DELAWARE COUNTY COMMISSIONER'S MEETING

July 18, 2016

The Board of County Commissioners of Delaware County met in Regular Session in the County Commissioner's meeting room in the Delaware County Courthouse at 9:02 a.m. on July 18, 2016. The Agenda was posted July 15, 2016 at 9:23 a.m. and placed in the kiosk located on the courthouse lawn.

Members of the Board present were Commissioner Tom Sanders-Chairman, Commissioner Doug Smith-Member, Commissioner Martin Kirk-Member and County Clerk Barbara Barnes-Secretary. The Board of Delaware County Commissioners is hereby authorized to take action on the following items:

AGENDA #1-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to approve the minutes of the Special Meeting of 7/14/16. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #2-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to approve all claims presented to the Board by County Clerk, Barbara Barnes as follows:

2015-2016 Highway: 2476, Apac-Central Inc., 499.91, Rock; 2477, Jim Woods Mkt., 2036.71, Fuel; 2478, Jim Woods Mkt., 841.05, Fuel; 2479, Cintas Corporation, 366.20, Blanket; 2480, Oci, 1137.40, Signs; 2481, Cintas First Aid & Safety, 221.17, First Aid Supplies; 2482, Kemp Stone Co Inc., 1239.12, Rock; 2483, Longan Construction, 1056.92, Asphalt; 2484, Katner Mills (Napa), 136.89, Blanket; 2485, Sisco True-Value Hardware, 131.40, Blanket; 2486, O-Reilly Automotive Inc., 636.94, Blanket; 2487, Kemp Stone Co Inc., 4163.52, Rock; 2488, Kemp Stone Co Inc., 636.96, Rock; 2489, Legacy Farm & Lawn, 951.88, Farm Supplies; Ssf: 824, Delaware County Journal, 65.46, Publications; Resale: 328, Delaware County Journal, 98.67, Publications; County Assessor Revolving Fee Fund: 6, Dell Marketing Lp, 9983.00, Computer Hardware; Cbri-105 Roads & Bridges: 60, Pryor Stone Inc., 5490.59, Rock; Fire Department Sales Tax: 1065, The Generator Guy, 142.05, Repairs; 1066, Sharp Testing Services, 1726.50, Service; 1067, At&T, 47.41, Telephone Service; 1068, Delaware County Journal, 35.00, Publications; 1069, Del Co Rural Water Dist #3, 41.00, Utilities; 1070, Kansas Building Supply Inc., 51.74, Blanket; 1071, Speedys 66, 94.69, Blanket; 1072, Lakewood Ace Hardware, 95.17, Blanket; 1073, Walker Hardware & Lumber, 134.05, Blanket; 1074, Rec/Ne Okla Electric Coop, 243.00, Electric Service; 1075, Grand Telephone Co., 45.38, Telephone Service; 1076, Jim Woods Marketing, 765.23, Blanket; 1077, Emergency Apparatus Maintenance, 1256.70, Pump Services; 1078, Rec/Ne Okla Electric Coop, 198.00, Electric Service; 1079, Aep, Public Service Co. Of Okla., 163.32, Electric Service; 1080, New-Mac Electric Cooperative, 68.90, Electric Service; 1081, Sst, 141.29, Telephone Service; 1082, Stephens Auto (Napa), 115.21, Blanket; 1083, Rec/Ne Okla Electric Coop, 184.40, Electric Service; 1084, Bernice Sanitation Llc, 50.00, Sanitation; 1085, At&T, 111.08, Telephone Service; 1086, Sst, 224.32, Telephone Service; 1087, Kenwood Water District, 18.00, Utilities; General: 3922, Quill Corporation, 2184.93, Office Supplies; 3923, Delaware County Journal, 500.00, Publications; 3924, Delaware County Journal, 472.65, Publications; 3925, Osbi, Okla State Bureau Of Investigation, 19.00, Criminal History Check; 3926, Butler Baptist Church, 25.00, Election; 3927, The Paperclip Office Supplies, 111.94, Maintenance Supplies;

2016-2017 County Health: 11, Johnston, Jamie, 119.88, Travel; 12, Quill Corporation, 619.91, Office Supplies; 13, Glaxo Smith Kline Financial, 488.90, Med; 14, Oklahoma State Dept. Of Health, 66666.67, Misc; 15, Verizon Business, 212.27, Long Distance Service; 16, Edwards Lawn Service, 160.00, Lawn Care; 17, Mcarthur Cleaning, 270.00, Janitorial Service; 18, Hometown Bottled Water Service, 27.95, Water/Rent; Solid Waste Cash Fund: 1, Solid Waste, 150271.90, Solid Waste Sales Tax; Highway: 66, S&H Farm Supply, 122.75, Farm Supplies; 67, Employee Screening Services, 58.00, Drug Testing; 68, Larmon, Phillip, 239.00, Repairs; 69, Little Kansas Tire Llc, 42.00, Vehicle Maintenance; 70, Stribling Equipment Llc, 24.00, Parts; 71, Larson Farm & Lawn Inc., 1499.01, Farm Supplies; 72, Sisco True-Value Hardware, 575.88, Tools; 73, At&T, 228.32, Telephone Service; Ssf: 26, A-1 Wrecker Service, 141.25, Towing; 27, Otc, 12.00, Tag & Title; 28, Stephens Auto (Napa), 840.93, ; 29, Neo Computers, 250.00, Labor; 30, Network Fleet Inc., 303.20, Gps; 31, Curtiss Tate Tires And Service, 12.00, Tire Repairs; 32, Lakeland Office Systems, 141.15, Maintenance; 33, Lakeland Office Systems, 124.60, Maintenance; 34, Lakeland Office Systems, 139.51, Maintenance; 35, Lakeland Office Systems, 16.60, Maintenance; 36, Johnny's Offroad

