



DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

APRIL 6, 2021

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on April 6, 2021. The Agenda was posted April 5, 2021 at 8:45 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 Jake Callihan-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 Callihan to approve the minutes of the Regular Meeting dated March 30, 2021. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #2-A motion was made by Commissioner Callihan and seconded by Commissioner Kirk to approve payment of claims submitted by the County Clerk's Office. 2020-2021: CBRI 38, BENTON COUNTY STONE, 1874.00, ROAD MATERIALS39, BENTON COUNTY STONE, 1328.26, ROAD MATERIAL; Donations 12, AEP, PUBLIC SERVICE CO. OF OKLA., 404.97, ELECTRIC SERVICE; General 2694, WILLIAMS, FEDELL J., 362.32, REVAL TRAVEL2695, VAN S PRINTING, 1525.00, ENVELOPES2696, GROVE ELECTRIC & LIGHTING, 490.00, LIGHTING SUPPLIES2697, TIM S ELECTRIC INC., 892.50, LIGHTING SUPPLIES2698, THE AMERICAN, 326.50, PUBLICATIONS2699, JAY UTILITIES AUTHORITY, 2626.10, UTILITIES2700, GRAND LAKE LOCK & SAFE, 517.00, LOCKSMITH2701, QUILL CORPORATION, 194.89, OFFICE SUPPLIES; Health 218, OKLAHOMA STATE DEPT. OF HEALTH, 49478.14, PERSONAL SERVICES219, MOORE, MARSHA, 114.46, TRAVEL220, KILLION, DEIDRA, 196.00, TRAVEL221, GREER, JESSICA, 43.68, TRAVEL222, BRIDGES, SEAN, 349.44, TRAVEL223, WEAVER, KRISTEN, 239.68, TRAVEL224, BRADY, ERICA, 54.32, TRAVEL225, MCARTHUR, MARSHA, 41.44, TRAVEL226, AEP, PUBLIC SERVICE CO. OF OKLA., 531.39, ELECTRIC SERVICE227, JAY UTILITIES AUTHORITY, 279.45, UTILITIES; Highway 1484, KATNER MILLS (NAPA), 1090.25, MISC1485, CABIN DIESEL SERVICE INC., 627.13, FILTERS1486, CABIN DIESEL SERVICE INC., 187.92, PARTS1487, AEP, PUBLIC SERVICE CO. OF OKLA., 381.13, ELECTRIC SERVICE1488, GMSA, 298.22, UTILITIES1489, CABIN DIESEL SERVICE INC., 270.00, SOFTWARE1490, BOLT FIBER, 159.97, UTILITIES1491, LONGAN CONSTRUCTION, 2989.51, ROAD MATERIAL1492, LAKELAND-CPP, 2776.80, FUEL1493, WARREN CAT, 1183.66, GRADER PARTS1494, ATWOODS DISTRIBUTING L.P., 170.88, MISC1495, LONGAN CONSTRUCTION, 3019.43, ROAD MATERIALS1496, HOMETOWN BOTTLED WATER SERVICE, 41.85, WATER/RENT1497, KEMP STONE CO INC., 3212.73, ROAD MATERIALS1498, THE SHOP AT GRAND LAKE, 197.00, COMPUTER SOFTWARE1499, J & J AUTO SUPPLY, 956.59, PARTS1500, WELCH STATE BANK, 2080.93, LEASE/PUR1501, GRAND SAVINGS BANK, 5407.86, LEASE/PUR1502, STRIBLING EQUIPMENT LLC, 3516.41, REPAIR1503, CINTAS FIRST AID & SAFETY, 333.38, FIRST AID SUPPLIES1504, CABIN DIESEL SERVICE INC., 225.89, PART; Rural Fire-ST 928, AEP, PUBLIC SERVICE CO. OF OKLA., 139.12, UTILITIES929, BERNICE PUBLIC WORKS AUTHORITY, 23.75, UTILITIES930, AT&T, 102.09, LONG DISTANCE SERVICE931, ALERT360, 22.00, SECURITY SYSTEM/REPAIR932, CITY OF GROVE, 400.00, DISPATCH SERVICE933, BOLT FIBER OPTICS SERVICES, 49.99, MONTHLY SERVICE934, THE BURROWS AGENCY, 1454.00, INSURANCE935, CITY OF GROVE, 400.00, DISPATCH SERVICE936, CARDS NEO, LLC, 50.00, SANITATION937, BOLT FIBER OPTICS SERVICES, 159.10, WIRELESS SERVICE938, MALLORY SAFETY AND SUPPLY, LLC, 3872.00, FIRE DEPARTMENT MEDICAL SUPPLIES939, SST, 118.10, TELEPHONE SERVICE940, R&R HEATING & AIR COND., 325.00, HEATER/AC UNIT941, SST, 170.12, TELEPHONE SERVICE942, REC/NE OKLA ELECTRIC COOP, 176.82, ELECTRIC SERVICE943, COUNTRY BOY'S TIRE & AUTO REPAIR, 1089.12, TIRES944, DEL CO RURAL WATER DIST #3, 90.00, UTILITIES; SH Svc Fee 460, DAVES GARAGE, 312.34, MISC461, RICK GOINS AUTO REPAIR LLC, 485.78, Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #3- A motion was made by Commissioner Kirk and seconded by Commissioner Callihan to approve all monthly reports submitted by Officers. Roll Call: Commissioner Poindexter-yes Commissioner Callihan-yes Commissioner Kirk-yes. Motion carried. Reports submitted by County Clerk, County Health Dept, and the County Assessor.

