



DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

May 16, 2023

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on May 16, 2023. The agenda was posted May 11, 2023, at 3:14 p.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, Commissioner David Beck-Member and County Clerk Barbara Barnes -Secretary. The Board of Delaware County Commissioners is hereby authorized to act on the following items:

The meeting was called to order by Chairman Poindexter followed by the flag salute and roll call. All members were present.

AGENDA #1 - A motion was made by Commissioner Callihan and seconded by Commissioner Beck to determine that notice of meeting and agenda for this meeting was properly posted in accordance with the Oklahoma Open Meeting Act. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #2- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve introductions and announcements. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. In addition to the Commissioners, County Clerk and Commissioners' Secretary Kathy Parker, Monkey Island Fire Chief Carl Tesreau, Undersheriff Nick O'Neal, Election Board Secretary Crystal January, District Attorney Doug Pewitt, Human Resources Director Vicki Cossairt, Sheriff James Beck, Jail Administrator Katie Rothrock, Emergency Management Director Jeff Reeves, and Steve Donohue introduced themselves.

AGENDA #3- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve the minutes for the regular meeting dated May 9, 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #4- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve payment of claims submitted by the County Clerk. 2022-2023: CBRI CONCRETE 5567 NEO CONCRETE & MATERIALS INC. 5174.50; 6117 LONGAN CONSTRUCTION 8728.50; ROAD MATERIALS 5678 PRYOR STONE INC. 3354.12; 6173 PRYOR STONE INC. 122.05; Emergency Mgmt FUEL 5513 FUELMAN OF OKLAHOMA 258.27; MISC 5515 LINDLY S INC. 15.00; TELEPHONE SERVICE 5514 VERIZON 29.81; General null 3922 TIM S ELECTRIC INC. 2415.00; COMPUTER REPAIRS/SERVICE 6112 QUALITY DATA PRODUCTS 396.00; CONTRACT SERVICES 5867 OSU COOP. EXTENSION SERVICE 4000.00; COPY PAPER 6163 THE PAPERCLIP OFFICE SUPPLIES 48.99; ELECTRIC SERVICE 5015 REC/NE OKLA ELECTRIC COOP 72.00; 5104 REC/NE OKLA ELECTRIC COOP 236.00; FIRST AID SUPPLIES 6231 CINTAS FIRST AID & SAFETY 34.20; JANITORIAL SUPPLIES 5616 THE PAPERCLIP OFFICE SUPPLIES 204.96; 5853 THE PAPERCLIP OFFICE SUPPLIES 285.37; LEASE/PURCH 5588 OZARK LEASING A PROGRAM OF DE LAGE 97.82; MAINTENANCE 229 BLACKWATER SEPTIC LLC 850.00; MISC 6159 THE PAPERCLIP OFFICE SUPPLIES 979.65; PUBLICATIONS 5559 THE AMERICAN 332.45; 5856 THE AMERICAN 36.30; TRAVEL 5343 DOWNING, BROOKE 1225.61; Health LAWN CARE 4884 EDWARDS LAWN SERVICE 420.00; WIRELESS SERVICE 3759 VERIZON 42.87; 4402 US CELLULAR 43.49; Highway null 5337 PARTS CITY LTE 1213.57; CHAINS 6174 INDUSTRIAL SPLICING & SLING LLC 560.00; ELECTRIC SERVICE 5494 REC/NE OKLA ELECTRIC COOP 228.54; FILTERS 6121 S&H FARM SUPPLY 473.25; 6155 HERITAGE TRACTOR INC 1066.35; FIRST AID SUPPLIES 6189 CINTAS FIRST AID & SAFETY 446.46; FUEL 5775 LAKELAND-CPP 512.88; 6151 LAKELAND-CPP 4713.82; 6152 LAKELAND-CPP 2491.24; 6153 LAKELAND-CPP 3323.80; LEASE/PUR 5931 ODOT 2315.96; LEASE/PURCH 5797 ODOT 3880.88; 6181 RCB BANK 4779.19; 6182 WELCH STATE BANK 2305.03; 6183 ARVEST BANK 1005.38; 6184 BANK OF GRAND LAKE 1916.41; MILEAGE 6149 POINDEXTER, DAVID C. 258.07; MISC 5483 O-REILLY AUTOMOTIVE INC. 202.60; 5484 J & J AUTO SUPPLY 496.02; 5485 KANSAS BUILDING SUPPLY INC. 266.19; 5487 LINDLY S INC. 80.82; 5490 EUCHA TIRE & FEED 120.00; 5851 INDUSTRIAL SPLICING & SLING LLC 1216.22; 5878 MID-WEST PRINTING CO. 129.57; PART 6157 STRIBLING EQUIPMENT LLC 817.38; PARTS 5711 INDUSTRIAL SPLICING & SLING LLC 726.64; 6130 P & K EQUIPMENT INC. 304.80; 6145 WHITE STAR MACH & SUPPLY, INC. 1117.60; 6147 YELLOWHOUSE MACHINERY 616.26; PROFESSIONAL SERVICES 3936 ROSE & MCCRARY PC 500.00; RENTAL 5736 KIRBY SMITH MACHINERY INC. 4047.00; REPAIR 6247 EVANS HYDRAULIC REPAIR 530.00; REPAIR & BATTERIES 5704 PARTS CITY LTE 534.71; ROAD EQUIP RENTAL 5778 YELLOWHOUSE MACHINERY 4000.00; 5806 YELLOWHOUSE MACHINERY 3725.00; ROAD MATERIALS 4921 SCURLOCK INDUSTRIES 5695.80; TIRES 5890 SOUTHERN TIRE MART LLC 8051.52; 6114 T & W TIRES LLC 9271.06; 6162 GROVE TIRE & AUTO 30.00; TOLL FEES 5491 OTA PLATEPAY 10.00; UNIFORMS 5486 UNIFIRST CORP 403.83; WATER/RENT 5023 HOMETOWN BOTTLED WATER SERVICE 170.00; 5488 HOMETOWN BOTTLED WATER

