

# COMMISSIONER'S JOURNAL

**Wednesday**

**Regular**

**August 6, 2008**

The Coshocton County Commissioners met in regular session on Wednesday, August 6, 2008 with Mr. Gary Fischer, Mr. Dane Shryock and Mr. Larry Stahl in attendance. Also present was Mr. Ken Smailes, WTNS, Ms. Kathie Dickerson, The Tribune and Ms. Mary Beck, Clerk.

## Approval of Minutes

Mr. Shryock made a motion, seconded by Mr. Stahl to approve the minutes as presented for Monday August 4, 2008.

Vote: Shryock	yea
Fischer	yea
Stahl	yea

## Dog Warden Report

Received the Dog Warden Report for the week ending July 25, 2008 with 40 calls handled, 16 tags sold, 5 late fees paid, 4 dogs sold, 1 puppy sold, 5 puppies sold to rescue and 4 dogs redeemed for a total collected fees in the amount of \$350.00.

## Dog Warden Report

Receive the Dog Warden Report for the week ending August 1, 2008 with 39 calls handled, 37 tags sold, 3 late fees, 8 dogs sold, 4 puppies sold, 24 puppies sold to rescue, 6 dogs redeemed for a total fees collected in the amount of \$635.00.

## Court Square

Mr. Stahl made a motion, seconded by Mr. Shryock granting permission to Daniel Baird the use of the Court Square on Saturday, August 9, 2008 for a concert for the troops.

Vote: Shryock	yea
Fischer	yea
Stahl	yea

## Contract Smalls's Asphalt Paving, Inc.

Mr. Shryock made a motion, seconded by Mr. Stahl to sign a contract with Small's Asphalt Paving for the Local Resurfacing Program 2008, Round 22, CN17L, in an amount not to exceed \$230,000.00 as requested by Mr. Fred Wachtel, County Engineer.

Vote: Shryock	yea
Fischer	yea
Stahl	yea

## Contract Small's Asphalt Paving, Inc.

Mr. Stahl made a motion, seconded by Mr. Shryock to sign a contract with Small's Asphalt Paving for the Local Resurfacing Program 2008, Round 22, CNT07, in an amount not to exceed \$1,835,600.00 as requested by Mr. Fred Wachtel, County Engineer.

Vote: Shryock	yea
Fischer	yea
Stahl	yea

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## Contract – United Precast

Mr. Shryock made a motion, seconded by Mr. Stahl to sign a contract with United Precast, Inc. for the Pre-stressed Concrete Box Beams, OPWC Rd 22, CNT08 in an amount not to exceed \$26,610.00 as requested by Mr. Fred Wachtel, County Engineer.

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea

## Smurfit-Stone Container Bonds

Mr. Stahl made a motion, seconded by Mr. Shryock to sign the fully executed tri-partite agreement for the County of Coshocton, Ohio Environmental Improvement Revenue Refunding Bonds (Smurfit-Stone Container Enterprises, Inc. Project) Series 2005 Dated 5/1/2005.

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea

## Resolution 2008-42

Mr. Shryock made a motion, seconded by Mr. Stahl to sign Resolution 2008-42 to make an amendment to the Prevention, Retention, and Contingency Plan (PRC) for the Department of Job and Family Services as requested by Mr. Terry Miller, Director.

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea

## Additional Appropriation

Mr. Stahl made a motion, seconded by Mr. Shryock to approve the following Additional Appropriations Request which has been certified by the County Auditor.

FROM	TO	AMOUNT
Revenue not anticipated in 2008	001-0610-5104.00 School Resource	\$2,500.00

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea

## Housing Semi-Annual Program Income Report

Mr. Shryock made a motion, seconded by Mr. Stahl to sign the Semi-Annual Program Income Report as of 6/30/08.

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea

## Litter Collection Report

Mr. John Fielden attended the meeting and presented the Commissioners with his July 2008 Collection Report. Due to monetary constraints because of the gas prices, he is working on more complaint issues as opposed to traveling the county roads and picking-up trash. The Commissioners thanked him for his report.

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## Executive Session – Personnel – Hiring

At 9:00 a.m. Mr. Stahl made a motion, seconded by Mr. Shryock to go into executive session to discuss personnel hiring. At 9:11 a.m. the meeting was returned to regular session. No action taken.

