

DELAWARE COUNTY COMMISSIONER'S MEETING

November 25, 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 November 25, 2019. The Agenda was posted November 22, 2019 at 8:46 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 Poindexter to approve the minutes of the Regular Scheduled Meeting dated November 18, 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:

2019-2020

CBRI 30, KEMP STONE CO INC., 8818.40, ROAD MATERIALS; Emergency Mgmt 56, SISCO TRUE-VALUE HARDWARE, 10.99, TOOLS; Flood Plain 6, QUILL CORPORATION, 253.98, COMPUTER SOFTWARE; General 1598, XEROX CORPORATION, 12.64, SERVICE; 1599, AMAZON.COM / SYNCB, 276.95, OFFICE EQUIPMENT; 1600, LAKELAND OFFICE SYSTEMS, 156.52, MAINTENANCE; 1601, LAKELAND OFFICE SYSTEMS, 1472.37, COPIES; 1602, AMAZON.COM / SYNCB, 47.96, CLEANING SUPPLIES; 1603, THE AMERICAN, 356.20, PUBLICATIONS; 1604, B&B HEATING & AIR INC., 674.27, HEATER/AC UNIT; 1605, B&B HEATING & AIR INC., 253.65, ; 1606, VSC FIRE & SECURITY, 480.00, JAIL REPAIRS; 1607, CRAIG COUNTY DETENTION CENTER, 325.00, JUVENILE SERVICES; 1608, EMBASSY SUITES HOTEL, 97.00, LODGING; 1609, HOMETOWN BOTTLED WATER SERVICE, 6.25, WATER; 1610, COSSAIRT, VICKI L., 50.00, REIMBURSEMENT; 1611, DIAMOND DRUGS INC., 1842.01, MISC; 1612, PRECISION DENTAL & DENTURES, 191.00, DENTAL SERVICE; 1613, OSU COOP. EXTENSION SERVICE, 862.64, PART TIME WORK; 1614, STAPLES, 121.49, OFFICE SUPPLIES; 1615, LAKELAND OFFICE SYSTEMS, 145.54, LEASE PAYMENT; 1616, PARKER, KATHY L., 288.26, TRAVEL; 1617, DELAWARE COUNTY JOURNAL, 42.50, SUBSCRIPTION; Health 108, LONG, VERONICA, 228.00, TRAVEL; 109, MOORE, MARSHA, 215.40, TRAVEL; 110, SANOFI PASTEUR INC., 162.76, MEDICAL SUPPLIES; 111, XEROX CORPORATION, 407.34, LEASE; 112, GROVE SUN, 127.00, PUBLICATIONS; 113, AT&T MOBILITY, 83.13, WIRELESS SERVICE; 114, HUTCHISON PLUMBING INC., 85.00, PLUMBING SERVICE/REPAIRS; Highway 977, UNIFIRST, 350.95, UNIFORMS; 978, ECONO SIGNS, 1260.61, SIGNS; 979, CORE & MAIN, 4022.80, PIPE; 980, QUILL CORPORATION, 183.49, OFFICE SUPPLIES; 981, WARREN CAT, 2595.40, GRADER BLADES; 982, 4 STATE TRUCKS, 153.92, PARTS; 983, JOPLIN FREIGHTLINER SALES INC., 33.12, BELT; 984, ODOT, 1495.95, LEASE/PUR; 985, QUILL CORPORATION, 124.45, OFFICE SUPPLIES; 986, LAKELAND-CPP, 3161.78, FUEL; 987, ODOT, 1699.57, LEASE/PUR; 988, J & J AUTO SUPPLY, 1394.51, MISC; 989, KANSAS BUILDING SUPPLY INC., 45.85, MISC; 990, UNIFIRST, 784.50, UNIFORMS; 991, LINDLY S INC., 86.61, MISC; 992, HOMETOWN BOTTLED WATER SERVICE, 33.50, WATER/RENT; 993, PARTS