

DELAWARE COUNTY COMMISSIONER'S MEETING

May 28, 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 May 28, 2019. The Agenda was posted May 24, 2019 at 8:30 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-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 Kirk and seconded by Commissioner Martin to approve the minutes of the Regular Scheduled Meeting dated May 20, 2019. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

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

2018-2019

CBRI-105 ROADS & BRIDGES 64, PRYOR STONE INC., 3498.49, ROAD MATERIALS; County Health 246, OKLAHOMA STATE DEPT. OF HEALTH, 49035.94, PAYROLL; 247, MOORE, MARSHA, 204.70, TRAVEL; 248, DURBUROW, KELLY, 38.80, TRAVEL; 249, AT&T MOBILITY, 117.82, WIRELESS SERVICE; 250, MCKESSON MEDICAL- SURGICAL, 282.82, MEDICAL SUPPLIES; 251, STATE PEST CONTROL, 40.00, EXTERMINATION; 252, GRAND LAKE LOCK & SAFE, 115.00, LOCKSMITH; Emergency Management Cash 128, HAMPTON INN, 190.00, LODGING; 129, REAL, ROBERT G., 412.81, TRAVEL AND MEALS; Emergency Management Progress Grant 84, BOLT FIBER OPTICS SERVICES, 160.96, TELEPHONE SERVICE; 85, SISCO TRUE-VALUE HARDWARE, 67.96, SUPPLIES; Fire Department Sales Tax 1013, O-REILLY AUTOMOTIVE INC., 539.63, BLANKET; 1014, WHITTON SUPPLY, 2435.65, CHAINSAW; 1015, WELCH STATE BANK, 1823.06, LEASE/PUR; 1016, GRAND SAVINGS BANK, 1244.86, LEASE/PUR; 1017, REC/NE OKLA ELECTRIC COOP, 243.00, ELECTRIC SERVICE; General 3389, CRAIG COUNTY DETENTION CENTER, 1300.00, JUVENILE SERVICES; 3390, LAKELAND OFFICE SYSTEMS, 145.54, LEASE PAYMENT; 3391, MCI, 59.01, LONG DISTANCE SERVICE; 3392, LAKELAND OFFICE SYSTEMS, 143.60, MAINTENANCE; 3393, AMAZON.COM / SYNCB, 471.06, CAMERA; 3394, LAKELAND OFFICE SYSTEMS, 94.75, COPIES; 3395, CINTAS FIRST AID & SAFETY, 69.74, FIRST AID SUPPLIES; 3396, HOMETOWN BOTTLED WATER SERVICE, 12.50, WATER; HIGHWAY 2064, KEMP STONE CO INC., 998.34, ROAD MATERIALS; 2065, LONGAN CONSTRUCTION, 959.40, ROAD MATERIALS; 2066, REFLECTIVE APPAREL FACTORY, 149.47, UNIFORMS; 2067, BIG BEAR GFX LLC, 60.00, MISC; 2068, KEMP STONE CO INC., 11164.31, ROAD MATERIALS; 2069, TRUCKPRO LLC, 500.97, PARTS; 2070, LOWE S, 378.10, LAWN MAINT; 2071, WARREN CAT, 162.29, PARTS; 2072, J & J AUTO SUPPLY, 925.42, MISC; 2073, GERALD S ALIGNMENT SERVICE, 386.32, REPAIRS; 2074, STRIBLING EQUIPMENT LLC, 661.76, PARTS & REPAIRS; 2075, ADVANCED WORKZONE SERVICES, 803.19, SIGNS; 2076, STRIBLING EQUIPMENT LLC, 306.13, WINDOWS; 2077, LAKELAND-CPP, 2483.50, FUEL; SHERIFF COMMISSARY PROFIT FUND 124, PRECISION VAPOR, 604.20, VAPOR STICKS; 125, FORD MOTOR CREDIT COMPANY, 538.88, LEASE; SSF 815, PCM/TIGER DIRECT INC., 3089.67, ; 816, VERIZON WIRELESS, 965.02, CELL PHONE; 817, WALMARTCOMMUNITY/GEGRB, 153.35, MISC; 818, TOMO, 35.00, DRUG TESTING; 819, INTEGRIS HEALTH MEDICAL GROUP, 42.00, PHYSICAL; 820, NATIONAL RIFLE ASSOC., 50.00, MEMBERSHIP; 821, MID-WEST PRINTING CO., 461.04, PAPER PRODUCTS; 822, TOMO, 35.00, DRUG TESTING; 823, QUILL CORPORATION, 49.16, OFFICE SUPPLIES; 824, GRAVES MENU MAKER, 1922.02, COMMISSARY SUPPLIES; 825, HOMETOWN BOTTLED WATER SERVICE, 25.00, WATER; 826, FLOWER S BAKING CO., 128.80, FOOD; USE TAX CASH ACCOUNT 7, GRAND RIVER ABSTRACT & TITLE CO., 485.00.

Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #3- No action was taken as the item was not needed.

AGENDA #4 - A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve opening and review of all bids received for the lease purchase of a 3,000 gallon tanker/pumper truck for the Eucha Volunteer Fire Department – Bid# 18-1-/11. One bid was received from Deep South Fire Equipment with financing from Welch State Bank. Commissioner Martin said three payment options were offered: 60, 72 and 84 months, with 3.8 percent, 3.97 percent and 4.2 percent interest, respectively.

“Is that fixed?” Barnes asked.

“We need to review it and make sure it meets all the bid specs,” Martin said. “It looks like \$95,000 less \$40,000 down.”

“We will give it to Eucha Fire Department to look over,” Poindexter said.

“Ninety-five thousand is what they bid?” Barnes asked.

Eucha Fire Department representatives present said the bid is for a 2011 truck.

"It an International chassis with a 3,000 gallon tank and pump," Martin said. "Here's \$135,000, so I guess that is the total price. We need to review this after the meeting to see if it meets the bid specs you turned in."

AGENDA #5-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to open sealed bids for annual extermination services. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. The following bids were submitted:

	*Aaron's Pest Control	*Grand Country Pest Control	*Terminex
Courthouse	\$100.00	\$200.00	\$90.00
Courthouse Annex Building	\$50.00	\$50.00	\$30.00
Community Center Building	\$50.00	\$50.00	\$75.00
Election Board Building	\$50.00	\$30.00	\$30.00
Sheriff's Administration Office Building	\$50.00	\$25.00	\$30.00
*per month			

AGENDA #6-A motion was made by Commissioner Kirk and seconded by Commissioner Poindexter for approval to open sealed bids on annual uniform service with acceptance at a later date. Bid #18-19/13. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. UniFirst submitted the only bid. "They've got everything in, but it's way too much to go over right now," Martin said, "it's two pages of prices."

UniFirst

	Weekly uniform service each employee
Regular Work Apparel	\$4.08 to \$6.60
Safety Apparel	\$7.05 to \$13.35
Service/Delivery Charges	\$5.00

AGENDA #7-A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk for approval to open sealed bids on annual paper and cleaning products with acceptance at a later date. Bid#18-19/14. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Bids were submitted as follows:

JANITORIAL SUPPLIES:	ADMIRAL EXPRESS	PAPERCLIP	OSBORN PAPER	UNIFIRST
TOLIET TISSUE PAPER (2 PLY)	96 rolls - 34.99	96 - 35.55	96 -33.53	12 cs-33.72
TISSUE/TOLIET PAPER JUMBO ROLL	12 rolls - 23.99	12 - 24.99	12-20.17	6 cs -31.92
FACIAL TISSUE	30 boxes - 23.49	30 - 17.97	30-25.52	30-30.79
CENTER PULL PAPER TOWELS	6 rolls - 19.89	6 rolls - 21.99	6 rolls-23.10	6 cs-36.00
MULTI-FOLD PAPER TOWELS (BROWN)	4000 towels-15.19	4000 - 17.59	16 ct. - 15.43	16 - 30.72
ROLL KITCHEN PAPER TOWELS	30 rolls - 23.95	30 rolls - 22.99	30 ct. - 16.56	12 cs-28.56
WOMEN'S FEMININE PADS SMALL	250 pads-46.77	250 - 43.99	250 - 43.80	no bid
WOMEN'S FEMININE PADS LG	no bid	250 - 51.31	250 - 43.80	no bid
HAND SOAP DISPENSERS	1-5.00	1 - 8.99	12 - NC	0
HAND SOAP DISPENSER REFILLS	6 ct-49.99	6/1000 ml-49.95	6 ct - 35.20	15.00 each
XL NITRILE GLOVES	100/Per box -5.89	10/100-49.95	10/100-35.00	100-5.95
DUST/POLISH CLEANER	12 cans -41.99	9.7 oz/12 - 35.39	12-41.36	no bid
LIQUID DISINFECTANT CLEANER	4 gal -38.95	128 oz/4 -35.59	4 - 34.47	1-24.92
ODOR NEUTRALIZER CLEANER	4 ct-32.89	32 oz/12 - 53.21	128 oz/4 -42.41	1-24.22
ALL PURPOSE FLOOR CLEANER	4 ct-31.89	144 oz/3-46.99	128 oz/4-31.16	1-24.22
DEGREASER CLEANER (HEAVY DUTY)	1 gal-11.88	128 oz/4-63.96	32 oz/12-32.31	1-16.36
32 OZ. NON-CONC SPRAY GLASS CLNR	12 ct-21.29	32 oz/12 - 73.20	32 oz/12- 28.95	1-18.76
DISINFECTANT TOLIET BOWL CLNR	12 ct-28.99	32 oz/12 - 37.99	32 oz/12-24.72	no bid