## LightSpeed – RFP

Mr. Jeff Gamrath, Mr. Mike LaVigne, Mr. Jon Mosier and Mr. Kyle Quillen, LightSpeed attended the meeting to review their RFP. Mr. Fischer opened the meeting and asked Mr. Quillen to give an opening statement as to why he feels they should be selected and how he plans to make this happen in Coshocton County. Then that will be followed by a round-robin question/answer period. Mr. Quillen presented the Commissioners with a letter stating their proposal is proprietary and contains trade secrets. MR. Shryock stated that under ORC. 149.43 it states that once we receive a proposal it becomes a public record. Unless it is stated as specific reasons that certain items in the proposal are proprietary and not just a statement saying that they feel it is proprietary. Mr. Quillen stated that we will cross that bridge when we get there then. Ms. Beck stated that according to the Prosecuting Attorney, by Mr. Quillen presenting this letter stating his reasons that he believes his proposal is proprietary, it closes the proposal to the public until someone file a paper with the court to determine otherwise. That being said, Mr. Quillen then stated that he has several years of experience in bringing broad band to rural residents. He has brought wireless to Tuscarawas County, Holmes County and Wayne County. He intends to utilize the Marcs Towers to bring coverage to Coshocton County. He will use a first run 900 megahertz service. Once the project is complete, he intends to have coverage over all of Coshocton County. Mr. Mosier asked about the Marcs Towers that are leased and not owned. Has he done anything to reach an agreement with the leased towers? Mr. Quillen stated that he has not talked with them yet, but he hopes that the Commissioners will work with him to get these towers. Mr. Fischer stated that although the Commissioners are trying to get monies to help build-out this project, it is not guaranteed. Mr. Quillen stated that he understands that. Mr. Shryock asked about the deployment plan and Mr. Quillen stated that each deployment will be within 90 days. He anticipates phases I, II, and III will be done much faster though. Mr. Shryock asked if he is a customer in another county, to get service, how quickly that is done. He stated that it normally takes 2 weeks to determine if he can get service to them and actually installing the service. Mr. Gamrath asked if that would change if they had say 100 requests for service. Mr. Quillen stated that he is capable of increasing his staff to meet any need. Mr. Shryock asked if his company is strong enough financially to do this project. Mr. Quillen stated that they are. Mr. Gamrath asked about the number of customers it will take to utilize the Marcs Towers. Mr. Quillen stated that he will need approximately 100 customers to break even on the towers. Mr. Quillen stated that they do have asynchronous service which is the same speed up as down. Mr. Mosier asked what kind of band width a customer will get for 39.99 per month. Mr. Quillen stated that they will get 3-5 megs. Mr. Fischer asked the difference between commercial and residential. Mr. Quillen stated the amount of megs and the amount of usage and also if there is an outage, they get preferential treatment. Mr. Fischer asked if they have any problem providing connections to county entities. Mr. Quillen stated that he has no problem with this except he does not want to have any additional expense for this. Mr. Quillen stated that also, he would like to look a t licensed 4.9 gigahertz for the county system, but as far as the county is concerned, he has no problem providing the connection. Mr. LaVigne asked what residents will get for the one and two year contracts. What do residents get for that \$199 - \$299 contract? Mr. Quillen stated that is the equipment and activation fee. However, if you terminate the service, they get the equipment back. Mr. Shryock stated that as far as the county goes, we are paying for the equipment to activate county offices. Mr. Quillen stated that yes, but he will not take the equipment back if they would not continue the service. Mr. Shryock asked if someone can find an elevated spot near their house and run the line to their house. Mr. Quillen stated that yes they can, but they will need electricity at that site. Mr. Mosier stated that he did not see specific references in Mr. Quillen's proposal. Also, he stated that Mr. Quillen stated that he has total coverage in Holmes and Tuscarawas Counties, what kind of percentage of coverage are we getting in those areas outside in the more populated areas. Mr. Quillen stated that he is not certain at this time, but will get an answer to that question. Mr. Mosier then asked if his company can provide good internet service to

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## LightSpeed Continued

these remote townships. Mr. Quillen stated that he can do that, but he cannot guarantee that every single household will have coverage. Mr. Fischer stated that they plan to use the Marcs Towers, 911 towers and residential towers in this county. Mr. Quillen stated that yes he does and that is what makes this a very plausible project. Without the Marcs Towers, this project would be much more difficult to achieve. Mr. Mosier asked if Mr. Quillen will put the equipment and purchase the equipment to the fire stations in the county. Mr. LaVigne asked if he is a customer and his service is down, how long it will take him to service the problem. Mr. Quillen stated that normally it is taken care of within 2 days for residential service and sooner for commercial services. Mr. Stahl asked how reliable is this service with weather ect in comparison to satellite. Mr. Quillen stated that this service has no problems in comparison to satellite service. Mr. Shryock asked if in the future, this service could be bundled with television service as well. Mr. Quillen stated that at this time there are some things on the horizon, but nothing concrete. Mr. Fischer asked if given the contract when the project will begin. Mr. Quillen stated immediately. Mr. Gamrath stated that we will need references from him and the township coverage's in Holmes and Tuscarawas Counties. The Commissioners thanked him for attending.

