

January 27, 2020

The Ottawa County Board of Commissioners held their regular scheduled meeting at 9:00 A.M. on January 27, 2020, with the following members present: Chairman Chad Masterson, Commissioners Russell Earls, Mike Furnas, and County Clerk Robyn Mitchell. Kenny Wright, District Attorney, was also in attendance.

Notice of the meeting was posted at the south door of the Ottawa County Courthouse at 4:15 P.M., January 23, 2020. Commissioners' Meeting Agendas and Minutes can also be found online at [ottawa.okcounties.org](http://ottawa.okcounties.org).

2. The Pledge of Allegiance was recited.

3. Motion by Earls, second by Furnas, to approve minutes of January 21, 2020 and special minutes of January 23, 2020. By vote: Masterson, aye; Earls, aye; Furnas, aye.

4. Motion by Earls, second by Furnas, to approve the following claims: 30 MIAMI PUBLIC UTILITIES \$7,264.07 20 CITY OF MIAMI \$204.73 1352 THOMSON REUTERS-WEST \$272.14 1376 WAL-MART \$34.81 1377 TOUCHTONE COMMUNICATIONS \$20.90 1378 KELLPRO INC \$4,024.20 1379 HOMETOWN BOTTLED WATER \$6.25 1380 HILTON GARDEN INN \$576.00 1381 CODA \$100.00 1382 JACOB BARTON \$141.62 1383 KRISTEN FRAZIER \$187.39 1384 PITNEY BOWES \$146.64 1385 JOPLIN SUPPLY \$310.00 1386 MIAMI TROPHY \$42.28 1387 ALERT 360 \$35.00 1388 SHERWIN-WILLIAMS \$91.89 1389 M & D LUMBER \$93.26 1390 CAPITAL CARPET CLEANING \$330.00 1391 MIAMI NEWS-RECORD \$56.04 1392 MIAMI NEWS-RECORD \$1,161.10 1393 SHERWIN-WILLIAMS \$40.27 1394 AT&T \$994.72 1395 MIAMI NEWS-RECORD \$475.25 1396 MIAMI NEWS-RECORD \$22.80 1397 CRAIG CO REG DETENTION \$2,400.00 1398 TELECOMP \$1,717.74 1399 AT&T \$210.99 1400 AT&T \$979.69 1401 MIAMI PUBLIC UTILITIES \$611.47 1402 MIAMI PUBLIC UTILITIES \$2,534.71 1403 ADMIRAL EXPRESS \$109.20 1404 WAL-MART \$126.59 1405 PIONEER PRINTING \$22.95 1406 TOUCHTONE \$44.01 1407 SPARKLIGHT \$79.84 1353 ACE HARDWARE \$85.44 1354 HOMETOWN BOTTLED WATER \$50.75 1355 OK DEPT OF PUBLIC SAFETY \$350.00 1356 OK DEPT OF PUBLIC SAFETY \$350.00 1357 OK DEPT OF PUBLIC SAFETY \$350.00 1358 CITY OF MIAMI \$50.00 1359 CLEARWATER ENTERPRISE \$696.52 1360 OK NATURAL GAS \$169.84 1361 SPARKLIGHT \$252.39 1362 AT&T \$163.85 1363 AT&T \$88.49 1364 TURN KEY HEALTH \$11,644.14 1365 TURN KEY HEALTH \$11,644.14 1366 AADVANTAGE LAUNDRY \$179.00 1367 EASY ICE \$129.00 1408 CHAD HOLCOMB \$51.25 1409 HOLIDAY INN EXPRESS \$192.00 1410 SPARKLIGHT \$201.29 1411 ALERT 360 \$105.00 1412 TOUCHTONE \$3.27 1413 MIAMI PUBLIC UTILITIES \$61.49 1372 MARY MARTIN \$35.55 1373 OSU BURSARS OFFICE \$295.00 1374 TOUCHTONE COMMUNICATIONS \$20.90 1375 PARTNERS IN GRIME \$85.00 1368 TOUCHTONE COMMUNICATIONS \$19.87 1369 HOMETOWN BOTTLED WATER \$6.25 1370 AT&T \$133.82 1371 SPARKLIGHT \$69.34 169 SARAH MACE \$46.00 170 STANDLEY SYSTEMS \$231.41 171 VITAL RECORDS \$35.00 172 DIGI INTERNATIONAL \$1,783.29 173 QUILL \$174.55 174 ADMIRAL EXPRESS \$221.70 175 XEROX \$235.29 176 ACE HARDWARE \$60.00 177 AT&T \$379.36 178 AT&T \$163.26 950 OTA PIKEPASS \$3.10 951 ACE HARDWARE \$110.99 952 BERNICE SANITATION \$40.00 953 CABIN DIESEL \$405.00 954 ALERT 360 \$171.00 955 AT&T \$126.09 956 AT&T \$84.21 957 AT&T \$31.80 958 EMPIRE DISTRICT \$1,286.81 960 AUTOMOTIVE OF FAIRLAND \$78.90 961 TRACTOR SUPPLY C \$89.99 962 LAKELAND PETROLEUM \$1,935.00 963 MIAMI INDUSTRIAL \$34.75 964 SAFETY KLEEN \$222.13 965 CITY OF MIAMI \$909.78 966 HOMETOWN BOTTLED WATER \$12.50 968 UNIFIRST \$451.72 969 TOMO DRUG TESTING \$96.00 970 MIAMI INDUSTRIAL \$312.48 971 KATNER MILLS \$951.15 972 KATNER MILLS \$400.34 973 SOONER PRINTING \$69.00 974 ALERT 360 \$37.00 975 WALLIS LUBRICANT \$651.44 976 SUMMIT TRUCK \$436.00 977 CINTAS \$44.99 978 WAL-MART \$51.06 979 DISH NETWORK \$53.34 980 BERNICE SANITATION \$60.00 981 OTTAWA CO RWD #1 \$34.30 982 LAKELAND FINANCIAL \$104.25 983 EMPIRE DISTRICT \$278.00 984 FAIRLAND TIRE \$46.64 985 WYANDOTTE TELEPHONE \$272.79 986 OK DEPT OF TRANSPORTATION \$2,144.76 987 OK DEPT OF TRANSPORTATION \$2,144.76 988 CODA \$200.00

