serve a special roll in this

because you are on the area planning commission and I don't know where to go from here because for me that has changed what I was recommending, but it is the only change in what I was recommending from the previous meeting. I thought the seven points that were made prior to our meeting Wednesday night, I thought they were all fair and I thought that we recommended some fair compromise in developing those seven points and then this two, three, four side issue came up and that is the only unknown in my mind at this time. The committee may have more, you guys may have more.

Randy said as we are getting more public comments we are seeing some more. One of the comments made that I thought had some validity, that the committee also believed it had validity was that there was no prior notice to anybody in the county that one of these things is coming in.

Meeks said there was prior notice, we have to have all sorts of agreements.

Randy said most people that I talked to had now clue and you have almost all of your agreements done.

Mike said I have not seen any agreements, I don't even know where the farm is. Randy prior notice is, I don't know if it is the responsibility of county government, it's the responsibility of media and it's unfortunate that we don't have media here that we used to have that could give that prior notice. Even if you don't subscribe to the Winchester paper there is enough people that subscribe to the Winchester paper, that when it was daily, everybody knew what was going on in the Winchester paper and it's unfortunate that we don't have that. I don't know how you do prior notice and maybe you can come up with a reason to do that.

Chris said the planning website has a site on it.

Mike said he had a call yesterday that a farmer wanted to share that the property owner needed to be protected and he would discuss this, are they going to have public hearings. I said we have been talking about it for almost a year now and they had a meeting, you guys meet once a month and we meet twice a month and it has been discussed but their information stream it wasn't given to them and even if you offer prior notice that information stream is not going to get to everybody. Back to Tom and Gary, I don't have a whole lot I want to discuss about it this morning, but I will listen and we can talk about it if Randy has things he wants to share or Chris or Matt if you have things you want to share or if Gary and Tom have things you want to share.

Meeks said I just forwarded you the e-mail that came from Chris.

Mike asked if anyone had anything they wanted to discuss this morning.

Chris said would you guys mind running through the points and talk about where they are at in the ordinance and have some discussion on it.

Mike said the first one is AL. As I said Wednesday night AL to me was okay as long as we protected the unincorporated and the incorporated cities with a buffer zone, meaning set back and that leads into the protection of residences and that leads into protection of residences with

three sides. That would be my comment on that point. That was advised of the residential set backs screening that we discussed earlier, I shared with the committee that night that our intent on that was that the developer pick the setback, not the property owner and I think that was a misunderstanding with the committee again relating to one side versus multiple sides. I don't see how this set back can work if you have somebody surrounded by four sides. I don't think that is protecting that property owner.

Chris said I think that is fair. Just to clarify, in Ag L your thinking this is permitted use and there would not need to be waive process for that.

Mike said no special exception. It would be a permitted use in AL and again it goes back to there needs to be an establishment that its going to be so far away from the center of that unincorporated town or the city limits of that incorporated town. You want to protect those area's around those communities for future residential development. You can't protect them forever and you can't protect them far out.

Randy said the suggestion came up in the meeting because of the difference in sizes, that you go from the original platted town which is usually a plat on the map. If you want 1000 feet from the center of town, it might be to the edge of the platted on some towns and past that on others.

Mike said to me, we are only talking about nine communities, unless you count Albany. Losantville, Modoc, Lynn, Union City, Saratoga, Ridgeville, Winchester, Parker, Farmland, Albany.

Meeks said an issue that came up at our discussion Thursday was with an unincorporated town goes the understanding where that set back begins, we can have reasonable differences. The center of town we can't figure out because it is an unincorporated town. The company and I totally understand were having trouble with their investors, prove to me exactly what your set back is and why. With an unincorporated town we can't really say 100 feet from the edge of town because there is no edge of town in an unincorporated town.

Mike said what about the original plat of the unincorporated town as Randy just suggested.

Meeks said some of them would have plats and some of them won't. Deerfield would, I don't know, I have the original plat book in my office, if you look at those, you probably couldn't even figure out on the ground where those ended without getting a survey. I think it should just be set back from the house. Because then we know where the property line is or the house.

Randy said a lot of these little towns when I look through them, like Spartanburg and others, maybe on my GIS it's not the platted town, I don't know, but there are labels on R1 and R2's in those towns and there are lots, I am assuming that is the original plat, I do not know. You have numerous plots that could be developed that have no homes on them. I don't know how far out they go, I don't know if that is off the original plat.

Meeks said I will say we were in a yearlong mitigation that when we vacated an alley in Deerfield and literally a com field was a platted as a subdivision because Deerfield was going to

become the new Carmel and so we vacated an alley and we were in litigation and we would have never have ever thought that anybody should have been set back from that original plat because it was never developed. I had one in Ridgeville, same situation, it was a junk yard, the probably had 50 lots on it, it was a field and when we did new assessments they got 50 different tax assessments for 50 different lots and they all had the minimum value, so that field went from however much an acre to \$5000.00 per lot. Lots of these original plats were never developed. That is the problem with that and that is just two examples that I know of.

Mike said I am looking at this list that you sent Chris and on this second one, the Commissioner recommendation is 40 foot set back from property line or 20 foot set back from property line plus waiver from land owner, special requirement where home is within 400 feet of commercial SES screening is required. Did that change after your meeting with them. He said our recommendation at our last meeting was a 40-foot set back from a property line with screening or 20 foot set back from property line plus waiver from land owner or 400 feet from...

Meeks said special requirement where a home is within 400 feet the SES, screening is required.

Mike said that is not what we recommended.

Chris said it is the same thing.

Mike said other than if that home is 800 feet and you still go 40 feet from the property line, we were talking about you still needed screening for that 40 foot.

Chris said okay.

Meeks said that is not what I thought.

Mike said I said it and that is what I thought. If you disagree let me know.

Meeks said I thought the discussion was that if you were 400 feet away, you didn't need screenings. That is how I took it.

Mike said if you are 400 feet from a house you don't need screening, but if you are 40 feet from a property line and use choose to use that as your set back.

Meeks said here are my notes, 400 feet, no screening required. 40 feet set back from a property line. So, if you are 400 feet from the house.

Mike said you don't need screening if you choose to go that way. It may be semantics. I don't know what the special requirement means on this list where a home is within 400 feet of a commercial SES screening is required.

Chris said we were just trying to clarify the verbiage there. We thought it was no matter what, you will be 40 feet from a property line unless you have a neighbor agreement, if there is a home

within 400 feet, you will have that screening there. It covers the screening aspect and puts it into two options neighbor agreement or no neighbor agreement set back.

Mike said if you are less than 400 you would use the 40 foot. Okay I understand that. I don't think we had any issue with the burial depth did we.

Randy said I don't think so.

Chris said the way the ordinance reads now is that all transmission cable needs to be buried at 48 inches within or outside of the fence. Our intent from the last meeting was that within the fence...

Randy said we defined that as collection cables inside the fence. Maybe it is just a definition difference here.