SERVICE 20.00; Hwy-ST PIPE 5852 SCURLOCK INDUSTRIES 4930.80; Resale LEASE PAYMENT 4964 QUADIENT LEASING 457.02; 6239 QUADIENT LEASING 1197.00; Rural Fire-ST BLANKET 4766 CIRCLE N 106.13; 5360 SISCO TRUE-VALUE HARDWARE 11.58; 5361 KATNER MILLS (NAPA) 121.59; 5362 SISCO TRUE-VALUE HARDWARE 47.58; 5363 LAKELAND-CPP 664.45; 5366 EMERGENCY MEDICALPRODUCTS 198.61; 5373 O-REILLY AUTOMOTIVE INC. 159.55; 5389 TWIN OAKS MART 415.77; 5390 PARTS CITY LTE 159.99; 5391 PARTS CITY LANGLEY 639.10; 5392 LAKEWOOD ACE HARDWARE 506.51; 5393 WALKER HARDWARE & LUMBER 174.72; 5441 LITTLEFIELD'S COUNTRY MARKET 303.34; 5458 LAKELAND-CPP 163.09; ELECTRIC SERVICE 4818 REC/NE OKLA ELECTRIC COOP 200.00; 5414 REC/NE OKLA ELECTRIC COOP 108.00; 5418 REC/NE OKLA ELECTRIC COOP 126.17; 6070 NEW-MAC ELECTRIC COOPERATIVE 27.50; FIRE DEPT BUNKER GEAR 3483 MUNICIPAL EMERGENCY SERVICES INC 5181.84; 5283 MUNICIPAL EMERGENCY SERVICES INC 4241.57; FIRE DEPT EQUIP 3755 W S DARLEY & CO. 2809.67; 5839 GOLDEN WEST INDUSTRIAL SUPPLY 6898.70; FIRE DEPT GEAR 5130 WITMER PUBLIC SAFETY GROUP INC 1928.55; FIRE DEPT VEHICLE 6235 FIRST-IN PUBLIC SAFETY SOLUTIONS 77453.00; FUEL 5455 CIRCLCONVENIENCE STORE 97.99; GENERATOR 4891 CM ELECTRIC 11000.00; INSURANCE 4969 THE BURROWS AGENCY 1598.00; LAWN CARE 5429 MAY, MICHAEL 125.00; LEASE/PURCH 6223 BANK OF GRAND LAKE 895.00; 6224 WELCH STATE BANK 1747.10; 6254 BANK OF GRAND LAKE 2494.78; 6259 WELCH STATE BANK 1203.23; 6260 WELCH STATE BANK 1422.90; MONTHLY SERVICE 5435 J & J AUTO SUPPLY 174.95; 6102 BOLT FIBER 164.87; OVERHEAD DOORS 3852 TRIPLE B GARAGE DOOR LLC 900.00; PROPANE 3806 FROMAN OIL & PROPANE COS. INC 1542.75; 4130 RURAL PROPANE 1774.15; 5295 LINDLY S INC. 1999.97; 5323 RURAL PROPANE 1642.50; RENT 6055 SBA STEEL LLC 158.02; 6058 SBA STEEL LLC 158.02; REPAIRS 5713 JEFF LUNGREN CHEVROLET INC. 133.38; SUPPLIES 4829 LINDLY S INC. 137.94; TELEPHONE SERVICE 6048 GRAND TELEPHONE CO. 135.48; 6065 SST 138.01; 6068 GRAND TELEPHONE CO. 109.41; TIRES 5198 GROVE TIRE & AUTO 1617.36; TRAINING 5188 LOCUST GROVE FIRE DEPARTMENT 800.00; UTILITIES 6061 KENWOOD WATER DISTRICT 25.00; SH Commissary NICOTINE POUCHES 6119 PRECISION VAPOR 2033.24; SH Svc Fee FOOD 6222 HOMELAND STORES INC. 42.25; LEASE 5955 AEP(LEASE) 200.00; VENDOR SERVICES 6122 GRAVES MENU MAKER 2553.04; Use-ST SUPPLIES 4452 LOWE S 35.61. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #5 – Not needed because no monthly reports from officers were received.

