



DELAWARE COUNTY COMMISSIONER MEETING MINUTES

April 30, 2024

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on April 30, 2024. The agenda was posted April 25, 2024, at 4:20 p.m. and placed in the kiosk on the courthouse lawn 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. 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 and County Clerk, Commissioners' Assistant Kathy Parker, Monkey Island Fire Chief Carl Tesreau, Assistant District Attorney Marianna McKnight, Emergency Management Director Jeff Reeves, Human Resources Director Vicki Cossairt, Election Board Secretary Crystal January, Harry Shultz, Zeb Decker, Hickory Grove Fire Chief Lloyd Cox, Jack Wood, Attorney Jot Hartley, Mike Major, Solid Waste Manager David Morris, and Carolyn Boothe 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 April 23, 2024. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; 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: 2023-2024

Economic Development Sales Tax 10, DELAWARE COUNTY ECONOMIC DEVELOPMENT AUTHORITY, 7836.42, DCEDA SALES TAX; General 3386, DISTRICT ATTORNEY, 45500.00, PAYROLL 3387, NE DISTRICT ASSESSOR ASSOC, 50.00, REGISTRATION 3388, AMERICAN STAMP & MKT PRODUCTS, 82.26, SELF INKING STAMPS 3389, THE PAPERCLIP OFFICE SUPPLIES, 399.90, COPY PAPER 3390, PARKER, KATHY L., 72.90, TRAVEL 3391, AMAZON CAPITAL SERVICES, 166.97, OFFICE SUPPLIES 3392, OSBI, OKLA STATE BUREAU OF INVESTIGATION, 19.00, CRIMINAL HISTORY CHECK 3393, NE DISTRICT ASSESSOR ASSOC, 50.00, REGISTRATION 3394, TIM S ELECTRIC INC., 1875.00, LIGHTING SUPPLIES 3395, CINTAS FIRST AID & SAFETY, 105.77, FIRST AID SUPPLIES 3396, THE AMERICAN, 33.95, PUBLICATIONS 3397, THE AMERICAN, 33.95, PUBLICATIONS 3398, THE AMERICAN, 33.95, PUBLICATIONS 3399, THE AMERICAN, 430.70, PUBLICATIONS 3400, THE PAPERCLIP OFFICE SUPPLIES, 62.10, JANITORIAL SUPPLIES 3401, THE PAPERCLIP OFFICE SUPPLIES, 305.65, JANITORIAL SUPPLIES 3402, JAY FEED STORE, 75.00, RENTAL 3403, MATCHELL LAWN CARE LLC, 125.00, LAWN MAINT; Health 214, TRAMMEL, JESSIKA, 62.98, TRAVEL 215, VERIZON BUSINESS, 74.48, MONTHLY SERVICE 216, EAST WELLNESS, TODD EAST-D.O., 75.00, XRAY; Highway 1956, LAKELAND-CPP, 2321.25, FUEL 1957, TRENCH BROTHERS GRAPHICS LLC, 20.00, DECALS/GRAPHICS 1958, GRAND SAVINGS BANK, 16646.69, LEASE PAYMENT 1959, WARREN CAT, 40.17, PARTS 1960, EUCHA TIRE & FEED, 75.00, MISC 1961, LAKELAND-CPP, 3095.00, FUEL 1962, WELCH STATE BANK, 2197.49, LEASE PAYMENT 1963, OSBI, OKLA STATE BUREAU OF INVESTIGATION, 19.00, 1964, HOMETOWN BOTTLED WATER SERVICE, 77.00, WATER 1965, SOUTHERN TIRE MART LLC, 4475.16, TIRES; Mtg Cert 24, QUILL CORPORATION, 291.14, OFFICE SUPPLIES; Resale 263, AMERICAN FIDELITY ASSURANCE CO. FSA, 265.00, INSURANCE; RM&P 114, OPERS, 3691.18, OPERS; Rural Fire-ST 1184, BOLT FIBER, 77.15, MONTHLY SERVICE 1185, REC/NE OKLA ELECTRIC COOP, 120.76, ELECTRIC SERVICE 1186, GRAND TELEPHONE CO., 144.64, TELEPHONE SERVICE 1187, TOTAL PEST SERVICES, 240.00, PEST CONTROL 1188, MUNICIPAL EMERGENCY SERVICES INC, 1282.72, FIRE DEPT BUNKER GEAR 1189, PARTS CITY LTE, 290.96, BLANKET 1190, DON S TRANSMISSION, 5500.00, TRANSMISSION REPAIR 1191, INTEGRITY OVERHEAD DOOR LLC, 14428.35, OVERHEAD DOORS 1192, WHOLESALE ELECTRIC SUPPLY INC., 4754.17, FIRE DEPARTMENT TOOLS 1193, LOWE S, 471.85, BLANKET 1194, REC/NE OKLA ELECTRIC COOP, 123.00, ELECTRIC SERVICE; SH Svc Fee 501, AAVCOR, 38.00, DRUG TESTING 502, AAVCOR, 266.00, RANDOM DRUG TESTING 503, VON JAGER K9, 900.00, K-9 504, AAVCOR, 38.00, DRUG TESTING; SW Mgmt 10, SOLID WASTE, 205574.86, SOLID WASTE SALES TAX

Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; Commissioner Beck-yes. Motion carried.

