

January 6, 2020

The Ottawa County Board of Commissioners held their regular scheduled meeting at 1:45 P.M. on January 6, 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 3:36 P.M., January 2, 2020. Commissioners' Meeting Agendas and Minutes can also be found online at ottawa.okcounties.org.

2. The Pledge of Allegiance was recited.

3. Motion by Earls, second by Furnas, to approve minutes of December 23, 2019. By vote: Masterson, aye; Earls, aye; Furnas, aye.

4. Motion by Earls, second by Furnas, to approve the following claims: 24 YORK ELECTRONIC \$815.50 25 MIAMI PUBLIC UTILITIES \$6,624.81 26 OK NATURAL GAS \$54.53 27 OK NATURAL GAS \$305.43 15 DOYAL L HAWS OR MARCELLA HAWS \$54,480.00 1213 WELCH STATE BANK \$2.44 Total: \$2.44 1214 HOMETOWN BOTTLED WATER \$12.50 1215 AT&T \$41.73 1216 PITNEY BOWES \$105.00 1217 WELCH STATE BANK \$94.54 1218 HOMETOWN BOTTLED WATER \$6.25 1219 SPARKLIGHT \$136.52 1220 WELCH STATE BANK \$60.00 1221 WELCH STATE BANK \$58.03 1222 WELCH STATE BANK \$54.34 1223 TRACTOR SUPPLY \$127.99 1224 MIAMI PEST CONTROL \$250.00 1225 ACE HARDWARE \$130.63 1226 LOCKE SUPPLY \$218.93 1227 CINDY MANGOLD \$2,200.00 1228 FOUR STATES MAINTENANCE \$659.46 1229 FOUR STATES MAINTENANCE \$490.20 1230 YORK ELECTRONIC SYSTEMS \$360.00 1231 AMERICAN NEWSPAPER \$207.60 1232 MIAMI PUBLIC UTILITIES \$588.17 1233 MIAMI PUBLIC UTILITIES \$2,474.57 1234 NACO \$637.00 1235 JOPLIN SUPPLY \$463.91 1236 VERIZON \$43.71 1237 OTTAWA CO ELECTION BRD \$96.00 1203 WELCH STATE BANK \$614.50 1204 JOHNSON CONTROLS \$1,108.16 1205 MIAMI PUBLIC UTILITIES \$0.00 1206 MIAMI PUBLIC UTILITIES \$57.69 1207 CLEARWATER ENTERPRISE \$481.41 1208 OK NATURAL GAS \$149.95 1242 MIAMI PUBLIC UTILITIES \$3,231.61 1238 WELCH STATE BANK \$12.95 1239 MIAMI PUBLIC UTILITIES \$60.44 1240 SPARKLIGHT \$201.29 001241 VERIZON \$83.72 1210 PARTNERS IN GRIME \$85.00 1211 QUILL \$261.25 1212 LAKELAND OFFICE SYSTEMS \$683.36 1209 SPARKLIGHT \$69.34 160 JAMIE JOHNSTON \$98.50 155 STEPHANIE URIE \$800.00 156 DIGI INTERNATIONAL \$1,531.29 157 HENRY KRAFT \$98.47 158 MARY PARKER \$420.75 159 MIAMI PUBLIC UTILITIES \$1,105.19 161 ORKIN EXTERMINATION \$48.63 864 WELCH STATE BANK \$101.82 867 HYSPECO \$275.00 868 CINTAS \$57.21 869 CRITICAL TOOL \$43.94 870 TAYLOR OVERHEAD \$222.50 871 AT&T \$84.68 874 U S CELLULAR CELL \$86.90 865 WELCH STATE BANK \$78.80 872 BOLTON HEATING \$300.00 873 LAKELAND PETROLEUM \$3,547.93 875 LAKELAND FINANCIAL SERVICES \$104.25 866 WELCH STATE BANK \$27.20 876 LANGSTON EXTERMINATING \$50.00 877 OK GLASS \$217.23 878 B&B AUTO SUPPLY \$692.16 879 FABICK TRACTOR \$3,519.19 880 FABICK TRACTOR \$1,203.11 881 WISPER INTERNET \$69.94 882 NORTHERN TOOL \$7,880.00 883 WELCH STATE BANK \$900.00 884 WELCH STATE BANK \$2,200.00 885 WELCH STATE BANK \$2,200.00 164 MIDWEST MINERAL \$1,044.05 165 MIDWEST MINERAL \$4,457.20 166 TEETERS ASPHALT \$6,066.90 167 WILLIAMS DIVERSIFIED \$5,208.28 168 WILLIAMS DIVERSIFIED \$2,682.46 17 JOLENE HOOPER \$100.00 100 VERIZON \$280.07 101 SUPPLY CACHE \$243.90 102 MFA OIL \$345.00 170 WELCH STATE BANK \$22.02 171 LANGSTON EXTERMINATING \$100.00. By vote: Masterson, aye; Earls, aye; Furnas, aye.