Mike asked what does that mean. If they are inside the fence does it matter whether they are collection cables or not.

Randy said it is our understanding that anything inside the fence is a collection cable anything outside is a transmission cable.

Mike said then we are okay, anything inside the fence could be 36 inches.

Randy said maybe it is just the wording that is not clear.

Mike said anything outside the fence would be 48 inches, is that what you are saying Chris?

Chris correct, anything inside the fence would follow the national electric code and then outside would be 48 inches.

Mike said we agreed to that.

Chris said just the verbiage of the transmission cable, in industry terms, basically that means anything coming from an inverter, so when we see that we think that also means inside of the fence.

Meeks said everybody is going to think that.

Chris said yes, absolutely.

Meeks said if we are going to make it for everybody, we probably need to redefine, we probably need to say inside the fence. Because the next person is going to think the same thing.

Mike said the next one is the set back from right away. Reduce the setback to edge of right of way plus 60 feet.

Tom said setback to panels.

Mike said that is what we discussed. The next one is a new one to me, it wasn't on the list of seven that we had gone through before.

Chris said we have added a few more items that are a bit less crucial than our first seven, but they are still important things to bring up. The next one is initial site development, basically schedule on this project is everything, we are going to be pushing incredibly hard to get through and finish this project before the end of year next year, we will work through the winter, so with that in mind, we would like to be able to perform initial site development, such as grading, working on the substation and lay down yard as soon as possible, so the idea is to write into the ordinance that we might be able to start this work once the county agreements have all been completed, the EDA, Decom, RUA, but before the permit has been provided to EPR in case we struggle on getting through some of those aspects on time.

Mike asked what happens if the permits are not issued.

Chris said we take it all down.

Tom said it's all on them.

Randy said people come in every day wanting to dig a footer, put in a drive and I say that is fine but if you don't meet the setbacks, you don't do this, its on you and until that permit is issued it is on them. We do that daily, I talked to the company and I said you can go ahead and do it, its on you guys though, its not something I want to put into an ordinance and make the county liable for.

Mike said I don't see where it needs to be in the ordinance Chris, if you are willing to take that risk.

Chris said we are fine with that, we are just looking for clarification essentially, not having it in the ordinance with the understanding that we can go ahead and get started on that work, we are totally fine with that.

Randy said I will mention also that when people come to me with that, I say if you are over 20,000 square feet in the county and you go to the drainage board it is considered impermeable and even though we don't issue permits for driveways and parking lots and things like that, it is important that they contact the surveyors office to make sure there is some kind of erosion control, some kind of drainage acknowledgment and that's been looked at. The building department does not issue permits for driveways and parking lots, but those things do need to be looked at.

Mike said next is screening approvals. That's a new one too.

Tom said we said this is what screening is and this is what you do. But the ordinance says the landowner has to agree to that.

Randy said is says the landowner has the choice of where to place it. If you have a long strip of a property and the maximum is 726 feet, they can choose whether they put that to the road, put that to the back of the property, or put it in the middle, the placement of that is to the landowner. They are going to have to put in 726 feet no matter what, we think it is reasonable to give that choice to the landowner, whether he wants it toward the road, toward the back, toward the middle.

Tom said so they could be placed on the right away.

Randy said no, you cannot place anything on the right away.

Tom said so you could have 726 feet of fur trees right next to the road, right next side ditch and if are the one in a million that have that deer race out in front of you, that just creates a barrier for people to be able to see along the road.

Randy said I can take you to any road where there are woods right up to the right away.

Mike said those woods were probably there before the right away was.

Randy said com fields are the same way. They go right up to the right away.

Chris said are only issue here is that there are a lot of cases where you can't get in contact with the landowner, they just don't want to talk to you and so making that requirement makes situations like that difficult. We are working with landowners where we can.

Meeks said instead of approved, if they said something like with consultation by the neighbor, you would have consulted them.

Chris said yes, absolutely.

Meeks said I think you should ask and if they don't respond then put it where you want it.

Randy said if you send a certified letter or something along that line, where they sign that they received it that could be done.

Mike said I heard it mentioned that the landowner may want the screening on their property, that way they control it. I don't know if that is feasible or not. The next one is page 17 and that has to do with color, finish and glare. That is a new one added too. I thought these were all resolved.

Chris said we did too, we thought that what we agreed on was that at the time of permitting, we would show that we had the matted material or we would not get the permit as apposed to the way it is drafted now where it appears to be post permit issuance issue.

Randy said one thing it was worded, I'm not sure it came up at the last meeting, but the last paragraph, I think it was by the recommendation of, I'm not sure if it was area planning or Meeks, based on c it says the applicant has the burden, we took out proving, of mitigating any glare produced, so as not to have significant adverse impact on adjacent uses. Mitigation is accomplished by panel siting, panel orientation, landscaping and/or other means. The determination of the Executive Director of the APC shall be conclusive relative to applicant's compliance with this standard. Honestly that can be appealed to BZA, I think that was the wording that came up. We did change that and also that is something that the committee is looking at, I would not suggest that you bring a panel into my office and have me make a decision that would make us liable later on down the road, if it reflects and somebody comes back on the county. I have no way of knowing if they bring me a panel, if it is placed here or somewhere else is that going to reflect and cause a problem without picking ever las point. You would basically have to install a panel where they are going for me to say I am not getting any glare. Then you would have to do 365 times a year, everyday the sun is going to shine a little different, I don't understand what would cause the glare and so that is just to protect the people. I don't know why, if anyone has seen the panel down here by the church on Base and Greenville Pike, I think it's pretty obvious those panels have been in jested to be higher than the standard tilt. I had intentions to go to the church and ask them why they did that, if they were causing glare or if it was just that was what they were told to tilt them to. It is obvious those panels are tilted.

Tom said if the glare is a safety issue then it comes under our purview.

Randy said if you look at the definition of glare it has to be, I don't want to say debilitating.

Mike said let me see your language on this. Chris, read to me what your language says that you are objecting to.

Chris said Randy read the language we are objecting to. We are saying at the time of issuance of the ILP the applicant shall provide a sample of the selected solar panel and related components to demonstrate compliance with the section right above which has to do with that the panels have to be mounted, oriented and screened so that glare is directed away from adjacent properties. Then it says issuance of the ILP shall conclusively establish compliance. I think our point is, is that there does need to be some point in time where it is determined that our panels are material and their orientation meets that standard, that is the whole reason why you issue an IOP as opposed to creating another real open-ended post permit issuance evaluation of someone's perception of glare. The reason we have all of these other requirements for limitations of height of the panels, the screening, the setback, the materials being used is to assure that there isn't any adverse effect on adjoining property owner. That is why we are saying that this needs to be built on something objective.

Mike said I think we had that conversation a long time ago.

Randy said the problem is there is really nothing objective here. If you site a panel 400 foot from my house is that going to affect the property value or not.

Meeks said that doesn't have anything to do with glare though.

Randy said no, I am just saying, glare is the same way, if you site a panel and it's from the industry and it is mat finish and you place it out on a property, how can I say sitting in an office this isn't going to cause glare.