AGENDA #4-A motion was made by Commissioner Kirk and seconded by Commissioner Callihan to approve Hearing Human Resources Vicki Cossairt on current status regarding families first Coronavirus. Roll Call: Commissioner Poindexter-yes Commissioner Callihan-yes Commissioner Kirk-yes. Motion carried. Vicki Cossairt, HR Director, reported that there have been 4525 total diagnosed cases of COVID an increase of 23 from last week, two less than last weeks cases; 66 deaths which was an increase of 2 from last week; 4354 recovered increased by 26 from last week; 105 active cases which is down by 5 from last week. For many months daily cases of several hundred were being reported and right now cases are being reported weekly as the numbers continue to trend down. As vaccinations progress and become more readily available at outlets such as Walmart and Walgreens and local pharmacies we see the numbers trending down even more than at the beginning of the vaccines and that's nice to see. Just a reminder I will be looking at part time and contract labor since every time there is a new administration there are new laws, in the past it has been 1,000-hour law on benefits. Part time staff is very limited but just a heads up we will be reviewing those numbers.

AGENDA #5-A motion was made by Commissioner Kirk and seconded by Commissioner Callihan 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 Callihan-yes, Commissioner Kirk-yes. Motion carried. No changes for now, will continue to monitor the Covid-19 cases and will begin to modify as recommended while still maintaining safety for citizens and Courthouse personnel. Chairman Poindexter directed questions to District Attorney Kenny Wright for recommendations or examples of what other Courthouse Policies have been amended to. The DA responded with data from changes they instituted at the Ottawa County Courthouse.

Last week their board voted to open up the courthouse a little bit, to allow the public in without an appointment and they don't have to prove they are here for court but can come and go from the courthouse as they like. They are asking people to please still make an appointment if they have business with one of the offices and continue maintaining the mask mandate. Contemplation of possible confusion if the rest of the building did not require masks but in the courtroom's, judge's chambers, they are still required, so to prevent confusion with the judges' and attorneys to instruct public entering to put on masks, it was simplest to just retain the mask mandate when in the courthouse building. The masks are the best thing we can do to combat the spread of the disease and his recommendation is that the last thing removed is that mandate. Each elected officer to decide how many people in each of their waiting areas can hold and most were two people. Outside of every office an Occupancy limit in great big letters was posted on an 8x10 sheet so if you have an extra person staff would have to direct them to have them wait in the hallway and as they leave then the next person could rotate in. So far that seems to be working well, continuing to reconsider other areas as well. For example, marriage licenses were not being issued because of their special circumstances it had caused them to have larger numbers of couples seeking a license since they are next to Laverne's Wedding Chapel. Putting that back in place after a conference since it was impactful for Wedding planning couples having to change their entire wedding plans if they were having to marry in a different county due to the license issue. Anything reasonable with the offices that we can do that can make it a little easier on the public but keeping in mind we still need to keep everyone safe. Further discussion of the next step of opening things up more all Commissioners were in favor. If the numbers continue to trend down will give it a try with opening up a little bit. The other component that Ottawa did was for meetings with staff or when in a room with only personnel, no mask is required since the majority have been vaccinated or have access to vaccines. Chairman Poindexter was concerned with instituting more sanitizing throughout the day facilitated by each office especially in the hallways where the majority of the congestion is occurring and possible spread of germs since not all contagious people indicate a temperature. Institute sanitizing before opening and midday. Ottawa County also purchased a machine that takes temperatures when citizens enter the door, no contact, they just pass through their wrist and the device takes their temperature. Its free standing visually and looks like a hand sanitizing station. Will also need to determine the temperature threshold it should be set at if we decide to purchase and use one as well. The equipment they purchased ranged from \$1300 to \$1500 in price but there is more advanced equipment which also contains facial recognition combined with the temperature reading built in for roughly a price range between \$10 to \$20k. Suggestion by Jeff Reeves EM Director he had observed in doctors' offices and clinics placing humidifiers with the sanitizer solution in them very inexpensive and easy to maintain. Commissioners agree once the temperature scanning equipment is purchased, they would open up some aspects of the courthouse. Jeff Reeves indicated, he was assisting with a 100-Vaccine POD in Kansas, OK Votech building. They would be offering the Johnson & Johnson single shot vaccine as well as the Moderna.

