



DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

March 1, 2022

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on March 1, 2022. The agenda was posted February 28, 2022 at 8:17 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, Conley Chesney, Designee for District #3 and County Clerk Barbara Barnes -Secretary. The Board of Delaware County Commissioners is hereby authorized to act on the following items:

The meeting called to order by Chairman Poindexter followed by the flag salute and roll call by the chairman.

AGENDA #1 - A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to approve the minutes of the regular meeting dated February 22, 2022. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #2-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to approve payment of claims submitted by the County Clerk's Office. 2021-2022: Donations 22, GRAND COUNTRY PEST CONTROL, 50.00, EXTERMINATION; General 2357, AMAZON.COM / SYNCB, 145.49, MISC2358, QUILL CORPORATION, 45.99, OFFICE SUPPLIES2359, QUILL CORPORATION, 672.08, 2360, GRAND COUNTRY PEST CONTROL, 305.00, EXTERMINATION2361, AADVANTAGE LAUNDRY SYSTEMS, 119.00, LEASE2362, THE AMERICAN, 327.10, PUBLICATIONS2363, THE AMERICAN, 401.05, PUBLICATIONS2364, JOHNSON CONTROLS FIRE PROTECTION, 5204.90, REPAIR2365, CRAIG COUNTY DETENTION CENTER, 600.00, JUVENILE SERVICES2366, OZARK LEASING A PROGRAM OF DE LAGE, 102.70, LEASE/PURCH2367, AMAZON.COM / SYNCB, 331.83, OFFICE SUPPLIES2368, AMAZON.COM / SYNCB, 63.06, OFFICE SUPPLIES2369, UNIFIRST, 184.62, UNIFORMS2370, LINDLY S INC., 639.98, MISC2371, CLAWSON, SCOTT, 265.01, TRAVEL2372, CLAWSON, SCOTT, 265.01, TRAVEL2373, LAKELAND OFFICE SYSTEMS, 99.96, COPIES2374, OSU BURSARS OFFICE, 41.23, COMPUTER EQUIP2375, LAKELAND OFFICE SYSTEMS, 146.04, COPIES; Health 212, MARTIN, VIVIAN, 561.51, TRAVEL; Highway 1494, POINDEXTER, DAVID C., 245.70, TRAVEL1495, YELLOWHOUSE MACHINERY CO., 1920.10, GRADER BLADES1496, T & W TIRES LLC, 2000.00, TIRES1497, GRAND SAVINGS BANK, 631.59, LEASE PAYMENT1498, RCB BANK, 4779.19, LEASE PAYMENT1499, ARMSTRONG BANK, 564.51, LEASE PAYMENT1500, WELCH STATE BANK, 2305.03, LEASE PAYMENT1501, ARVEST BANK, 1005.38, LEASE PAYMENT1502, BANK OF GRAND LAKE, 1916.41, LEASE PAYMENT; Rural Fire-ST 786, REC/NE OKLA ELECTRIC COOP, 143.00, ELECTRIC SERVICE787, VERIZON, 201.23, MONTHLY SERVICE788, SOUTHERN TIRE MART LLC, 3926.70, TIRES789, A-Z OVERHEAD DOORS INC, 1642.50, OVERHEAD DOORS790, REC/NE OKLA ELECTRIC COOP, 633.00, ELECTRIC SERVICE791, B&B HEATING & AIR INC., 114.82, REPAIRS792, MUNICIPAL EMERGENCY SERVICES INC, 195.00, FIREDEPTEQUIP793, SUDDENLINK, 92.22, TELEPHONE SERVICE794, SBA STEEL LLC, 158.02, RENT795, WELCH STATE BANK, 1422.90, LEASE/PUR796, REC/NE OKLA ELECTRIC COOP, 159.96, ELECTRIC SERVICE797, STEVESON L.P. GAS, 998.82, BLANKET798, FULLY INVOLVED PEST CONTROL, 100.00, PEST CONTROL799, RURAL WATER/GAS DIST. #10, 770.73, UTILITIES800, WALKER HARDWARE & LUMBER, 734.89, BLANKET801, SPEEDYS 66, 329.39, BLANKET802, SPEEDY S #4, 24.00, FUEL803, MUNICIPAL EMERGENCY SERVICES INC, 5398.00, FIRE DEPT EQUIP804, LINDLY S INC., 883.92, PROPANE805, GRAND LAKE TRUCK REPAIR & TOWING, 185.00, TOWING806, GRAND LAKE TELECOMMUNICATIONS, 35.00, INTERNET807, GRAND TELEPHONE CO., 84.40, TELEPHONE SERVICE808, MFA OIL, 625.87, PROPANE. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #3- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to receive and file monthly reports from County Officers. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. Reports were provided by the Assessor, County Clerk, Health Department, Court Clerk and Sheriff's Office.

