



DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

DECEMBER 15, 2020

The Board of County Commissioners of Delaware County met in Regular Session at 9:02 a.m. on December 15, 2020. The Agenda was posted December 14, 2020 at 8:40 a.m. and placed in the kiosk located on the courthouse lawn as well as the county website.

Members of the Board present were Commissioner David Poindexter-Chairman Commissioner Russell Martin-Member and Commissioner Martin Kirk-Member and County Clerk Barbara Barnes-Secretary. The Board of Delaware County Commissioners is hereby authorized to act on the following items:

AGENDA #1- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve the minutes of the Regular Meeting dated December 8, 2020. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes Motion carried.

AGENDA #2-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve payment of claims submitted by the County Clerk's Office. 2020-2021 Economic Development Sales Tax 5, DELAWARE COUNTY ECONOMIC DEVELOPMENT AUTHORITY, 48.20, DCEDA SALES TAX; Emergency Mgmt 32, VERIZON WIRELESS, 86.30, WIRELESS SERVICE33, LINDLY S INC., 275.44, MISC; General 1618, CITY OF GROVE, 500.00, RENT1619, THOMSON REUTERS - WEST, 291.19, LAW LIBRARY1620, XEROX CORPORATION, 1503.87, SERVICE1621, XEROX CORPORATION, 1337.42, SERVICE1622, PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC, 200.55, LEASE/PUR1623, KELLPRO INC., 69.00, OFFICE SUPPLIES1624, SPATIALEST INC., 14500.00, SUBSCRIPTION1625, HOMETOWN BOTTLED WATER SERVICE, 46.00, WATER/RENT1626, GRAND TELEPHONE CO., 205.99, TELEPHONE SERVICE1627, GRAND LAKE TELECOMMUNICATIONS, 95.00, INTERNET SERVICE1628, VAN S PRINTING, 140.00, PAPER PRODUCTS1629, HOMETOWN BOTTLED WATER SERVICE, 59.25, WATER/RENT1630, GRAND TELEPHONE CO., 203.02, TELEPHONE SERVICE1631, GRAND LAKE TELECOMMUNICATIONS, 95.00, INTERNET SERVICE1632, U.S. POSTMASTER, 4400.00, POSTAGE1633, U.S. POSTMASTER, 140.00, POSTAGE1634, EMBASSY SUITES HOTEL, 288.00, LODGING1635, QUILL CORPORATION, 536.73, OFFICE SUPPLIES1636, CLIFFORD POWER SYSTEMS INC., 463.00, MAINTENANCE1637, THE AMERICAN, 316.95, PUBLICATIONS1638, THE AMERICAN, 207.45, PUBLICATIONS1639, AEP, PUBLIC SERVICE CO. OF OKLA., 2592.27, ELECTRIC SERVICE1640, AMERICAN STAMP & MKT PRODUCTS, 130.40, STAMPS1641, V&V DRUG, 3018.95, MISC1642, DEL CO RURAL WATER DIST #3, 47.23, UTILITIES1643, CREEKKILLER, JEN, 49.28, TRAVEL1644, GRAND LAKE TELECOMMUNICATIONS, 45.00, UTILITIES1645, GRAND TELEPHONE CO., 153.59, UTILITIES1646, LAKELAND OFFICE SYSTEMS, 145.54, MONTHLY SERVICE; Health 115, OKLAHOMA STATE DEPT. OF HEALTH, 52005.72, PERSONNEL SERVICES116, JOHNSTON, JAMIE, 