& Tire Center, 200.00, Repairs; 37, Jay Drug Testing Llc, 45.00, Drug Testing; 38, Stephens Auto (Napa), 427.89, Parts; Doc: 1, Flower's Baking Co., 132.00, Food; 2, Flower's Baking Co., 115.50, Food; Mortgage Tax Cert Fee: 3, County Treasurer Assoc., 315.00, Dues; 4, Wal-Mart-Exception Processing, 11.97, Office Supplies; Fire Department Sales Tax: 3, Grand Lake Telecommunications, 40.45, Internet; 4, Michaels Auto Repair, 275.00, Repairs; 5, Delaware County Journal, 26.60, Publications; 6, The Burrows Agency, 10866.00, Insurance; 7, Grand Savings Bank, 5255.36, Lease/Pur; 8, County Clerk, 1385.65, Reimbursement; 9, County Clerk, 1385.65, Reimbursement; 10, County Clerk, 1385.65, Reimbursement; 11, County Clerk, 1385.65, Reimbursement; 12, Welch State Bank, 1412.08, Lease/Pur; 13, Sba Steel Llc, 135.08, Rent; 14, Grand Telephone Co., 41.10, Telephone Service; 15, Grand Lake Telecommunications, 34.95, Internet; 16, County Clerk, 1385.65, Reimbursement; Use Tax Cash Account: 3, Richards & Connor, 6216.85, Legal Fees; 4, Richards & Connor, 6282.60, Legal Fees; Delaware County Economic Dev: 1, Center For Economic Dev. Law, 237.50, Prof Services; Emergency Mangement Progress Grant: 6, Welch State Bank, 766.82, Lease/Pur; General: 141, Xerox Corporation, 29.22, Maintenance; 142, Lakeland Office Systems, 63.43, Maintenance; 143, Wal-Mart-Exception Processing, 1.24, Misc; 144, Secretary Of State, 25.00, Notary; 145, Underground Vaults & Storage Inc., 715.50, Storage; 146, Otc Fund - Oklahoma Tax Com, 85.00, Registration; 147, Otc Fund - Oklahoma Tax Com, 245.00, Registration; 148, Tuder, Wayne, 601.56, Reval Travel; 149, Craig County Detention Center, 1157.36, Juv Det; 150, Erwin S Pest Control,160.00, Blanket; 151, Grand Gateway Eda, 4000.00, Membership; 152, Rec/Ne Okla Electric Coop, 105.00, Electric Service; 153, Delaware County Journal, 67.55, Publications; 154, Acco-Sif, 184157.00, Workers Comp; 155, Election Board Depository Acct, 9.00, Election; 156, The Paperclip Office Supplies, 192.39, Maintenance Supplies; 157, Rec/Ne Okla Electric Coop, 244.00, Electric Service; 158, Del Co Rural Water Dist #3, 41.00, Utilities; 159, Oklahoma Dept Of Public Safety, 350.00, Olets Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #3-A motion was not needed to approve and file all monthly reports submitted by Officers as none were submitted.

AGENDA #4-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to approve a Lease Purchase Agreement between Oaks Fire Department and Command Fire Apparatus with assignment to Grand Savings Bank. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #5-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to approve a bid in the amount of $20.00 submitted by Richard Schrader to purchase property not sold at resale described as: Lots 213 & 214 Flint Ridge RV Park 2. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #6-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to receive and file Commissary Fund Report submitted by the Delaware County Sheriff's Office for June, 2016. The report stated the balance forwarded as $2,026.34. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #7-A motion was made by Commissioner Sanders and seconded by Commissioner Kirk to discuss the replacement of the Courthouse roof. Sanders stated that 2 air conditioning units also needed replacement and would be looking in to having that bid at the same time as re-bidding the roof repair. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #8-A motion was made by Commissioner Sanders and seconded by Commissioner Smith to approve the inspection of the road cut/bore in Sunnywood Estates for Grand Telephone and that the existing $1,000.00 Bond will be transferred to a cut on E. 365 Road just South of the Highway 127 turn to Zena. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #9-A motion was made by Commissioner Sanders and seconded by Commissioner Smith to address the appointment schedule as researched from the minutes of the Board of County Commissioners beginning December 6, 2010 to verify the terms of the Trustees of the Delaware County Solid Waste Authority as follows:

DECEMBER 2016 – DISTRICT #1
DECEMBER 2017 – DISTRICT #2

DECEMBER 2018 – DISTRICT #3

Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #10-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to table until the July 25, 2016 meeting a utility permit requested by Cherokee Nation for a project located on 320 Road Ext, located in District #1.

