



## DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

February 28, 2023

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on February 28, 2023. The agenda was posted February 27, 2023 at 8:30 a.m. and placed in the kiosk located on the courthouse lawn as 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 -Secretary. 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, clerk and commissioners' secretary, Case Hampton, OSU Extension Agent Brooke Downing, Toby Buzzard, Teresa Gross, Tayla Douglas and Michael Baker of the County Clerk's Office, Human Resources Director Vicki Cossairt, Treasurer Susan Duncan, Carl Tesreau, Mike Major, Wayne Garritson, Sheriff James Beck, Brandon Alexander, Undersheriff Nick O'Neal, Carolyn Boothe, Tammy White, Tina Guy, Brant Close, Josh Binam, Ashley and J. J. Blevins, Rick Pike, Steve Donohue, Coty Fisher and Leanna Buske 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 February 28, 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and 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: CBRI ROAD MATERIAL 4149 MUSKOGEE SAND CO. 10356.64; ROAD MATERIALS 4314 MUSKOGEE SAND CO. 3860.95; Donations DRUG TESTING 4360 AAVCOR 38.00; SUBSCRIPTION 4607 OKLAHOMA DEPT OF PUBLIC SAFETY 800.00; General null 3361 ELLIS-COOK, LARENA 361.06; ELECTION 4624 ELECTION BOARD DEPOSITORY ACCT 6764.08; FIRE EXTINGUISHER & SERVICE 4625 A&C FIRE EXTINGUISHER INC. 1219.00; LONG DISTANCE SERVICE 3500 MCI 62.81; MEDICAL SERVICES 4206 TURN KEY HEALTH CLINICS 8221.20; MILEAGE 4426 FACIO, ANTHONY 301.66; PUBLICATIONS 4199 THE AMERICAN 451.70; 4456 THE AMERICAN 30.75; SERVICE 4465 VANCE CHRYSLER DODGE JEEP RAM 104.12; UNIFORMS 4177 UNIFIRST CORP 204.07; Health ENVELOPES 3969 SOLTOW BUSINESS SUPPLY 335.50; TRAVEL 2161 O\_HERIN, KRISTEN 104.01; Highway null4319WILLIAMSDIVERSIFIED MATERIALS 4203.84; DRUG TESTING 4483 AAVCOR 70.00; ELECTRIC SERVICE 3989 AEP, PUBLIC SERVICE CO. OF OKLA. 472.51; FIRE EXTINGUISHER & SERVICE 4594 A&C FIRE EXTINGUISHER INC. 1398.60; GRADER BLADES 4321 WARREN CAT 1717.70; LEASE PAYMENT 4120 ODOT 3880.88; MISC 4474 NORTHERN TOOL & EQUIPMENT 4999.99; OFFICE SUPPLIES 4523 QUILL CORPORATION 101.75; PARTS 4034 WARREN CAT 360.00; 4539 YELLOWHOUSE MACHINERY CO. 520.88; 4541 PREMIER TRUCK GROUP 307.24; REPAIR 4318 HYSPECO INC. 583.68; REPAIRS 4545 ATD SALVAGE 8639.72; 4554 ATD SALVAGE 4606.75; SALT 4064 WILLIAMS DIVERSIFIED MATERIALS 2414.75; SIGNS 3986 ECONO SIGNS 244.20; SNOW PLOW BLADES 4323 GRAND TRUCK EQUIPMENT CO. LLC 3167.06; 4435 GRAND TRUCK EQUIPMENT CO. LLC 7730.50; TOOL BOX 4529 LOWES BUSINESS ACCT/SYNCRB 563.49; WELDING SERVICE 4601 LILlich WELDING & FENCING LLC 2106.00; Hwy-ST VEHICLE 4536 BRUCKNER TRUCK & EQUIPMENT 50000.00; Mtg Cert COFFEE 4648QUILLCORPORATION 275.49; Rural Fire-ST BLANKET 3146 CIRCLE N CONVENIENCE STORE 410.16; 3655 O-REILLY AUTOMOTIVE INC. 9.49; 3656 SISCO TRUE-VALUE HARDWARE 222.48; 3660 CIRCLE N CONVENIENCE STORE 258.44; 3663 O-REILLY AUTOMOTIVE INC. 40.50; 3671 SPRINGPLACE COUNTRY STORE 371.49; ELECTRIC SERVICE 3683 REC/NE OKLA ELECTRIC COOP 137.00; 3710 REC/NE OKLA ELECTRIC COOP 349.04; FIRE DEPT BUNKER GEAR 2957 CASCO INDUSTRIES INC. 14670.00; 2958 CASCO INDUSTRIES INC. 10250.00; FIRE DEPT GEAR 4048 MALLORY SAFETY AND SUPPLY, LLC 1575.35; MONTHLY SERVICE 4656 ALERT360 27.81; PART 4611 B & L WATERWORKS SUPPLY INC. 26.79; PROPANE 4513 STEVESON L.P. GAS 1269.90; REPAIR 4137 MUNICIPAL EMERGENCY SERVICES INC 830.00; REPAIRS 4200 TIM S ELECTRIC INC. 505.00; 4595 FULLERTON WELDING SUPPLY 360.52; 4603 BROWN'S AUTO & DIESEL REPAIR 754.50; TELEPHONE SERVICE 4261 SST 165.09; UTILITIES 3691 RURAL WATER DIST. #10 912.43; SH Svc Fee COPIES 1414 LAKELAND OFFICE SYSTEMS 510.77; DRUG