Mike said it is going to cause glare, is it going cause glare that affects the property owner.

Randy said or affects someone driving down the highway.

Mike said and glare is pretty subjective.

Randy said yes. Unless you want to do a light intensity or something like that and I don't know the science behind all that. How we should do it.

Mike said if you leave it as not part of the improvement location permit then you will never get an improvement location. You will never be able to know whether or not you have done it right and that is what the improvement location permit is for. I've met the standard, I can go forward without risk but says I'm doing it wrong. If a property owner complains later and says I'm doing it wrong, then that is on the company and the county but I don't think it is the county by reason of ordinance, if you interpreted the ordinance wrong, then they are responsible but if they are creating glare on me and I don't like it, then I'm going to sue them.

Randy said it is just to avoid suit, it's for mitigation.

Meeks said I don't think that is correct.

Mike said you are never going to avoid suit, that is what lawyers make there off of. You're not going to avoid that. If someone doesn't like it and I think to not make it part of the, if I can't come and satisfy the ordinance at the time I get my improvement location permit, I'm not going to want to come. And that is with any building in the county, if I'm building a commercial property and the ordinance says it can only be 30 feet high and I'm going to build it 30 foot high, if it says you can build this property but after it is built, I can't tell you it's going to be okay because the neighbors may not want it 30 foot high, I'm not going to build that building there.

Randy said I thought the problem is definition of glare. How do you define glare, I don't think any of us want glare, but how do you define glare? Just because the panel was adopted by industry doesn't mean that it won't be one color.

Meeks said who defines glare would be the judge.

Mike said if there is glare to you, it may not be glare to me.

Randy said exactly. Then eliminate c. and do away with it. I don't think I want a panel brought to my office, if it is a standard panel that is used for the industry.

Mike said the copy of the ordinance that I have eliminates c.

Randy said we did eliminate it at one time.

Mike said the wind ordinance has something similar, you won't interfere with tv. If they are interfering with tv and somebody is complaining, then they are going to correct that.

Randy said but that is in the ordinance, so we will take the glare out.

Mike asked where we are at.

Chris said number 11.

Mike said I thought that was resolved too, when I go the list of seven. We dealt with these seven in two meetings now and now we have 11 or twelve. I thought the others were resolved by the zoning committee and EDPR.

Chris said the drainage verbiage, we just wanted to clarify on this one the language in the ordinance says that you cannot interrupt or damage a drain tile, and in order to build this project the idea is that we will be rerouting drain tile in some places and repairing it in some places. Just to get the infrastructure in there and make sure that the land can drain. We were hoping that the ordinance could reflect that EDPR has the ability to do those things rather than saying that we may not interrupt or damage drain tile.

Mike said you are going to work with the property owner and/or the County Surveyor to develop a drainage plan for the solar farm.

Meeks said it is also in our road use agreement. I don't see any problem because we will have a legal agreement if you damage it.

Mike said if there is a public right away, drainage right away on there you are going to have to resolve that issue drainage board or surveyor.

Chris said I appreciate what you said about thinking these were resolved, the initial seven points, we did too, when we went to the study committee meeting on June 17th this section was highlighted and it started to sound like what was being said is that we couldn't do anything to affect existing drainage patterns and we just wanted to be upfront that those may change in accordance with our approved drainage plan. So that is why I wanted to call that out.

Mike said to Randy do you understand that, are you okay with that.

Randy said has the recommendation to do this been changed, or leave it alone.

Tom said it should be in the road use agreement instead of the ordinance.

Mike said if I am hearing right, it's a matter that we are not going to negatively affect the drainage of any property and if they do they are going to repair that and in order not to they may move drainage subject to the approval of the landowner and/or the drainage board depending on what drain it is.

Meeks said Indiana law says that you can't speed up, you can't hold water to dump on your neighbor, they can't do any of that stuff. Water is the common enemy, as the common enemy you cannot hold water and dump it or reflow water onto your neighbor.

Randy said I don't think this really changes the intent of what the committee had at all. It is really up to your recommendation. That is why I would like them to come to the committee, but I don't see that, that changes what our intent was. That is my opinion but it really needs to go to the committee.

Mike said what is the training requirement here.

Chris said in the ordinance, it reads that the Solar project developer is to provide emergency services training. Our intent is to provide specialty knowledge and to invite emergency services to those drills to react to any situations that might occur, but we really want to make it clear that we understand that these personnel are highly trained, they have real certifications and we are giving them the information that they need to make the best decision in the moment, we are not replacing their training with training and that is why we want the verbiage training to come out of the ordinance because that is not the intent of what we are doing.

Mike said I'm not sure it is appropriate in zoning anyway. He asked Chris Shaneyfelt if he had any thoughts on specialized training for solar farms.

Chris said specialized training can be anything from drills to any kind of exercise. Training is about as hard to define as glare.

Meeks said the words "specialized training will be provided at the operators expense to these entities and the entities of the fire department. Lockbox and key shall be provided to the emergency personnel."

Chris Shaneyfelt said it doesn't have to be a certification process. What can we do to mitigate any issue that may be? He said it is just like the wind tower, we don't have the personnel to go up and rescue those people down from them and we received minimum training on the depression injuries and stuff like that goes along with being in a harness, so it doesn't have to be anything elaborate.

Randy said a member of the fire chief association attended our last committee meeting and his comment was they definitely do want some kind of training. I asked him, how much turnover do you have, obviously if you had half your department turn over and had two or three new members, you would probably want new training. So, I asked if we need to put time limits in here like every year or two years, the question is should there be something put in there at the

request of the responding fire departments. Because of new people coming in and out that would need that recertification or retraining in some fashion.

Mike said I would think the burden would be on department to do that.

Chris said we are okay with that section saying, some acknowledging, this is just a concern from operations that training might be interpreted as something more.

Chris Shaneyfelt said you are not saying a certification process, you are just saying training and to me certification process involves testing and other things saying you are actually certified in doing something, like being a firefighter. Just saying training, we do audit and reviews and just review a call and call it training. I can tell you most of the local firefighters aren't going to get that intent with it. They are just going to be like, show us what we need to do to be safe and if there is something we need to shut off, how to do that and that is all they care about. They are not looking for a certification.

Mike said solar easement compensation.

Chris said the ordinance stipulates that all of the compensation arrangements for our solar easements need to be shared as part of the permitting process and what we intend to share is a memorandum agreement that shows what has been agreed to with the corresponding bids but not the payment terms as those are private agreements with the landowners, so we would ask that, that requirement be struck from the ordinance.

Meeks said it is the same thing for the wind, right, you don't tell them what the landowner gets.

Chris said yes, we just provide the memorandum which is recorded with the county.

Mike said if I would have an agreement with you, I don't think I would want my agreement shared.

Randy said the committee just looked at the wording in the Indiana code.

Meeks said that would cause a lot of hard ache for the neighbors.

