

Randolph County Commissioners

May 20, 2013

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 William Terrell, Michael Wickersham and Gary Girtton. Also present was Randolph County Auditor Mary Ann Lenkendorf and County Attorney Meeks Cockerill. Sheriff Ken Hendrickson was absent.

Pledge of Allegiance

William Terrell, President presided over the meeting.

Jake Donham, Building coordinator- quotes

Jake Donham presented more information on the three quotes to fix the drainage tile at the RCCFO building. Jake Donham recommended any of the excavating contractors of 3M, Myers or Culy's. After discussion of quotes, Michael Wickersham made the motion to accept the quote of Myers excavating of \$5,975 for the drainage work to be done at the RCCFO building. Gary Girtton seconded the motion. All aye votes cast. Motion carried. Gary Girtton asked when Myers Excavating might be able to get the work done. Jake Donham stated he doesn't know at this point but would have to check with them.

Jake also presented quotes for the monument fence painting. Roger Tucker submitted \$900 and John Waltz submitted \$432. In discussing the difference in price, Commissioners wanted to see a break down for the Waltz quote to know if he would be doing the same scope of work as Mr. Tucker. Michael Wickersham made a motion to give Jake Donham authority to choose the quote after talking with John Waltz and Roger Tucker about what they will provide in their quotes. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Donham presented quotes for replacing the sign at the EMS building. Jake has spoken to A-Plus signs and Future signs. An aluminum post sign from A-Plus signs is \$710. Jake has talked with Duane and Dianna at EMS and they liked any of the signs that were quoted. Gary Girtton made a motion to purchase the aluminum post sign with A-Plus Sign Company for \$710.00. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Jake stated he has talked with an HVAC person on the air exchanger for the EMS building but he did not have any quotes yet. When asked if the Commissioner room would have a coat rack, Jake stated he has been working with George from Thomas Business on purchasing a coat rack. George Mikessel would bring a catalog of coat racks that could be used in the room since they did the original furnishings. Jake stated that CL Shultz has been back to work on the courthouse roof. Some flashing wasn't installed correctly from the beginning. The roofers installed wider flashing and put back together. All four corners will need to be done on the old and new roof according to the company.

Paula Albin, health insurance renewal

Paula Albin Deputy Auditor was present to go over the insurance renewal since Duane Petry was not available. Albin stated the insurance committee recommends that Commissioners accept the renewal plan with Ertel & Company. The final percentage increase was 7.22 and Albin stated she was relieved considering that our percentage could have been much larger. Wickersham agreed that the minimal increase was amazing in these times. A meeting with Ertel & Company would be later this week to discuss the results of the wellness program. When asked if a lesser health plan had been discussed with the renewal, Albin stated that Ertel & Company could not give dollar savings if two plans were offered. With a higher deductible the cost shift could be sixteen percent to the employees on the claims. Due to the shortage of time, the insurance committee was looking at the possibility of offering a second plan for next year. Gary Girtton made the motion to accept the insurance committee's recommendation for the health insurance starting July 1, 2013 through June 30, 2014 as presented. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Thelma Chandler-Centerstone update

Thelma Chandler, Regional clinic director stated she was updating Commissioners annually about the services that are provided from Centerstone since Randolph County funds a portion of the operation. In 2012, they provided services to 867 consumers. Of that total 341 were youth and children and 526 were adults. Ninety three percent of the individuals served have income under the 200% of poverty. Chandler provided a sheet listing the services provided, community involvement and issues treated. Tax revenue from Randolph County is \$131,972. Chandler stated they appreciate the revenue that is provided by Randolph County and would appreciate any questions or comments.

Danny Love-Highway department

Danny stated there had been some misconceptions about the box bridge 3537 that is close to the County highway barn. It had been rumored that the bridge cost over \$200,000 to repair but actually the cost was around \$72,000. The amount budgeted for the bridge last year was \$100,000. It took around a month to complete.

Danny Love asked that Bridge number 52 at 100 E and 500 north be awarded to RW Armstrong for \$62,252. Michael Wickersham made the motion to approve the consulting services of bridge 52 with RW Armstrong. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Danny presented bridge inspection vouchers for Beam Longest and Neff. Love stated the county pays the whole amount on the voucher and then the county is reimbursed eighty percent. Gary Girtton made the motion to approve the bridge inspection vouchers for Beam Longest and Neff. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Danny Love presented the annual report. Commissioners wanted time to review until the next meeting. Michael Wickersham made a motion to table the annual report until the next meeting. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Danny also stated Mr. Smith from Camp Modoc had been to Commissioners last year because the State had mandated that he connect the campground to a sewer system. An agreement with Mr. Smith and the County had been drafted but Love had not heard anymore from him nor has the agreement been signed. William Terrell stated he knew Mr. Smith had still told the town of Modoc he was still interested in the hook up. The hookup would go under county road 900 south.

