



DELAWARE COUNTY COMMISSIONER MEETING MINUTES

September 19, 2023

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on September 19, 2023. The agenda was posted September 18, 2023, at 8:22 a.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. County Clerk Barbara Barnes was absent. Barnes was represented by her first deputy, Michaele Baker. 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. Barnes was absent.

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 Commissioners' Secretary Kathy Parker, Carolyn Boothe, Human Resources Director Vicki Cossairt, Emergency Management Director Jeff Reeves, Treasurer Treasa Earp, Jamie Bodine and Bill Shaw of BOLT, Aaron Saddler of TeleComp, Election Board Secretary Crystal January, Brooke Downing and Penny Meredith of OSU, and Michael Gordon of REC introduced themselves.

AGENDA #3- A motion was made by Commissioner Poindexter and seconded by Commissioner Beck to approve the minutes for the regular meeting dated September 12, 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-abstain; 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 Reserve:** Rural Fire-ST BLANKET 6503 O-REILLY AUTOMOTIVE INC. 430.89. **2023-2024:** ARPA 2021 RENOVATION 1825 BKL INC. 23673.00; Drug Court MISC 1717 MIAMI TROPHY & SCREEN PRINTING 22.00; Economic Development Sales Tax DCEDA SALES TAX 1784 DELAWARE COUNTY ECONOMIC DEVELOPMENT AUTHORITY 25080.28; Emergency Mgmt FUEL 807 FUELMAN OF OKLAHOMA 324.76; TELEPHONE SERVICE 808 VERIZON 87.89; General AIR CONDITIONER 582 AIR WISE HEATING AND AIR 517.28; 997 AIR WISE HEATING AND AIR 834.24; ANNUAL DUES 1724 COUNTY CLERKS & DEPUTIES ASSOC OF OK 275.00; COPIES 120 LAKELAND OFFICE SYSTEMS 220.94; ELECTRIC SERVICE 337 REC/NE OKLA ELECTRIC COOP 117.00; 492 THE SHOP AT GRAND LAKE 150.00; 1187 REC/NE OKLA ELECTRIC COOP 642.00; LAWN CARE 995 VILES LAWN CARE 350.00; LEASE 1186 AADVANTAGE LAUNDRY SYSTEMS 119.00; LEASE/PUR 157 PITNEY BOWES GLOBAL FINANCIAL SERVICES 184.74; LIGHTING SUPPLIES 1721 TIM S ELECTRIC INC. 250.00; MAINTENANCE 784 XEROX CORPORATION 419.54; MEDICAL 827 DIAMOND DRUGS INC. 207.33; MEDICAL SERVICES 1597 TURN KEY HEALTH CLINICS 13218.06; MISC 1789 AIR WISE HEATING AND AIR 1634.00; PLUMBING SERVICE/REPAIRS 1719 T-N-T PLUMBING 576.00; PRINTER TRAYS 1812 KELLPRO INC. 255.00; PUBLICATIONS 949 THE AMERICAN 348.80; 950 THE AMERICAN 314.75; 951 THE AMERICAN 276.20; SERVICE CALL 1393 ADT SECURITY SERVICES INC 667.00; SUBSCRIPTION 1758 THE GRAND LAKER/DELAWARE COUNTY JOURNAL 62.00; TRAVEL 594 DOWNING, BROOKE 330.16; 1776 MILLER, STACY MARIE 17.69; Health EXTERMINATION 1566 ALLSTATE TERMITE & PEST SOLUTIONS 45.00; JANITORIAL SERVICE 725 GOFF, DEBRAH 900.00; MONTHLY SERVICE 721 VERIZON BUSINESS 72.64; TRAVEL 1012 REDD - THOMAS, SHERI 27.51; Highway null 1697 EUCHA TIRE & FEED 50.00; CONFISCATED TAG 1656 ACCO 120.00; DRUG TESTING 1664 AAVCOR 70.00; EQUIPMENT 1248 M & J EQUIPMENT 611.68; FILTERS 1268 C & L SUPPLY INC. 87.12; FUEL 1686 LAKELAND-CPP 4311.23; 1687 LAKELAND-CPP 5353.00; MILEAGE 1198 POINDEXTER, DAVID C. 53.71; MISC 1673 HOTSY OF OKLA. INC. 856.00; PART 1190 KIRBY SMITH MACHINERY INC. 1171.03; PARTS 1177 YELLOWHOUSE MACHINERY 546.50; RANDOM DRUG TESTING 1698 AAVCOR 248.00; 1699 AAVCOR 226.00; 1715 AAVCOR 70.00; REPAIR 1249 M & J EQUIPMENT 470.40; 1654 GROVE TIRE & AUTO 42.00; ROAD EQUIP RENTAL 390 YELLOWHOUSE MACHINERY 4000.00; 391 YELLOWHOUSE MACHINERY 4000.00; ROAD MATERIAL 1668 WALTER SPECIALTY SERVICE 2430.40; TOLL FEES 750 OTA PIKEPASS CUSTOMER SERVICE 2.90; 753 OTA PIKEPASS CUSTOMER SERVICE 12.50; 1674 OTA PLATEPAY 5.70; TRAVEL 1683 POINDEXTER, DAVID C. 104.80; 1691 PARKER, KATHY L. 89.73; VEHICLE 1670 DUNN FORD COUNTRY 52385.00; WATER 1227 GMSA 81.92; WEED KILLER 1659 GREEN COUNTRY FARM & HOME 675.00; Hwy-ST EQUIPMENT 1690 SPRINGDALE TRACTOR 92157.94; FUEL