5. Concerned citizen Cory Gray: Why did two Sheriff's department employees not get paid on the last pay cycle. Earls: Thank you for our question. This applies to everyone. We've been getting questions the past week and obviously many of you are here to ask the same questions. We are going to be compiling answers for you and we will visit with each and every one of you after the meeting, if we have

those answers available and/or with the News-Record and the other reporting agencies that are here today. So please ask your questions.

Concerned citizen Jack Myers: I would prefer the answering of questions simply because I don't see anybody recording or taking accurate notes. Earls: That would be me. I'm going to. Robyn Mitchell: I'm recording. Masterson: She's recording and she takes the minutes every time. Mitchell: We have two recorders going, we also have a deputy clerk writing the minutes. Jack Myers: And that will be verified? Kenny Wright: You have a tv camera behind you as well. The problem with answering for the Board to answer questions during an open meeting, is without a specific agenda item that's listed to let the public know a particular topic is going to be discussed in depth, the open meeting act prohibits the Board from entering into discussions during public comments, but as Commissioner Earls said, if people have individual questions after the meeting is over, individual Commissioners, if they want to, can visit with people individually. But you can't have two Commissioners talking to one person about County business without being in violation of the open meeting act. Myers: There is no written record of that. Wright: It's state law. Myers: No. There is no written record of one Commissioner talking to a person about their questions. Correct? Wright: I'm not sure I understand the question. Myers: The meeting is adjourned and we are asking questions. Wright: Then there will not be a written record. Myers: Correct. And all three Commissioners will be here. Wright: That is up to them. Myers: OK. How do we set agenda items that are pressing? Wright: There are a couple of different ways. The Chairman of the Board controls the agenda. If the public has an agenda item that they think is appropriate, I would recommend they visit with Chairman Masterson about that or with one of the other Commissioners. Myers: When there are pressing items that haven't made this agenda or a future agenda is the County Commission able to extend the meeting? Wright: They always have the ability to call special meetings. Myers: That wasn't the answer to my question. Can you extend today's meeting? Wright: Can they adjourn and meet at a later time. Is that the question? Myers: What statute or whatever says we can't extend the meeting because of public concern? Wright: I'm not sure I understand what you mean. Myers: Where is it written in stone that you can't extend today's meeting? To be on record and to answer what I believe a lot of us perceive to be very important business. Wright: You mean where in the law it says you can't discuss items not on the agenda? Myers: Extend this meeting. Do you guys have to be somewhere? Wright: The meeting last until the Commissioners vote to adjourn. Myers: OK. I don't know if that is in some written document. I'm just saying there are a lot of people that want to talk and ask questions. Citizen Jay Calan: Obviously there are a lot of people here for one reason. Because this room is empty all of the time. I have spent six years of my life coming to all of these meetings and how about a public forum where people can ask questions and you Commissioners can attend. Mike Furnas attended one the other night for our Senator and our State Representative and I didn't see you other two gentlemen there. Mike Furnas was there. At least I felt that he was trying to get some input of what is happening because, of course, the Sheriff's office issue was brought up. I think it's time that you are able to answer questions because I know that you won't put it on the agenda. And if you do have it on the agenda, it's not everybody in the room is going to be able to stand up and ask a question or concern and we don't have an open public forum about it. It's about what you say is going to be or not going to be said. It's time to change the rules and change the logic in this County. And I hold all three of you responsible for it. Myers: To further that note, city council of Miami allows any citizen to place an agenda item to be talked about that evening. There is a time limit so people don't go on and on. I don't think you should deprive citizens, your employers, that right. Cited Cori Stotts: I have some questions but I will just get with you after the meeting. Earls: Whatever you would like. Calan: If she meets with the Commissioner can other people be in that meeting or are you just holding it for one person? Masterson: I will entertain questions from anybody as long as it is done in an orderly manner. Calan: With more than one person? Masterson:

As long as you take your turn and act civil. Myers: I would like to discuss what I have heard, that you are going to take any excess expenditures out of our Sheriff's pocket. If that is the case, I think all of you should take an equal amount out of your salaries as well as look at the efficiency and cost of maintaining your structure. For your secretaries, for your offices. If this is true, which it sounds like it is, it needs to be attended to. I think everybody needs to bite the bullet and not just the Sheriff. Masterson: Counselor, would you elaborate on that? Wright: Just to clarify what that is, it wasn't probably necessary for the Board to take a vote on that. The law in Oklahoma is, if a public official exceeds their budget or makes an improper purchase under certain circumstances, they can be held personally liable for that. Myers: And what does the law say about the people who supervise? Since they are directly responsible for said persons behavior. Wright: An elected public official is, in general, is not going to be supervised. They are going to be an elected official that is answerable only to the constituency to a certain degree. It gets more complicated when you are talking about the interplay in relationship between multiple, for example, in this situation, County level officials. Myers: It seems like the ability to supervise only comes once every how many years? Wright: Generally, four, for most of the people that are elected. Myers: In your opinion, do you believe that once every four years is adequate supervision, from us, the public, for an emergency situation? Wright: Sometimes not, depending on the exigencies. Depending on how immediate the problem might be. Myers: And who would make that decision? Wright: There is no one particular person that is tasked with that. Myers: So, it comes back to state voters. Wright: You have some other stop valves and some other interactions between agencies that serve as watchdogs. For example, the Excise Board and Equalization Board are made up of the same three guys serving on both boards by statute. The Excise Board itself was created after, years ago many of us probably remember County Commissioner's all across the state get in trouble. One of the things dealing with that is the Excise Board to service as a County wide financial watchdog. The Excise Board isn't beholden to the Board of County Commissioners' or voters being appointed offices. Their job is to be a financial watchdog for the County. Not only for County government but every incorporated municipality within the County and all of the school districts. It's a huge job. So that's our County Excise Board. It operates as a financial watchdog. I'm probably getting a little bit off. When you think about the County budgeting process, we've got the old-style budgetary process. The County Commissioners can't pass a budget all by themselves. And the Excise Board can't pass a budget all by themselves. They have to work together in unison until they can reach an agreement to move forward to the budget. Then you have the State Auditor and Inspectors office. You've got criminal laws and statutes that control everything as well. There are a lot of checks and balances. Talk about going from point A to point B, there's usually a dozen different ways to get there. Calan: We talk about a lot of laws and State statutes but have you read the State statute that the Sheriff gets funded before everybody else? Wright: There isn't a State statute. Calan: Is too. Wright: Quote it to me. Let's look it up. Calan: It's under the Sheriff. It's under the United States Constitution also. Wright: You are saying there is a State statute. Give me the citation and we will pull it up. I will read it to the crowd. Calan: It reads in our State Constitution... Wright: I don't want you quoting something to me unless you can actually... Calan: I will come back with that. Wright: Thanks Jay. Myers: I don't need to see the statutes. It would just be common sense. I would highly recommend that the Commissioners, the Excise Board, all of the people on the list that make decisions, that you prioritize where the money goes. How many people live here in the last census? Furnas: The last one coming out had over 31,000. Myers: Let's say 31,000, that would have been 2010. We are probably gaining in population but we will stay with the 31,000. When you and your constituents believe you are jeopardizing public safety, their lives, their property, should that not common sensibly go to the top of the list and adjustments be made? Citizen Janet Myers: I want to point out what he is talking about. The city of Miami has 20 to 30 city police guarding, patrolling 12,000

citizens. So do the math for one or two deputies for our rural County. That's about 13,000 and we have one deputy per shift. Stotts: I just have one more thing. I appreciate you guys willingness to discuss the Sheriff's issues and the Sheriff's budget with us after the meeting. But what I would ask the County Commissioners is that you guys reconsider an avenue to be able to address these kinds of items as far as the agenda. So that there is a record and it becomes a part of the minutes and that it is completely transparent. So that there is no misconception about what we say because any one of us can walk away from that meeting and have our own idea about what that conversation was like and I don't think that is probably good for either party. I appreciate that you are willing to do it but I think that for everybody involved it is just better to do it in an open and public meeting. Janet Myers: I would like to point out that the roof has been leaking a long time, and prior to this Sheriff's election. A lot of people know that. An article from 2012, Terry Durborow, that was the Sheriff, had many funding problems and there were a lot of issues back then. There were many bids, and it's in the minutes, the Commissioners have turned down and put off, the bids to fix the roof, until the jail fell apart. Earls: The bids were very poorly written and very poorly instructed on how they were written. We decided to throw these out, of course, as it was in the best interest of the County. Consequently, I spent about a month on top of that jail working with a contractor and for \$7500 we got the leak stopped. Prior to that we put about \$245,000 in a line item to fix that roof. Prior to that, we put \$150,000 in the budget of the Sheriff's department to fix the roof and dollars did not go towards the roof. I'm not sure what it was spent on but anyway, we are aware of the roof issues. And prior to that, the former Sheriff had the roof replaced. The TPO, they call it, the rubber membrane that's up there. So yes, it's been an ongoing problem but it has been addressed all along. Janet Myers: You don't know where the money goes? You guys hold the checkbook. Earls: Ok, the \$150,000 that was allocated was for additional dollars. We budgeted that money and we did not put it in a line item account. We just put it in a Maintenance and Operation. So those dollars were spent wherever. They were all approved expenditures, of course, but no roof issues. Janet Myers: I'm assuming it was things that needed to get fixed in the jail? Earls: Probably some of it. Janet Myers: Can you some day present those items? Earls: Of the items that were fixed? Earls: Of course, yes. Janet Myers: Where do we find that at? Earls: Well, lets stick with the original question on the roof. As I explained, it was \$150,000 and \$250,000, and, ultimately, we got the roof patched and repaired for \$7,500 and we've since been using the roof dollars that was allocated, for other items, such as payroll and different things that honestly need to be met but we are not in budget. Calan: Why has the money that was allocated for the jail going to the General fund? The funding to repair and the upkeep on the jail, why is that not in a separate account. Why is it going General fund? Earls: There are two General funds. One is General fund for County General, and then the Sheriff has a General fund. The citizens wanted a stronger Sheriff's department and a stronger presence. And in 1997 they passed a ½ penny sales tax to do just that. And today they are collecting about 1.2 million dollars off of that ½ penny sales tax, solely for the Sheriff's department, whether it be field division or the jail. Then the County government has continued to increase our funding, and the County general here in the Courthouse as the years go by. Each year more is requested and each year we put more money in. The numbers will bear that out. It's a fact. I've heard that he's not getting the ½ penny sales tax. By law he gets every penny of it. We can't do anything else with it. He is getting the funding. This is obviously going to go on and on. I understand that maybe it needs to. But at the beginning of this we agreed that we would visit with each and every one of you after the meeting if you would like, but we need to conduct today's business and then we can move on to these questions. Unless you guys want to state more questions, just let us compile them, then that's what we need to do. Myers: The last question for me is a short one. I would like the voters to be able to see in the records that 1997 referendum. Secondly, I would like voters to see all of the records that verify the transfer of that 1.2 million dollars to the Sheriff's budget.