Randy Rouse-Cleanup in Fairview cemetery

Mr. Rouse stated he is chairperson of Honoring the Fallen. In Delaware County, his group has cleaned over 500 tombstones. They had noticed tombstones at the Fairview cemetery that needed cleaning and wanted to address some of the conditions. Mr. Rouse explained how they clean the stones. The group is not asking for money but would like permission to go in and clean the stones at Fairview cemetery.

William Terrell asked if anyone had talked to the cemetery board. Mr. Rouse was not sure who was on the cemetery board. He had spoken with the pastor at the church but the pastor did not know either. Mr. Rouse came to Commissioners today because he was told the County owned the cemetery. Meeks Cockerill stated the request should go through the township trustee for Green Twp to obtain permission. Mr. Rouse's group was referred to the Auditor's office to obtain the name of the trustee.

E-ON Wind Project- Mary Solada

Mary Solada and Lael Eason were present. Mary Solada stated ECR Development will be the developer and E-ON is the parent company. E-ON as parent company has agreed to be a guarantor for this project. The Economic development agreement states this project will represent a \$124 million dollar investment. There will be a number of construction jobs and 2-3 permanent jobs. The project will be completed no later than the end of next year. The County would be paid \$660,000 based on 55 mega watts at \$12,000. Those payments would be made over a period of three years with all payments being \$165,000.

Covenants are insured that the assessed value of the project will be the \$124 million. The road use agreement was the same as the agreement used for NextEra wind project. The exception was E-ON uses a better letter of credit as shown attached to the agreement. According to the letter of credit, the outline of the road projects will be delivered to Commissioners and the highway superintendent within ninety days of the start date. Exhibit D was changed for post construction improvements in terms of the type of surface. The decommission agreement is also important for the county by being protected with the cost of the removal of the turbines at the end of their term. The value of the turbines in current times outweighs the cost to remove them. Turbines are valued between 1.5 - 2 million dollars. In year eight, E.ON would provide security not less than twenty-five percent of the estimated cost of removal. Landowners have the right to remove the turbines first and the county would step in only if the landowners do not have the ability to do that. The only issue that Solada sees is the payment of the professional fees of \$65,000.

They would work this out with the county but felt the professional fees could be reduced since this is a larger project than NextEra and they were using similar documents to NextEra. Meeks Cockerill stated in Madison and Tipton counties these payments were made. He believes the same amount of work and documents are needed whether it is 10 mega watt or 100-mega watt. Mary Solada stated she just wanted to mention this, but the templates were based on NextEra since the county wanted the forms to be uniform. Meeks Cockerill asked if the Delaware County project doesn't happen would they be looking at more land in Randolph. Mary Solada stated the project map has become larger and there could be the possibility that they could pursue a larger project. They will be publishing the public hearing notice and larger map for public inspection on the June 4th Council meeting. Gary Girtton made a motion to approve Resolution No. 2013-11. Michael Wickersham seconded the motion. 3 Aye votes cast. Motion carried.

RESOLUTION NO. 2013-11

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY, INDIANA APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT, A ROAD USE AGREEMENT, AND A DECOMMISSIONING AGREEMENT WITH EC & R DEVELOPMENT, LLC, AND CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Board of Commissioners of the Randolph County, Indiana (the "Board") desires to benefit the health and general welfare of the citizens of Randolph County, Indiana (the "County") and create opportunities for gainful employment and business opportunities within the County; and

WHEREAS, EC & R Development, LLC (the "Company") is contemplating the development and construction of a wind-powered electric generating facility in the County, which will have a rated capacity of approximately 50 to 65 megawatts (the "Project"); and

WHEREAS, in the completion of the Project, the Company will invest up to approximately One Hundred Twenty-Four Million Dollars (\$124,000,000) in equipment and real estate improvements in the County and create approximately two to three permanent jobs; and

WHEREAS, the Company has requested assistance with the completion of certain road improvements, the approval of tax abatement, and other assistance from the County with respect to the Project; and

WHEREAS, to induce the Company to complete the Project, the Board desires to approve the execution of an Economic Development Agreement, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Economic Development Agreement"), pursuant to which certain incentives will be provided to Company in exchange for its commitment to complete the Project, to make certain economic development payments, and to take certain other actions with respect to the Project; and