AGENDA #6-A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan for approval of Utility Permit (Road Cut), in District #1, issued to Debra Meeuws located at 24868 S 638 Rd, Grove, OK 74344 – contractor is Prestige performing the cut, a \$1,000 bond has been collected and deposited. Upon completion, the BOCC will be notified in writing requesting written acceptance and bond deposit release. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #7-A motion was made by Commissioner Kirk and seconded by Commissioner Callihan for approval to receive and forward to the District Attorney's office a notice of Sheriff's Sale for lots 202 and 203 Flint Ridge RV Park No. 2; action styled as Flint Ridge Property Owners Association, Inc., an Oklahoma corporation, Plaintiff vs. Phillip D Jones, et al., Defendants; Case No. CS-2020-312. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #8- A motion was made by Commissioner Kirk and seconded by Commissioner Callihan for approval to receive and file copy of Certificate of Liability Insurance and current list of Board of Directors and Officers for the Cleora Fire Department as follows: John (Jay) Hensley Jr – President, Tyler Bullard and James Blaser – Members, Braden Middleton – Captain, Bill Ballenger – Fire Chief, John Hensley Jr – Asst Chief, Karen Quinn – Sec/Treas, John Hensley Jr and Barbara Barnes – Requisitioning Officers, Bill Ballenger – Receiving Officer, Braden Middleton – Inventory Officer. (Tabled from 3-30-2021) Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes Motion carried.

A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk to table to BOCC meeting 4-13-2021 to give District Attorney Kenny Wright time to confirm if the option of accepting the Certificate of Liability can be completed without the acceptance of the officer appointment, while the Board for the Cleora FD can appoint sufficient officers and to give allowable time for assistance to be offered to the Board of Directors to be able to install the necessary Officers as well. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes Motion carried.

AGENDA #9- A motion was made by Commissioner Kirk and seconded by Commissioner Callihan for approval to receive and file copy of Certificate of Liability Insurance and current list of Board of Directors and Officers for the Kenwood Fire Department as follows: Tony Hopton-Chairman, Greg Butcher, Adrian Black and Ira Holt-Members, Greg Butcher-Fire Chief, Curtis Dry-Asst Chief, Greg Butcher and Barbara Barnes-Requisitioning, Barbara Hopton and Denisa Dry-Receiving Officers, Jan Butcher-Inventory Officer. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to table to BOCC meeting 4-13-2021 to give allowable time for assistance to be offered to the Board of Directors to be able to install the necessary Officers. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes Motion carried.

AGENDA #10- A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk for approval to receive and file copy of Certificate of Liability Insurance and current list of Board of Directors and Officers for the Butler Fire Department as follows: Mack Brewer-President, Bill Elliot-Vice President, Joyce Crossley-Treasurer, Paula Prins-Secretary, Roger Tanner-Member at large, Randy Prins-Fire Chief, Roger Tanner-Asst Chief, Randy Prins and Barbar Barnes-Requisitioning Officers, Jimmy Ford and Gary Crawford-Receiving Officers, Paula Prins-Inventory Officer. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk for approval of agreement between "Just Appraised SAAS Services" and Delaware County per request of the Delaware County Assessor. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried. Chairman Poindexter asked the County Assessor to share the specifics on the program. Currently the program is being utilized in 60 Counties across the U.S. and in two counties in Oklahoma, Payne County and Oklahoma County. The current process of transferring property records from the County Clerk's office to the Assessor's office is quite cumbersome requiring lengthy processes and duplication of paperwork and a lot of research to ensure accuracy. This program offers a smart-scanning technology that picks up on key words on documents that are relevant to the Assessor files and saves all that time of having to wade through unnecessary data, which will eliminate the majority of that cumbersome process. Payne and Oklahoma County indicated they were very pleased with it and it has really streamlined their property transfers. The company was very knowledgeable, we had many questions for them and possible scenarios that are encountered during the process and they answered them all more than satisfactorily. The cost is minimal to set up for a one-time \$2,000 fee and for the ongoing monthly service with no contract is \$1,500/month, can cancel any time.