And if that has been changed along the way. As you all know, when you've got a big building, a lot of that can go to maintenance. And then there is also operations and I would like to see where that money went. Earls: Sure. Myers: I think that would dispel a lot of questions. Earls: That's a question and I agree. Citizen Kelli Shelton: I just wanted to read from one of the statutes. With the Sheriff's budget it says in many cases they will have to operate their office and jail on a budget that is not fully funded by the taxes of the County. They will have to supplement their budget by civil service processes, seeking grants for equipment and vehicles, I'm assuming that means tires, too, and they will have to protect hundreds of square miles with a minimal number of deputies and control vehicles. The Sheriff will have to deal with overcrowded and antiquated jails. The Sheriff must be a professional law enforcement officer with a deep desire to serve those citizens in his County. Wright: Which statute was that? Shelton: From the Oklahoma Sheriff's organization Oklahoma State Statute 19-510. Earls: I would like to elaborate on that and give you a little bit of history. The citizens stepped up probably in 1995-1996 and said we need a new jail. So, they passed a full penny to build this jail. They collected the dollars and when they had the money, they built a new jail. The day it was opened, it was paid for. But they also said we want to retain half of that to operate this jail and field vision. Ottawa County has been very progressive with their law enforcement here. When you compare that to counties across the state, and I sit on the Board that serves seven other counties, and Ed Crone, Executive Director of Grand Gateway, we've passed emergency grants just to keep a jail open in Nowata County. Nowata is horribly poor, they're my neighbors and they don't mind me saying that because it is a fact, we have got it very, very good here. The citizens stepped up years ago and said we want to put money into this. And they have been doing that for many, many years, since about 97 or 98. A lot of folks have to continue to pay for their jail as they go. Ottawa County paid for it the day it was open. Again, we've been very progressive and we want strong law enforcement. But there is just a certain amount of dollars and there is no more. We are the protectors of that. And you will hold us liable if we let that go over. We don't get to write hot checks like the federal government does. We are always in budget and we always will be. Calan: 68 OK Stat § 68-3007 Constitutional mandate function. The Sheriff getting all priority funding is merely legislative mandate. Oklahoma Supreme Court says in 1988 68 OK Stat § 68-3007 is a precedent. Wright read and explained statute. Myers: That is for municipalities. Wright: I read what was cited to me. Myers: I understand. Is there a similar statute? Wright: This is really dealing with is setting forth standardized means of funds for municipal forms of government. There is a similar statute for counties. In fact, it was amended in, I think, the last session and said some of our actual account fundings changed a little bit. It's basically the same thing. Personnel services, maintenance and operation. Calan: Did you read 3007 or 3011. Wright: It was 3011. Calan: It was 3007 that I quoted. Masterson: If you could read what pertains to this, Kenny. Wright: You are looking for something that says the Sheriff comes first before all of it. Calan: It's from the Supreme Court. Wright: The Supreme Court doesn't write the statutes. Calan: The Supreme Court ruled on it. Wright: If you want me to read a Supreme Court decision you are going to have to give me that too. Calan: I gave you that also.