Mike said if a neighbor wants to know, he can go ask his neighbor.

Randy said the requirements in IC 32-23.4-5.2 says any terms and conditions under which the solar easement is granted will be terminated, that is a requirement to be recorded and reported. We were going to leave that up to the attorneys to decide what that means.

Meeks said I would say take it out, the compensation part.

Mike said easement agreements is what you are talking about, you are not talking about compensation agreements, you are talking about several easement agreements which would have compensation in them. That could be rewritten to meet state statute to what's recordable.

Mike said eliminate TCLP test, I thought we had gotten rid of this too.

Chris said it is on page 16, it is the one that requires the TCLP test be done on the proposed model of panels. We are asking for that to be deleted, that is a requirement to be done when decommissioning if you decide to dispose of a panel, there is a detailed procedure for conducting a TCLP test on a retired panel that your sending to the landfill but not typically done at the installation stage.

Randy said the feeling of the solar committee was without this information how do you give consideration in the decommissioning agreement. The difference between just throwing it in a landfill and when I talked to our landfill, the said yes it has to pass that TCLP test, if it fails that test they can't take it, it has to go to either recycling which is 40 cents per pound or has to go to a hazardous landfill. You are talking the difference of roughly \$600,000.00 going up to \$12,000,000.00. We are just saying you need to have this test done prior to using that panel, so that in the decommissioning agreement value can be added whether it is going to have to be recycled, repurposed or some other issue comes up. The landfill also told us even if it passes the TCLP test, this test identifies hazardous waste within the panels, the government has specific standards on how much can be in, how much can leach out. The landfill told us if they see certain elements contained at a certain percent within these panels, they do not have to take them.

Meeks said in our decommissioning agreement that we had with the windfarm, it is similar to what I think we would have here and that is a decision of the Commissioners, its up to the engineer we hire because we will hire an engineer to tell us what the cost of decommissioning is. In that cost the engineer would take into consideration everything in that panel.

Randy said you would want to make sure that everything gets done, that is why it's in the ordinance.

Mike said I don't think they mind it being in the ordinance, I think they mind it being in the ordinance at the time of the permit application.

Chris said there is no procedure for conducting a TCLP on a virgin solar panel. It would not provide that data at all as far as helping you to alleviate a decommission cost. We are talking about decommissioning a project, decades from now and where the world in respect to recycling and the market is, is something that you could not predict or add light to by a TCLP test conducted prior to installation.

Meeks asked do you guys recycle panels. Panels will break, right.

Chris said panels will break, whether those are landfill or recycled, there are some scenarios where we have agreements with the provider of the panels, where we will send it back to them to be reused. I don't think we have that agreement with our current panel supplier.

Mike said but that is your responsibility until it is decommissioned and then it is still your responsibility, so it becomes the counties responsibility if you fail to follow the decommissioning agreement.

Chris said that is correct.

Meeks said it is the counties responsibility then to make sure that we are covered to the decommissioning, with a letter of credit, with a bond, or with something.

Tom asked Chris how long have you owned solar farms?

Chris said I'm not sure.

Tom said how many have you had to replace, how many have been destroyed of the thousand you own, what is the tum over?

Chris said I don't know the answer to those questions, I think that's the kind of analysis that we would want to go through and determine the decommissioning as apposed to inventing a process that is not industry standard and not really available.

Meeks asked who would do a TCLP test? Would that be possible, since you can't do it on a virgin panel.

Randy said you can do it on a virgin panel, you can do it on any panel and it only cost two or three thousand dollars.

Chris said it doesn't show you, doing it on a new panel isn't necessarily going to tell you that at all, it would show zero leaching, because by nature that you are doing that to a panel that is not been used. It made lead you to a result that is not at all what you are trying to measure.

Meeks said that makes sense.

Randy said I don't think that is the case, but I can research it more. I think that the committee was very concerned with this being an issue. Because of the added expense that it could bring to the county and could bring to the land owner as well.

Mike said it is only going to bring that added expense if the decommissioning agreement fails.

Randy said that is true.

Meeks said and they have contracts with the land owners that have provisions, they have decommissioning provisions in their contract, I read it.

Mike said I think it is an added burden that is not necessary.

Meeks said its an added burden that is already going to be covered by the decommissioning agreement.

Mike said I mean it is not necessary to be put in the improvement location permit process. At some point in time it is going to have to be determined. The agreement should cover that.

Randy said are we also taking out the not to use cadmium panels then, it is just any panel of their choice. Because cadmium panels they perform these leach tests on brand new panels and basically the TCLP test does, it mimics a landfill, so that the glass and all of the panel is matched up in one way or another and it mimics like a hail storm or what ever it is that would happen to these panels, so the question becomes what leaches out of the panel and how long does it take to leach out and what elements come out and that test will show you all of those elements and give you a detailed report on that. If you have a hail storm and it all hits and leaks out, if it has cadmium in it obviously that is a serious issue to the water quality of Randolph County. That test assures to the county, that these will not be endangerment to the water quality, to the land owner and also in the future it will determine whether or not this is actually a panel that can be disposed of in a landfill.

Mike said I don't see them objecting to that, I am looking at your most recent list with the added additions, the cadmium panel is not being objected to here.

Chris cadmium is an element that is used thin film panels, quite a bit of it in those panels and that is where the risk is, the intensity of it. I have not had a chance to review the entire chemical composition of line of panels that we are using, I have a fear that there may be a very small trace amount in there as there are with a lot of different elements in things like this. That is definitely a concern. I would like to see what is definitely in that panel.

Mike said I think you need to share that with Randy and compare that to Randy's research.

Randy said and the way to find out what is in the panel and what will leach out is to do that TCLP test. That is how the government determines this amount leaches out, we allow this much, if you are over they will report it.

Mike asked does the manufacturer do that?

Randy said I would think they would. I would think you would have to do this process to do an efficient decommissioning agreement. I am assuming this is already going to be done, this shouldn't add any cost or anything.

Mike said if the manufacturer's panel meets the standards of the industry, then it shouldn't have to be part of the improvement location permit. Here's are panel, here's the stats on it.

Randy said there is no guarantee that they will pass that test, there are panels out there that will not pass that test, they would have to be recycled or have to be put into a hazardous waste dump, we have no way of know that by just having someone drop a panel and say here you go.

Meeks said the manufacturer will tell you what is in it.

Randy said I doubt he will.

Mike said you just told me he would.

Randy said I said he could have the TCLP test done. I don't know that the manufacturer does that. If he does, all we need is the information. This is just a way to protect the county.

Mike said I have never bought a solar panel, so I don't know what I get when I buy one. You evidently can find out what is in your solar panels.

Chris said I would say yes, I can get in contact with the procurement group.

Mike said when you do the TCLP test, it is going to tell you how much cadmium is in there.

