

DELAWARE COUNTY COMMISSIONER'S MEETING

December 16, 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 December 16, 2019. The Agenda was posted December 13, 2019 at 8:48 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, Commissioner Martin Kirk-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 Martin to approve the minutes of the Regular Scheduled Meeting dated December 9, 2019. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. The commissioners skipped to item #21 because the assistant district attorney was on a time constraint.

AGENDA #21 - A motion was made by Kirk and seconded by Martin to go into executive session pursuant to Title 25 Oklahoma Statute 307 B-1 to discuss employment, promotion, demotion, disciplining or resignation of any individual or salaried public officer or employee. RE: Human Resources Director, Custodian and Emergency Management Director. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. The session was recessed at 9:56 a.m.

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

- CBRI 43, PRYOR STONE INC., 7473.04, ROAD MATERIALS44, PRYOR STONE INC., 2998.54, ROAD MATERIALS45, PRYOR STONE INC., 2594.93, FREIGHT; Economic Development Sales Tax 6, DELAWARE COUNTY ECONOMIC DEVELOPMENT AUTHORITY, 4801.10, DCEDA SALES TAX; Emergency Mgmt 57, AMAZON.COM /SYNCB, 213.99, SUPPLIES58, BOLT FIBER, 166.43, INTERNET59, COMDATA INC., 323.30, FUEL60, SISCO TRUE-VALUE HARDWARE, 62.98, BOLTS & SCREWS61, 166.43, INTERNET59, COMDATA INC., 323.30, FUEL60, SISCO TRUE-VALUE HARDWARE, 62.98, BOLTS & SCREWS61, LAKELAND OFFICE SYSTEMS, 69.31, COPIES62, GMSA, 48.00, UTILITIES63, VERIZON WIRELESS, 86.91, WIRELESS SERVICE64, ADT SECURITY SERVICES INC., 106.00, SECURITY SYSTEM/REPAIR65, HOMETOWN BOTTLED WATER SERVICE, 30.00, WATER66, GREEN COUNTRY GARAGE DOOR CO INC., 2100.00, 67, O-REILLY AUTOMOTIVE INC., 35.95, MISC; General 1825, GRAND LAKE GLASS, 621.65, GLASS REPAIR1826, PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC, 200.55, LEASE/PUR1827, THE AMERICAN, 431.65, PUBLICATIONS1828, REC/NE OKLA ELECTRIC COOP, 74.00, ELECTRIC SERVICE1829, CARROT-TOP IND., 217.04, FLAG1830, AMERICAN STAMP & MKT PRODUCTS, 102.43, SELF INKING STAMPS1831, REC/NE OKLA ELECTRIC COOP, 227.00, ELECTRIC SERVICE1832, LAKELAND OFFICE SYSTEMS, 62.60, MONTHLY SERVICE, Health 149, PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC, 491.04, LEASE150, VERIZON BUSINESS, 116.91, WIRELESS SERVICE151, ELITE APPLIANCE, 75.00, SERVICE CALL; Highway 1102, POINDEXTER, DAVID C., 110.20, MILEAGE1103, ACCO, 95.00, REGISTRATION1104, LONGAN CONSTRUCTION, 850.06, ROAD MATERIALS1105, UNIFORMS1106, KATNER MILLS (NAPA), 228.92, MISC1107, O-REILLY AUTOMOTIVE INC., 939.83, MISC1108, SISCO TRUE-VALUE HARDWARE, 1.25, MISC1109, CINTAS FIRST AID & SAFETY, 294.50, FIRST AID SUPPLIES1110, T & W TIRES LLC, 1133.60, TIRE1111, GRAND TRUE VALUE RENTAL, 71.78, RENTAL1112, LONGAN CONSTRUCTION, 1473.58, ASPHALT1113, T & W TIRES LLC, 45.00, TUBES1114, GMSA, 85.87, UTILITIES1115, BOLT FIBER, 148.67, INTERNET1116, KIRBY SMITH MACHINERY INC., 35.99, PARTS1117, GREEN COUNTRY FORD INC., 448.12, REPAIR1118, ATWOODS DISTRIBUTING L.P., 69.98, CLOTHING1119, ODOT, 1495.95, LEASE/PUR1120, GRAND SAVINGS BANK, 631.59, LEASE/PUR1121, ARMSTRONG BANK, 564.51, LEASE/PUR1122, RCB BANK, 4779.19, LEASE/PUR1123, WELCH STATE BANK, 2305.03, LEASE PAYMENT1124, J & J AUTO SUPPLYS, 327.72, MISC1125, GRAND TELEPHONE CO., 180.84, TELEPHONE SERVICE1126, GRAND LAKE TELECOMMUNICATIONS, 60.00, INTERNET1127, SUMMIT TRUCK GROUP, 2762.95, 1128, CINTAS FIRST AID & SAFETY, 112.11, FIRST AID SUPPLIES1129, ODOT, 1699.57, LEASE/PUR1130, DECATUR WRECKER LLC, 350.00, WRECKER SERVICE1131, TH ROGERS LUMBER CO., 35.98, MISC1132, LAKELAND-CPP, 3993.10, FUEL1133, KIRK, MARTIN D., 61.07, MILEAGE1134, ODOT, 4521.88, LEASE/PUR1135, LOWE S, 120.55, MISC; Judgement-ST 12, DELAWARE COUNTY JUSTICE AUTHORITY, 158119.60, JUSTICE AUTHORITY SALES TAX13, DELAWARE COUNTY JUSTICE AUTHORITY, 2500.00, DISBURSEMENT; Mfg Cert 32, QUILT CORPORATION, 31.96, COFFEE; Resale 160, DELAWARE COUNTY JOURNAL, 100.67, PUBLICATIONS; Rural Fire-ST 545, BERNICE PUBLIC WORKS AUTHORITY, 23.75, UTILITIES546, WOODSHED OF MONKEY ISLAND LLC, 105.88, BLANKETS47, KATNER MILLS (NAPA), 52.47, BLANKETS48, BERNICE SANITATION LLC, 29.00, SANITATIONS49, ARTHUR J GALLAGHER RISK MGMT SERVICES INC, 4321.00, INSURANCE50, MONKEY ISLAND FIRE PROTECTION DISTRICT, 3700.00, ADMINISTRATIVE SERVICES51, WAL-MART-EXCEPTION PROCESSING, 59.04, BLANKETS52, SISCO TRUE-VALUE HARDWARE, 6.67, BLANKETS53, LONGAN CONSTRUCTION, 3356.00, ASPHALT54, KANSAS BUILDING SUPPLY INC., 23.06, BLANKETS55, AUTO ZONE, 63.75, BLANKETS56, REC/NE OKLA ELECTRIC COOP, 195.38, ELECTRIC SERVICE57, VERIZON WIRELESS, 137.43, WIRELESS SERVICES58, SST, 204.12, TELEPHONE SERVICE59, MUNICIPAL EMERGENCY SERVICES INC, 7997.89, FIRE