967 HUGHES LUMBER \$96.15 989 TOMO DRUG TESTING \$50.00 990 CRAFTONS STATION \$20.00 991 AUTOMOTIVE OF FAIRLAND \$67.08 992 B&B AUTO \$92.18 993 FABICK TRACTOR \$212.57 994 B&B AUTO \$1,130.00 995 YELLOWHOUSE MACHINERY \$719.74 996 GUY ENGINEERING \$1,283.22 997 ADT SECURITY \$499.80 998 U.S. POST OFFICE \$56.00 999 FAIRLAND PUBLIC WORKS \$126.23 1000 AT&T \$194.98 1001 MIAMI PUBLIC UTILITIES \$26.10 1002 U S CELLULAR \$160.00 1003 EMPIRE DISTRICT \$293.94 1004 FENSCO \$1,475.24 1005 FABICK TRACTOR \$1,689.33 1006 ROAD BUILDERS \$357.38 1007 SOUTHERN TIRE \$3,432.63 1008 LAKELAND OFFICE \$61.54 1009 IVAN W SNYDER \$425.00 1010 OK DEPT OF TRANSPORTATION \$2,144.76 172 MIDWEST REFINED FUEL \$600.00 173 KEMP STONE \$1,509.69 174 KEMP STONE \$2,583.03 175 KEMP STONE \$204.31 176 KEMP STONE \$609.88 177 SOUTHERN TIRE MART \$3,538.72 178 KEMP STONE \$1,173.96 179 LAKELAND PETROLEUM \$3,672.78 180 ADVANCED WORKZONE \$3,710.08 181 KEMP STONE \$4,862.72 182 KEMP STONE \$4,707.50 183 LAKELAND PETROLEUM \$3,451.45 14 CODA \$250.00 18 JOLENE HOOPER \$100.00 19 SPARKLIGHT \$244.39 20 WALMART \$61.21 3 KELLPRO \$6,624.80 122 AT&T \$720.72 123 GOLDEN WEST \$699.16 124 W L CONSTRUCTON \$409.99 114 KARNES PRO TIRE \$809.00 115 KARNES PRO TIRE \$809.00 116 NORTHERN SAFETY \$5,742.00 117 TAYLOR OVERHEAD \$378.50 118 CONRAD FIRE \$401.21 119 MES \$1,166.00 120 AT&T \$208.56 121 NE OK ELECTRIC \$62.07 112 EASTERN SHAWNEE TRIBE \$126.65 113 LOCKE SUPPLY \$157.38 2 N&J INFINITE \$2,407.29 173 FLEETCOR TECHNOLOGIES \$761.95 174 FLEETCOR TECHNOLOGIES \$1,062.88 175 KARNES PRO \$20.00. By vote: Masterson, aye; Earls, aye; Furnas, aye.