## NexGenAccess, Inc. RFP

Mr. Joel White, Mr. Paul Sadler, NexGenAccess, Inc., Mr. Jon Mosier, Mr. Jeff Gamrath and Mr. Mike LaVigne attended the meeting to discuss the proposal of NexGenAccess for the wireless broadband project. Mr. Fischer welcomed everyone and stated that this is a new venture for everyone and we ask you to make an opening statement and then have a round-robin question/answer session. Mr. Sadler applauded the Commissioners efforts to bring wireless broadband to this county. He stated that he is the former owner of Clover Computer and started his business in 1986. He has moved his business to wireless as a means to service customers. He stated that the assets that the Commissioners are bringing to this project will turn a positive net income within 5-6 years. The big issue becomes the funding and that is the initial investment of \$500,000 that a company will need to invest in the project. Mr. Fischer asked if they have ever taken anything of this scale on in a county-wide environment. Mr. White stated that in Guernsey County, they did a tri-county project that provided internet access and they helped write the RFP for that project. In that project, they got a grant for start-up costs. Their company actually designed and installed this network. Mr. Sadler stated that he feels this project is a good model to be able to apply to the Commissioners project. Mr. Shryock asked if we do not get the grant monies that we have applied for is this company willing to proceed with this project. Mr. Sadler stated that it is very difficult to pursue this project without some type of funding somewhere. Mr. White stated that they wrote the proposal with that in mind and does not feel the project can succeed without grant funding being in place. He also stated that they have done this for some time and they know what it will take cost wise to get this done. Mr. Sadler stated that the cost estimates given is what they feel it will cost them to provide this service. Mr. Mosier asked about the coverage they will be able to provide and Mr. Sadler presented a map of the areas in which he feels they will be able to cover. Mr. Mosier stated that it appears that several of the townships are not covered under this plan. Mr. Sadler stated that once the network is established, then you can add customers. Mr. Gamrath asked if they have done any systems like this. Mr. Sadler stated that he Monroe tri-county project is one project that he has done and also, he has run Clover Computer and provided wireless service for residents of this county. Mr. Sadler stated that in any plan, you need to have community involvement. He feels the biggest question is to see if we can get as many residents on this program as possible. Mr. Shryock asked if the city water towers are listed on this project. Mr. Fischer stated that they were not listed for the project. Mr. Fischer stated that in their proposal they stated that they need to start in the city and move out and the Commissioners really want to get the wireless out to the residents in the county that don't have any other options. He understands his reasoning, but they were concentrating on the residents who don't have any access. Mr. Sadler stated that he feels that we should concentrate in the beginning to the more populated areas and then work your way out into the county. Mr. Mosier asked how much subsidy would be needed in the first three years. Mr. Sadler stated he feels it would need to be approximately \$300,000. Mr. Gamrath asked what the install cost would be. Mr. Sadler stated at this time they have a \$99 install fee, but they do get