AGENDA #6 - A motion was made by Commissioner Callihan and seconded by Commissioner Beck for approval of citizen's participation or comments. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Steve Donohue said he lives west of Grove and served on an E-911 board for 20 years. He told the commissioners he appreciated the positive changes that have been made to establish the county-wide E-911 system. Donohue said the new board of trustees is doing well and going in the right direction. He thanked the BOCC for choosing a board of trustees and then letting them be autonomous to do the job.

AGENDA #7 - A motion was made by Commissioner Callihan and seconded Commissioner Beck to hear a report by Human Resources Director Vicki Cossairt. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Cossairt reported the county had 135 employees Tuesday morning, with four new employees starting- three full-time and one part-time. She said since the last meeting there have been two voluntary exits from employment. The county has 20 full-time and four seasonal jobs posted. Cossairt said ACCO has changed its training to a later date and she will have more information about that at the next meeting.

AGENDA #8-A motion was made by Commissioner Callihan and seconded Commissioner Beck to open the floor for new business. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Callihan said the lights the Chamber of Commerce bought for the courthouse square are ready for installation when an electrician can get around to doing the job.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to accept a Memorandum of Understanding between Delaware County District #1 and Ottawa County District #3. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Poindexter said this is to cover various projects done jointly between the two county districts.

AGENDA #10- A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to approve a utility permit (road bore) in District #1 issued for Ketchum Public Works Authority located at NS 4510 Road at EW 310 intersection. The contractor is David Dollar performing the bore. A \$1,000 bond has been collected and deposited. Once all work has been completed, the BOCC will be notified in writing requesting written acceptance and bond deposit released. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to advertise for sealed bids on road materials for the county highway departments for six months. Persons interested in submitting a bid are to contact Michaele Baker, P. A., located in the Delaware County Clerk's Office, Jay, Okla. Bids will be opened and reviewed in meeting dated June 6, 2023,

at 9 a.m. Bids will be received no later than 3 p.m. in the county Clerk's Office, Jay, Okla. on June 2, 2023. Board reserves the right to accept/reject any and all bids and the right to re-advertise. Co. Bid #22-23/22. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. One bid was received and opened by Commissioner Poindexter.

AGENDA #12- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to advertise for sealed bids on annual paper and cleaning products. Persons interested in submitting a bid are to contact Michael Baker, P. A., located in the County Clerk's Office, Jay, Okla. Bids will be opened and reviewed June 6, 2023, at 9 a.m. with possible acceptance on a later date. Bids will be received no later than 3 p.m. in the County Clerk's Office on June 2, 2023. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County Bid #22-23/25. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #13- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to open with possible acceptance sealed bids on the replacement of fire alarm control panel for the Delaware County Courthouse and Jail. Bid #22-23/30. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. One bid was submitted by APS FireCo from Tulsa. Callihan read the bid which was \$90,530 including a performance bond. At first Rothrock said she did not need to review the bid as she was very thorough on the walk through for expectations. After a little more discussion, Rothrock decided she did need to review the bid. Callihan said that is a good idea because "you know what you're looking at." A motion was made by Callihan and seconded by Beck to table the item until the next meeting. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #14- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to open sealed bids on annual election ballots with possible acceptance. County bid #22-23/31. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Two bids were opened, Mid-west Printing and Royal Printing. January said Mid-west is the company she has been using. The Mid-west bid was 15 cents each for smaller page ballots and 16 cents each for larger page ballots. Royal's bid was 15.5 cents for smaller page ballots and 16.5 cents for larger page ballots. January said she wanted to accept the bid from Mid-west. A motion was made by Callihan and seconded by Beck to accept the bid from Mid-west Printing. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #15- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve affidavit from the Treasurer listing delinquent taxes property owners who cannot by exercise of reasonable diligence be reached by service of mail. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #16- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to advertise for sealed bids on annual uniform service. Persons interested in submitting a bid are to contact Michael Baker, P.A., located in the County Clerk's Office, Jay, Okla. Bids will be opened and reviewed June 6, 2023, at 9 a.m. with possible acceptance on a later date. Bids will be received no later than 3 p.m. in the County Clerk's Office on June 2, 2023. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County bid #22-23/24. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #17- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action lawsuit with Airco per D. A. Doug Pewitt. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Pewitt said the unit in question is on the roof and doesn't work. Commissioner Callihan has made many attempts to get the situation resolved, but communication seems to have stopped. Pewitt said he talked to Airco on the phone and sent a letter, but still there was nothing done. Either a step-down transformer or a new unit is needed to correct the problem, and although Airco has said more than once these things are two days away, none have appeared. Pewitt said a local vendor has the correct unit and is ready to replace the one which does not work. Pewitt asked the commissioners' permission to file a lawsuit for breach of contract to recover the county's money.