Ed Crone: I'm the Executive Director with Grand Gateway. I have been working on the jail thing in Nowata County for about eight months. They have gone through four Sheriff's in two years. Their jail was bad. Their budget for their whole county was about \$920,000 and the Sheriff's department would pull the state prisoners out and it was about \$850,000. They've gone through Sheriff after Sheriff. I've been working with them and now I've got problems in Craig County, Ottawa County and Delaware County. All are having difficult problems. I've been speaking with some Legislatures about the possibility of having the state possibly run regional jails because it is a critical issue. This isn't just an issue for Ottawa County, it's not these guys and it's not the Sheriff's department. These costs are very expensive just to operate a jail and have a Sheriff's department. The Legislature is aware and I've talked to head of

ACCO and the County Commissioners. He said this is the thing that is going to bring counties down more than anything else. They simply can't afford jails the way they are run right now. It is becoming a critical problem. The only counties that I don't have problems with jails are Rogers County and Washington County. Mayes County isn't as critical as the other four counties. It's just part of the problem. We just don't adequately fund them. It's becoming a critical problem. At the beginning of the year, every government has to go through the process of looking at last year's budget. They say this is what we did last year but occasionally something happens like the fire in the jail or like in Nowata they have to abandon the jail in the middle of the week because the guards started getting sick. There is just not that kind of rubber in the system anymore to grow. I'm trying to work with your Chairmen to work with ACCO and three or four County Commissioners and Legislators to address some of the problems to see if we can fix them. It really isn't these guys. It's really statutes and revenue changes. There are not many Sheriff's that patrol anymore. I've talked to a couple of Sheriff's about this. If we don't like the Sheriff and we think we are going to get police protection but the reality is we need someone to run the jail. Until we solve the jail problem, we are not going to have Sheriff's the way we think we want Sheriff's. I've worked at this job for 26 years and have worked with cities and counties but this is a statewide problem. We've got to figure out a way to address this. Stotts: You would think the ones functioning well would be a good.... Crone: I think the way they are functioning well is they have 85,000 people in Rogers County. That pays for a lot of bills. When you have 11,000 in Nowata you would expect to have to do the same thing but it just doesn't work. The ones having the problems are the small to medium counties. It's the big counties that can do it. I think we are yelling at each other and it's just that every department gets a budget that you work with traditionally and sometimes things happen like a fire and it just throws that budget out of kilter. I don't know the specifics of this but this is a problem in all seven of my counties. Stotts: I will defend that people were just asking questions and I'm not sure when asking questions became considering attacking. That's my issue. We just want transparency. Maybe there is nothing that can be done. Maybe everything is on the up and up on both sides. I'm not taking a stance on whether this is a Sheriff issue or County Commission issue at all. I think everybody wants transparency and wants to be able to ask questions. Crone: The statute, what those guys talked about, that's the State Capitol. Citizen Adam Shroyer: On that part there, the statute doesn't let the Commissioners talk to us but they are trying to rush this part of it because they might have something to do later. We might have something to do later too, but we want to talk about this now. And you guys can't talk about it later together. Masterson: It says citizens participation or public comments, it doesn't say question and answers. We will be glad to take your questions after the meeting but this is not question and answer. Myers: I'm glad this gentleman is attempting to prevent what problems are going to happen and that's why I was asking the best way to change behavior, that everybody likes, is to cycle actions. If I boil it down, I'm talking about preventative actions that will keep this county with no protection. The marauders come in. That's a broken window hypothesis. Once the first window gets broken in a locale, many more will follow. Earls: As I stated earlier, we are very fortunate here. We've had some citizens step up and fund the Sheriff's department as well as they've funded it. I think currently we have four full time deputies patrolling. There are 9 reserves, they serve the Sheriff's department and the citizens with no pay. That's very strong. Then we have a huge tribal presence. We are so much better off than our neighbors and across the state. Myers: I would hate to lose the Ottawa County Sheriff. Calan: He's a constitutional officer. Janet Myers: Tribes are funded by the government. Earls: I'm just talking about the presence of the patrolmen. Myers: I don't think Ottawa County residents want to lose a Sheriff's department or simply become jail guards. Masterson: We are not wanting to lose the Sheriff's department. We do not want Ottawa to be a lawless county at all. We are working with the Sheriff all the time to try to get funded. We are not wanting to get rid of the Sheriff's department. That

is not our intent at all. Myers: Are you trying to, then, making him pay out of his own pocket to punish him? To deprive him of his constitutional rights as a citizen. Masterson: You heard the statute that the counselor read. Myers: I think you heard my question too, don't pawn it off on him. Masterson: I'm not pawning it off. Myers: This is common sense. This is not legal sense. We can quote statutes until the cows come home. Masterson: You are right. But we have to abide by those statutes, too. Myers: You know what happens to an organism when it doesn't adapt. It dies. We have to adapt. Citizens and Commissioners. I would like to think there is a solution. Calan: Maybe the gentleman from Grand Gateway can tell us the funding that Grand Gateway gets. Crone: My organization is mainly run through dues that the counties and cities pay. I hire grant writers and the state contracts would be on 3 or 4 items like Pelivan. The EEA funds our economic development. If our 7 counties come together and raise \$70,000 a year, they will give us \$70,000 a year and that's how we run. The grant program that we have is appropriated through the legislature, gives us about 1.2 million. Giving grants to smaller cities under 7,000 in population to do grants to our board which is 55 members representing the towns accountants deciding what the priorities are and that is how we are funded. We are in our 52nd year. We try to do things to access federal state grants. Earls: It's a fabulous organization. Citizen Kim Strugal: I appreciate the gentleman's words on how the jails are run or not run. I think a lot of us here are concerned about what is going to be done to get more law enforcement per shift? It's my understanding that we are down to one deputy per shift? Is that correct? Sheriff Floyd: We have four full time patrolmen, one per 12-hour shift. We have one investigator that handles all of the crimes that come in and the Undersheriff and myself. Strugal: So, a call comes in on a 911 call, how many are available to take those calls? Sheriff: It all depends if they are on a current call or what the situation is. We do have a high call volume. The Undersheriff and I will sometimes we call the reserves out and see us. It depends on the time of day and what is going on in a given month. Stotts: The Undersheriff, the Sheriff and one deputy is what is assured right now with the current budget. Per shift. Sheriff: No. You have one patrolman per shift.

