

## DELAWARE COUNTY COMMISSIONER'S MEETING

November 4, 2019

The Board of County Commissioners of Delaware County met in Regular Session in the County Commissioner's meeting room in the Delaware County Courthouse at 9:00 a.m. on November 4, 2019. The Agenda was posted November 1, 2019 at 8:41 a.m. and placed in the kiosk located on the courthouse lawn.

Members of the Board present were Commissioner David Poindexter-Chairman, Commissioner Russell Martin-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 and seconded by Commissioner to approve the minutes of the Regular Scheduled Meeting dated October 28, 2019. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #2-A** motion was made by Commissioner and seconded by Commissioner to approve payment of claims presented by the County Clerk-Barbara Barnes as follows:

2018-2019 General 3810, TIM S ELECTRIC INC., 2137.50, LABOR; 2019-2020 Donations 15, GRAND COUNTRY PEST CONTROL, 50.00, EXTERMINATION; 16, AEP,PUBLIC SERVICE CO. OF OKLA., 989.63, ELECTRIC SERVICE; General 1309, POSTAGE BY PHONE RESERVE ACCT, 1000.00, POSTAGE; 1310, FAULKNER, YVETTE Y., 101.25, PER DIEM; 1311, BARNWELL, GENA C., 101.25, PER DIEM; 1312, XIONG, MAY KOU, 101.25, PER DIEM; 1313, ELLIS-COOK, LARENA, 313.60, TRAVEL AND MEALS; 1314, JANUARY, DELALA, 328.03, TRAVEL AND MEALS; 1315, VAN S PRINTING, 1750.00, PAPER PRODUCTS; 1316, JEFFRIES, CHANDRA D., 101.25, PER DIEM; 1317, DOZIER, SONYA S., 101.25, PER DIEM; 1318, GOINS, VINCENT G., 325.13, TRAVEL AND MEALS; 1319, QUILL CORPORATION, 227.43, OFFICE SUPPLIES; 1320, GRAND COUNTRY PEST CONTROL, 305.00, EXTERMINATION; 1321, B&B HEATING & AIR INC., 790.58, HEATING & AIR COND.; 1322, MATCHELL LAWN CARE LLC, 125.00, LAWN CARE; 1323, OZARK LEASING A PROGRAM OF DE LAGE, 96.17, LEASE PAYMENT; 1324, STATE AUDITOR & INSPECTOR, 2178.00, AUDIT; Health 87, AEP,PUBLICSERVICECO.OFOKLA.,395.82,ELECTRICSERVICE;88,MALLOY,SOFIA,275.50,TRAVEL ; 89,QUILLCORPORATION,61.98,OFFICESUPPLIES;90,WALMARTCOMMUNITY/GECRB, 129.02, CLEANING SUPPLIES; 91, BRIDGES, SEAN, 31.00, TRAVEL; Highway 803, POINDEXTER, DAVID C., 174.00, TRAVEL; 804, OSBI, OKLA STATE BUREAU OF INVESTIGATION, 19.00, CRIMINAL HISTORY CHECK; 805, AEP, PUBLIC SERVICE CO. OF OKLA., 297.29, ELECTRIC SERVICE; 806, T & W TIRES LLC, 802.00, TIRES; 807, STRIBLING EQUIPMENT LLC, 371.34, MISC; 808, STRIBLING EQUIPMENT LLC, 44.03, MISC; 809, P & K EQUIPMENT, 258.00, REPAIRS; 810, KEMP STONE CO INC., 1271.30, BASE ROCK; 811, LAKELAND-CPP, 891.60, FUEL; 812, WALTER SPECIALTY SERVICE, 1345.68, ROAD MATERIALS; 813, CATERPILLAR FINANCIAL SERVICES CORP., 1603.35, LEASE/PUR; 814, GRAND SAVINGS BANK, 631.59, LEASE/PUR; 815, ARMSTRONG BANK, 564.51, LEASE/PUR; 816, RCB BANK, 4779.19, LEASE/PUR; 817, WELCH STATE BANK, 2305.03, LEASE PAYMENT; 818, J & J AUTO SUPPLY, 1205.45, MISC; Judgement-ST 10, DELAWARE COUNTY JUSTICE AUTHORITY, 619.06, DISBURSEMENT; Rural Fire-ST 382, AEP, PUBLIC SERVICE CO. OF OKLA., 137.74, UTILITIES; 383, WAL-MART-EXCEPTION PROCESSING, 201.37, BLANKET; 384, AT&T, 191.86, LONG DISTANCE SERVICE; 385, GREEN COUNTRY FORD INC, 6655.47, REPAIRS; 386, CHIEF FIRE & SAFETY CO. INC., 2995.00, PUMP; 387, FIRST NATIONAL BANK, 35128.68, LEASE/PUR; 388, ARKLAHOMA BROADCAST & COMMUNICATION TOWERS, 1273.08, RENT; 389, LAMB, KATHY, 417.00, SHIRTS; 390, GRAND LAKE GLASS, 377.24, GLASS REPAIR; 391, W S DARLEY & CO., 2365.41, FIRE DEPT SUPPLIES; 392, REC/NE OKLA ELECTRIC COOP, 206.58, ELECTRIC SERVICE; SH Commissary 40, PRODIGY SOLUTIONS, 704.03, COMMISSARY SERVICES; SH Svc Fee 352, VERIZON WIRELESS, 991.70, CELL PHONE; 353, THE PAPERCLIP OFFICE SUPPLIES, 349.97, HYGIENE PRODUCTS; 354, FLOWER S BAKING CO., 104.65, FOOD; 355, SLOAN S BODY SHOP LLC, 2380.60, REPAIRS; 356, WAL-MART COMMUNITY/GECRB, 211.21, MISC; Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #3-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve monthly reports presented by officers. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried. Reports were presented from the County Clerk and County Assessor. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