TESTING 4517 AAVCOR 38.00; LOCK 3850 LINDLY S INC. 18.09; MISC 3619 MONITOR TECHNOLOGY LLC. 2483.00; NON-FOOD 4420 GRAVES MENU MAKER 497.49; OFFICE SUPPLIES 3502 AMAZON.COM / SYNCB 146.59; TIRE REPAIRS 2687 EUCHA TIRE SHOP 60.00; TIRES 3281 SOUTHERN TIRE MART LLC 2028.96; VENDOR SERVICES 4419 GRAVES MENU MAKER 3263.43; 4516 GRAVES MENU MAKER 2741.33; Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

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

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. Mike Major said there is an election next Tuesday and he urged everyone to go vote. Vicki Cossairt said early voting starts this week.

AGENDA #7 - A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve report by Human Resources Vicki Cossairt. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Cossairt said the county has 12 full-time positions and one half-time position open. Since her last report, four new employees have started and four have "left." The county had 139 employees Tuesday.

Cossairt said the county has a voting policy to allow employees who are at work the opportunity to vote. She said a new round of Covid and flu is going around.

Cossairt read the resignation letter of E-911 Emergency Trust Authority Director Don Youngblood, effective March 14, 2023.

Youngblood has held the position 11 years. Cossairt thanked Youngblood for his service. A motion was made by Commissioner Callihan and seconded by Commissioner Beck to accept the resignation. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #8-A motion was made by Commissioner Callihan and seconded Commissioner Beck to open the floor for new business. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. There was none.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to execute Form 969 Claim Form for Loss of Revenue to Delaware County and the school districts therein due to the additional Homestead Exemptions allowed for the year 2022 as detailed on OTC Form 916. 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 receive and forward to the District Attorney Case #CV-2023-29 Petition to Quiet Title, Jerry R. Sanders and Regina Sanders, Plaintiffs, vs. Bennie Leon French, Et Al. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to approve payment of invoice from Floyd & Driver PLLC for American Rescue Plan Act professional services and monthly retainer for January 2023. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #12- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to adopt Flood Damage Prevention Ordinances per OS Title 82, Sections 1601 through 1620. 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 to discuss with possible action bill from Grove Small Animal Hospital incurred by the Sheriff's Office in July, 2022, in the amount of \$230. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Poindexter said the services were rendered in May, which was in the last fiscal year. The cutoff has elapsed for paying those bills with county funds. He said the District Attorney should look at the bill.

Sheriff Beck said his employee called Tayla to ask about worker's comp and "Tayla was supposed to call ACCO." He "told Genia" to complete a purchase order yesterday and a non-compliance letter. The sheriff said the incident happened fast and he did not know the bill had not been paid. He said Genia completed the money request yesterday and he called the vet. He said he did not know about the bill and asked why he was not asked before the matter was put on the agenda. "A one-minute phone call could've resolved this," Sheriff Beck said.

Purchasing Agent Michael Baker said when the manager called her, she said the vet's office had made contact nine times about this billing. Baker reiterated the services were rendered in the previous fiscal year, and could not be paid with a purchase order in this fiscal year. No action was taken.