Wright: I'm sorry I read the wrong statute earlier, Jay. 3007 is the one that goes through the Excise Board and what their job is. It's probably not what you want to hear. I think what you are talking about was probably paragraph 5. The statute is talking about what happens if there's a revenue failure. The County realizes that, overall, it doesn't have enough money to finish it's fiscal budget, the Excise Board takes over and has to decide, a) they look at all of the accounts and have to make a determination as to what is there for the county to use for the coming months before the fiscal year ends, but then that board is tasked with making cuts to the county budget to ensure that the county finishes the fiscal year in the positive or as close to 0 as possible. And as a part of that, the Excise Board is required by law to first see the constitutional offices are funded, and then move down to statutory offices, and then offices that are created in ways that aren't constitutional or statutory. So your constitutional offices from county level are going to be Sheriff, Court Clerk, County Clerk, Treasurer, Assessor, and that's probably going to be it. So, anything that deals with court, taxation or law enforcement are generally going to fall within your constitutional area. County Commissioners are constitutional created positions, from a practical matter we are going to prioritize public safety over having 100% perfectly paved roads. We can't completely ignore roads and only focus on public safety or vice versa, but I think at least for me public safety is going to be my number one concern. Even when I'm sitting in this room as an advisor to all of the elected officials, that's my job. I give legal advice. But the Sheriff can tell you that's something we work on and spend a lot of time focused on public safety and how we can best deliver to the public in relation to that. I agree, I think these short-term issues are going to shake out. I don't have a crystal ball, I'm not the decision maker for anybody on this. For the Commissioners or the Sheriff or the Excise Board. But I think this temporary thing is going to work out ok. It hasn't been pleasant up to this point or the last year and a half and it won't be pleasant going forward but it will be alright. So, I agree we need

everybody to work on a long-term plan, that's just my opinion, I'm not speaking for anybody else up here, we need a longer term plan on how to increase law enforcement presence in the county. The 23 plus years I've been involved in criminal justice in this district, and the Sheriff can tell you, major crime is different than it was even five years ago, different that 20 years ago. It scares me and this is what I do. I deal with dead bodies and victims on a daily basis. What the Sheriff and I see out there in the world today is unnerving. Earls: To add to what the counselor just said, the dollars that are allocated to the Sheriff's department, like the ½ cent sales tax in perpetuity, it cannot be directed anywhere else. Long before the Sheriff Floyd, the Sheriff's department has always got that money and always will. It cannot be diverted. It just can't. The voters said this is what we want and so it will always go to the Sheriff's department, as well as the increased funding from county general. We continue to fund that at a higher rate each year. And with problems that have risen in the past, we have upped the ante, whether it be a new roof. Twice, two years in a row, we have allocated money for a new roof, a boiler, extra pay. Last year, \$388,000 that we funded above the budget that was set. We continue to put money into this and there is only so much to go around. It's not like we have an endless supply of money. It only goes so far and we are the watchdogs of these dollars. We are not taking anything from the Sheriff's department, we are giving more and more every year. We want a strong law enforcement presence in this county. Calan: It's funny the Sheriff is the only one with a budget crisis. Janet Myers: Why don't some of these other offices look at to cutting their budgets a little bit. There are several offices that are over staffed and everybody knows it. Nothing personal against those people. I run an office; I see it. Myers: I would like to introduce one short thing. I'm really impressed with how everybody is behaving. Nobody has gotten back on their heels, pointed or swinging at anybody. Can anyone calculate the ravage of inflation since the ½ cent was passed in 1997? Earls: I can quantify that to some degree. When I came into office in 1999, asphalt was \$16 a ton, now it's close to \$60. I had a five-year plan to pave every road in my district, and it just slowly deteriorated over the years to the point that I don't even have a five-year plan on in house dollars to pave roads. I've got to look elsewhere at the state and federal level to find additional dollars. Now all I can do is maintenance on what I currently have. That quantifies it in my world and I would probably say the same thing has happened in the Sheriff's department. Myers: I would say the same thing with the ½ cent. And if you figure the inflation, those dollars are worth 60% less than what they used to be and this isn't a short-term solution. But this would be a midterm solution. Earls: It's a difficult situation we are in right now. The glass is half full, in my opinion. We are still so much better off than most of the counties across this state and our direct neighbors. I'm proud of where we are at and what we have accomplished in Ottawa County. The citizens being pro-active and saying we want something better and they continue to that day and day out. Myers: Why can't they join in together for a midterm solution? Maybe we need another percentage to offset the inflation. Earls: You know how that is done? Myers: No, I don't. Earls: It starts with a petition. Janet Myers: They will want to raise the city taxes, I guarantee it. Earls: Nobody wants more taxes. Janet Myers: We have a nice stadium out there, though. Calan: That ½ cent that was used for paving roads for this County twenty some years ago, did that go into a separate account? Earls: If you read the ballot, Jay, it says for maintenance, operation construction of the county road and bridge system. Calan: Ok. Calan: It was sold the other way. Earls: I don't disagree with what you said.