Randy said it will tell you all that if you get a complete test. They have partials and they have complete tests, if you get a complete test it will tell you every element that is in there, how much leaches out when it is damaged, like in a hail storm or something like that it will tell you what leaches out and how long it takes to leach out, it would be detailed. We are not saying it has to pass that test, they can use any panel they want, this is not telling them you can't do this without it passing the test, we are just saying we want that test to pass that information on for the decommissioning. This doesn't prevent them from using any panel that they want. The only panel we wanted to not allow to be used is the ones that contain cadmium because that has been a red flag.

Mike said any cadmium.

Randy said no not any, but I don't think the new ones contain any. The cadmium is the problem and he is right it is used mostly in thin panels.

Mike said would that TCLP test taken on one coming right out of the box be different than a TCLP test taken after it sits in a field for 25 years.

Randy said it wouldn't because all of those are embedded in an EBA film. That film has to be compromised in order to do that TCLP test.

Mike said age and time is not going to compromise that.

Randy said no, it is coated with two things of glass with EBA film and cells in the middle and there is no compromise to that as it stands, unless it is damaged in some way. There should be no difference at all because that panel has to be compromised to do that TCLP test.

Chris said I don't think what Randy is saying is determined at all but the TCLP test. It is not measuring what if a panel is damaged by a hail storm and would it leach from the solar field into the ground. The TCLP test is a test that is done to see when you pulverize a panel prior to

disposal, they simulate how that panel would leach in a landfill at certain acidity and then measure whether the concentrations of the element are above limits set by the environmental protection agency and it is a very detailed protocol for how you conduct that test, it does not seek to measure how a solar panel lays in a field if it is damaged by a hail storm.

Randy said it does mimic landfill conditions. But obviously compromising the glass with a hail storm or hurricane is very similar to what would happen in a landfill. In a landfill you just dump them in and push them in a pile.

Chris said it is not similar at all. What I am concerned about is that's why the committee is concerned about it because that not been properly explained to them.

Mike said you will have that opportunity to explain that and the other side of it is, if it is damaged in a hail storm, the better way to do it would be to get it replaced as soon as possible and get it out of there. Whether it leaks or not, it is going to be a benefit to everybody to get it moved out of there as quickly as possible, so maybe that is the way to do that.

Chris said to put it in context, losing just one panel takes out the entire invert block.

Mike said from a pollution standpoint and I respect that, the water, I think it is a matter of getting up and getting it out of there in a reasonable and fair amount of time. That would protect the county, protect the landowner.

Randy said the pictures, the nightmares I have seen on these is where a tornado goes through and you will have twenty, thirty acres depending on how the track goes, just demolished and I don't know what the time schedule to replace something like that is, but the reporting I have seen on these TCLP tests, they show the leaching takes place in less than a month. The total leaching that will occur will occur in that first month. Obviously, the leaching would start the first day but the total leaching will be out within a month. That is another concern, what happens when you get serious damage, nobody knows the future, but I would say it is to their benefit to replace them as soon as possible.

Mike said I would think it would be to their benefit to clean it up if they are going to have a pollution mess.

Chris Shaneyfelt asked if an SDS sheet would solve the problem.

Chris said he is not familiar with that.

Chris Shaneyfelt said what he is getting at, researching and looking at an SDS for thin film panel, all the elements are in the cell.

Randy said it doesn't tell you how the leaching will occur.

Mike said I think we can solve leaching at clean up and responsibility, if you contaminate my land because you haven't got in there and cleaned it up, then I am going to be after you.

Chris Shaneyfelt said if were worried about the water tables and things like that, then it becomes a hazmat issue, then my office has to know, then I have to go to the IERC and it goes above us.

Mike said as you say Randy, even if it shows its going to leach, it doesn't mean they can't use the leaching one, so we are still right there.

Randy said if you can't do what?

Mike said if the TCLP test shows that this is going to leach and contaminate the land, the improvement location permit doesn't prevent them from using that panel.

Randy said no.

Mike so, what do you do about the problem?

Randy said I am just giving you a heads up about what is going to happen.

Mike said we are talking about two different issues, ones heads up it gives you the landfill at the end of the day, when they tear this thing down and decommission it, it gives us a heads up that they are going to have to either got to a hazardous waste landfill or recycle or not, decommissioning agreement can cover that, we can cover ourselves in that and protect the county, the other one is if a tornado comes through and it leaches into the field and if it has contaminants that are going to leach, then we are aware of that, but we are also requiring the company to not only to clean it up as quickly as possible but also to cover everybody's liability in that respect because the property owners are going to want that covered. So, we don't need the test, some times knowledge is power, ifwe know it, then we can sit and worry about it or we can know it is going to be a problem when it happens, but if it happens everybody is going to be notified anyway.

Randy said the concern of the committee was that things have been left out in the past, out of some of these agreements.

Meeks said like what.

Randy said like the road width.

Mike said yes, we made a mistake there. We went from the original plat size instead of what was replaced and we corrected that.

Randy said I don't know what your engineer is doing on decommissioning, we have no idea, we don't know how knowledgeable he is on Solar's. If we research I think its important to use it and I don't think even if this doubles the standards, even though its redundant and you already have it in your decommissioning agreement, its just an extra protection.

Meeks said when you put these things into the ordinance the Commissioner's can't change that in their agreement, when we say the economic development agreement has to have this or the decommissioning has to have this, that takes the flexibility from the Commissioners places it in the Ordinance and they have to do that. Even if we have a different project, you said we have to tailor this to different project, some roads are going to be really good and they are not going need are these requirement, and some are going to be really bad, so if they put a solar farm on highway 1, that's a state road and the state can fix it and maybe we only use a 1/2 mile, just like in the road use agreement when I said the last three, four or five pages should be taken out and everything placed in the road use agreement, but it is the same thing with this TCLP test, it should be in the decommissioning and the Commissioners should have maximum flexibility of what to do based on the situation at the time, because we might have on five years from now and don't need a TCLP test because we have these great solar energy systems now that wouldn't require it.

Mike said economic development payment, I don't think that needs to be in there either.

Meeks said there needs to be a requirement that there is an economic development payment.

Mike said in the ordinance?

Meeks said I think we put the requirement because that makes the company come to us and talk to us.

Mike said I don't know why it even needs to be in there.

Meeks said it will make the company come to us.

Mike said the only reason they are coming and you know why the only reason they are coming is, if they are willing to pay the real estate taxes on the assessed valuation farm putting it in, why would they be willing to pay us an economic development payment.

Mike asked Chris if there was anything else on your list that I didn't see.

Chris said he would like to circle back to two questions. Just for project planning purposes on the residential set back screening, I know that the screening for one two three four sides.

Mike said that needs to be enhanced. He said something needs to be in place to protect that person.

Chris said absolutely, and so my question is can we maintain these Commissioner recommendations for locations where a house has screening on one or two sides. Just because if you have, its very likely that most houses will have screening on two sides because you have a solar facility that could be located just north, just south of the property line to where you are hitting that requirement, so for project planning, engineering that were doing right now, I think pretty important to get clarity on that requirement as soon as possible.

Mike asked when is your committee meeting Randy.