CITY LTE, 1230.57, MISC; 994, CINTAS FIRST AID & SAFETY, 204.24, FIRST AID SUPPLIES; 995, LAKELAND-CPP, 4825.80, FUEL; Rural Fire-ST 453, KATNER MILLS (NAPA), 1457.89, BLANKET; 454, REC/NE OKLA ELECTRIC COOP, 123.00, ELECTRIC SERVICE; 455, MUNICIPAL EMERGENCY SERVICES INC, 310.00, FIRE DEPT BUNKER GEAR; 456, U.S. POSTAL SERVICE, 165.00, STAMPS; 457, WELCH STATE BANK, 1422.90, LEASE/PUR; 458, BERNICE SANITATION LLC, 50.00, SANITATION; 459, O-REILLY AUTOMOTIVE INC., 25.99, BLANKET; 460, SISCO TRUE-VALUE HARDWARE, 20.75, BLANKET; 461, REC/NE OKLA ELECTRIC COOP, 167.01, ELECTRIC SERVICE; 462, RURAL WATER/GAS DIST. #10, 30.01, UTILITIES; 463, BERNICE SANITATION LLC, 50.00, SANITATION; 464, SOLTOW BUSINESS SUPPLY, 104.00, OFFICE SUPPLIES; 465, CURTISS TATE TIRES AND SERVICE, 314.60, REPAIRS; 466, JOHNNY R. RAGSDALE CPA PLLC, 750.00, TAXES; 467, O-REILLY AUTOMOTIVE INC., 184.64, BLANKET; 468, C&R OIL COMPANY, 598.17, BLANKET; 469, KENWOOD WATER DISTRICT, 21.60, UTILITIES; 470, R&R HEATING & AIR COND., 600.00, REPAIRS; 471, FULLERTON WELDING SUPPLY, 240.00, ANNUAL CONTRACT; 472, LARMON, PHILLIP, 881.55, ELECTRICAL SERVICE/SUPPLIES; 473, OMES-AGENCY BUSINESS SERVICES, 350.00, INSURANCE; 474, OMES-AGENCY BUSINESS SERVICES, 2760.81, INSURANCE; 475, CIRCLE N, 43.52, BLANKET; 476, FOREMOST PROMOTIONS, 1680.74, FIRE DEPT MISC SUPPLIES; 477, NFPA, 673.02, FIRE DEPT MISC SUPPLIES; 478, CIRCLE N, 125.02, BLANKET; 479, NEW-MAC ELECTRIC COOPERATIVE, 27.50, ELECTRIC SERVICE; 480, SAM'S SHOP 2, 3500.00, CEILING REPAIRS; 481, SOLID WASTE, 283.60, DUMPSTER; 482, SEWARDS INSULATION, INC, 1337.20, INSULATION; 483, WALKER HARDWARE & LUMBER, 119.23, BLANKET; 484, SPEEDYS 66, 236.12, BLANKET; 485, LOCKE SUPPLY CO., 108.73, BLANKET; 486, GRAND TELEPHONE CO., 48.15, TELEPHONE SERVICE; 487, GRAND LAKE TELECOMMUNICATIONS, 45.00, INTERNET; 488, TOTAL RADIO INC., 2360.00, FIRE DEPT EQUIP; 489, REC/NE OKLA ELECTRIC COOP, 209.00, MONTHLY SERVICE; SH Commissary 44, FORD MOTOR CREDIT COMPANY, 538.88, LEASE; 45, PRECISION VAPOR, 1510.50, VAPOR STICKS; 46, PRODIGY SOLUTIONS, 1439.52, VENDOR SERVICES; 47, PRODIGY SOLUTIONS, 696.58, COMMISSARY SERVICES; SH Svc Fee 420, DEBBIE S UPHOLESTRY, 200.00, EMBROIDERY/SEWING; 421, LAKELAND FINANCIAL SRVS, 265.75, LEASE; 422, MONITOR TECHNOLOGY LLC., 65.00, MISC; 423, QUILL CORPORATION, 64.67, OFFICE SUPPLIES; 424, WAL-MART COMMUNITY/GECRB, 248.13, MISC; 425, MUSKOGEE COMMUNICATIONS INC., 404.60, MISC; 426, GREEN COUNTRY FORD INC, 185.31, VEHICLE MAINTENANCE;