DEPT BUNKER GEAR560, O-REILLY AUTOMOTIVE INC., 15.98, BLANKET561, CREATIVE PRODUCT SOURCE INC., 1224.29, PROMOTIONAL PRODUCTS562, OKIE ORIGINAL, 387.00, CLOTHING563, GRAND SAVINGS BANK, 1244.86, LEASE/PUR564, WELCH STATE BANK, 1823.06, LEASE/PUR565, CIRCLE N, 270.17, BLANKET566, REC/NE OKLA ELECTRIC COOP, 236.00, ELECTRIC SERVICE567, SST, 121.06, TELEPHONE SERVICE568, STEFESSON L.P. GAS, 1272.00, PROPANES569, REC/NE OKLA ELECTRIC COOP, 128.18, ELECTRIC SERVICE570, MUNICIPAL EMERGENCY SERVICES INC, 5486.19, FIRE DEPT BUNKER GEAR571, SOUTHERN TIRE MART LLC, 415.25, TIRE572, O-REILLY AUTOMOTIVE INC., 352.61, BLANKET573, SPEEDYS 66, 128.61, BLANKET574, BANK OF GRAND LAKE, 2078.45, LEASE/PURCH575, REC/NE OKLA ELECTRIC COOP, 180.00, ELECTRIC SERVICE576, HAROLD S AUTO PARTS (NAPA), 33.74, BLANKET577, WALKER HARDWARE & LUMBER, 752.29, BLANKET578, SPEEDYS 66, 128.40, BLANKET579, GRAND TELEPHONE CO., 50.48, TELEPHONE SERVICE580, GRAND LAKE TELECOMMUNICATIONS, 45.00, INTERNET581, NEW-MAC ELECTRIC COOPERATIVE, 27.50, ELECTRIC SERVICE582, TIEFF STORE, 71.16, BLANKET583, BOLT FIBER OPTICS SERVICE, 90.86, INTERNET SERVICE; SH Commission 54, PRECISION VAPOR, 1510.50, VAPOR STICKS55, GRAVES MENU MAKER, 1803.78, COMMISSARY SERVICE556, GRAVES MENU MAKER, 122.14, NON-FOOD57, PRODIGY SOLUTIONS, 1242.67, VENDOR SERVICES; SH Svc Fee 475, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL476, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL477, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL478, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL479, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL480, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL481, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL482, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL483, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL484, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL485, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL486, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL487, FUELMAN OF OKLAHOMA, 5341.81, FUEL488, U.S. BANK, 306.49, MISC489, O-REILLY AUTOMOTIVE INC., 99.99, MISC490, ALLENS TIRE & AUTO, 207.83, MISC491, CENTURYLINK, 28.38, LONG DISTANCE SERVICE492, GRAND TELEPHONE CO., 1256.06, TELEPHONE SERVICE493, LAKELAND OFFICE SYSTEMS, 368.04, COPIES494, US FLEET TRUCKING LLC, 119.80, GPS495, QUILT CORPORATION, 429.59, OFFICE SUPPLIES496, ALLENS TIRE & AUTO, 1555.83, VEHICLE REPAIRS497, MONITOR TECHNOLOGY LLC, 345.00, COMPUTER REPAIRS498, MOORE, HARLAN M., 7.00, MISC499, THE PAPERCLIP OFFICE SUPPLIES, 696.99, SUPPLIES500, FLOWER S BAKING CO., 40.25, FOOD; SW Mgmt 6, SOLID WASTE, 155596.81, SOLID WASTE SALES TAX Roll call: Commissioner Poindexter-yes, Commissioner Kirk-yes, Motion carried.