AGENDA #4 - A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) for approval of citizen's participation or comments. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

Ed Crone from Grand Gateway said five counties of the seven area counties are using Grand Gateway to administer their American Rescue Plan Act Funds. Delaware and Washington counties are not using Grand Gateway, he said. Crone said Rogers County had spent some of its funds on a project at Port of Catoosa. Grand Gateway drafted the contract. "The hardest part is getting all five counties on board," Crone said, to agree on contract language. He said 18 cities in the seven-county area did not ask for money at all in the beginning, but with Grand Gateway's help, that number was reduced to two cities not applying for the government funds. He said Grand Gateway is asking counties for money one time to administer the programs; \$30,000 for two years. Poindexter asked if all towns in Delaware County applied for funds. He said one did not apply. "One clerk got fired and one quit because they didn't want to do ARPA," Crone said. Crone said Grand Gateway will do all the work, even coming to an office and doing computer work. Commissioner Poindexter said Bernice needs a major water project, and he was hopeful ARPA funds might be used for it. Crone said if ARPA won't cover the complete cost, Grand Gateway will apply for other funds to go with ARPA funds. There will probably be "other monies coming," Crone said. "Right now the problem is there aren't enough engineers." He said Grand Gateway is administering a DEQ pod sewer system project in West Siloam Springs and he is trying to get an Oklahoma engineer to work with DEQ engineers.

AGENDA #5 – A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to approve Hearing Human Resources Vicki Cossairt on current status regarding families first. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. Cossairt gave the latest Oklahoma Department of Health number regarding Covid, which are one week old: 291 active cases in Delaware County, which is down 151 from the previous week. Centers for Disease Control numbers posted Feb. 28 show 71 active cases, down 291 from a week ago. She said approximately 6.73 percent of the Covid tests in Delaware County are positive now. Approximately 17,836 people have recovered from Covid in Delaware County, up 276 from last week. “A fair amount of the population has had Covid and recovered,” Cossairt said. She said many mask mandates are being dropped. “Looks like hopefully the end is in sight,” Cossairt said. She said one deputy who was a candidate for a job decided to stay where he was because he got a raise. She said road safety training is set for next week and the fire extinguishers are being recharged to outfit every deputy car with one.

AGENDA #6- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) for approval to discuss and review the County’s policies in relation to Covid-19 and take action to modify those policies as needed. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. Commissioner Poindexter asked District Attorney Kenny Wright if there was any word on whether the mask mandate has been dropped in the courtrooms. Wright said he had not had any word from Judge Barry Denny who made the mandate, but he would ask him.