1688 LAKELAND-CPP 3578.00; Rural Fire-ST BLANKET 184 O-REILLY AUTOMOTIVE INC. 710.36; 837 LAKELAND-CPP 800.48; 838 LAKELAND-CPP 3414.33; 847 LAKELAND-CPP 622.61; 856 O-REILLY AUTOMOTIVE INC. 146.85; 863 O-REILLY AUTOMOTIVE INC. 28.99; 864 EMERGENCY MEDICAL PRODUCTS 101.92; 875 WALKER HARDWARE & LUMBER 16.95; 876 DAM STOP 213.79; ELECTRIC SERVICE 210 AEP, PUBLIC SERVICE CO. OF OKLA. 606.87; 226 REC/NE OKLA ELECTRIC COOP 562.13; 886 REC/NE OKLA ELECTRIC COOP 3.99; 898 REC/NE OKLA ELECTRIC COOP 344.13; FUEL 1161 LAKELAND-CPP 1126.60; INSURANCE 1350 THE BURROWS AGENCY 15985.00; 1827 OMES-AGENCY BUSINESS SERVICES 3688.10; LEASE/PURCH 1797 WELCH STATE BANK 1203.23; 1798 WELCH STATE BANK 1747.10; 1799 BANK OF GRAND LAKE 895.00; 1800 BANK OF GRAND LAKE 2327.52; 1814 BANK OF GRAND LAKE 2494.78; MONTHLY SERVICE 258 REC/NE OKLA ELECTRIC COOP 1593.63; 1477 VERIZON 171.18; 1495 BOLT FIBER 159.88; 1502 CARDS NEO, LLC 123.23; 1801 REC/NE OKLA ELECTRIC COOP 1643.00; PARTS 1388 PARTS CITY LTE 727.08; PUBLICATIONS 1675 THE AMERICAN 34.80; REPAIR 1616 FIRE MASTER FIRE EQUIPMENT INC. 953.31; REPAIRS 1220 FIRE MASTER FIRE EQUIPMENT INC. 1500.00; 1760 FIRE MASTER FIRE EQUIPMENT INC. 1355.39; 1779 PETE'S CUSTOM SERVICE 175.00; 1780 PETE'S CUSTOM SERVICE 2500.00; SANITATION 1451 CARDS NEO, LLC 88.20; TELEPHONE SERVICE 1444 GRAND TELEPHONE CO. 145.52; 1460 SST 139.25; UTILITIES 1442 BERNICE PUBLIC WORKS AUTHORITY 33.75; 1456 KENWOOD WATER DISTRICT 25.00; 1467 DEL CO RURAL WATER DIST #3 97.00; SH Commissary FOOD 832 PRODIGY SOLUTIONS 1883.11; SH Svc Fee EQUIPMENT 1382 L & L PAWN SHOP 234.00; RANDOM DRUG TESTING 1714 AAVCOR 456.00; SUBSCRIPTION 1761 GEOSAFE INC 20000.00; SUPPLIES 1269 BOB BARKER CO. 301.52; SW Mgmt SOLID WASTE SALES TAX 1783 SOLID WASTE 243576.05. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #5 - A motion was made by Commissioners Callihan and seconded by Commissioner Beck to approve all monthly reports submitted by officers. Reports were submitted by the Court Clerk. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

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. There were none.