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## NexGenAccess Continued

their equipment back if that customer would leave. Mr. Gamrath asked if they increase the up-front cost to say \$200 or \$300 would that affect the monies needed up front. Mr. White stated that the reason they use the \$99 cost is because the research shows that if you go above that amount, customers are not willing to sign-up for more than that. If the sign-up were zero, they would have even better participation. Mr. Sadler stated that he feels this project needs to be local and it makes more sense from a design aspect that everything is local. It is kind of an ownership thing, if it is for Coshocton, it should stay in Coshocton. Mr. Sadler stated that if they can get rid of the deployment cost, then he feels that his company can really make this project a reality. It is the first few years that are crucial. Mr. LaVigne asked if there is not already servers and infrastructure in place that can be used. Mr. Sadler stated that is how they built their original network, but with this system, he was looking at a totally individualized system starting from scratch. Mr. Shryock stated that one of the reasons for deployment were for an economic reasons as well as individual reasons. That is what the Commissioners were trying to make certain those businesses in rural areas were served. If the contract was awarded to them how soon could they start deployment? Mr. Sadler stated that from phase I through IV would take approximately 4 months. Mr. Shryock asked if they would have staff available for the increased installations. Mr. Sadler stated that they would. Mr. Mosier asked if they could convince people that this service is better than satellite. Mr. Sadler stated that they would have no problem doing that. Mr. Mosier asked what percentage of the county was covered by their system that was created in Monroe County. Mr. White stated that originally they were to just hit the county seat, but it went somewhat further than that. Mr. Sadler stated that he feels it now covers approximately 50-60 percent of the county. Mr. Gamrath asked what the average residential package would cost. Mr. Sadler stated that with the new pricing it would start at \$24.99 and increase from there depending on the speed. Mr. Gamrath asked if they are going to provide any additional services. Mr. White stated that they are working on voice over IP at this time. They are looking at data back-up as well. Mr. Stahl asked about weather related issues? Is it better than satellite? Mr. White stated that without a doubt it is better. Occasionally they could have some outages, but they get them corrected with in the same day or the next day. The Commissioners thanked them for attending.

## Discussion – RFP – Broadband Wireless

Mr. Fischer asked Mr. LaVigne's opinion on the two presentations. Mr. LaVigne stated that the Commissioners whole object in this project was to get wireless to the rural areas and that is being supplied by LightSpeed. Mr. Gamrath stated that he would like to ask how the coverage is in Holmes and Tuscarawas Counties are. Because he has some concerns with the areas that LightSpeed covers in those counties. Also, he is concerned with the high up-front cost that they are charging. Can the Commissioners negotiate those costs with him? Mr. Stahl stated that he has asked that question in the past and he thought that he stated that those costs could be spread out over a 2-3 month period at the beginning of the contract. Mr. Fischer stated that given the cost of other options, his charge does not seem to be unreasonable. Mr. LaVigne stated that one reason why we might not be able to get residents to sign-up is that they are already tied up in contracts and this might slow down the number of people signing up. Mr. Mosier stated that he has two issues that bother him about NexGenAccess is where will we come up with the monies and also in the first 4 months it leaves big holes in coverage. He does have some reservations about LightSpeed, however, he feels based on the coverage's provided, he would have to go with LightSpeed. Mr. Gamrath stated that his biggest reservation with LightSpeed is that he needs to show more information as to how he will proceed with the expansion from phase I through phase VI. Mr. Stahl stated that he likes the fact that NexGen is a local business, but he has deep concerns that the rural areas are not being served. He does have some reservations with LightSpeed, but if he has to vote today, he will go with LightSpeed. Mr. Shryock stated that NexGen has worked very hard on the financials. However, we wanted to attack this project at a certain level and he feels that they did not do what we asked. LightSpeed did not spell out exactly how they plan to do the work, but he feels that in a contract form, he will have to do so. Therefore, he will have to go with LightSpeed at this time. Mr. Fischer stated that both companies spent a lot of time preparing these proposals. He felt that NexGen looked at this in a financial manner. That being said, we are looking at getting internet

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## RFP Discussion Continued

access to rural areas. Another issue is that NexGen does not get coverage to all the rural areas and also we do not have \$300,000 to begin immediately. Therefore, he feels that we need to go with LightSpeed and work diligently on a contract to make them spell out exactly how they will plan to proceed with this project. Mr. Shryock made a motion, seconded by Mr. Stahl to award the RFP to LightSpeed Solutions and to offer them the opportunity to sign a contract with Coshocton County to provide the wireless broadband as specified in the RFP requirements for Coshocton county.

Vote:	Shryock	yea
	Fischer	yea
	Stahl	yea


Mr. Fischer then stated that they would like to thank Paul Sadler and NexGenAccess for all their work on this project and submitting the RFP.

## Recess

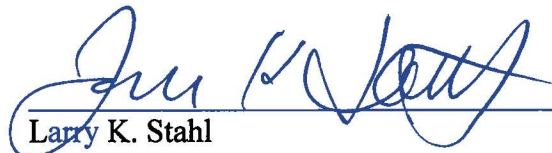
At 12:30 p.m. Mr. Fischer moved the meeting to recess. At 1:30 p.m. the meeting was returned to regular session.

## Adjourn

At 2:40 p.m. Mr. Fischer adjourned the meeting.

  
 Gary L. Fischer

  
 Dane R. Shryock

  
 Larry K. Stahl

  
 Clerk