AGENDA #7- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to accept or reject bids received for purchase of a new 2000-gallon pumper truck for Cowskin Fire Department, funded by a 95 percent grant from FEMA, EMW-2020-FG-20025, with 5 percent coming from county sales tax. Bid# 21-22/10. Cowskin Fire Department Board Chairman Chris Wilkens said two bids were received, but one was \$60,000 higher than the other. The department accepted the bid from Fire Master for \$290,000. The department’s portion is \$13,809.52. “We have the money in capital outlay,” Wilkens said. “We are replacing two engines and two old tanker trucks.” Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #8- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to receive and file a copy of the certificate of liability insurance and current list of Board of Directors and Officers for the Eucha Fire Department as follows: Leanna Buske – Chairman; Hanna Ball – Vice Chairman; Andy Gullet, Wayne Garretson – members; Toby Buzzard – Fire Chief; JJ Blevins – Asst. Fire Chief; Toby Buzzard, JJ Blevins, Barbara Barnes – Requisitioning Officers; Makayla Manning, Comelia Buzzard – Receiving Officers; Makayla Manning, Ashley Blevins – Inventory Officers. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to accept or reject request for a road cut/bore permit by Zap Plumbing at 25831 S. 621 Rd, Grove. Commissioner Poindexter said this is in his district and suggested the commissioners approve. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes.

AGENDA #10- A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) for approval to hear report from Sheriff James Beck for monthly statistics and update on turnover audit status. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. “The audit is not finished, but it’s close,” Beck said. He said it appears the auditors just “flew through this audit.” The auditors found 118 items missing. Beck said thanks to the work of Undersheriff Nick O’Neal, 97 of the items have been found, leaving \$18,673.73 worth of equipment still unaccounted for. Beck said he believes some of the equipment was destroyed in two separate car fires. He said six laptops are unaccounted for at a value of \$5,608; 12 radios at a value of \$9,761.68 and three tasers at a value of \$3,303.31. He said the missing tasers are most important as he doesn’t want them used on anyone. “I’m sure we can find these,” Beck said. He said the inventory is incomplete for the radios, but once all are accounted for the inventory list will be brought up to date in the county clerk’s office. He said there is a lot of equipment in what the office calls “the dungeon. I think we will be able to account for most everything.”

Beck said in January and February, 178 people were booked at 166 were released. There are 77 inmates in jail, which Beck said is over capacity, but he said 70 to 80 inmates is a manageable overflow. Poindexter asked if any inmates were being held for Cherokee Nation. Beck said five inmates are being held for the Native Americans now, but that number has been as many as 13. He said Native Americans have initial appearances in Delaware County Court. We are on case #197 now, Beck said, but he believes that number will pick up fast when the summer residents return. He said since he took over, there have been 4,426 calls resulting in charges for 26 assaults, 18 larcenies and seven stolen vehicles. He said good cooperation with other agencies is helping lower the crime rate.

Concerning the plan to consolidate the 911 system, Beck said of 1,062 calls, 89 were hang ups – “But we have to go look,” Beck said. “If they don’t answer we have to go check.” Misdials accounted for 105 of the calls, 269 were for police, 62 were fires and 348 were medical. He said 23 calls were transferred from Jay to Grove and 39 were transferred from Grove to Jay. “Transfers take a long time as each operator has to get the information again,” Beck said. “Consolidation will decrease this.” He said alarm systems take up a lot of time.

Nine reserve officers have graduated and 4 more are in the process. “This doubled our law enforcement capacity,” Beck said, “but they are not trained.” He said reserves will ride along with officers and a reserve must work 205 hours with a certified officer before they can work alone. Beck said no lawsuits have been filed against the Sheriff’s Office since he took over, and he intends to keep it that way. He said some reserves are already employees and two of them took a transport to Illinois last weekend, which freed up a lot of time for regular officers. Poindexter pointed out the last major lawsuit was “due to some reserve/volunteer situation.” Beck said to that end he is working toward getting fixed cameras in every car. Beck told the commissioners the radio estimate for the new cars did not include the equipment they wanted, so the new estimate will be quite a bit higher. Beck said Shangri La is having a fundraiser April 9 to buy 30 vests for the Sheriff’s Office at a cost of \$1,500 each.