5. Rebecca Jim commented that she would like to invite the Board to an appreciation lunch the L.E.A.D. agency is offering for the EPA asbestos clean up crew. Mike McAteer, the supervisor, is an EPA official, said that he has never been in a community that ever thanked them for anything they did. They have cleaned all of the asbestos out of that site. We can all breath cleaner and healthier because of it. D'Ann Mathia: I would also like other concerned citizens of Ottawa County to be able to speak during the agenda time instead of the public comments. It's up to you. I can cover what they are going to ask you if I need to during my time or they can cover it during that time, but I realize it is up to at your discretion. Masterson: Anyone else on citizens participation? Jay Calan: The District Attorney's office is a state funded office, as far as I understand. I don't understand, looking at the budgets and stuff, why the county is funding the DA's office and the Assistant DA's office? I know you don't answer here but maybe I could get an answer to that down the line. We have a state agency that is also being funded by the county. Cori Stotts: During the last meeting we asked about the remainder of the Sheriff's budget for the roof set aside. I was wondering if you had details for that item? Earls: I will get with you after the meeting and show you where we have been spending some of the money. Kelly Shelton: I was wondering, with all of this jail talk, who actually shut down the jail and why was it so long? Masterson: There was a fire in the jail and it was shut down for safety purposes to get the inmates out, to house them somewhere else, until everything was put back. Shelton: Did it need to be shut down this long? Masterson: It will have to be inspected before it can be opened back up. My understanding is that it isn't going to be shut down much longer. Kitt Waters: The two people in Delaware County that were arrested for beating the inmates, would that have affected any of our prisoners that we had sent there and if we would be responsible for their actions? Masterson: This is the first I've heard of it. Wright: I don't believe any of our inmates were involved in that. I'm not a hundred percent sure but pretty sure. I just filed those charges a couple of days ago. Stotts: Is there a liability to us while inmates are housed elsewhere? Wright: Yes, there can be. What we are liable for is doing our due diligence. In other words, if the Sheriff and the County Commissioners decide to put our inmates up in another county, like we are in Craig and Rogers counties, they would be responsible to make sure those inmates are cared for properly just like they would be if they were here. You would want to make sure that jail had proper medical and was taking care of everybody just the way they were supposed to. The liability you would

have if you were negligent and just sent the inmates somewhere and never bothered to check it out and then something bad happened. Had you bothered to look into it you would have found that there was a danger or some kind of problem, then you would be liable for some kind of negligence that way.

Ultimately, we are responsible for those inmates. There is always some kind of liability that sticks to us to a certain degree. Stotts: I'm sure we have policies in place, does that cover us while they are elsewhere? Wright: Yes, in the same way, I think, as if they were here.

6. D'ann Mathia, representing concerned citizens of Ottawa County, discussed with the Commissioners' topics concerning audit items, and conditions of the Ottawa County Jail. Many questions were asked, and answered by the Board of County Commissioners, DA Kenny Wright, and several elected officials.

7. Motion by Earls, second by Furnas, to approve Project Number G04927-0160(1) G, S payment of \$75,797.62 for the Stateline Road project. By vote: Masterson, aye; Earls, aye; Furnas, aye.

8. 2019 Commissary profit report submitted by the Ottawa County Sheriffs' office was noted by the Commissioners. No approval required.

9. Motion by Earls, second by Furnas, to approve material source on Traffic Bound Surface Course Type E from APAC's Vinita quarry to Midwest Mineral in Quapaw, OK on State Line Road Project with Eastern Oklahoma Region-Department of Transportation as Ottawa County's technical representative. By vote: Masterson, aye; Earls, aye; Furnas, aye.

10. Motion by Earls, second by Furnas, to approve current tobacco policy and no vaping rule within County buildings, County owned vehicles and County equipment. It shall also adhere to the twenty-five (25) feet of any entrance, exit or air intake to such a building if so approved. This will be put into a Resolution at the next meeting. By vote: Masterson, aye; Earls, aye; Furnas, aye.

11. Motion by Earls, second by Furnas, to approve Sheriff's department to use roof fund account in the amount of \$8,462.57 for payment to Taylor's Overhead for repairs to Craig County jail. By vote: Masterson, aye; Earls, aye; Furnas, aye.

17. Motion by Masterson, second by Furnas, to approve an easement authorizing encroachment on property: District #3 for the purpose tree removal on the east side of the road. On East 200 Rd turn North on S 605 Rd. Trees will be removed for 175 yards on the East side of 605 Rd. Land owner is Billy D. Cox. By vote: Masterson, aye; Earls, aye; Furnas, aye.