82.80, TRAVEL117, MCARTHUR, MARSHA, 46.00, TRAVEL118, VERIZON WIRELESS, 41.29, WIRELESS SERVICE119, AMAZON.COM / SYNCB, 293.70, SUPPLIES120, GROVE SUN, 27.57, PUBLICATIONS121, PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC, 491.04, LEASE122, TURNER & ASSOCIATES PLC, 750.00, MISC; Highway 868, APAC-CENTRAL INC., 14405.56, ROAD MATERIALS869, GMSA, 87.85, UTILITIES870, WILLIAMS DIVERSIFIED MATERIALS, 4389.26, SALT871, ATWOODS DISTRIBUTING L.P., 356.83, SUPPLIES872, LOOPER GENERAL REPAIR, 620.00, MISC873, CATERPILLAR FINANCIAL SERVICES CORP., 1603.35, LEASE/PUR874, SOUTHERN TIRE MART LLC, 705.12, TIRES875, SCOTT EQUIPMENT, 209.72, PARTS876, PARTS CITY LTE, 592.91, PARTS877, STRIBLING EQUIPMENT LLC, 54.44, PARTS878, LAKELAND-CPP, 2108.80, FUEL; Judgement-ST 6, DELAWARE COUNTY JUSTICE AUTHORITY, 175794.60, JUSTICE AUTHORITY SALES TAX; Resale 126, QUADIANT LEASING, 457.02, LEASE; Rural Fire-ST 515, BERNICE PUBLIC WORKS AUTHORITY, 32.50, UTILITIES516, WOODSHED OF MONKEY ISLAND LLC, 133.85, BLANKETS517, BERNICE PUBLIC WORKS AUTHORITY, 23.75, UTILITIES518, VYVE BROADBAND, LLC, 115.84, MONTHLY SERVICES519, O-REILLY AUTOMOTIVE INC., 12.83, BLANKETS520, SISCO TRUE-VALUE HARDWARE, 36.45, BLANKETS521, HAUSER WATER RESOURCES, 149.00, REPAIRS22, THE BURROWS AGENCY, 1454.00, INSURANCE523, O-REILLY AUTOMOTIVE INC., 387.72, BLANKETS524, SISCO TRUE-VALUE HARDWARE, 55.16, BLANKETS525, MALLORY SAFETY AND SUPPLY, LLC, 419.49, MEDICAL SUPPLIES526, SST, 121.58, TELEPHONE SERVICES527, KENWOOD WATER DISTRICT, 18.00, UTILITIES528, HAROLD S AUTO PARTS (NAPA), 241.47, BLANKETS529, REC/NE OKLA ELECTRIC COOP, 183.00, ELECTRIC SERVICES530, FROMAN OIL & PROPANE COS. INC, 1255.56, HOSES531, WALKER HARDWARE & LUMBER, 393.26, BLANKETS532, SPEEDYS 66, 277.65, BLANKETS533, LOCKE SUPPLY CO., 32.21, BLANKETS534, GRAND TELEPHONE CO., 51.58, TELEPHONE SERVICES535, GRAND LAKE TELECOMMUNICATIONS, 60.00, INTERNETS536, TIFF STORE, 70.40, BLANKETS537, NEW-MAC ELECTRIC COOPERATIVE, 27.50, ELECTRIC SERVICE538, QUADMED, INC., 2662.35, COVID-19539, QUADMED, INC., 855.00, COVID-19540, DEL CO RURAL WATER DIST #3, 90.00, UTILITIES541, BOLT FIBER OPTICS SERVICES, 91.35, INTERNET SERVICE; SH Svc Fee 286, SOUTHERN UNIFORM AND EQUIP, 142.50, MISC287, JAY UTILITIES AUTHORITY, 61.40, UTILITIES288, LAKELAND OFFICE SYSTEMS, 343.40, COPIES289, GRAND TELEPHONE CO., 1182.28, TELEPHONE SERVICE290, GRAND LAKE TELECOMMUNICATIONS, 60.00, INTERNET291, OMNI III CABLE TV INC., 2.50, CABLE TV292, JAY UTILITIES AUTHORITY, 61.40, UTILITIES; SW Mgmt 6, SOLID WASTE, 175767.85, SOLID WASTE SALES TAX; Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes Motion carried.

