



DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

September 3, 2024

The Board of County Commissioners of Delaware County met in Regular Session at 9:00 a.m. on September 3, 2024. The agenda was posted August 29, 2024, at 3:49 p.m. and placed on the courthouse door 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, County Clerk, and Commissioners' Assistant Kathy Parker, Emergency Management Director Jeff Reeves, Jack Wood, Election Board Secretary Crystal January, County Clerk Deputy Teresa Gross, Undersheriff James Morgan, Monkey Island Fire Chief Carl Tesreau, Human Resources Director Vicki Cossairt, Rocky Desilva of Grove Fire Department, Rocky Carroll, ADA Marianna McKnight, Payroll Clerk Tayla Douglas, Ray Thomas, Hoguen Apperson, Doug Smith of the Excise Board, Mike Major, Shannon Anderson of the Sheriff's Office, Russell Earls of Guy Engineering, Assessor Larena Cook, Carolyn Boothe, Treasurer Treasa Earp, Michaele Baker, Clyde Address, and Teresa Gross of the County Clerk's Office 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 August 20, 2024. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-abstain; 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. 2023-2024 - General 3951, TURN KEY HEALTH CLINICS, 13218.06, MEDICAL SERVICES; Resale 316, TM CONSULTING INC., 5800.00, MISC; RM&P 151, THE PAPERCLIP OFFICE SUPPLIES, 2190.53, OFFICE FURNITURE; SH Svc Fee 659, THE PAPERCLIP OFFICE SUPPLIES, 503.90, HYGIENE PRODUCTS; 2024-2025 - ARPA 2021 3, CITY OF JAY, 179.00, PERMIT; CFDA 21.019 (CARES) 1, GH2 ARCHITECTS LLC, 45031.82, CONSTRUCTION; Emergency Mgmt. 3, MIDWEST CARD & ID SOLUTIONS, 2010.00, SUBSCRIPTION; General 654, UNIFIRST CORP, 254.40, UNIFORMS 655, T-N-T PLUMBING, 3472.76, PARTS 656, MATCHELL LAWN CARE LLC, 125.00, LAWN MAINT 657, ANTHONY AND SONS, 75.00, MISC 658, MID-WEST PRINTING CO., 401.34, ENVELOPES 659, MARRIOTT SOUTHERN HILLS, 107.00, TRAVEL 660, AAVCOR, 38.00, DRUG TESTING 661, 4 STATE CHIROPRACTIC, 85.00, PHYSICAL 662, HILTON GARDEN INN OKC MIDTOWN, 440.00, LODGING 663, OSU ADMINISTRATIVE SERVICES, 5666.66, MISC 664, LEAF, 289.26, LEASE PAYMENT 665, TM CONSULTING INC., 1271.00, OFFICE EQUIPMENT 666, LAKELAND OFFICE SYSTEMS, 146.04, SERVICE 667, MCI - VERIZON COMPANY, 62.99, TELEPHONE SERVICE; Health 32, SANOFI PASTEUR INC., 600.00, VACCINE 33, LEAF, 424.09, LEASE PAYMENT; Highway 314, LONGAN CONSTRUCTION, 1470.00, ROAD MATERIALS 315, LAKELAND-CPP, 1534.58, FUEL 316, GRAND SAVINGS BANK, 16646.69, LEASE PAYMENT 317, WELCH STATE BANK, 2197.49, LEASE PAYMENT 318, TRACTOR SUPPLY, 134.97, TOOLS 319, REC/NE OKLA ELECTRIC COOP, 170.12, ELECTRIC SERVICE 320, WALTER SPECIALTY SERVICE, 210.00, ROAD MATERIALS; Hwy-ST 37, LAKELAND-CPP, 2950.50, FUEL 38, LAKELAND-CPP, 4187.25, FUEL; ML Fee 3, HARVEST FIELDS VENDING, 12.50, WATER/RENT; Mtg Cert 6, BENGE, CARLEE KATHRYN, 88.50, PER DIEM 7, OSU-CTP, 125.00, TRAINING 8, COURTYARD TULSA CENTRAL, 107.00, LODGING 9, QUILL CORPORATION, 49.98, OFFICE SUPPLIES; Resale 59, THE GRAND LAKER/DELAWARE COUNTY JOURNAL, 105.74, PUBLICATIONS; Rural Fire-ST 175, AEP, PUBLIC SERVICE CO. OF OKLA., 198.69, UTILITIES 176, BOLT FIBER, 77.15, MONTHLY SERVICE 177, CAPITAL ONE/WAL-MART BUSINESS, 123.76, BLANKET 178, BOLT FIBER, 94.69, MONTHLY SERVICE 179, DECKED, 1599.99, TOOL BOX 180, REC/NE OKLA ELECTRIC COOP, 504.00, ELECTRIC SERVICE 181, AT&T MOBILITY, 350.34, MONTHLY SERVICE 182, WELCH STATE BANK, 1422.90, LEASE/PURCH 183, AT&T MOBILITY, 280.28, MONTHLY SERVICE 184, REC/NE OKLA ELECTRIC COOP, 244.00, ELECTRIC SERVICE 185, MIAMI INDUSTRIAL SUPPLY AND MANUFACTURING, 124.84, MONTHLY SERVICE 186, MIAMI INDUSTRIAL SUPPLY AND MANUFACTURING, 90.00, MONTHLY SERVICE 187, PATTERSON INSURANCE SERVICE INC., 100.00, INSURANCE 188, GRAND TELEPHONE CO., 131.07, TELEPHONE SERVICE 189, FLETCHER FORD, 64285.00, FIRE DEPT VEHICLE 190, LAKELAND-CPP, 726.74, BLANKET 191, STILL FIRE SERVICES LLC, 1912.00, HOSE TEST 192, DELAWARE COUNTY E-911, 6000.00, DISPATCH SERVICE 193, TRIPLE B GARAGE DOOR LLC, 311.00, REPAIR; SH Svc Fee 44, VON JAGER K9, 500.00, TRAINING 45, BARTON, CANDACE, 2278.50, MISC 46, NOVUS AUTO GLASS, 190.52, GLASS REPAIR 47, AXON ENTERPRISE INC., 495.00, TRAINING; Use-ST 2, LOWES BUSINESS ACCT/SYNCRB, 8696.27, APPLIANCES