Randy said when ever they tell us. He said he sent them an e-mail saying 6:00 pm any day this week. That is what the committee decided, we were meeting pretty late and we really can't get any good answers without them.

Mike said I don't have a problem with that two sides, I'm not sure it shouldn't just be a gradual increase, the more sides you have the more protection you have.

Randy said without drawing diagrams its really hard to pitch. For me it is anyway.

Mike said is it two sides front and side, is it two sides left and right, is it two sides front and back. Can I just put you off until meet with the committee? Gary you're not part of that committee are you.

Gary said yes.

Mike said I think it would be valuable if you can get there.

Chris said the last question is because I know there is a ten-day requirement for the public hearing, has that notice to the public been issued?

Randy said yes, but it has not been printed in the paper yet.

Meeks said what day is the public hearing?

Randy said July 22 at 7:00 pm.

Meek said the 22nd at 7:00 pm, is it here or at the RCFFO building.

Randy said it depends on whether or not we can use the recording system.

Meeks said it would have to be wherever you published it to be.

Randy said he would have to see what Debra advertised.

Laura said let me know, I think Fred has the recording system set so it can be used, we will just need to test it.

Randy said she may have advertised it at the RCFFO because we did not know we could use the recording system. We might be able to change that.

Chris said that is all we have, we appreciate your time.

Other Business:

Art Moystner, Randolph County Sheriff

Jail Security System

Art said I sent the Commissioners an e-mail that had a change, once I was able to get an engineer in to talk to about the door project, I am hoping the e-mail explained it well but if you have questions. One of the things we looked at with this was, we looked at initially putting some of these options on the doors and I put it on hold because I wasn't sure what the cost was going to be, so we made it what we could. We found out that the ID software that we have been using, the printer went down, the expense for the printer is about \$3 or 4 thousand but the software is also a little obsolete, so in combining the projects they had sent me three change orders that I e-mailed to you. Have you had a chance to look at those?

Mike said yes.

Art said the first one saves us money. The other two adds some stuff in to where the total addition to the cost would be a little over \$9,600.00 if you were to approve this. I think it would be money well spent while we are in the process of this because we have to have that ID software anyway because a lot of places will not allow our staff access without some type of secured ID. He said Chris was able to print them before but he is not able to do that now so we are going to have to buy that regardless. I think it would also help with personnel and moving around the building also. I am recommending that we do all three change orders.

Mike said the first thing we have to do, there are three of them isn't there.

Art said yes there are three.

Mike said so contract wise it's additional of about \$10,000.00.

Art said it would be \$9,620.00.

Tom asked how will you save on the first change order.

Art said the first change order will take \$7,880.00 off of the original contract.

Mike said the third one adds \$7000 and some back.

Art said the second one adds \$10,050 and the third one adds \$7,450.00.

Tom said the difference is \$9,620.00.

Art said it is \$9620 and it would take in your additional appropriations for the security system you have \$213,276 and that would take that total I believe to \$222,896.00.

Laura said we will have to do another additional, we cannot add it to this one.

Mike said we are also paying that out of Cum Cap so we would have to recommend to council to do that if we wanted to do it the same way. The sheriff is recommending three change orders

and as far as I'm concerned you can sign them if the council approves paying for them. I would recommend we take it out of Cum Cap.

Tom said he would second that motion.

All aye votes. Motion carried.

Art said the only other thing I have for you is this is the first meeting in July, so I have the commissary reports. The totals that are in there, I would like to give you a heads up that with Covid and things being shut down, I haven't been able to do it yet, but I will be ordering another vehicle that is going to be coming out of the commissary account and the equipment for that vehicle, which will be about \$40,000.00 total. So, the total on the report now will be about \$40,000.00 less as soon as they have that shipment line moving again.

Regular Claims \$643,389.31

Mike said this brings us to our regular claims in the amount of \$643,389.31 does anyone have any questions or comments about these.

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

Payroll Claims \$221,173.98

Mike said this brings us to payroll claims in the amount of \$221,173.98.

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

Pyramid Claims \$13,314.00

Mike said the next item is a Pyramid claim for \$13,314.00 and this is for an FCC process of \$1250.00, sites bidding plus review of \$8500.00 for a total of \$9750.00 and reimbursements in the amount of \$3564.00 for survey work for the communications project.

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

Achieva Resources Claim \$5,000.00

Mike said the next claim is an EDIT claim for Achieva Resources in the amount of \$5000.00. We agreed to support this county area wide group that provides guardian services to low income individuals and they do represent county residents as well as other counties within our east central Indiana region.

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

Annual EDIT Claims for Cities/Towns \$10,000.00 each

Mike said the next group of claims are for \$10,000.00 for each the cities and towns, the town of Farmland, town of Losantville, town of Lynn, town of Modoc, town of Parker City, town of Ridgeville, town of Saratoga, city of Union City, city of Winchester.

Tom said at our last EDIT meeting I sit next to Steve Hall and he brought up Albany Heights is incorporated, how does that work, was it ever discussed that Albany Heights should receive any money since part of their city is in Randolph County. I think he is interested in trying to get some of our EDIT money for Albany Heights improvements.

Mike said it has never been discussed with him, we could base it on population, I think we figured that earlier and it would be about \$1,300.00.

Meeks said I didn't think they were incorporated.

Tom said Albany Heights is in the city limits of Albany. I don't know how that works when you cross county lines. It is not incorporated by itself, its part of an incorporated city in Delaware County. It's probably larger than Saratoga that receives \$10,000.00. He said he didn't know whether we could give them \$5,000.00 since it is a part of an incorporated city that is in another county. Is there any precedence to fund them partially?

Mike said ever since we have had the EDIT tax we have not funded Albany Heights, I don't know if it was discussed when the EDIT tax passed.

Meeks said I would think if they had a project it would come before the Board of Commissioners and you would either fund that or not.

Mike said they did that and we funded it.

Tom said there was confusion between Jakob Dunnick, the fellow that came on the city council and now Steve Hall is coming, I think Steve thought there was a three-year commitment and Jakob Dunnick came for just that one project. Anyway, Steve will be interested in coming back for a three-year commitment. Do you want to say we are not interested or do you want to compromise?

Mike said if I recall when we were looking at that before we did kind of an EDIT tax receipts of Albany Heights.

Angela said they do receive an EDIT distribution monthly, they just do not receive this from Randolph County's EDIT funds. They do have a monthly plan just like Randolph County does, we are a recipient monthly.

Mike said our cities and towns do too, we just share with these what we get.

Angela said that is correct.

Tom said it is probably a similar size to Saratoga, I don't know the exact population.

Mike said do they not get any help from Delaware County at all.

Tom said yes, they do.

Mike said they would be double dipping then.

Tom said I don't know.

Mike asked how much help do they get from Delaware County.

Tom said that is a good question.

Mike said I would like to know that answer to that question.

Tom said should I have Steve Hall come and we can quiz him.

Mike said yes, he can come.