The commissioners skipped to item 12.

**AGENDA #12-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to receive and forward to the District Attorney's Office a petition to vacate portions of roadways in Port Wayne subdivision, Case No. CV-2019-123. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

Assistant District Attorney Nick Lelecas was present to explain the petition. He showed the commissioners a plat map where three parts of roads in the subdivision are non-usable, between lots or not used. "One of them is 30' feet of road which is in grass," Lelecas said. Attorney Tommy Dyer told Lelecas this is being done to "clean up the subdivision," because the county doesn't have or maintain these road portions and structures are encroaching on lines as drawn on the map. "I have to object by Nov. 8 if we are going to," Lelecas said. Martin said the subdivision is in his district and "we don't take care of it anyway," so he has no objection.

The commissioners skipped to item 7.

**AGENDA #7-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to discuss purchase of a drone for the Eucha Fire Department. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

John Campbell spoke on behalf of the fire department. He said the addition of the drone to the department is for safety and training. The drone the department has selected has night vision, thermal capability, spotlight and a speaker. "We do water rescues and wild land fires," Campbell said. He said the drone can be used to "know what you've got and assess the situation." He said firefighters can watch films of fires being fought and record them for training. "We are willing to use it for mutual aid," Campbell said, continuing the drone could help find someone who is lost. "I talked to Muldrow. They have one, but it's broke," Campbell said. Martin asked if the department has researched FAA guidelines and costs associated with the drone. "I called FAA and looked up the statute," Martin said, "and to fly the drone, you have to take the general pilot's license test." He asked if the department had checked on insurance for the drone, if their policy will even cover the drone, and how the department intends to pay for maintenance.

"To fly at night, over a populated area or from a moving vehicle, you have to have a waiver, which the fire department is not likely to get (according to the FAA representative). You're not supposed to fly over the firefighters at all unless they are cleared to be on the sites."

Both commissioners are concerned the drone is cost prohibitive as the one the department has selected is priced at \$7,200. Poindexter asked how the department assesses fires now. Campbell said the department must drive the perimeter which takes time while the fire spreads.

"It would take about 15 percent of your budget just to buy the drone," Poindexter said. "If you can't afford the insurance and maintenance, you've got a \$7,000 paper weight. I just wonder if your funds might have a more effective use."

Campbell said the department has assessed their funds and the department can afford the drone.

Poindexter asked about the department's other equipment. Campbell said all the equipment is new or up to date, "but who knows what vehicle might break down?"

Lelecas asked about the cost of learning to fly the drone, how many people would be learning. "What are the additional costs and expenses on an annual basis?" he said.

Martin said he found Spartan Aeronautics to be the only local place to get training, which starts at \$200 for two days, but that training and cost will increase up to a week if the student has no prior aircraft knowledge. "He said even guys that have the training have a 50 percent pass rate on that test if you have some aviation experience," Martin said, "and a 10 to 15 percent pass rate if they've had no training. So we're getting up there toward \$8,000 to get it where one guy can fly it."