AGENDA #11-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to approve acceptance of Sheriff's Department bid opened in meeting dated July 11, 2015 for the sale of vehicles. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #12-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to open and review all bids received for the selling of one used Tanker Truck by Eucha Volunteer Fire Department. A bid was submitted in the amount of $1,551.01 from Jimmy Dubois. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #13-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to discuss the recent notification from DEQ regarding violations at the Delaware County Solid Waste Transfer Station. The BOCC knew there were some violations but have yet to receive a report as to what they are. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #14-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to approve an intra-fund transfer of Appropriation in the amount of $500.00 from FD-CL-3 (Capital Outlay) to FD-CL-2 (M&O) per request of Cleora Fire Department. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #15-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to approve and receive the current Officers and Certificate of Insurance for the Butler Volunteer Fire Department as follows: President-Mack Brewer, Vice President-Bill Elliott, Secretary-Paula Prins, Treasurer-Joyce Crossley, Member-Roger Tanner, Fire Chief-Randy Prins, Assistant Chief-Roger Tanner, Requisitioning-Randy Prins & Barbara Barnes, Receiving-Jimmy Ford & Ashley Snell, Inventory-Paula Prins. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #16-A motion was made by Commissioner Sanders and seconded by Commissioner Kirk to approve and receive the current Officers and Certificate of Insurance for the Monkey Island Fire Department as follows: Chairman-Jason Benson, Treasurer-Jan Wilson, Clerk-Gretchen Smith, Fire Chief-Carl Tesreau, Assistant Chief-Reggie Stone, Requisitioning-Barbara Barnes, Inventory-Jon Wilson. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #17-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to approve and receive the current Officers and Certificate of Insurance for the Cowskin Fire Department as follows: Chairman-Rick Bronson, Vice Chairman-Don Smith, Treasurer-Donna Armstrong, Secretary-Kat Bronson, Members, Chris Wilkins, Frankie Howerton, Calvin Sells, Butch Lahr & Cheryle Brown, Fire Chief-Monty Hackler, Assistant Chief-Frankie Howerton, Requisitioning-Barbara Barnes & Monty Hackler, Receiving, Kaylene Hackler & Donna Armstrong, Inventory-Terry Brown & Frankie Howerton. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #18-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to open the floor for any new business. No new business. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #19-A motion was made by Commissioner Kirk and seconded by Commissioner Smith to open the floor to citizen's participation or public comments.

Charles Smith asked how the public will find out about the DEQ report regarding violations made by the Solid Waste Department. The BOCC have not received the DEQ report, but said the report would go through their meeting and the public would be notified of their findings.

Mike Major asked Commissioner Kirk and Commissioner Smith if they thought there was enough public information and wondered what plan they are working on for the SWTA. Major stated there was no mention of any convenience centers in the original SWTA plan. Major felt that the BOCC should have approved any $78,000.00 per year convenience centers before they were put in place. Major said in his opinion the trust authority is operating illegally.

Joe Stansell stated that he thought we currently live in a representative democracy. He noticed the BOCC is taking responsibility for County Fire Departments, the public provides monies for this as well as the SWTA. He pointed out there are two former County Commissioners on the SWTA and they do not appear to have any accountability. The citizens of the county are funding over one million dollars a year in sales taxes for the SWTA and this trust authority continues to have trouble with their bookkeeping.

Commissioner Sanders said that Bill Turner, CPA would be on the agenda of an upcoming SWTA Meeting and will be addressing the issue of proper accounting. Sanders also said that there is also an upcoming meeting of the citizen's committee formed to study the current SWTA. Privatization will be discussed along with other alternative solutions.

Commissioner Kirk stated he feels there is a need to start all over and re-structure the SWTA. District #3 does not want privatization. He feels they need to regain trust with the people and perhaps consider replacing some of the SWTA Board.

Charles Smith stated the BOCC handbook clearly defines what is expected of a Trust Authority, the Trust Indenture does not legally specify its rules above the law.

Janet Stansell stated the Zena dumpster is going to be removed on the 25th of July and strongly recommended the BOCC ask the SWTA to leave the dumpster in place. She said her family is driving substantial mileage for trash disposal. Commissioner Sanders said the BOCC has suggested they leave the dumpster, but the BOCC cannot force them to do so.

Rick Moody questioned in the delegation of authority from the BOCC to the trust authority, is there blanket bonding with D&O and E&O components in place to protect the county.

Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #20-A motion was made by Commissioner Smith and seconded by Commissioner Kirk to adjourn the meeting at 10:00 a.m. Roll Call: Commissioner Sanders-yes, Commissioner Smith-yes, Commissioner Kirk-yes. Motion carried.

TOM SANDERS-Chairman

DOUG SMITH-Member

MARTIN KIRK-Member

ATTEST:

BARBARA BARNES, Delaware County Clerk

COUNTY CLERK DELAWARE COUNTY, OK