WHEREAS, as contemplated by the Economic Development Agreement, the Board desires to approve the execution of an Agreement Regarding County Roads and Drains, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Road Use Agreement"), pursuant to which the County agrees to provide the use of certain roads to the Company and the Company agrees to repair and improve such roads and certain drainage improvements in the County; and

WHEREAS, pursuant to Section 16.13 of the Randolph County Zoning Ordinance, the Company is required to formulate a decommissioning plan and to provide financial assurance for the decommissioning of the Project; and

WHEREAS, the Board desires to approve the execution of a Decommissioning Agreement, between the County and the Company, a form of which has been presented to the Board on the date hereof (the "Decommissioning Agreement").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Randolph County, Indiana,

that:

The Board hereby finds that the execution and delivery of each of the Economic Development Agreement, the Road Use Agreement, and the Decommissioning Agreement are in the best interests of the County and its citizens. The Board is authorized and directed to execute each of the Economic Development Agreement, the Road Use Agreement, and the Decommissioning Agreement, in the name and on behalf of the County, and the Auditor of the County is hereby authorized and directed to attest the execution of each of such agreements, with such changes and modifications as such persons or the County Attorney deem necessary or appropriate to effectuate this Resolution, said persons' execution thereof to be conclusive evidence of the approval of such changes.

The members of the Board, the County Council, the Auditor of the County, the legal counsel of the County, and other appropriate officers of the County are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution.

This resolution shall be in full force and effect from and after its adoption.

DULY ADOPTED on this 20th day of May, 2013, by the Board of Commissioners of Randolph County, Indiana.

Regular Claims \$917,548.70 and Payroll Claims \$188,812.64

Michael Wickersham made the motion to approve the regular claims and payroll claims as presented.

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

Minutes of May 13, 2013 executive meeting

Gary Gitton made the motion to approve the executive meeting minutes of May 13, 2013. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Airport monthly report

Michael Wickersham made the motion to approve the airport monthly report. Gary Gitton seconded the motion. All aye votes cast. Motion carried.

Clerks monthly report

Gary Gitton made the motion to approve the Clerk's monthly report as presented. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

Treasurer's monthly report

Michael Wickersham made the motion to approve the Treasurer's monthly report. Gary Gitton seconded the motion. All aye votes cast. Motion carried.

Treasurer's monthly edit report

Michael Wickersham made the motion to approve the Treasurer's monthly edit report. Gary Gitton seconded the motion. All aye votes cast. Motion carried.

Commissioners asked that Curt Gram provide a report for Camp Yale. Michael Wickersham would like Mr. Gram to come to the second meeting in June and give an update since there are several payments behind on the loan.

Edit Claim Randolph County Economic Development monthly claim \$15,833.33

Michael Wickersham made a motion to approve Economic Development monthly claim of \$15,833.33.

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

Edit Claim McHolland Holdings LLC \$60,000

Michael Wickersham made a motion to approve McHolland Holdings claim of \$60,000. Gary Gitton

seconded the motion. All aye votes cast. Motion carried

Congressional School report form

Mary Ann Lenkendorf stated the money is being returned to the State but the annual report still needs to be approved. Michael Wickersham made the motion to approve the Congressional school report. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Ordinance 2013-08, ordinance amending fees for the Randolph Co. EMS

Gary Girtton moved that the Commissioners pass Ordinance 2013-08 after the first reading. Michael Wickersham seconded the motion. 3 aye votes cast. Motion carried.

Gary Girtton moved that the rules be suspended and have the second and third reading by title only and adopted the same day. Michael Wickersham seconded the motion. 3 aye votes cast. Motion carried.

Gary Girtton moved that the Commissioners adopt Ordinance 2013-08. Michael Wickersham seconded the motion. 3 aye votes cast. Motion carried.

Ordinance 2013-08 was adopted.