AGENDA #5- Not needed because no monthly reports were submitted by officers.

AGENDA #6- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to open the floor for citizens participation or comments. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Mike Major said regarding item #11, two BOCC boards ago, a strategic plan was made for Solid Waste, based on income. Major said eight years ago, Solid Waste was in a bad mess based on mishandling of funds. As a result, a new board of directors was set and a new manager was hired. Since then, Major said the trust has done a good job handling the county's trash.

AGENDA #7- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to hear Human Resources report by Human Resources Director Vicki Cossairt. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Cossairt said the county has 143 full-time employees. Since her last report, two employees have terminated and two have been hired. There are 15 county jobs posted with six positions open. Cossairt urged all elected officials to thank their employees. She said thank you notes become important and are kept by employees for years. She stressed that a pat on the back goes a long way.

AGENDA #8- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to open the floor for new business. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Poindexter said he met with Jay Mayor Becky Farley concerning the Election Board building rental price. Poindexter said when the city decides on an amount, it will send a proposal to the BOCC.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to advertise for sealed bids for the purchase of a used tanker truck for the Hickory Grove Volunteer Fire Department. 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 received no later than 5/16/24 at 4 p.m. in the County Clerk's Office, Jay, Okla. Bids will be opened and reviewed in regular meeting dated 5/21/24 at 9 a.m. Board reserves the right to accept/reject any or all bids and the right to re-advertise. Bid# 23-24/17. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #10- A motion was made by Callihan and seconded by Beck to approve Programming Resolution for E 330 Road re-alignment in District #1 to place it on the CIRB five-year plan. Poindexter said this is approximately 2.5 miles of Stand Watie Road going east with a long hill and a curve at the bottom which needs straightening and shoulder widening. Poindexter said he hopes Cherokee Nation will pay for the overlay. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #11- A motion was made by Callihan and seconded by Beck to discuss Solid Waste request to put ¼ cent sales tax on the ballot to fund its operation. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Solid Waste Attorney Jot Hartley thanked Mike Major for acknowledging the good work done by the current SW board. Hartley said in 1988, a half-cent sales tax was approved by a vote of the people to fund Solid Waste. Hartley said Solid Waste is asking to let the people vote again. He said in 2022, the Covid ordeal made the volume of trash much higher. He said SW has a strategic plan for operation which includes service centers.

Morris said the last SW rate increase was in 2020. Morris said in 2021, revenue increased 13 percent while operating expenses increase three percent. In 2022, revenue increased six percent while expenses increased 18 percent. In 2023, those numbers were 10 percent and 18 percent. By the end of this year, Morris expects expenses to have risen 32 percent, while revenue will increase three percent. Morris said he has used the funding the best possible way. His workers have done everything from build fences to rescue construction materials from the trash, but now he says major infrastructure needs will require construction and there is not enough money to increase the size of the operation to meet the strategic plan.

Morris said Solid Waste operates seven days a week while the BOCC operates four days a week, and unlike the commissioners who can just decide not to grade a road if the equipment is down, trash service must continue every day. He said any changes made to the Solid Waste facility must meet DEQ and EPA regulations. Morris said six to nine trailers haul trash to the landfill six days a week. Morris said he needs \$1.5 million for the new space increase. He needs a new scale and new trucks, but expenses keep going up faster than revenue. Morris said Solid Waste is allowed to do side jobs such as recycling which bring in some revenue. Poindexter asked the rate of return on those jobs. Morris said he does not have a number, but SW cannot undercut any private agencies.

Morris said if SW got the ¼ cent increase, he could save it for 16 months to make the improvements, then look at buying more land, which is a cost problem.

Callihan asked if the convenience centers cost more than dumpster sites. Morris said they do because there is a live person's salary and utilities, but Morris said dumpsters not emptied after 24 hours become an illegal dump. Callihan said most of the calls he gets are for trash dumped on the side of the road. "We need to be better stewards of the county than that," Callihan said. Morris said unmanned dumpsters are misused and there is no law enforcement for the misuse. "No enforcement of policy is no policy," Morris said. He said he has been trying to have a good trash cop for 10 years, but he cannot hire his own. The trash cop must come from the sheriff's office. Zeb Decker said it is difficult to get workers to clean up the messes people make at dumpster sites. Poindexter asked how more money fixes that problem.