427, OTC, 61.00, TAG & TITLE; 428, HOMETOWN BOTTLED WATER SERVICE, 12.50, WATER; 429, GRAVES MENU MAKER, 1911.34, FOOD; 430, GRAVES MENU MAKER, 39.34, NON-FOOD; 431, FLOWER S BAKING CO., 64.40, FOOD; SH Tng 14, AXON ENTERPRISE INC., 380.00, LAW ENFORCEMENT SUPPLIES.

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

AGENDA #3- This item was not needed as no reports were submitted by officers.

AGENDA #4- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve a detention transportation claim from District 2 Office of Juvenile Affairs in the amount of \$62.08. **Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.**

AGENDA #5- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to receive and forward to county's insurance company tort claim for tree damage in District 1. **Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.**

AGENDA #6- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to hear a presentation by Joe Bridgeman with possible acceptance of an agreement with PSO to install lights in the library. **Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.** Bridgeman said his company, Bridgeport Electric, is family-owned and has been working with PSO since 2016 on this project. He said other businesses have benefited in Jay and the museum had lights installed at no cost. He said Carrie Roland designated the Jay Library as a non-profit which might qualify for PSO to pay 100 percent of the cost for replacing the library's lights. He said the entire library will get new lights except for a portion which already has LED lighting, which is company will try to match. The commissioners signed the agreement.

Martin asked if the courthouse might be a candidate for the lighting program. Michael Gordon of PSO said while new courthouse lights might not be free; PSO might pay as much as 70 percent. Bridgeman said he will come after the first of the year to determine the cost and how much the PSO program might pay. Martin asked Bridgeman to include the jail.

Gordon outlined another PSO program called Peak Performers which could save on the courthouse electric bill. It is a load reduction program which rewards businesses for reducing or shifting electricity use during times of high demand. PSO will help develop a program to implement during peak hours, through such things as shutting off lights or adjusting thermostats. Peak Event notices are delivered to workers via email or text message at least two hours prior to a peak event.

The commissioners skipped to item #16.

AGENDA #16- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve presentation of the Solid Waste Trust Authority report presented by David Morris. **Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.** Morris said 99,817 tons of garbage will hauled last month with \$350,000 spent to get rid of it thanks to using programs such as recycling.

"I have nothing to report agency-wise," Morris said. "We lost a lawsuit about the powerlines and chicken houses. ACCO is paying to appeal that for us. It's like the opioid lawsuit, it's a nuisance suit. The fall lawsuit is coming to trial in the spring. Ray West fell at ya'll's place.

Morris said all the information requested by auditors has been provided, but the authority has heard no findings. He said the authority will be ending the year "\$55,000 in the black. We bought two new trucks this year on the buyback program." Morris said half the cost is recovered after five years when the truck is sold back. "I'd use trailers for all of it if I could," Morris said. "We're just trying to run trash and stay out of trouble."

The commissioners confirmed that a claim caused by a 4 X 8 sign falling off a trash truck has been handled.

AGENDA #7- A motion was made by Commissioner Martin and seconded by Commissioner Kirk to discuss with possible action Election Board information from the recent Association of County Commissioners of Oklahoma meeting. **Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.** Poindexter told Election Board Secretary Crystal January that moving the Election Board from its present location to the courthouse might be the best way to increase security. January said she does not want to move to the courthouse and said she thought a few alterations would increase security in her

building. Poindexter said the building does not belong to the county, and that is one reason for moving the election board, the county does not own the building where it is located.

Commissioner Secretary Kathy Parker gave a report summarizing the information from the meeting.

This information is from the Association of County Commissioners of Oklahoma afternoon session on Nov. 14, 2019.

Glenn Moore is the U.S. Department of Homeland Security's Protective Security Advisor for the Oklahoma District. In 2017, Homeland Security designated election boards a part of their high security critical infrastructure sites. Moore put up a picture of the Delaware County Election Board as an example of a soft target for terrorists or others intent on stopping or sabotaging an election. He said election boards inside courthouses are a much harder target.

Here are some problems with the Delaware County Election Board:

- Anyone can get in at any time.
- Has no panic button.
- No law enforcement is on site.
- No designated escape routes or plan for immediate self-defense.
- No cameras or camera security system.
- Lots of glass.
- Full access to outside lines to phone, electricity and gas meters.
- If the election board is not located in the courthouse, it should be located in a county-owned building.
- The election board must have security equivalent to other county offices, with the same anti-virus software, cameras and other features.

Election boards inside the courthouse, with metal detectors and a deputy, especially on upper floors, are the most secure against shooters, guns, IEDs and vehicles would not have access. The crowd milling around would be reduced. There would be no crowd or line outside where people would be vulnerable to hostile acts.