AGENDA #3- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve all monthly reports submitted by officers. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #4- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to approve ratification and vacation of dedication of utility easement in Amilla Rose Estates. "This is yours," Martin said, "Nick explained it's a subdivision on your side of Grand Lake. The plat is confusing and they want to clean it up. Basically they want to get rid of the public part." Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Motion carried.

AGENDA #5- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve six-month road material bids for Delaware County Highway Departments. Roll call: Commissioner Poindexter-yes, Commissioner Kirk-yes, Motion carried.

AGENDA #6- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve payment of NACO membership in the amount of \$812. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Motion carried.

AGENDA #7- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve list of current board of directors and officers and liability insurance for the Zena Volunteer Fire Department as follows: Mike Major - President; Jim Cannady - Treasurer; Ron Miller - Vice President; Rick Thomas - Secretary; Rusty Lewis - board member; Bobby Jeffries, Andy Brixey - alternates; John C. Blessing - Fire Chief; Matthew A. Mussati - Asst. Chief; John C. Blessing, Kristen W. Mussati, Barbara Barnes - requisitioning officers; Matthew T. Outhier, Jim Cannady - receiving officers; Jim Cannady, John L. Northcutt - inventory officers. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #8- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve payment to Craig County Sheriff's Office for housing inmates in the amount of \$15,201. Martin asked the sheriff why this amount is so high. "Because the population is so high," Sheriff Harlan Moore said, "We are in the 80s on prisoners. We did have 100. I should send more, but it seems like \$15,000 is enough to me." Martin said some of the bills go back to October. "We only have two felony dockets a year," Moore said. "If they can't make bond they sit and wait. We might need a new jail." Moore said the jail is so full because his



staff is doing such a fine job. Roll call: Commissioner Martin-yes, Commissioner Poindexter-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #9- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to approve the commissary fund and boarding of prisoners financial statement submitted by the sheriff's office. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #10- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to discuss with possible action a quotation for six new 2019 RAM 1500 pickups on behalf of the sheriff's department at an estimated cost of \$162,927. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Martin said he told the undersheriff at the last meeting no decision would be made until all the commissioners were present. Martin said he asked for lease amounts on the vehicles so \$162,000 would not be spent at one time. He suggested buying three vehicles and leasing three. He said that way the vehicles could be put on a rotation so not all would need replacing at one time. The sheriff said he can't afford \$21,000 a year to lease vehicles. "The other things we need to do," Martin said, "replacing carpet, possible cost of moving the election board, the roof - spending \$162,000 out of Use Tax is not the best idea. I suggest we replace three vehicles every three years on a rotation. That's not a calendar year, that's a fiscal year." Poindexter said it is better to work with the calendar year because "you could still be buying six in the same year."