AGENDA #7 - A motion was made by Commissioners Callihan and seconded by Commissioner Beck to hear 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 had 136 employees Tuesday. Since her last report, three hires have been made, there have been no terminations or exits. The county has 15 full-time job openings posted, but Cossairt said five of the openings are for sheriff's employees and stay posted all the time.

Cossairt said some Covid cases have been reported in the community. She said while symptoms previously included loss of taste and smell, the new variant presents as allergy symptoms. Cossairt said anyone who is ill should have a Covid test and if it is positive, the employee must stay off work five days. She urged employees with sick time to share with those who have none. Cossairt urged everyone to get up to date on the many vaccines and boosters available.

Cossairt said employees all have cell phones but they should not be on Facebook during working hours. Cossairt said she has gotten calls about employees who are constantly on Facebook during the work day. Cossairt warned there are many internet scams going around and to never send money to anyone as a result of an internet post unless you first confirm the person is who they claim to be.

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 talked about bids he just received from the undersheriff for a motor and a transmission for two different sheriff's vehicles. Sheriff Beck said the motor issue can be addressed later but the transmission should be done immediately. This transmission will be for a 2017 Dodge that is black and unmarked. Sheriff Beck said the truck had 160,000 miles on it when he got it to drive. Poindexter asked about the warranty for the transmission. Undersheriff Nick O'Neal said the warranty is three years or 36,000 miles.

Callihan asked the sheriff if he has no money. The sheriff said he has begun to receive the sales tax money from the ballot issue the voters approved. O'Neal said there is \$30,000 in use tax that was payment from insurance on two vehicles his employees wrecked. The money is in use tax because the vehicles were paid for not out of the sheriff's funds, but out of county funds, so the insurance money was returned to the account it was taken from in the first place.

A motion was made by Poindexter and seconded by Beck to pay \$6,742 to Vance Dodge to replace the transmission. The money will come from the use tax account. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve highway cash for October. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #10- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve blanket purchase orders for October. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to receive and forward to ACCO a tort claim from Deeya Adam in District 2. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #12- A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to pay invoice from Craig County Detention Center in the amount of \$50 for child care services for the month of August. 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 advertise for sealed bids on a UTV on behalf of Delaware County Emergency Management. Funding is to be provided by Cherokee Nation persons interested in submitting a bid are to contact Michael Baker, P. A., located in the Delaware County Clerk's Office, Jay, Okla. Bids will be opened and reviewed in meeting dated October 10, 2023, at 9 a.m. Bids will be received no later than 3 p.m. in the County Clerk's Office, Jay, Okla., on October 6, 2023. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County bid #23-24/09. Emergency Manager Jeff Reeves said this is an EMS grant from the Cherokee Nation in the amount of \$50,000. 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 advertise for sealed bids on highway salt materials for the county highway department through April 30, 2024. Persons interested in submitting a bid are to contact Michael Baker, P. A., located in the Delaware County Clerk's Office, Jay, Okla. Bids will be opened and reviewed in meeting dated October 10, 2023, at 9 a.m. Bids will be received no later than 3 p.m. in the County Clerk's Office; Jay, Okla., on October 6, 2023. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County bid #23-24/05. 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 receive and file a copy of Certificate of Liability Insurance and current list of Board of Directors and Officers for the Tiff City Volunteer Fire Department as follows: David Hardesty – Chairman; Jacob Hardesty – Vice Chairman; Richard Huston, John Moore – members; Mike Roark – Treasurer; Fire Chief – Nate Walter; Asst. Chief – Stan Mersman; Requisitioning Officers – John Moore, Barbara Barnes; Receiving Officers – Jacob Hardesty, Nate Walter; Inventory Officers – Stan Mersman, Kevin Sherman. 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 discuss with possible action phone system quotes with TeleComp and BOLT. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Bodine said she was unable to get any phone bill information from Grand Telephone as they said each office must provide their PIN number and separate authorization. Based on the system BOLT set up at Jay Schools, she thinks the phone bills would be significantly cheaper, and she also suggested some of the courthouse numbers might not be needed. She said the Grand Telephone bill decreased substantially at Jay Schools when the BOLT system was installed. Beck asked how many lines are included at the courthouse and Bodine said 24 lines are billed. Poindexter said BOLT will be trunking with Grand Telephone which will provide two sources of service, but if BOLT is chosen, Grand Telephone will still be paid for the phone numbers. Shaw said moving the phones from copper lines to fiber optic ones will increase the quality of the service substantially. He said the internet is separate now to each office and not a single network, so the only option was to completely separate the phones from the internet line. He said the network could be combined, but that would not be cost effective.