TOLIET BOWL CLEANER BRUSH	1-3.59	12 – 27.55	each-.76	no bid
45 GAL TRASH LINERS	100 liners-24.39	250 liners-45.99	100 – 18.61	250-47.25
16 GAL TRASH LINERS	1000 liners-28.40	1000 liners-33.99	1000-18.43	1000-41.91
10 GAL TRASH LINERS	1000 liners-22.25	500 liners-28.15	1000-20.38	1000-22.92
24" MICRO MOP PAD REFILLS	12 ct-50.69	no bid	12-5.51	.70 each
48" MICRO MOP PAD REFILLS	no bid	no bid	12-11.65	.80 each
24" MICRO FIBER DUST MOP	1 each-12.50	12 – 125.99	12-6.07	1.00 each
48" MICRO FIBER DUST MOP	1 each – 11.60	36"/12-139.99	12-11.65	1.50 each

AGENDA #8- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to sign and return renewal quote for 2019/2020 policy term for workmen's compensation insurance and resolution to execute the agreement. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. "We usually pay in a lump since we save several thousand," Barnes said. "So check option 1," Martin said.

AGENDA #9- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve discussion to open section line road at 31-20-24 in District 3 on behalf of John Harrison. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. "Nick (assistant district attorney) was going to come in here because he knows about that. Should I try to reach him?" Barnes asked. The item was moved down to wait for the county's attorney.

AGENDA #10- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve intrafund transfer from 04F(OAG Safe Grant) to 04A(Personnel Services) in the amount of \$1,217.14 on behalf of the Sheriff's Office. 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 letter to Oklahoma Department of Commerce to grant an extension of the Community Development Block Grant 16713 CDBG 16 to December 31, 2019. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

"That's Rural Water District 11," Barnes said. "Some subs are suing the contractor."

"Yeah, they took too long to do it and they're trying to fine them," Martin said.

Assistant District Attorney Nick Lelecas arrived and the commissioners returned to item #9.

"We've had access for 25 years," John Harrison said. "Now my problem is the neighbor is digging holes on the access road. Now I need the section line road to get in. I'm not asking you to build a road. What this guy's trying to do is steal my property."

Harrison showed an aerial map from 1995 showing the road he uses now is partly on someone else's property in Adair County. "But we've been using it for 15 years, so it's ours by adverse possession, right?" Harrison said to Lelecas.

"Eventually that's the argument to be made, is adverse possession," Lelecas said. "From the past discussion we had, I understand the section line road was used to haul chickens and the road was deviated into Adair County, and that's where the problem is. Unless the commissioners put the section line into reserve status, which means only the property owners on each side can use it, it is still open." Lelecas said section line roads are always open. He said the only way a section line road can be vacated is if it's on tribal land."

"We maintain the road, even though it's in Adair County," Kirk said. "I say if it's an open section line, we write him a deal saying it's open section line."

"Unless it's been put in reserve, it is an open section line," Lelecas said, "unless it's been vacated it's open and I'd bet my paycheck it can't be vacated."

"It's OK with me if we write a letter saying it's not in reserve and it is an open section," Martin said.

"It will be in the minutes," Lelecas said. "If anyone needs anything further from the board, they can come back to the board."

"But I think he (Harrison) wants a letter," Poindexter said.

The commissioners decided Kirk should be the one to draft and sign the letter since the matter concerns his district.

AGENDA #12- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve application for temporary appropriations for fiscal year ending June 30, 2020. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #13- 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. "I have been getting phone calls about people wanting to know about paying for fences," Kirk said. "They need to call Emergency Management," Martin said.

AGENDA #14-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.

Mike Major asked how disaster funds are decided.

"A disaster must be declared by the governor before we can get anything," Poindexter said.

"Then documentation is kept to reach a number threshold for assistance," Martin said. "But your road for instance is considered a well-travelled road, and they will tell me any damage done there is normal wear and tear. There are a lot of guidelines to be met."

AGENDA #15-A motion was made by Commissioner Kirk and seconded by Commissioner Martin to adjourn the meeting at 9:56 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

ATTEST:



BARBARA BARNES, Delaware County Clerk



DAVID POINDEXTER-Chairman of the Board



RUSSELL MARTIN-Member

MARTIN KIRK-Member