18. Commissioners Activity Reports. District #1: We are continuing to recuperate funds for disasters declared on our roads. The EPA has been working diligently and they will be coming to one of these meetings in the future. They are about finished with phase 2. I toured the property to discuss points of interest. The continuous air monitoring found it was no risk to the public. They will have a comfort letter that the agency has allowed to sign with us. On one last note, you are talking to a grown man. You were talking about the children over here or over there, I may have misunderstood you and we are adults and these people work diligently to provide you with a service. I cannot do the Sheriff's job and tell him what to do. I've been told that that is the form of government. I appreciate everyone here because we are getting the answers. It's an honorable thing to get the facts as clear as we can. District #2: We hauled rock last week in areas that were washed out by the flash flood a few weeks ago and last week. We also cut brush. Routine maintenance. District #3: Routine maintenance and FEMA remediation. Chad Holcomb and Steve Paladino are urging us to tap into 406 litigation to fix repetitive damaged projects to where they aren't always falling apart. I'm going to recommend we do either and ETR to advance fund projects or use our CBRI money and pay it back when FEMA reimburses us. There are close to 40 projects county wide and working with the engineers to tear out bridges and install pre-made bridges to fit these projects. Hopefully do one a week. We are going to need to ramp up personnel with at least one person per district. These people will be paid with 406 litigation money.

19. Kathy Enyart with OSU Extension Office, and I would like to discuss the Fair Board elections. We are in the final day of Fair Board filing and we know that we will have an election for District #3. By state statutes, the Commissioner over that district handles that election. Kenny Wright also noted that there might want to be a special meeting on, hopefully, getting the jail going again and inmates back. It sounds like we are close to physically have everything done although the amount of time left to get it completed is indeterminate. The problem is for the jail to be open that we have 3 detention officers. That's 2 detention officers and then, according to statutes, either a person in the control room or a dispatcher. The Sheriff often uses a dispatcher as a third person because out of that minimum of 3 you must have one male and one female. Right now, he has James White as the jail administrator then 3 other detention officers working for him. To run a full shift of 3 employees, the Sheriff informs me he needs 12 total detention officers. We may run into the situation where the jail is ready to go in a couple of days but this board is going to be asked to allow some additional hiring and maybe use roof money that is out there, I don't know how much is left. But we are going to need the Board to be prepared. Earls: I spoke to Danny last week. He made up a flyer stating that they are hiring. We went over the numbers that he has got to have and we have to have those numbers to be able to get the prisoners back. I've touched base with the Excise Board Chairman on this.

21. Motion by Earls, second by Furnas, to approve the following blanket purchase orders:

**1102-6-4100-2005**

002943 ACE HARDWARE \$1,000.00  
002944 CINTAS CORPORATION \$200.00  
002945 FABICK TRACTOR CO \$2,000.00  
002946 FASTENAL CO \$1,000.00  
002947 FLEETPRIDE INC \$2,000.00  
002948 JOPLIN FREIGHTLINER \$1,000.00  
002949 O REILLY AUTOMOTIVE \$2,000.00  
002950 WAL-MART PAYMENTS \$500.00  
002954 BERNICE SANITATION L \$50.00  
002955 LANGSTON EXTERMIN \$100.00  
002956 EMPIRE DISTRICT ELE \$2,500.00  
002957 RED WING BUSINESS A \$2,000.00  
002958 ALERT 360 \$250.00

**Total for 1102-6-4100-2005 \$14,600.00**

**1102-6-4200-2005**

002962 UNIFIRST CORPORATI \$800.00

**Total for 1102-6-4200-2005 \$800.00**

**1226-2-0400-2005**

002963 DIAMOND PHARMACY \$1,200.00  
002964 HOMETOWN BOTTLED \$75.00  
002965 O REILLY AUTOMOTIVE \$400.00  
002966 QUILL CORPORATION \$300.00  
002967 WAL-MART PAYMENTS \$400.00  
002968 FLEETCOR TECHNOLO \$1,000.00  
002969 FLEETCOR TECHNOLO \$1,000.00  
002970 FLEETCOR TECHNOLO \$1,000.00  
002971 FLEETCOR TECHNOLO \$1,000.00  
002972 FLEETCOR TECHNOLO \$1,000.00

002973 GRAVES MENU MAKER \$2,000.00

**Total for 1226-2-0400-2005 \$9,375.00**

**1313-6-4100-2005**

002951 MIDWEST MINERAL IN \$10,000.00

002952 TEETERS ASPHALT \$10,000.00

002953 WILLIAMS DIVERSIFIED \$5,000.00

**Total for 1313-6-4100-2005 \$25,000.00**

**1313-6-4200-2005**

002959 KEMP STONE CO INC \$3,000.00

002960 KEMP STONE CO INC \$3,000.00

**1313-6-4200-2005**

002961 KEMP STONE CO INC \$3,000.00

**Total for 1313-6-4200-2005 \$ 9,000.00.**

By vote: Masterson, aye; Earls, aye; Furnas, aye.

22. Motion by Earls, second by Furnas, to adjourn. By vote: Masterson, aye; Earls, aye; Furnas, aye.

Robyn Mitchell, Ottawa County Clerk  
American Newspaper

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Chad Masterson, Chairman