Gary made a motion to approve the annual claims of \$10,000.00 each. Tom seconded. All aye votes. Motion carried.

McEwen's Phone Svc Claim \$8539.65

Mike said the next item is the McEwen's Phone Service claim for the highway department in the amount of \$8,539.65 and this is the remaining balance on his previous proposal to set the highway garage up with phone and computer service.

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

Automotive Equipment Specialist Claim \$55,755.94

Mike said this claim is for portable lifts in the amount of \$55,755.94.

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

Thor Construction Claim \$82,030.45

Mike said another highway garage claim, Thor Construction in the amount of \$82,030.45 it has been signed by the architect and the contractor and leaves a balance to completion of \$383,562.04.

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

Cripe claim 8/2/19 \$1276.55

Cripe claim 9/3/19 \$932.20

Cripe claim 12/31/19 \$222.98

Cripe claim 5/7/20 \$626.16

Mike said we have 4 Cripe claims that we have tabled the oldest one since August.

Tom made a motion to pay the May 7th claim of \$626.16. He said that one we owe but the other three we have agreed to forgo those and pay them the \$6,000.00 toward the restocking fee on the generator and that is still in limbo.

Gary seconded the motion. All aye votes. Motion carried.

Cripe Mutual Release of Claims

Mike asked do we want to talk about the Cripe Mutual Release of Claims.

Meeks said I rewrote that and sent an e-mail out to everybody. I did not like their mutual release, it did not discuss anything about not requesting the invoices to be repaid. So, I redone it and sent it out to everybody. It certainly looks like to me that they just want to give us \$6,500.00 and say you guys handle the rest and its an \$18,500.00 restocking fee. My reading of it then says that we would be on the hook for \$12,000.00.

Mike said once they pay \$6,500.00 we will be on the hook for \$18,000.00.

Meeks said that is how I read it after looking at it I would like to send them back a release that says, here is our \$6,000.00, you deal with it.

Tom said as we originally agreed to.

Meeks said they have always said they wanted us to get Thor's involvement.

Mike said I thought they had Thor's involvement.

Meeks said going back to my notes, they said you hired Thor, Randolph County you need to get their involvement. So, I would like to send that back modified saying here is \$6,000.00, you are going to forgive those three invoices and you are going to then satisfy Evapar, if that is okay with you guys.

Mike said that works for me, does that work for you Gary?

Gary said yes.

Mike said does that work for you Tom?

Tom said yes.

Meeks said I will send that out.

RCED July Claim \$24,833.33

Mike said the next claim is the Economic Development July Claim in the amount of \$24,833.33. I will make a motion to approve this claim. Do I have a second?

Gary seconded. All aye votes. Motion carried.

Thomas Business Center Claim \$3874.00

Mike said the Thomas Business Center Claim is in the amount of \$3,874.00 for the Covid-19 countertop shields protectors that we purchased because of the Covid-19 pandemic which should be reimbursable. My question is, do we have money in our budget to pay for these.

Angela said you do.

Mike said I would say we pay it out of our budget.

Angela said we have an office supply line in the Commissioner's budget that can support that at this time.

Tom made a motion to approve this claim and pay it out of Commissioner's office supply line. Gary seconded. All aye votes. Motion carried.

Minutes of May 4, 18 and June 1, 2020

Mike said we have Commissioner's minutes of May 4, May 18 and June 1st and I did see one error in Commissioner's minutes of May 4 and it is on the first line where it said Mike said modifying this voiding or changing in anyway. The word changing is misspelled and that would be the correction that I would add to that. Are there any other additions, corrections or deletions to the three sets of minutes that have been prepared?

Gary said I did not see any, I will make a motion to approve these minutes with the one correction to the May 4th minutes. Tom seconded. All aye votes. Motion carried.

Treasurer's monthly report

Mike said the treasurer's monthly report was received by e-mail. Is there any additions, corrections or deletions?

Gary made a motion to approve this report as received. Tom seconded. All aye votes. Motion carried.

Ordinance 2020-03 Third Reading

Mike said we have a third reading of Ordinance 2020-03, this is an Ordinance to Amend the text of the Unified Zoning Ordinance of Randolph County, if you recall this is the ordinance that modifies the subdivision set back requirement in a cul de sac area. Does anyone have any conversation or discussion? I have not received any calls regarding this ordinance. Hearing none I would entertain a motion to adopt 2020-03 on the third and final reading.

ORDINANCE NO. 2020-03

AN ORDINANCE TO AMEND THE TEXT OF THE UNIFIED ZONING ORDINANCE OF RANDOLPH COUNTY, INDIANA

WHEREAS, the Area Planning Commission of Randolph County, Indiana, has been recommended that the text of the Unified Zoning Ordinance of Randolph County, be amended;

WHEREAS, the Area Planning Commission of Randolph County, Indiana held, pursuant to notice, a public hearing by Zoom on May 20, 2020 on the proposal to amend the text of the Unified Zoning Ordinance and has, by vote, made a favorable recommendation to amend the text of the Unified Zoning Ordinance of Randolph County, Indiana in a manner consistent with Proposed Amendment 2020-1-A which is attached hereto as Exhibit A;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF RANDOLPH COUNTY, RANDOLPH COUNTY, INDIANA that the text of the Unified Zoning Ordinance of Randolph County, Indiana be amended in a manner consistent with Proposed Amendment 2020-1-A which is specifically set out in Exhibit A, which is attached hereto, incorporated herein by reference and made a part of this Ordinance.

Gary made a motion to adopt Ordinance 2020-03 on the third and final reading by title only. Tom seconded. Mike said all in favor of the motion to adopt Ordinance 2020-03 An Ordinance to amend the text of the Unified Zoning Ordinance of Randolph County Indiana signify by saying aye. All aye votes. Motion carried.

Mike said Ordinance 2020-03 is adopted.

Headwaters II - Cooperative Easement Agreement

Mike said the Headwaters II Cooperative Easement Agreement, is that you Meeks?

Meeks said this is the agreement that we have had out for a while now, I think Laura has a copy of it and it is for the easements to put in the conduit for the fiber optics. I did not see any issues.

Mike said this is the one that we are going to agree to pay \$50,000.00 to have the conduit put into those areas.

Meeks said yes and I had another conversation with them and I think they may get all the neighbors to sign.

Mike said you are recommending we sign this.

Meeks said if you want the conduit.

Mike asked if someone wanted to move that we enter this agreement with Headwaters II windfarm LLC for the placement of this conduit at a cost to Randolph County of \$50,000.00.

Tom made a motion to enter the agreement with Headwaters II. Gary seconded. All aye votes. Motion carried.

Additional Appropriations:

1138 - CCD Jail Maintenance Security System \$213,276.00

Security Automation System Claim \$21,050.00

Mike said this is the first jail security system amount of \$213,276.00 that we recommended to council to take out of Cum Cap Development which they agreed to and this is an additional appropriation to take it out of there to put it into the jail maintenance security system. He said in addition to the additional appropriation we also have a claim from Security Automation System claim of \$21,050.00 which would be taken out of this. I would entertain a motion to approve the additional appropriation and the claim for Security Automation System.