ORDINANCE NO. 2013-08
AN ORDINANCE AMENDING 2009-05 FIXING FEES FOR THE
RANDOLPH COUNTY EMS

WHEREAS: The Board of County Commissioners of Randolph county, Indiana has Established the Randolph County EMS of Randolph County Indiana; and

WHEREAS: The Board of County Commissioners of Randolph County now find that it is necessary to amend the Ordinance adopted on the 6th day of May 2013 fixing the rates and charges, now therefore and effective July 1, 2013:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
RANDOLPH COUNTY, INDIANA:

SECTION 1. That the rates and charges for the use of the ambulance service shall be Modified as follows:

1. That the charge to any person, firm or corporation for the Basic Life Support Transfer shall be set at \$100.00.
2. That the charge to any person, firm or corporation for the Basic Life Support Non-Emergency run be set at \$350.00.
3. That the charge to any person, firm or corporation for the Basic Life Support Emergency runs shall be set at \$450.00.
4. That the charge to any person, firm or corporation for the Advanced Life Support Non-Emergency runs shall be set at \$550.00
5. That the charge to any person, firm or corporation for the Advanced Life Support 1 Emergency shall be set at \$650.00.
6. That the charge to any person, firm or corporation for the Advanced Life Support 2 Emergency will be set at \$750.00.
7. That the charge to any person, firm or corporation for the Specialty Care Transport shall be set at \$900.00
8. That the amount charged a patient shall be set at \$12.00 per loaded mile.
9. Stand by on race day at Winchester Speedway \$200.00

Passed and adopted by the Commissioners on Randolph County, Indiana, on the 20th day of May, 2013.

RC Youth leadership request

Michael Wickersham made the motion to allow the Randolph County Youth leadership to display the students' pictures in the lobby area. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

For review:

Commissioners reviewed the following with no action being needed.
Soil & Water minutes

Bill Terrell suggested setting a meeting with Communication operations board on June 17th at Noon. Terrell would talk with the other members about attending.

Terrell spoke about the camera that KISS TV wanted to put in the Commissioner's room. He was not in favor of mounting a camera to the ceiling or the controls being with the TV station to turn on and off at their discretion. Mary Ann Lenkendorf stated she had spoken with Nick Poling and wasn't aware until then that the TV station wanted to put permanent equipment into the room. Poling had also indicated that the city of Union City was paying for the expenses. Lenkendorf questioned why Commissioners would allow another entity to purchase equipment to go into a county building. Michael Wickersham stated that he thought that the original proposal was for someone to come to the meeting to do the taping. Wickersham was also concerned when the camera was on and off and wasn't sure that he wanted to be a part of that. Commissioners asked that Poling come to their meeting to talk about this.

Citizen Comments

John Reese, Lynn asked what the status was with the old car dealership in Winchester. Bill Terrell stated as far as he knew the project was still moving on. The edit plan had been amended to include \$20,000 for Gilman Home Store but no funds had been released yet.

Jim Wallace, Winchester commented that the wind energy farms you hear about seem to be positive and everyone will be happy but no one ever hears any of the downsides. Wind energy is not protected and is subsidized. If it is such a good deal, why is there so much opposition in Delaware County? Have you talked with anyone in Delaware county about their problems? Michael Wickersham stated he understands in Delaware County that it is the zoning and where they can be placed. What our county is doing is following the zoning ordinance that is already in place which includes the road use agreement, decommissioning and economic development agreements. The public hearing will be conducted on June 4th for the tax abatement. The Delaware county issues have already been discussed in Randolph County several years ago when our ordinance was put in place. It appears they are trying to implement a zoning ordinance in their county and are running into problems. Wallace stated he understood there were issues with the setback standards. He believes there are more downsides with the monstrosities being here and only a few people will benefit.

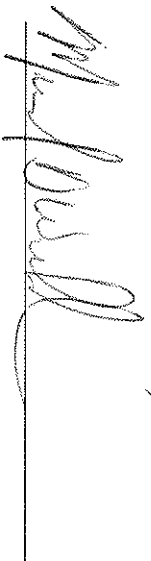
Danny Love returned to the meeting stating he needs the annual report approved since it has to be sent in before June 1st. Gary Girtton made the motion to approve the highway department annual report for the State. Michael Wickersham seconded the motion. All aye votes cast. Motion carried.

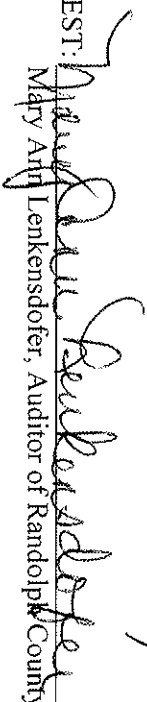
Adjournment

Michael Wickersham made the motion to adjourn. Gary Girtton seconded the motion. All aye votes cast. Motion carried.

Reviewed and signed this 15th day of July, 2013.

RANDOLPH COUNTY COMMISSIONERS



ATTEST: 
Mary Ann Lenkendorf, Auditor of Randolph County