Callihan said Airwise will set the new unit tomorrow. The crane Paul Turner must rent to set the new unit will put the old one on a trailer. Callihan will lock Airco's unit up at his barn as security for the money being returned. Pewitt said it is legal to do this. "We are entitled to hold it for security," Pewitt said. Callihan asked if Airco could be required to pay for the crane rental and Pewitt said he would check into that possibility.

A motion was made by Poindexter and seconded by Callihan to proceed with lawsuit action against Airco. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #18- A motion was made by Commissioner Callihan and seconded by Commissioner Poindexter to discuss with possible action parking lot striping. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Callihan said the contractor who was selected told him he expects to be working on the striping by the second weekend of June. The weather has not cooperated, first it was cold and then it rained. Cossairt asked if the sidewalks can be power washed. Rothrock said the inmates will clean the sidewalks if the county has a power washer which is strong enough. The sheriff said the inmates are available to do projects now that the weather is warm. Rothrock said the inmates could stripe the parking lot.

AGENDA #19- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve Highway Cash for June 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #20- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve Blanket Purchase Orders for June 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #21- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve an intrafund transfer from County Clerk Personal Services to County Clerk Capital Outlay, M&O, in the amount of \$50,000 per Barbara Barnes, County Clerk. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #22- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action on the E-911 Center floorplan renovation design. Motion carried.

The proposed plan drawn by BKL was presented. Poindexter said several plans were discussed, but the rough cost of the renovation per square foot is \$250. Poindexter asked the other commissioners to look at the plan. He said someone from BKL can come to a meeting and answer questions if necessary. Callihan asked how many square feet are in the new facility. Poindexter said he doesn't know. Callihan asked if the area labeled future work station will be empty. Poindexter said the idea is to allow for expansion later. Poindexter suggested the other commissioners review the plan and put the item on the next agenda.

AGENDA #23- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action progress concerning the fairgrounds project. Callihan said he and the steering committee went to tour the new facility at Tahlequah. The meeting included the contractor and one of the Cherokee County Commissioners. He said that facility might not fit Delaware County's needs, as Cherokee County has about half as many 4-H and FFA exhibitors as Delaware County. Poindexter asked who the contractor is, and Callihan said Meyers Cherry Construction. He said the building is approximately 30,000 square feet and cost about \$3.5 million. The project came in under budget.

Callihan described the facility, which he said is impressive. A central foyer has concessions on one side and extension offices on the other. The show area is one big space. It has large fans but no air conditioning, and gas heaters. Callihan said he is trying to schedule one of the contractors to look at the Delaware County situation.

Beck asked whatever happened to the idea of getting a feasibility study. Callihan said he thinks the selected contractor should do the study. Poindexter asked about a time line. Callihan said the Cherokee County building took nine months to build.

AGENDA #24- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to adjourn at 9:42 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

ATTEST:

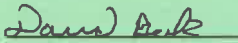

BARBARA BARNES- COUNTY CLERK



DELAWARE COUNTY, OKLAHOMA
BOARD OF COMMISSIONERS


DAVID POINDEXTER, CHAIRMAN


JAKE CALLIHAN, MEMBER


DAVID BECK, MEMBER



**BOARD OF COMMISSIONERS
DELAWARE COUNTY**

DAVID POINDEXTER, DISTRICT ONE
JAKE CALLIHAN, DISTRICT TWO
DAVID BECK, DISTRICT THREE

DRAWER 550

JAY, OK 74346

#3

MOTION MADE BY Callihan SECONDED BY Beck

TO APPROVE/AMEND MINUTES OF REGULAR MEETING DATED MAY 16, 2023.

POINDEXTER Y CALLIHAN Y BECK Y
MOTION CARRIED.

WITNESS OUR HANDS THIS 23RD DAY OF MAY, 2023.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, OKLAHOMA

DAVID POINDEXTER, CHAIRMAN

JAKE CALLIHAN, MEMBER
DAVID BECK, MEMBER

ATTEST:

BARBARA BARNES- COUNTY CLERK