Gary made a motion to approve the additional appropriation and the claim. Tom seconded. All aye votes. Motion carried.

Meeks Cockerill

Meeks said I would like to highlight, I send an e-mail out about the bridges.

Tom asked Perry Knox if he would like to comment about the historic bridges.

Perry said he did not have any specific information other than what I sent you previously. I would ask that our next move be to go ahead and follow up with the Cultural Resource office. I would ask that someone from our firm attend that meeting as well.

Tom said can you explain why she said they are not in the historic register.

Perry said they are eligible, there are two types of historic bridges, there is select and non-select, the non-select means that they have not been selected obviously for historic significance but they are on their radar and you have to get a sign off from the Cultural Resource office. We are really kind of focused on that bridge 21 that is out there north of Parker City, originally that bridge is pretty small, we thought about if we could possibly replace that structure with a less expensive type of structure, maybe a steel or aluminum type of structure. What we are afraid of and what we want to find out from the Cultural Resource office is they may require us to replace that in kind, which is good and bad, the good is that we replace the bridge, the bad is we would have to go back and lay the concrete structure, which is a little more money than an aluminum or steel structure that we were originally planning. He said the other bridge I'm not real familiar with it yet then you have one bridge that is completely closed that the deck is missing and we need to get it removed for safety reasons. We just need to talk to the Cultural Resource office and we have to get a sign off from them that says the projects okay.

Tom said JD Prescott has scheduled a meeting for us to meet the first week of August. Maybe you or someone from your firm would want to be involved.

Perry said keep me in the loop. We want to understand what they, we need a technical release, we need sign off release from the Cultural Resource office that says we can proceed with these projects. From our standpoint we just need to know what that release is.

Gary Girton

Salt Barn concrete at Highway facility

Gary asked where we are at with the concrete at the highway garage?

Tom said we received a letter back from the engineer saying we hired A&B so they are not responsible because we had a different architect review the plans, Cripe is not going to do anything.

Mike said I don't think anything is going to get done unless we push the issue. If I heard it once, I have heard it 100 times, concrete is going to crack.

Gary said not always, I have poured 100's of yards and I have not had it crack if you saw it or do appropriate work.

Tom said it was another blunder by the architect.

Meeks said if you are going to do something you need to have Mike Haffner get someone in there to give you a quote on fixing it. Then we send the bill to whoever owes the bill.

Gary said we need to do something, we spent all that money and we have this.

Mike asked if that is the only one cracking.

Tom said we have a crack on the fuel storage pad which I'm assuming they will caulk that.

Mike said do you want to ask Mike Haffner to get a contractor out there to see what it would cost to fix it.

Gary said I think we need to at least look at it. I don't know what you can do to fix it now short of taking the top three inches of and re-pouring it and remeshing it with wire and so on.

Tom said he will ask Mike to check into it.

Mike said you might also ask the concrete company to give us a recommendation on how to repair it and a cost.

Generator

Gary said where are we at on the generator?

Tom said Danny has ordered one, I will call him today, he wants to install it to get it done but I need to check up with him.

Gary said they are not going to be involved in any payment?

Tom said he does not want to pay \$6,000.00 towards the restocking fee but he is going ahead and purchasing the other one.

Gary said he has changed his mind.

Tom said no, he did not ever want to pay.

Gary said he set right here and said he would pay his part.

Tom said Danny Stamper did.

Mike said he didn't object to it, I know that.

Tom said he didn't say no at the time.

Meeks said I was pretty clear in my mind that he wasn't going to participate.

Mike said that is why we are putting it on Cripe to resolve it. We are going to tell them we will pay \$6,500.00 if they get release the claims and get rid of the restocking fee on the generator. That is what our release is going to say.

Gary said that will be fine with me.

Communications equipment

Gary said on the communications equipment we have a semi-trailer load of equipment that they want to bring and store. We talked about putting it at the jail, that is not very secure, I talked to Mike Haffner and he said he could place it out there and put a heavy skid of equipment in front of it so somebody couldn't hook on to it. We need to talk to Jentry Flesher and see that it will be insured.

Tom asked wouldn't the contractor have insurance on it until it is installed.

Gary said I don't know, but we need to make sure it will be covered.

Tom said we need to have that conversation with the contractor, we can store it but who is responsible for theft.

Gary said it is J & K Communications.

Mike said I would think that we would need some type of coverage on it. When we bought the insurance policy that was not considered our property and it still may not be. I would think the

risk of loss would be to the contractor until we take ownership of it. If we are going to agree to store it then we would need a statement from them that they have it insured. I would think Chris could work that out, I assume Chris is making the arrangement for it to be stored.

Gary said I talked to Mike Haffner and Chris talked to him some to make sure we could do it.

Tom asked when will it be delivered.

Gary said anytime, they wanted to move it two weeks ago and I said not until we have approval.

Tom said I'm not sure if the gate is secure yet. It wasn't last week. We need to make sure the gate is secure because as of last week it wasn't, the electronics weren't hooked up to it. That's something we need to ask Mike when that is going to happen.

Mike said is Chris going to take delivery of this stuff. Is that the way it is working?

Gary said the County is.

Mike said I know but who is going to do it for the county? Who is going to be responsible for it? Who is going to say take it there?

Gary said I guess we are. They are asking us to take possession of it, not necessarily ownership but possession of a trailer load that they don't have a place to store that much because of time. I talked to Mike and he said they could locate and secure it.

Mike said then somebody is going to have to make sure that, that company J & K are they going to have it insured until they install it or we are going to start insuring it when we take delivery of it.

Gary said we are having a meeting Wednesday and I can ask. Mike said he could store it and he could secure it as far as keeping the trailer hooked up to and moved.

Tom said you think that is safer than at the jail, in the jail parking lot.

Gary said you would have to set something in front of it to keep someone from hooking a tractor on to it and moving it.

Meeks said I thought the jail had cameras on the parking lot.

Gary said we have cameras at the highway garage and Mike said he could set it where there was a camera. Then he would secure it with a large something in the front and a large something in the back so it couldn't be used. We couldn't do that at the jail.

Mike said storing it in a semi-trailer is not the most appropriate thing to do with that type of equipment. My position on it would be that if they want to do that its fine, we are going to store

it for you, you better cover it with insurance until it is installed. I think we need to put the burden of loss on them at this point in time.

Mike Wickersham

OCRA Covid-19 grant round 2

Mike said we have had another round of grants from the OCRA Covid-19 pandemic response and seven more grants were approved for a total of \$26,350.00 and they calling it round 2. Economic Development board has approved these and they are asking us to approve these additional grants.

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

Citizen Comments

None

Adjournment

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

Reviewed and signed this S day of Oct. 12 bee, 2020.

RANDOLPH COUNTY COMMISSIONERS

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ATTEST: --- Ld1

Caura J Martin; Auditor of Randolph County