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. A report was submitted by the Court Clerk. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Reports were submitted by the County Clerk and Health Department.

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. Sheriff Elect Ray Thomas said regarding items #19 and #20, he does not understand why the sheriff would need outside counsel. In regard to pay raises, Thomas said while employees who are promoted should get their pay increase, no more raises should be made until the budget is set and it is plain how much money will be available.

AGENDA #7- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to hear report by Human Resources Director Vicki Cossairt. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Cossairt said the county has 132 employees today. Since her last report, there have been four new hires, one of which is part-time. She hopes to have their orientation completed this week. October 1 will be suspicious behavior training for commissioners and their foremen. Cossairt said all the dispatchers are now under the same employment umbrella. She said two offers of employment have been made and if both accept the dispatch roster will be full. The county has five open jobs, but two are temporary positions. Cossairt offered condolences to Commissioner Callihan and his family on the loss of his father. Cossairt said Nov. 1, House Bill 1068 will become law. She said this requires all county deputy sheriffs and jailers to participate in the OPERS Hazardous Duty plan. One-hour webinars are being offered for more information. These employees will have contribution changes and new retirement eligibility criteria.

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.

Commissioner Poindexter skipped to item #22.

AGENDA #22- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss fiscal year 2024/2025 budget. Roll Call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

Poindexter said every elected office got an increase. Cook asked what the line item for insurance benefit was for since each elected official budgets for benefits from their own allotments. Barnes said this is a fail safe in case someone is not able to pay the employee benefit insurance premium. Cook asked if the insurance premiums have increased. Douglas said insurance rates increased about four percent, Cossairt said that amounts to about \$10 per person per pay roll. Since Court Clerk Karma Sapp was not at work, Poindexter suggested tabling the item until next week to give her a chance to look over and comment on the proposed budget.