6. Motion by Furnas, second by Masterson, to approve Chad Masterson as the Chairman of the Board of County Commissioners for 2020. By vote: Masterson, aye; Furnas, aye. Motion by Masterson, second by Furnas, to approve Russell Earls as Vice-Chairman of the Board of County Commissioners for 2019. By vote: Masterson, aye; Earls, aye; Furnas, aye.

7. Motion by Masterson, second by Earls, to approve Brown Winters Funeral and Cremation Service to Ottawa County for cremation and pay the \$200 fee for indigent Ottawa County resident Arthur Snell. By vote: Masterson, aye; Earls, aye; Furnas, aye.
8. Motion by Masterson, second by Earls, to approve request letter to Chief Medical Examiner to waive Medical Examiners CME 19-P permit fee for indigent Ottawa County resident Arthur Snell. By vote: Masterson, aye; Earls, aye; Furnas, aye.
9. Ed Crone, Executive Director with Grand Gateway, was in attendance to discuss the appointments of approval for representatives to the Grand Gateway Board of Directors for 2020. Motion by Furnas, second by Masterson, to appoint Russell Earls as a representative to the Grand Gateway Board of Directors for 2020. By vote: Earls, aye; Furnas, aye; Masterson, aye. Motion by Earls, second by Furnas, to approve appointment of Chad Masterson as a representative to the Grand Gateway Board of Directors for 2020. By vote: Masterson, aye; Earls, aye; Furnas, aye.
10. Motion by Earls, second by Furnas, to approve Radiation Safety Management Program for Radiation Safety Officer's David Cline and Gary Longan. This will continue the certification for another 10 years. By vote: Earls, aye; Furnas, aye; Masterson, aye.
11. Motion by Earls, second by Furnas, to approve entering into executive session for the purpose of confidential communications between the Board of County Commissioners of Ottawa County and its attorney concerning the lawsuit Ellis/Burke v. Ottawa County. The communications in this executive session are confidential. Authority: Title 25 Oklahoma Statue Section 307(B)(4). By vote: Masterson, aye; Earls, aye; Furnas, aye.
12. Motion by Earls, second by Furnas, to approve returning to regular meeting. There was no action taken or decision made. By vote: Earls, aye; Furnas, aye; Masterson, aye.
13. Motion by Earls, second by Furnas, to approve BID 2019-2020.19 12-MO Courthouse Janitorial and accept the lowest bidder Lisa Hill with a 30-day probation period. By vote: Masterson, aye; Earls, aye; Furnas, aye.
14. Motion by Earls, second by Furnas, to approve request to solicit for sealed bid for Paradise Point Fire Department Lease Purchase Pumper Fire truck 1995 or newer. Bids to be open February 10th at 9:05 A.M. or after. By vote: Earls, aye; Furnas, aye; Masterson, aye.
15. Motion by Earls, second by Masterson, to approve allocation of alcoholic beverage tax from County Treasurer. By vote: Masterson, aye; Earls, aye; Furnas, aye.
16. Motion by Earls, second by Furnas, to approve Cash fund estimates of needs and requests for appropriation from various county offices:

FF-AFT	\$ 2345.21
FF-COM	\$ 2312.67
FF-FAI	\$ 2304.41
FF-MIA	\$ 2317.80
FF-PAR	\$ 2322.89
FF-PEO	\$ 2335.70
FF-PIC	\$ 2298.20
FF-QUA	\$ 2299.55
FF-WYA	\$ 2311.47
92-A-1	\$ 25000.00
92-C-1	\$ 2000.00
92-D-1	\$ 23134.08
92-A-2	\$ 38000.00
92-C-2	\$ 2000.00