Moore said non-defended positions are the first ones hit. He suggests having an entryway with a barrier between where people come in and where they vote (such as a counter like the one in the county clerk's office). He said workers sitting at their desk just inside the front door are not a good thing. He said the best case for election board security is inside a courthouse with metal detectors and screening. Moore said many things could be done to shut down elections without someone coming inside – such as cutting phone lines or running a vehicle into the electrical box.

Senate Bill 261 concerns the law and election security. Section 3 applies to counties. This includes cyber incidents, or attempted cyber attempts on county election boards.

The election board cannot share a work space. The election board materials must be stored in a space to which no other entity has access.

Moore said no county is too small to be a target. In fact, he said bad actors choose the "lowest hanging fruit," which includes low security election boards in rural places. He said not to discount the fact that there are threats out there.

State Election Secretary Paul Ziriach said Oklahoma has a good election system. It is uniform state-wide; every county uses the same ballots, same equipment and same rules. He said in some other states county government is totally responsible for elections in their county. Ziriach said paper ballots are good

– they can always be counted by hand if the machines fail. The state election board buys and distributes all hardware and software equipment. Once delivered it is the local election board’s responsibility to maintain the equipment.

January reiterated she does not want the Election Board moved. Poindexter said one of the points Ziriak made at the meeting is the Election Board should be located in the courthouse or a building owned by the county. The building where the Election Board is now located is owned by the City of Jay. Poindexter said he does not want to spend money to upgrade a building the county does not own. No action was taken.

AGENDA #8- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve advertisement for sealed bids on road materials for the County Highway Department for six months. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #9- A motion was made by Commissioner Martin and seconded by Commissioner Poindexter to approve a resolution authorizing the execution and delivery of a promissory note on behalf of Grand Gateway Economic Development Authority. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #10- A motion was made by Commissioner Poindexter and seconded by Commissioner Kirk to approve an agreement to work on private property owned by Linda Carter on behalf of District 1. 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 an intrafund transfer from 0001-2-2700-1110 (34A) \$2,008.83 to 0001-2-2700-2005 (34D) and 1212-2-2700-6710 (EMPG) \$7,000 to 1212-2-2700-1110 (EM Cash Salaries). Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #12- No action was taken because a letter for justification for not using the lowest bid must be corrected. Martin said each bid came with a warranty and the longest warranty was not on the lowest bid.

AGENDA #13- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to receive and sign 8-year proposed plan for CIRB projects (HB 1176) on behalf of Circuit Engineering District #1. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #14- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to review and sign letter for Cherokee Nation in support of partnership projects. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

AGENDA #15- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve operational transfer in the amount of \$150,000 from Use Tax per request of County Treasurer in accordance with title 68, SS 3021.4. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. Barnes explained that the accounting firm preparing financial statements for Monkey Island Fire Department made a mistake, so the tax rolls were late being certified. The error had to be corrected, so the tax statements were late being mailed. Barnes said the money will be returned quickly.

AGENDA #17- A motion was made by Commissioner Kirk and seconded by Commissioner Martin to approve a resolution proposing the donation of a 2012 Chevrolet Tahoe from the Delaware County District Attorney’s Office on behalf of the Sheriff’s Office. 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 open the floor for any new business. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried. “I’m not going to hem and haw back and forth about this election board deal,” Martin said, “but it’s not that big a deal to bring in the stuff from outside precincts. I mean the ballot machine has a handle like a suitcase.” Martin helps with elections and said he will continue to do so unless he is on the ballot. The commissioners said another perk of moving the Election Board to the courthouse is one off-site place the janitor has to clean would be eliminated.

AGENDA #19-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 said, “I agree it needs to be strengthened (Election Board security), but what about early voting during elections? There’s two pieces to this. Maybe an another place would need to be set up for early voting. It’s just a different perspective.”

AGENDA #20-A motion was made by Commissioner Martin and seconded by Commissioner Kirk to adjourn the meeting at 10:11 a.m. Roll call: Commissioner Poindexter-yes, Commissioner Martin-yes, Commissioner Kirk-yes. Motion carried.

ATTEST:

DAVID POINDEXTER-Chairman of the Board

RUSSELL MARTIN-Member

BARBARA BARNES, Delaware County Clerk

MARTIN KIRK-Member