AGENDA #12- A motion was made by Commissioner Kirk and seconded by Commissioner Callihan for consideration and possible approval of temporary 90-day Intergovernmental Cooperative Detention Agreement between the County and the Cherokee Nation. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried. District Attorney Kenny Wright (DA) indicated that we have been working on trying to craft a permanent year to year contract for housing inmates with the Cherokee Tribe. Detainees or awaiting sentencing they pay us \$47/day for housing those inmates. The challenge with coming up with a permanent renewable agreement is that if there is a disagreement on billing then we would have no other way to resolve it but be to sue them in their own courts. The Tribe is not crazy about waiving permanent sovereign immunity. We came up with this temp 90-day agreement so that if we have a disagreement we go to mediation – if the permanent agreement is put in place it will be similar. The agreement is a good one and we don't expect there to be any problems with it. They have been a good cooperative partner through all this so far. It will make things easier. As it stands now, there are currently not enough Sheriff deputies to transport these inmates to other facilities in Roger's county or wherever they have agreements with those other facilities. It will make things easier on the Cherokee Marshalls since they do not have enough transfer officers to send someone up here to pick them up. This will solve those challenges as well as generate some revenue for the County. Chairman David Poindexter (DP) had a question regarding current housing status, if we are housing any Cherokee inmates? (DA) responded, there are some still housed currently due to working through all of their cases and pending state cases that haven't crawled all the way thru the system yet. Another question from (DP) regarding the over capacity of the jail and concerns that this new process potentially causing overcrowding or will it alleviate it? Undersheriff James Beck (Beck) indicated there are currently 66 inmates being housed (54 male/12 female) with about 9 – 10 of those with pending state charges from other localities and awaiting transport that are not Cherokee. If the contracts are signed today then we keep the one Cherokee inmate and begin billing the Tribe, if is not approved and signed today, they have to come pick up the inmate. The County will continue to monitor throughout the next year for the upcoming changes. If the jail is at capacity according to the contracts, they would not have to be accepted here they would have to take their prisoner to another facility, we are not obligated if we are full. (Beck) responded by addressing the concerns of overcrowding, "Most of the prisoners that come in here are going to be arrested by the Sheriff's office. Cherokee Marshalls don't have the manpower to be patrolling here, they have multiple contracts in other locations if we are full, we can tell them we are full and they can take them to another facility, for example like this weekend we came across somebody that needed to be arrested but we could not take the time for the Deputy to take them to another facility where they needed to go, because of the call volume we had, they were cited and travel ordered and released but they should have come to jail but we just could not do it at that time based on what was happening in the county. They potentially could be housed in other Counties with wherever they can find a bed. It's the Sheriff's goal to keep the numbers down so we do not get to overcrowding. If there are Cherokee inmates then the Tribe is responsible for any housing fees and they are responsible for transporting in the event that we are full. They have their own transport officers. Also, the tribe is responsible for larger medical needs at an Indian Medical Services site if medical attention is needed. If there is an urgent medical problem needing, we would take them to the ER and we would pay for those services and the Tribe would reimburse us. If we house them onsite medical care is built in to the daily \$47/day such as aspirin and that type of thing.

AGENDA #13- A motion was made by Commissioner Callihan and seconded by Commissioner Kirk for consideration and possible approval for the Board of Commissioners to adjust Elected Official Salaries as permitted by State Statues. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #14- A motion was made by Commissioner Kirk and seconded by Commissioner Callihan to open the floor for new business. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #15-A motion was made by Commissioner Kirk and seconded by Commissioner Callihan to open the floor for Public Comments. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried. Mike Major 1. Question to each district; What is the most serious complaint you receive in each of your districts? Responses were the same for all three districts, "Road conditions". Q2. Who is developing the plan for the proceeds from the American Rescue Plan when they arrive? Chairman Poindexter indicated the Board of Commissioners are working on the plans, nothing in place yet since the US Treasury has not provided definitive guidelines yet. Q3 A question for the District Attorney Kenny Wright, is there a log for everyone coming into the Courthouse for tracking purposes for Covid-19? DA response, no there is not a log. Q4 Does the county utilize all the practices referenced on the Controls Checklist? Chairman Poindexter indicated yes and once a quarter a section typically what is most needed, of the controls is discussed and reviewed in the BOCC meeting.

AGENDA #16-A motion was made by Commissioner Kirk and seconded by Commissioner Callihan to adjourn at 10:25 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Callihan-yes, Commissioner Kirk-yes. Motion carried.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, OKLAHOMA



DAVID POINDEXTER, CHAIRMAN



JAKE CALLIHAN, MEMBER



MARTIN KIRK, MEMBER

ATTEST:



BARBARA BARNES- COUNTY CLERK

