

## Minutes

November 28, 2023

Commissioners present: William Bateson, Timothy Bechtol and Michael Pepple.

Also Present: Alec Helms, Cindy Land, Auditor Charity Rauschenberg, Adam Witteman & Lou Wilin from the Courier

Commissioner Bateson opened the meeting at 9:30 a.m. in the Commissioner's 1st floor conference room. The Pledge of Allegiance was recited. Minutes from the November 21st, 2023 meeting were read with Michael Pepple making a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Michael Pepple made a motion to approve the Warrant Journal. Timothy Bechtol seconded. Motion passed 3-0. The Commissioners approved a travel request for EMA and the reimbursement request for the MWCD for Stantec services. The assistant clerk presented the Certificate of Mailing of Notices to Owners of Land Affected by the proposed Road Name Change for Township Road 215.

The Assistant Clerk presented the following resolutions for consideration:

Resolution #871-23 – Authorizing the payment of the listed and/or attached Purchase Orders. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #872-23 – Transfer of funds within the General Fund #1001. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #873-23 – Additional appropriation - within the Auditor's Certification - Commissioners to appropriate to Ditch Maintenance #2004. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #874-23 – Additional appropriation - within the Auditor's Certification - Commissioners to appropriate to CPC-Specialized Docket Fund #2217. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #875-23 – Transfer of funds within the appropriation - Job & Family Services #2015. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #876-23 – Transfer of funds from Indigent Defense Fee #8180 to General Fund #1001. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #877-23 – Transfer of funds within the appropriation – Sheriff - General Fund #1001. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #878-23 – Transfer of funds within the appropriation - Board of Elections Fund #1001. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #879-23 – Additional appropriation - within the Auditor's Certification - Commissioners to appropriate to Severance Fund #2136. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #880-23 – Additional appropriation - within the Auditor's Certification - Commissioners to appropriate to Special Improvements #4005. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Resolution #881-23 – Additional appropriation - within the Auditor's Certification - Commissioners to appropriate to Severance Fund #2136. Michael Pepple made a motion to approve, Timothy Bechtol seconded. Motion passed 3-0.

Alec Helms requested an executive session in regards to personal – hiring. Cindy Land added possible litigation to the request.

Auditor Rauschenberg stated that dog tag season starts on Friday. She has been reviewing the Blanchard River Enhancement information and everything looks set for the assessments.

Steve Wilson stated he received word this morning that workers should be back onsite at the Ranik property on Monday to hopefully do the final excavation. The city is onsite now doing their Phase 2 environmental studies.

### **Meetings/Reports**

Michael Pepple attended the Flood Mitigation meeting on Thursday and everything seems to be on schedule and on task. Yesterday he attended the MPRMA Executive Committee meeting. This is our county's liability insurance. The final premium increase was approved.

Tim Bechtol reported that he forgot to report in the previous meeting that he attended the FFA Farmers Harvest Breakfast at Cory-Rawson High School on Saturday November 18<sup>th</sup>. Last night he attended GOP Executive Committee meeting at the City building.

William Bateson had nothing to report.

At 9:44 a.m., William Bateson made a motion to enter into executive session in regards to personal – hiring and potential litigation. Timothy Bechtol seconded. A roll call vote resulted as follows: William Bateson, yes; Timothy Bechtol, yes; Michael Pepple, yes;

At 10:58 a.m., William Bateson made a motion to come out of executive session, in regards to personal – hiring and potential litigation with no action taken. Timothy Bechtol seconded. Motion passed 3-0.

At 11:00 a.m., the Commissioners reconvened their meeting. Also present was Alec Helms, Lynn Taylor, Cindy Land, Phil Johnson, Brian Stozich, Jay Myers and Tim Stuart. Commissioner Bateson stated we are here to talk about the Simplex Alarm Panel and the insurance company. Jay Myers stated he spoke with Jackie from Gallagher Basset and they have not determined anything yet. Jay explained what the causes of the panel breaking was. Jay stated the insurance company is looking to possibly have this be a subrogated claim and want

something saying it was AEP fault. Johnson Controls will not provide that. Lynn Taylor stated that Jackie has researched the weather in the area and can not find documentation of anything causing the power surge. Jackie is trying to get as much information as possible from the county to determine how they can help us. She was questioning the timing of the claim and the fact there is not documentation of a technician coming out from Johnson Controls. She stated she is working on a lot of hearsay. Lynn stated she has reached out to AEP to get a report of what happened that day. Cindy Land asked where the panel is located? Brian Stozich stated it is in the Courthouse. Commissioner Pepple asked why the surge protectors did not work when this happened? Tim Stuart stated this is dated equipment and is more susceptible. This only surge protector on this is built in. Commissioner Bechtol stated we will want to make sure to have one put on the new panel because this cannot happen again. Cindy Land stated her and Phil have discussed what to do next and they would like to draw up an affidavit as to who was called, when they were called and why they did not come onsite. This affidavit and the report from AEP will be sent to the insurance company. There was a discussion on if anything else could have caused the panel to fail. Brian Stozich stated Johnson Controls will not put anything definite in writing as to the cause. Cindy Land stated the possible outcomes of the claim. Brian stated that this is nothing new. Mike Thompson has been dealing with small surges at the jail for awhile now. Phil Johnson asked about the status of information from Johnson controls and stated the best way to move forward is sending an email with all the needed information and he will create the affidavit based on that. Brian stated they intend to begin work on the new panel on the 6<sup>th</sup>.

Phil Johnson requested an executive session in regards to potential real estate lease.

At 11:14 a.m., William Bateson made a motion to enter into executive session in regards to potential real estate lease. Timothy Bechtol seconded. A roll call vote resulted as follows: William Bateson, yes; Timothy Bechtol, yes; Michael Pepple, yes;

At 2:46 p.m., William Bateson made a motion to come out of executive session, in regards to potential real estate lease with no action taken. Timothy Bechtol seconded. Motion passed 3-0.

Respectfully submitted,




Alec Helms, Assistant Clerk

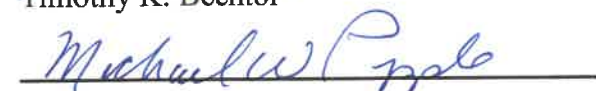
Reviewed and approved by:



William L. Bateson



Timothy K. Bechtol



Michael W. Pepple