AGENDA #9- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action jail services agreement with the City of Grove, tabled from the last meeting. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Sheriff Beck said he hasn't gotten an answer from Grove P.D. He said the jail has 70 to 75 prisoners each day. McKnight said she can add a clause to the contract that if there is no room for more people, the Grove prisoners can't be put in the jail. Sheriff Beck said municipalities are usually just holding prisoners for another entity to pick up, so they are usually not held for long. Poindexter said Grove's dispatchers served as detention officers and since those dispatchers have moved to the county-wide system, there is no one to watch prisoners at Grove.

Andress asked how much the jail charges per day. "I used to charge \$80. If the rate is too low, it makes it a low rent hotel for everyone." Thomas said this will be addressed in the near future.

Sheriff Beck said new laws say he cannot charge the indigent or kick them out. He said it costs more to house prisoners than he gets. He said his question for Grove was the rate as he gets different rates for different contracts.

Beck asked if he could house Grove prisoners at no cost until the agreement is signed.

A motion was made by Poindexter and seconded by Callihan to table the item until next week. 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 discuss with possible action quote from Advanced Tech for E-911 cable drops. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Poindexter said the original quote from the Myers-Cherry contractor to do this job was \$44,000. Advance Tech is a local company and has made a quote of \$7,466.23 to install the rest of the network cable for electricity at the E-911 Center. A motion was made by Callihan and seconded by Beck to accept the Advance Tech quote. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #11- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to update the list of FY 24/25 officers for District #3 as follows: Requisitioning Officers – David Beck, Russell Martin; Receiving Officers – McKenna Andrews, Tony Lyons; Inventory Officers – McKenna Andrews, Russell Martin. 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 approve purchase order in the amount of \$120,000 to Purple Wave in order for District #3 to bid on equipment. 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 receive and forward to the District Attorney case #CV2024-134 Petition to Vacate common areas on Lakemont Shores Subdivision. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #14- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve interfund transfer from Highway Sales Tax District #2 to Highway Lease/Purchase District #2 in the amount of \$150,000 per District #2 Commissioner Jake Callihan. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #15- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to receive and forward to the District Attorney case #CV-24-132, Jerry Spears and Stacy Spears vs. Alan A. Casella and Rosella Casella Et Al; quiet title. 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 discuss with possible action hiring Grand River Abstract to research property the county owns at Copeland Switch adjacent to Copeland Subdivision. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.
Poindexter said this land is west of the casino at Tom Cat Corner and is old railroad right-of-way deeded to the county. Barnes said Robert Husong called her and he has bought lots in old subdivision and wants to obtain the county's adjacent land. She said her preliminary research shows 27 tracts were in the document filed. Callihan asked about the price. Barnes said first to find out where it is and what the county owns. A motion was made by Poindexter and seconded by Callihan to hire Grand River Abstract to research land owned at Copeland Switch. 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 advertise for sealed bids on highway salt materials for the County Highway Department through March 31, 2025. Persons interested in submitting a bid are to contact Michael Baker, P.A., located in the Delaware County Clerk's Office, Jay, Okla. Bids will be opened and reviewed in meeting dated September 24, 2024, at 9 a.m. Bids will be received no later than 3 p.m. in the County Clerk's Office; Jay, Okla., on September 20, 2024. Board reserves the right to accept/reject any and all bids and the right to re-advertise. County Bid #24-25/02. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #18- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to receive and file a copy of the Certificate of Liability Insurance and current list of Board of Directors and Officers for the Zena Fire Department as follows: Tanya Blessing – Secretary; Amber Smith – Board Member; Dwayne Creason – Vice-President; Bobby Jeffries – President; Dale Wilson – Treasurer; Kara Thompson – Alternate #1; Weston Kanak – Alternate #2; Fire Chief – Matt Outhier; Asst. Chief – Matt Mussati; Requisitioning Officers – John Blessing, Kristen Mussati, Barbara Barnes; Receiving Officers – Matt Outhier, C.J. Brewer; Inventory Officers – Jeromy Miller, Scott Beaumier. 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 employment contract for Kenny Wright as general counsel for Sheriff Beck pursuant to Oklahoma Statute Title 19.527 and a purchase order to pay for the retainer. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried. Sheriff Beck said the statute says he can hire an outside counsel and he wants it. He said the county must provide the lawyer for him. McKnight said District Attorney Pewitt interprets the statute as the BOCC must consider, not must pay for the lawyer, and because the BOCC is tasked with making sure Sheriff Beck does not spend more than 50 percent of his budget before the new sheriff takes over, the commissioners have the same three choices for this purchase order as any other: deny, set aside or approve. The D.A.'s position is payment for this expense is under their normal oversight. Callihan said it would be helpful to know why the sheriff thinks he needs outside counsel. Sheriff Beck said he can have the lawyer according to statute and the BOCC have to pay for it.