AGENDA #3-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve monthly reports submitted by officers. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Report submitted by the Court Clerk.

AGENDA #4 - A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval to conduct Public Hearing concerning the Petition to Vacate portion of platted roadway in Lakoma Park, a subdivision located in Delaware County. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval to vacate portion of platted roadway in Lakoma Park, Delaware County. Roll call: Commissioner Poindexter-yes, Commissioner Martin - yes, Commissioner Kirk-yes. Motion carried.

AGENDA #5 - A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval to conduct Public Hearing in the matter of reserving that portion of a section line easement (commonly known as East 300 Road) West of South 590 Road to the point said section line easement meets Grand Lake 'O the Cherokees, a distance of approximately 830 feet. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

Public comments received from: Nelson Johnson, Gary Martiney, and Sarah Shafelt to voice their concerns. Mr. Johnson indicated many in the neighborhood benefit from the lake access and blocking the access would deprive citizens and visitors from these benefits and is vehemently opposed to it and appreciates the BOCC "NO" Vote in the matter. Mr. Martiney indicated he thought that the GRDA would have to give final approval since you cannot block access based on his understanding, so the BOCC alone could not make the determination. Mrs. Shafelt indicated the lack of communication to the local adjoining residents and was concerned that at some point the area if blocked off would be made into a commercial development and she and other neighbors she spoke on behalf of were opposed to that possibility. Commissioner Martin indicated receiving multiple phone calls from concerned citizens and wants to confirm the status of the road before a determination could be made on his part. It was determined the road is on Delaware County Road inventory with ODOT but not being maintained by Delaware County. The owner of the property in question voiced his concerns and provided photos of the most recent accident where a vehicle had driven into the lake 11/20/2020 and another 10/14/2016 and alluded to additional cases. He is concerned for potential further harm if nothing is done. He also voiced his concerns regarding trespassers that are intoxicated and causing noise disturbances and possible security issues. 69 OK Stat § 69-1201 (2014) was referenced and further clarification as to the status of the section in question be made before a determination is made.

A motion was made by Commissioner Martin and seconded by Commissioner Kirk to table the item until the next BOCC meeting on 12/22/2020 so further research could be made on the current status of the section line easement in question. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #6 - A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval of correction in the amount of \$90,394.66 to be paid back to the State of Oklahoma Corona Relief Funds for Delaware County. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #7-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve Hearing Human Resources Vicki Cossairt on current status regarding families first Coronavirus. Roll Call: Commissioner Poindexter-yes Commissioner Martin-yes Commissioner Kirk-yes. Motion carried. Vicki Cossairt, HR Director, reported that there are 2382 diagnosed cases of COVID up 267 from last week; 39 deaths no change over last week; 1928 recovered up by 152 from last week; 415 active cases up by 115. She attributes the spike from the gatherings over Thanksgiving. Courthouse is continuing to maintain reduced schedules and rotating staffing to ensure safety of staff. EM Director Travis Beesley is continuing the daily sanitizing potentially saving the County \$15,000 to \$20,000 if it was contracted out to a commercial service. Vaccines are beginning to be issued across the country beginning with the elderly. Hopefully by the New Year the #'s will begin coming down.

AGENDA #8-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval to discuss and review the County's policies in relation to Covid-19 and take action to modify those policies as needed. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Commissioner Poindexter touched on HR's information as well as Eric Darnell giving additional attention to door knobs and additional cleaning for restrooms and will continue with those processes until further notice.

AGENDA #9- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve Regular Meeting dates for Delaware County Tax Correction Board and Delaware County Equalization Board for 2021 in accordance with Oklahoma Open Meeting Law of 1977 Title 25 O.S. 1981, Chapter 8. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. County Treasurer Susan Duncan recommended that the sale take place to put the property back on the tax roll.

AGENDA #10-A motion was made by Commissioner Martin and seconded by Commissioner Kirk to approve resolution designating County Holidays for Calendar Year 2021. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #11-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval of declaration of surplus of one HP Pro 3500 Micro Tower Serial No. MXL3260X8B per request of the Treasurer's Office. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #12-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval of declaration to junk one HP Pro 3500 Micro Tower Serial No. MXL3260X8B per request of the Treasurer's Office. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #13-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval of Proclamation that the Delaware County Board of Commissioners encourage and recommend the unqualified support of the Second Amendment of the United States Constitution for all public agencies within Delaware County. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #14-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval of Dist. #1 to purchase with extended warranty of a 2020 Cold Planer in the amount of \$18,901 from Warren Cat through their Sourcewell member Number. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #15-A motion was made by Commissioner Kirk and seconded by Commissioner Martin for approval to discuss with possible action to renew NACO membership for Delaware County. The renewal invoice is in the amount of \$812. Roll call: Commissioner Poindexter-yes, Commissioner Martin-no, Commissioner Kirk-yes. Motion carried.

AGENDA #16-A motion was made by Commissioner Martin and seconded by Commissioner Kirk for approval of Memorandum of Understanding between Cherokee Nation and Delaware County, Oklahoma, clarifying the maintenance responsibilities for public roadways designated as part of the Tribal Transportation Program. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #17-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to open the floor for Public Comments. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Mike Major had one question regarding item #16 to confirm that it is an annual fee. Commissioner Poindexter said that it is an annual fee.

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

AGENDA #19-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to adjourn at 10:31 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.



David Poindexter, Chairman



Russell Martin, Member



Martin Kirk, Member

Attest:



Barbara Barnes, County Clerk