Saddler said TeleComp uses a Vizio map that is a separate network for the phones which cuts out the middle man (Grand Telephone). New switches will be placed in each office. None of the Grand Telephone numbers will be retained if TeleComp is chosen. The main number to the courthouse will change and all calls to the courthouse will come in to that number, then be sent to the proper office. Poindexter said the copper lines will eventually go away, so replacing them with some other system is a now or later proposition. He said Grand Telephone does not provide good service. Case in point is not helping get information for Bodine. No one knows their PIN number because the phones were set up so many years ago. "What we had is going away," Poindexter said.

Commissioner Beck asked Sheriff Beck what he thinks. Sheriff Beck said both quotes will achieve the same thing, but the main differences are price and whether or not the old numbers are retained.

Callihan wants to keep the phone numbers. He said he called Stephens County who got the TeleComp system, and they are very dissatisfied.

Saddler said that was the old system and no good. He said Stephens County was the first one TeleComp did. He said the county refused to get separate networks for the phones and internet and that is what caused the problem. "Kellpro (the software company for county records and payroll) is a software company that dabbles in IT and TeleComp is an IT company," Saddler said. "Separate networks will keep all these problems from happening."

Shaw said at some point, Grand Telephone may give the county its phone numbers, but now they are in control of the numbers.

Callihan asked Reeves if he had anything to add. He did not. Callihan said his concern is changing the county phone numbers. "If we can get Google to straighten out the number, the internal ones will be the same," Poindexter said. "There will be one number for the public to call and that will be new. By leasing the equipment with TeleComp, we will keep up with what works because stuff becomes obsolete so fast now." Saddler said TeleComp offers free upgrades. Commissioner Beck asked who monitors the system. "Either company does that," Poindexter said. "It's in their contracts." Callihan said he would like one more week to research. He asked Saddler for the contact information to other counties TeleComp serves. He said he knows the school is happy with BOLT because his wife is a counselor there. Bodine said she can provide other references.

AGENDA #17- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action Election Board Secretary participation in longevity and safety award payments. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Cossairt said safety pay has been done for several years and longevity pay started last year. "This comes up every year, whether Crystal gets this, so I want the commissioners to confirm one way or the other," Cossairt said. Cossairt said the opinion of previous District Attorneys has been that the Election Board Secretary does not get safety or longevity pay, but January said Cherokee County is paying the extra compensation to their Election Board Secretary. Cossairt said there is a specific statute for the pay of election board secretaries. The state pays for the salary, but will not reimburse the county for extra pay, so if the commissioners decide to give the election board secretary longevity and safety pay, it will come from the county's budget. So, Cossairt said, the question is whether it is legal for the appointed position of election board secretary to get this extra pay. Once again, Cossairt took the question to the District Attorney's office and Assistant District Attorney Marianna McKnight gave the opinion that it is not illegal.

Election Board Secretary is a hybrid position, Cossairt said. The secretary is appointed by a legislator and treated as an elected official sometimes and an employee some times. While the state sets the salaries for both the elected and appointed officials, the elected officials are excluded from extra compensation, but the BOCC can decide if they wish to pay extra compensation to the appointed secretary. "So, it can go either way," Cossairt said, "but it won't be reimbursed by the state. So, the BOCC needs to decide once and for all." Cossairt said January accrues no sick time or vacation like elected officials, but is treated as an employee in the retirement system. "She is treated as an elected for all intents and purposes, but there is a crack in the door of the statute if you want to pay her more," Cossairt said. Cossairt thanked McKnight for her research and opinion,

Callihan made the motion to include the Election Board Secretary in longevity and safety award pay. Poindexter seconded the motion on the condition that the pay was not retroactive. 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 Beck to approve an intrafund transfer from Highway CIRB-MV to Highway M&O in the amount of \$40,000 per District 2 Commissioner Jake Callihan. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #19- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to adjourn at 10:04 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 SEPTEMBER 19, 2023.

POINDEXTER Y CALLIHAN Y BECK Y

MOTION CARRIED.

WITNESS OUR HANDS THIS 26TH DAY OF SEPTEMBER, 2023.

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