Morris said that is another subject. He is just asking for money for infrastructure, but then he said the wear and tear on equipment hauling things that are not supposed to be in the dumpsters is costing money. "People throw away stuff that's not supposed to be in there," Morris said, "it's supposed to be bagged trash."

Morris said he pays 30 percent less at the landfill than other customers because he has friends there, but SW needs to stop budgeting on grace. Morris said wear and tear is caused because if unmanned dumpsters are available, people won't go to the transfer station. He said construction debris is the biggest problem. "Packer trucks are not made for this and the manned site keeps that trash out of the dumpsters. Decker said if there were no unmanned dumpster sites to pick up, one packer truck could run the whole county. Morris said after 48 months to build and expand, SW could serve underserved areas such as those east of Highway 20. Morris said eventually, DEQ will force the county to remove unmanned dump sites.

Harry Shultz said the strategic plan was very good when it was written, but DEQ said unmanned dumpsters had to go then. "Nobody said how the plan would be paid for," Shultz said. He said when pigs were found in the dumpsters at little Kansas, the DEQ and EPA shut those unmanned dumpsters down.

"People are happy now, but we need money to keep it going," Morris said. "We are still very well solvent. We pay our bills. The real problem will be happening in the next five years."

Jake thanked Morris for a well-prepared presentation.

Poindexter said he understands SW has a strategic plan, but sometimes plans must be changed. He asked if some sites might be scaled back. Shultz said, "We have looked at it, but we don't want to make a big mistake." He said the intention is to maintain the level of service.

Callihan said the commissioners must make difficult and sometimes unpopular decisions, but he does not want to max out the county sales tax in case something comes up like the jail lawsuit with no way to pay except increasing ad valorem taxes. Poindexter said that is the reason the ¼ cent is there – for emergency.

Poindexter pointed out only two counties in Oklahoma have solid waste programs. All the other counties contract for their service. Poindexter said perhaps this shows having the county's own service doesn't work.

Morris said it was a mistake to set out unmanned dumpsters. He said there was a study done suggesting if people knew where to take their trash, they would take it there. "So, the idea of setting the dumpsters out there was to teach hillbillies that green means trash," Morris said. "It didn't work."

Morris said there are only 1700 landfills in the United States. Delaware County trash is transported 83 miles one way. No action was taken.

AGENDA #12- A motion was made by Callihan and seconded by Beck to hear an update on the fairgrounds property. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Callihan said the zoning for the fairgrounds property is complete and finalized. He said the survey is complete and has been sent to the architect. The closing date on the property will be Thursday at Grand River Abstract. A motion was made by Callihan and seconded by Beck to approve the May 2 closing date. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #13- A motion was made by Callihan and seconded by Beck to advertise for sealed bids on 5 (five) commercial grade HVAC units to be installed at the Delaware County Health Department. 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 May 28, 2024, at 9 a.m. Bids will be received no later than 3 p.m. in the County Clerk's Office, Jay, Okla., on May 24, 2024. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County Bid #23-24/19. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #14- A motion was made by Callihan and seconded by Beck to go into Executive Session pursuant to Title 25 Oklahoma Statute 307.B.1 to discuss employment, hiring, appointment, promotion, disciplining or resignation of any individual or salaried officer or employee; Human Resources Director, Emergency Services Director, Commissioners' Assistant. Roll call: Commissioner Poindexter-yes; Commissioner Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried at 10:09 p.m.

AGENDA #15- A motion was made by Callihan and seconded by Beck to return to regular session for discussion and possible vote concerning any necessary action on item #14 identified above. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried at 10:13 a.m. No action was taken.

AGENDA #16- A motion was made by Callihan and seconded by Beck to adjourn at 10:15 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

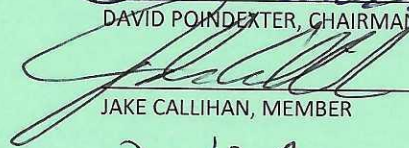
ATTEST:



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 APRIL 30, 2024.

POINDEXTER Y CALLIHAN Y BECK Y

MOTION CARRIED.

WITNESS OUR HANDS THIS 7TH DAY OF MAY, 2024.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, OKLAHOMA

David Poindexter
DAVID POINDEXTER, CHAIRMAN

Jake Callihan
JAKE CALLIHAN, MEMBER

David Beck
DAVID BECK, MEMBER

ATTEST: Barbara Barnes
BARBARA BARNES- COUNTY CLERK