AGENDA #14-A motion was made by Commissioner Callihan and seconded by Commissioner Beck to receive and file copy of Certificate of Liability Insurance and current list of Board of Director and Officers for the Eucha Volunteer Fire Department as follows: Leanna Buske – Chairman; Hannah Ball – Vice-Chairman; Kelly Tanner, Coty Fisher – members; Toby Buzzard – Fire Chief; open – Asst. Chief; Toby Buzzard, Barbara Barnes – Requisitioning Officers; Comelia Buzzard, Coty Fisher - Receiving Officers; Coty Fisher, Comelia Buzzard – Inventory Officers. This item was tabled from the February 21<sup>st</sup> meeting. Callihan asked if this slate is accurate. Buske said it is a correct list. Wayne Garritson said in December Ashley Blevins was asked to be on the board. He said Blevins was approved at the January meeting by vote. Buske had the minutes for December which were approved in January in her hand. She said item number seven said Garritson nominated Blevins but there was no vote. Buske said Blevins was suggested again at the January meeting, but she was not present and no vote was taken.

County Clerk Deputy Teresa Gross, who handles paying the bills for all the fire departments, said a slate of officers is needed to pay bills. Since the item was tabled last week, no bills have been paid and none will be paid this week if the item is tabled again.

Buske said Coty Fisher does not live in the Eucha district. She said Commissioner Beck and Undersheriff O'Neal were at the meeting where Garritson resigned. Commissioner Beck said he got an email in which Garritson resigned. Buske said she forwarded that email to Commissioner Beck. Garritson said although he said he "was done," left the meeting Jan. 10 and turned in his equipment, he did not resign. Buske asked Commissioner Beck to confirm Garritson resigned.

"I am trying to stay neutral," Commissioner Beck said. "I didn't really hear him resign, but it all happened so fast and it got pretty heated," Commissioner Beck said.

Poindexter asked Buske how board members are chosen in the first place. Buske provided a copy of the by-laws, which state members are appointed by other members.

"I said I was done, I didn't resign," Garritson said.

Buske said not only did Garritson leave, he refused to sign the reimbursement checks for firefighters (\$15 for each fire run they make).

Commissioner Callihan said he wanted to vote on the slate of members and officers.

Poindexter asked if the fire department has legal counsel. Buske said a small volunteer fire department cannot afford legal counsel.

Commissioner Beck said maybe "we should talk to someone else."

Poindexter said it is not up to the Board of Commissioners to straighten out disagreements on fire departments.

Buske said again that the minutes were approved. If Garritson thought the minutes were wrong, the time to challenge them was at the meeting before they were approved.

Callihan said "we need to vote so the bills can get paid."

Commissioner Beck said Coty Fisher does not live in the district. Buske said he can be stricken from the list or the list can be approved with his name and another slate will be turned in later.

Callihan moved to accept the list with the exclusion of Coty Fisher. Poindexter seconded the motion. Roll call: Commissioner

Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes with great reservations. Motion carried.

AGENDA #15-A motion was made by Commissioner Callihan and seconded by Commissioner Poindexter to transfer funds from Roads & Bridges ST to ETR Piney Bridge in the amount of \$50,922.86 per Jake Callihan, District #2 Commissioner. 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 accept bid in the amount of \$51,014.64 submitted by Contech for bridge rehabilitation located one mile west of Kenwood. Sealed bids were opened December 13, 2022. County Bid #22-23/15. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #17-A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action obtaining sealed bids to paint the interior walls of the ground floor, second floor and third floor of the courthouse. Roll call:

Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

"We'll get some bids and see what we come up with," Poindexter said.

AGENDA #18-A motion was made by Commissioner Callihan and seconded by Commissioner Beck discuss with possible action obtaining sealed bids to paint the light poles on the courthouse lawn and paint the lettering on the exterior of the courthouse.

Callihan said the Chamber of Commerce got a grant for light poles which are black. He said the Chamber will pay for the installation and they are just waiting on the contractor and good weather. A discussion ended with the decision that the letters on the outside of the courthouse should be black to match the new light poles. 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 discuss with possible action the Delaware County E-911 Trust. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Poindexter thanked Don Youngblood for his service as the E-911 Trust Authority Director.

**AGENDA #20-A** motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss progress of the fairgrounds upgrade per Commissioner Callihan. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Callihan said the fairgrounds steering committee is waiting for the architect for a quote. He said the Feb. 25 Fair Premium sale brought \$348,000 for 116 exhibitors and by the time add-on amounts are tallied, the total amount should reach \$350,000. Callihan commended the community for their support of 4-H and FFA members.

**AGENDA #21-A** motion was made by Commissioner Callihan and seconded by Commissioner Beck to adjourn at 9:56 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

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DAVID BECK, MEMBER