Moore wants to get rid of the vehicles at 100,000 miles because the warranty expires and "too many miles and the trade-ins are not worth anything." Martin said "they are going to have some vehicles go over 100,000." Kirk said the discussion at the last meeting was three of the police vehicles have 90,000 miles, three have 60,000 miles and one or two have less than 60,000; that would be three in the replacement category. Moore said the fleet of Ford Explorers he purchased are good for "metropolitan" areas, but not tough enough for the roads out in the county. He said he rotates deputies in cars to try to lower the miles, but the south end of the county puts on more miles. "The miles depend on where the car is and what's going on," Moore said. Martin said the estimate is sheriff's vehicles are driving approximately 32,000 miles per year. Kirk asked what the cost will be to equip the proposed new trucks. Moore said about \$4,000 each, but "I will pay for that." Moore said the Explorers with 80,000 miles are costing a lot to keep going. "It's all about keeping those guys safe and decreasing our liability at the same time," Moore said. Martin said he thinks three new vehicles should be purchased. Kirk agreed. A motion was made by Martin and seconded by Kirk to purchase three new pickups for the Sheriff's Office from the Use Tax account at a cost of \$82,491. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve a designation of record for the Delaware County Election Board. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #12- A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk to approve an agreement for work on private property owned by Linda Carter on behalf of District #1. Poindexter said his crews are cleaning ditches to keep water from backing up on the road. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #13- A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk to approve a CED materials request grant application for E. 270 Rd. on behalf of District #1. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #14- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to approve a donation of an Isuzu box truck with a lift gate to Emergency Management from Bargain Center. Poindexter said Emergency Manager Robert Real got Bargain Center to donate the truck instead of selling it. Real said the truck has 168,000 miles, runs well and will provide for more secure hauling. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #15- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to approve an intrfund transfer from 0001-2-2700-2005 (34D) to 0001-2-2700-1310 (34C) in the amount of

\$123.68 per request of Emergency Management. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #16- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve and intrfund transfer from 1226-2-3500-2005 (SSCHS-2) to 1226-2-3500-1110 (SSFCHS-1) in the amount of \$5,000 per request of the sheriff. Moore said this is the courthouse security account which gets funding from court cases. "The cases don't make enough to pay him," Moore said. He said the cases filed bring in approximately \$2,600 a month and it takes \$3,000 a month to pay the courthouse security officer. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #17- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve regular meeting dates for the Delaware County Board of Commissioners, Delaware County Excise Board, Delaware County Tax Roll Correction Board and Delaware County Equalization Board for 2020 in accordance with Oklahoma Open Meeting Law of 1977 Title 25 O. S. 1981, Chapter 8. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #18- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve a resolution designating county holidays for calendar year 2020 as provided by 1968 Legislature. Barnes told the commissioners she prepared two sets of holiday dates when the courthouse is closed, one including election dates if the election board is moved to the courthouse, and one without. The commissioners selected the set including election days. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #19- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to receive and forward to the district attorney case #CJ-2019-183, Peoples Bank vs. John William Crouch et al. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #20- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve discussion with possible action to refund RWD #1 on road cut done on Brush Creek Road. Kirk said the water district asked to leave the bond until they wish to make another road bore. Commissioner Secretary Kathy Parker reminded the commissioners they voted not to keep any road bore money, but to return each deposit when the cut is approved. After a discussion, the commissioners confirmed the deposit will be returned. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #23- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to open the floor for any new business. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. There was no new business.

AGENDA #24- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to open the floor for citizen's participation or public comments. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

Billy Cornell asked the amount of the Use Tax balance. Martin said approximately \$1.4 million before the three cars<sup>s</sup> taken out. He asked why the commissioner meetings are being moved to Tuesdays. Martin said it is basically so the district attorney will attend as the commissioners have been without an attorney present at the meetings for a long time.

Emergency Manager Robert Real said the warning siren for Moseley School will be arriving around Jan. 15 and can be installed soon after. Human Resource Director Vicki Cossairt said long-time court clerk employee Julie Hutchison passed away suddenly. She expressed her sympathy and said the funeral was set for Tuesday at the First Baptist Church in Jay at 2 p.m. Kirk asked where the burial was to be as he had two graves to dig Monday and three to dig Tuesday. Cossairt found out burial was in the Eucha Cemetery.

The commissioners returned to executive session at 10:48 a.m.  
AGENDA #22- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to return to regular session at 10:57 a.m. A motion was made by Commissioner Martin and seconded by Commissioner Kirk to terminate Emergency Management Director Robert Real. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.  
AGENDA #25-A motion was made by Commissioner Martin and seconded by Commissioner Kirk to adjourn the meeting at 11:00 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

ATTEST:



BARBARA BARNES, Delaware County Clerk

MARTIN KIRK-Member

RUSSELL MARTIN-Member

DAVID POINDEXTER-Chairman of the Board