



## DELAWARE COUNTY COMMISSIONER'S MEETING MINUTES

September 1, 2022

The Board of County Commissioners of Delaware County met in Special Session at 9:00 a.m. on September 1, 2022. The agenda was posted August 29, 2022 at 4:00 p.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 Beck-yes. Motion carried.**

**AGENDA #2- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to approve the minutes for the regular meeting dated August 30, 2022. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Beck-yes. Motion carried.**

The commissioners skipped to item 4.

**AGENDA #4- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to consider with possible action a resolution authorizing and approving the incurring of indebtedness by the trustees of the Delaware County Educational Facilities Authority to be accomplished by the issuance of lease revenue bonds, bonds, notes or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed twelve million, six hundred thousand dollars (\$12,600,000) to provide funds to complete the acquisition, construction, equipping, renovating, and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites related to independent school district no. 1 Delaware County, Oklahoma ("Jay Public Schools" or the "district"); establish a reserve fund, if any, capitalize interest and pay costs of issuance and all matters related thereto, including but not limited to the waiver of competitive bidding thereof; and declaring an emergency. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Beck-yes. Motion carried.**

Attorney David Floyd said he has worked with bonds before in Jay. He said two meetings were running concurrently. The commissioners will approve the resolution for the Educational Facilities Authority to accept issuing bonds to pay for the school construction. Floyd said a public trust may issue a total amount of bonds up front with no liability or recourse to the county to facilitate accessing all the money now as opposed to reissuing bonds over a number of years. Floyd introduced David Jones who is legal council for the Educational Authority.

Superintendent Leann Barnwell said the school project includes an elementary school cafeteria and kitchen with a safe room; a high school wing with three classrooms and a science lab; a football field and track with a safe room in the field house which will be open to the public; and a remodel for the band and choir rooms.

Floyd said the bidding waiver is only for the bond sale and not for the actual construction. These bonds will mature in 2029.

Floyd said these type projects usually take 10 to 15 years to pay off. Callihan made the motion, seconded by Beck, to approve the bond issue.

The commissioner meeting was recessed to go into the Educational Authority meeting to approve the actual issuance of the bonds. The motion was made by Callihan and seconded by Beck. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Beck-yes. Motion carried.

The Educational Facilities Authority meeting was adjourned and the commissioners' meeting continued.

**AGENDA #3- A motion was made by Commissioner Callihan and seconded by Commissioner Beck to discuss with possible action American Rescue Plan Act allocations. Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Beck-yes. Motion carried.**

Floyd said there is a balance of \$6,900,000 still to be allocated from the ARPA funds. He said the money must be encumbered by 2024 and spent by 2026.

Poindexter asked what the Health Department request includes. Floyd said it was operating expenses lost during the pandemic. Floyd will find out if that amount asked for, \$400,000, includes the remodel of their building.

A total of \$2 million was set aside for the new 911 dispatch center which will serve the entire county. Emergency Management Director Jeff Reeves said the communications equipment alone will probably cost between 2.8 and 3 million based on estimates he has so far. He said this is a huge and very broad project.

Barnes said the money set aside for digitation of records is important to preserve the history of the county. She said \$800,000 is a hard number for this project. She showed some examples of old records and their condition.

Undersheriff Nick O'Neal confirmed the \$300,000 set aside for the jail is intended for surveillance cameras.

Floyd said there are overruns in the budget.

Callihan said the steering committees are looking at fairgrounds facilities. Three million has been tentatively set aside for a fairgrounds remodel.

Poindexter suggested getting some hard numbers for the big items.

Floyd said presently there were five requests to discuss. Three small items, DOC Services, a small business request and Delaware County Community Partners, Inc. requested a total of \$278,124.70. "These are requested numbers," Floyd said, "you can approve all of it or none."

Floyd said one million dollars was set aside for water and sewer projects and two awards of \$250,000 each have been made. The City of Jay has requested \$500,000, but Floyd said since there are so many overruns in the in the budget, half a million might not be feasible.

Johnnie Earp and Becki Farley said the town of Jay received over \$446,000 from ARPA already which is committed 100 percent to a sewer and water project to promote industrial growth north of Jay. Earp said the sewer will be on the east side of the road and they are looking at right of ways which might need to be acquired. "We will need a lift station in the industrial park, but the rest is gravity flow," Farley said. Earp said the town is still looking for other funding sources and will ask Cherokee Nation for help. Beck asked if the lines will handle the extra sewage. Earp said the town will be hooking into the new Cherokee Nation lines that were run when the new clinic was constructed.

Floyd asked if the project can be completed by 2026. Earp said he hopes so but is not sure. Beck asked if utilities will need to be moved. Earp said he does not know if utilities will be moved or if right of ways will be needed. Poindexter said ODOT may not agree with the project, which would cause a problem.

Floyd suggested removing the \$290,000 Jay asked for to complete the industrial park sewer, and leave the request for \$615,000 to complete the sewer extension. Floyd suggested getting concrete numbers and said any award would be contingent on ODOT approval.

Floyd said the three requests totaling \$278,124.70 should be addressed. The commissioners decided to throw out the \$207,229.70 request from DOC Services, Inc. since it is based in Ottawa County. Floyd is supposed to forward the applications for the small business and Delaware Community Partners requests as none of the commissioners remember what either of those are.

Floyd will prepare a revised budget based on today's conversation.

AGENDA #19-A motion was made by Commissioner Callihan and seconded by Commissioner Beck to adjourn at 2:18 p.m.

Roll call: Commissioner Poindexter-yes; Commissioner Callihan-yes; and Commissioner Beck-yes. Motion carried.

DELAWARE COUNTY, OKLAHOMA  
BOARD OF COMMISSIONERS

ATTEST: \_\_\_\_\_  
BARBARA BARNES- COUNTY CLERK

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DAVID POINDEXTER, CHAIRMAN

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JAKE CALLIHAN, MEMBER

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DAVID BECK, MEMBER