92-D-2	\$ 10109.07
92-A-3	\$ 25000.00
92-C-3	\$ 2000.00
92-D-3	\$ 23109.08
COMM	\$ 2741.58
CCPREV	\$ 1128.06
CARF	\$ 497.00
TRUST	\$ 52012.69
HWY 1	\$ 34600.68
HWY 2	\$ 34600.68
HWY 3	\$ 34600.69
F5-D	\$ 465.80
DCRF	\$ 332.93
REC-D	\$ 3425.00
CBRI	\$ 38749.82
BIA	\$ 0.00
C5-C	\$ 425.00
CHILD	\$ 2.43
RES-A	\$ 17071.23
BOND	\$ 441.71
CCRF-A	\$ 4288.79
LAW	\$ 1128.37
B5-A	\$ 5936.00
B5-D	\$ 10694.42
B5-F	\$ 1443.53
B5-H	\$ 673.04

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

17. Motion by Masterson, second by Furnas, to approve the following transfer(s) of appropriation: \$5976.55 from account number 0001-2-0400-4110 to 0001-2-0400-1110. By vote: Earls, aye; Furnas, aye; Masterson, aye.

18. Motion by Masterson, second by Earls, to approve the following checks (s) for deposit: #16684 from Kenny Wright in the amount of \$25.00. By vote: Masterson, aye; Earls, aye; Furnas, aye.

19. Motion by Earls, second by Furnas, to approve the monthly reports submitted by County Election Board, County Clerk, County Treasurer, County Assessor and County Health. By vote: Earls, aye; Furnas, aye; Masterson, aye.

21. Commissioners' activity reports: District 1: We have been approached by a team that is coming to do the recon work today but they will be about the unfortunate situation about two missing individuals that have been gone for 20 years now. There are several different entities that are coming to the zone near the field house tomorrow. Through the Department of the Interior, Mr. Inhofe has found a way through the office, of surface mining. The Cherokee Tribe and Quapaw Tribe law enforcement, BIA, Tulsa police dive team are going to be in the county and try to access how they can further investigate this with the respect of the two families that have lost folks and to keep trying to do everything possible to find them. We have a project on 137 today, we are trying to get a culvert in today. Routine maintenance. District 2: With the Christmas holiday, crew took comp time and vacation but I ran a skeleton crew. We replenished our salt and sand pile and put in some drainage culverts and took care of maintenance details around the barn. We are back to a full crew today, hauling rocks, cutting brush and working on roads. District 3: Routine maintenance and FEMA recovery.

22. Earls: I've been working with Danny Cook on the jail issues and the ongoing is the control board parts that we get from Johnson Controls. It's a tough situation. You've got Johnson Controls and you have Johnson Controls parts division, then a manufacturer that builds these boards. It feels like we are waiting on Johnson Controls but we are waiting on something different. Danny has called Johnson Controls and he gets the same answer. I told Danny we need to go to plan B, but now it is C and D. I'm trying to get ahold of the people that manufacture the parts decision makers there. We've expressed our dire need it is to get them installed. I've spent two hours on the phone this morning getting the run around and I will continue doing that and hopefully get ahold of somebody that can make these decisions and get this taken care of. It's costing us additional dollars.

Furnas: I was able to attend the forum public meeting and I went there both as a citizen and as a Commissioner. I was able to speak with individuals after the meeting and I was also able to understand what was on people's minds and what their concerns were. I appreciate them coming today and taking their time out of their personal life and everyone that is still here today to come to a point where we can improve the situation. The Sheriff has been trying, to my knowledge, over the last weeks since this happened, we've asked him to bring anything he can to the Board of Commissioners that he can do, that we can do to get our facility back open. Everyone in this facility here, and that the government here in the court house has done what we can do. We must get that door back open. It is very urgent. But if anyone else has questions, hopefully after this, I've got nothing to hide. There is no corruption going on here. There is no dishonesty. I believe with every morsel of energy that I have in my soul that we are making decisions on what is best for this county.

24. Motion by Earls, second by Masterson, to approve the following blanket purchase orders:

0001-1-2000-2005

002714 ACE HARDWARE	\$250.00
002715 ACE HARDWARE	\$250.00
002716 LOCKE SUPPLY	\$500.00
002717 LOCKE SUPPLY	\$500.00
002718 BOLTON HEATING & AI	\$1,000.00
002719 COMDATA	\$300.00
002720 CULLIGAN	\$150.00
002721 TRACTOR SUPPLY CO	\$250.00
002722 YORK ELECTRONIC SY	\$2,500.00

Total for 0001-1-2000-2005 \$5,700.00

1216-7-7001-2005

002724 HOMETOWN BOTTLED	\$200.00
002725 INTEGRIS MIAMI HOSPI	\$300.00
002726 WAL-MART PAYMENTS	\$400.00

Total for 1216-7-7001-2005 \$900.00

1321-2-8205-2005

002723 LAKELAND PETROLEU	\$500.00
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Total for 1321-2-8205-2005 \$500.00

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

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

Robyn Mitchell, Ottawa County Clerk
Miami News-Record

Chad Masterson, Chairman