"It's like buying a car when you don't have a license," Poindexter said. Martin agreed and said maybe the department should get someone ready to fly the drone before purchasing one. "There is a drone training coming up this month with the Osage Nation," Martin said. "I'm not denying there's a use for one. Maybe you should find out about the insurance and testing first."



Campbell said he didn't want to go to the trouble to get a firefighter able to fly a drone if the department doesn't have one. He said the company the department wants to purchase the drone from has training. It is called Drone Nerds out of Florida.

**AGENDA #4-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve a detention transportation claim from District 2 Juvenile Services in the amount of \$219 on behalf of the Sheriff's Office. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #5-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to receive and forward to the District Attorney Case No. CS -2019-376 Flint Ridge Property Owners Association vs. unknown heirs, successors and assigns of Donald Wayne Williams et al. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #6-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to receive and forward to the District Attorney Case No. CS-2019-377 Flint Ridge Property Owners Association vs. unknown heirs, successors and assigns of Loy Keller et al. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #8-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve advertising for sealed bids on the purchase of two new outboard motors and props with installation in fire boat for the Lakemont Shores Fire Department. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #9-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve appointment of representative to Grand Gateway Economic Development Authority. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

"That is not the usual," Barnes said, "this is not just the representative on the authority, this is a representative on their board, and Mary Satterwhite who sent me this suggested this be a different commissioner."

"Well since I'm already on the authority, Russell gets to be on the board since Martin (Kirk) is absent." Poindexter made a motion, seconded by Martin, to have Martin be the representative on the Grand Gateway Economic Development Authority. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #10-** No action was taken concerning a letter from Cherokee Nation to release the recently completed project on Leach Kenwood Road to District #3 for maintenance and administration in accordance with the terms of the agreement. Since Kirk was absent and this project is in his district, the item may be put on the agenda at a later date.

**AGENDA #11-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve salvage of three desktop computers on behalf of the election board. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

**AGENDA #13-** A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to hear presentation by Vicki Cossairt, HR Director, updating current events in the HR Department including timesheets, payroll, education and training. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

"On Oct. 21, I sent all the electeds an email saying time sheets and payroll. We must have time sheets to process payroll. Evidently, there was some way the sheriff lost all the time sheets off the computer a few weeks ago. I'm at a loss how we paid payroll with no time sheets. There should be paper time sheets. It is our policy not to process payroll without time sheets. We need a directive telling all the electeds they are required to follow the policies." Poindexter said he would visit with the sheriff about the time sheets.

Cossairt said the new handbook will include orientation training on subjects such as blood borne pathogens and harassment.

"There is no need for policies if you aren't going to follow them," Cossairt said.

AGENDA #14- A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve discussion concerning 2020 annual meeting calendars for Delaware County. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried. Poindexter asked about the possibility of changing commissioner meetings to Tuesday morning instead of Monday. Martin said he likes the idea because Mondays are hectic. Both commissioners thought Kirk should be present to weigh in on the idea. "I want to know this month," Barnes said. "The meetings must be set by Dec. 15 and changing the commissioners' meeting will change other meetings and I will have to see if that will be possible." Poindexter said a decision will be made at the next meeting.

AGENDA #15- A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to open the floor for new business. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

"The only thing I have is I'm working on the final quote for that floor in courtroom 2 and the clerk's office," Poindexter said.

Commissioner Secretary Kathy Parker said she has made several calls to the roofing company to get a representative to the courthouse to look at the damage from the leaking roof. John Riggs of L. Wallace Construction has told her he will get a representative to the meeting at the first possible Monday, but has been unavailable to her since that promise. Martin said if there is no word by next week, he will visit the company's office in Oklahoma City when he attends the ACCO meeting.

AGENDA #16- A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to open the floor for citizen's participation or public comments. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried. Mike Major asked if there has been any feedback presented to the office on audits. Martin said there has been no word about any of the audits.

AGENDA #17- A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to adjourn the meeting at 9:49 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes. Motion carried.

ATTEST:

  
BARBARA BARNES, Delaware County Clerk



  
DAVID POINDEXTER-Chairman of the Board

  
RUSSELL MARTIN-Member

  
MARTIN KIRK-Member