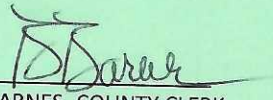
A motion was made by Callihan and seconded by Poindexter to decline paying for outside counsel for the sheriff due to lack of information. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-no. Motion carried.

AGENDA #20- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action pay raises for sheriff's employees. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.
Poindexter said this needs to be discussed before the affidavits are prepared to sign. Sheriff Beck did not want to have the discussion until his outside general counsel can be present. He asked how Ray Thomas could know about proposed comp time and raises. A motion was made by Callihan and seconded by Beck to table the discussion until the next regular meeting. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-no. Motion carried.

AGENDA #21- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to table the item setting speed limits on county roads in District #3 until September 10. McKnight said Commissioner Beck must have an engineering and a traffic study. She said setting these speed limits is not the same as the golf cart resolution passed last week and there are different statutes to govern each. Callihan said he does not agree with the procedure to put up a speed limit sign. Poindexter suggested tabling the matter until Beck can return with the professional services paperwork. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

AGENDA #23- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to adjourn at 9:58 a.m. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

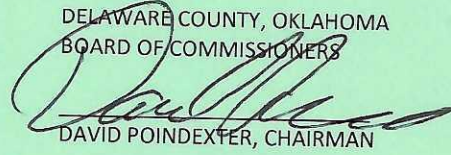
ATTEST:



BARBARA BARNES- COUNTY CLERK

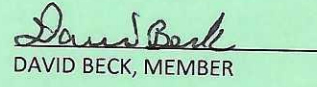


DELAWARE COUNTY, OKLAHOMA
BOARD OF COMMISSIONERS



DAVID POINDEXTER, CHAIRMAN

JAKE CALLIHAN, MEMBER



DAVID BECK, MEMBER



**BOARD OF COMMISSIONERS
DELAWARE COUNTY**

DAVID POINDEXTER, DISTRICT ONE
JAKE CALLIHAN, DISTRICT TWO
DAVID BECK, DISTRICT THREE

DRAWER 550

JAY, OK 74346

#3

MOTION MADE BY Beck SECONDED BY Beck

TO APPROVE/AMEND MINUTES OF REGULAR MEETING DATED SEPTEMBER 3, 2024.

POINDEXTER Y CALLIHAN _____ BECK Y
MOTION CARRIED.

WITNESS OUR HANDS THIS 5TH DAY OF SEPTEMBER, 2024.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, OKLAHOMA

David Poindexter
DAVID POINDEXTER, CHAIRMAN

JAKE CALLIHAN, MEMBER

David Beck
DAVID BECK, MEMBER

ATTEST: Barbara Barnes
BARBARA BARNES, COUNTY CLERK