AGENDA #11- A motion was made by Commissioner Poindexter and seconded by Commissioner Callihan to discuss with possible action the Sheriff's Office request to install fencing around the jail parking lot. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. "If you look around you'll see lots of jails have fencing," Beck said. "This is for the safety of the employees and the safety of the public." Beck said friends or family could be waiting for transfers coming in and try to overtake the officers. That inmate of another might flee and endanger the public. Beck said the fence is no good unless the gates are properly closed, but he will make sure that is accomplished and there will be stiff penalties if it is not. Poindexter said the fencing is fairly simple but the access points should be controlled inside the jail. He said it will probably be necessary to get quotes and go out for bids. Callihan asked the sheriff to get some specifications together. Beck said he would like the commissioners to look at the situation with him. "We don't use the sally port now," Beck said. "It is too narrow and just not functional. We can't drive in there and close the door. It needs to be entirely reworked."

Crone said Ottawa County just received a large grant from tribal funds to rework their jail using the Corps of Engineers. He suggested Delaware County might be able to get the same funding if the sally port and fence were done at the same time.

AGENDA #12-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to receive and file the current list of officers for the Delaware County Sheriff's Office: Requisition Officers – James Beck and Genia Yeager; Receiving Officers – Nick O'Neal and Shannon Anderson. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #13-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to accept a \$5,000 grant from the Bank of Grand Lake to be used for the purchase for first aid kits for the Sheriff's Office. Gary Kirby and Case Hampton presented the check. Kirby said he attended the meeting where Cossairt reported the Sheriff's cars all need first aid kits. "We first asked our president Ed Townsend to donate \$3,500," Kirby said. "He said Kirby, how much will it take to buy them? I said \$5,000 and he told me to write the check." Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #14-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to discuss with possible action using \$40,784.65 in APRA funds to purchase Zoll Automatic External Defibrillators with protective cases for every sheriff's vehicle. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. Emergency Management Director Jeff Reeves said he got this price just to get an idea what the cost might be for the machines. He said he thinks he can find a lower cost; Reeves said this quote is for refurbished machines which are much cheaper than new ones. Reeves said the sheriff requires all his employees to be CPR/AEP certified and the machines will not shock a person if the heart rhythm is not irregular. Poindexter asked if in most situations such as a wreck, emergency service vehicles and EMTs would be on the scene. Beck said that is not always the case. Beck said the AEDs will last a long time and are needed "in case you run up on an accident. We are not first responders, but they are all CPR/AED certified. Cossairt related a story where a boy collapsed on a ballfield, and because an AED was available, he survived. "After that, the hospital went on a campaign to get as many AEDs a possible." Reeves said he will research pricing. He said the state bid cannot be used on refurbished AEDs. No action was taken.

AGENDA #15-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to approve payment of an invoice from Floyd & Driver PLLC in the amount of \$7,954.54 for American Rescue Action Plan Act professional services for the month of January 2022. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #16-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to receive and deposit Cherokee donation check in the amount of \$155,725 to be used by District #2 for the new road in the Jay Industrial Park. Callihan said the money is a grant, not a donation, and he has already moved equipment to begin the project as soon as the money is deposited. Callihan said the project must be complete by September. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #17-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to surplus computer battery backup unit, inventory #F-231.2 per request of the County Clerk's Office. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #18-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to junk computer battery backup unit, inventory #F-231.2 per request of the County Clerk's Office. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #19-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to go into Executive Session pursuant to Title 25 Oklahoma Statute 307.B1 to discuss employment, promotion, demotion, disciplining or resignation of any individual or salaried officer or employee: Michael Bernheisel – Patrol Deputy at 10:12 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

AGENDA #20-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to return to regular session for discussion and possible vote regarding any necessary action concerning agenda item #19 above at 10:48 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. No action was taken.

AGENDA #21-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to open the floor for new business. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried. There was none.

AGENDA #22-A motion was made by Commissioner Callihan and seconded by Conley Chesney (designee) to adjourn at 10:49 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Conley Chesney (Designee)-yes. Motion carried.

DELAWARE COUNTY, OKLAHOMA
BOARD OF COMMISSIONERS

ATTEST: _____
BARBARA BARNES- COUNTY CLERK

DAVID POINDEXTER, CHAIRMAN

JAKE CALLIHAN, MEMBER

CONLEY CHESNEY, DESIGNEE