

June 17, 2019

The Ottawa County Board of Commissioners held their regular scheduled meeting at 9:00 A.M. on June 17, 2019, with the following members present: Chairman Chad Masterson, Commissioners Mike Furnas, Russell Earls and County Clerk Robyn Mitchell. District Attorney, Kenny Wright, was also in attendance.

Notice of the meeting was posted at the south door of the Ottawa County Courthouse at 2:12 P.M., June 13, 2019. 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 from June 10, 2019. By vote: Masterson, aye; Earls, aye; Furnas, aye.

4. Motion by Earls, second by Furnas, to approve the following claims: 14 GUY ENGINEERING \$110.66 57 CITY OF MIAMI \$59.00 58 CITY OF MIAMI \$74.93 59 CITY OF MIAMI \$87.32 60 CITY OF MIAMI \$94.40 61 CITY OF MIAMI \$187.62 62 CITY OF MIAMI \$126.26 63 CITY OF MIAMI \$113.28 64 CITY OF MIAMI \$124.49 65 CITY OF MIAMI \$78.47 66 CITY OF MIAMI \$74.93 67 CITY OF MIAMI \$105.61 68 CITY OF MIAMI \$119.18 69 CITY OF MIAMI \$118.00 26 VETERINARY CENTER \$340.00 2273 LAKELAND OFFICE SYSTEMS \$5,801.00 2274 ADMIRAL EXPRESS \$1,703.97 2275 CABLE ONE \$109.57 2276 LAKELAND OFFICE SYSTEMS \$732.68 2277 TOUCHTONE COMMUNICATIONS \$20.90 2278 MIAMI NEWS-RECORD \$187.20 2279 ALLEN SIGN STUDIO \$135.00 2280 TOUCHTONE COMMUNICATIONS \$44.64 2281 AT&T \$333.20 2264 QUILL CORPORATION \$127.98 2265 MIAMI FIRE PROTECTION \$130.00 2266 MIAMI FIRE PROTECTION \$130.00 2267 CABLE ONE \$245.13 2282 MIAMI TROPHY & SCREEN PRINTING \$159.90 2283 SOONER PRINTING \$40.00 2284 TOUCHTONE COMMUNICATIONS \$18.87 2285 AT&T \$249.90 2286 OTTAWA CO FAIRBOARD \$4.00 2270 TOUCHTONE COMMUNICATIONS \$38.56 2271 AT&T \$40.58 2272 AT&T \$166.60 2268 CABLE ONE \$70.92 2269 TOUCHTONE COMMUNICATIONS \$18.95 299 LANNA BRINGARDNER \$112.60 300 HOMETOWN BOTTLED WATER \$53.50 301 SCOTTS LAWN CARE \$370.00 302 OK NATURAL GAS \$129.74 303 MAILFINANCE \$471.96 304 MARY PARKER \$286.00 1595 OSU CTP \$130.00 1596 OSU CTP \$130.00 1597 O'REILLY AUTOMOTIVE \$93.14 1598 SOONER PRINTING \$496.00 1599 WHITEDS MACHINE \$100.00 1600 WAL-MART \$368.96 1601 O'REILLY AUTOMOTIVE \$33.33 1602 M&K OUTDOOR PRODUCTS \$90.33 1603 AUTOMOTIVE OF FAIRLAND \$4.99 1604 MIAMI INDUSTRIAL SUPPLY \$21.62 1605 UNIFIRST CORPORATION \$603.60 1606 TOMO DRUG TESTING \$48.00 1607 CITY OF MIAMI \$413.59 1608 STRIBLING EQUIPMENT \$287.10 1609 KATNER MILLS \$143.33 1610 TREASE WELDING SUPPLY \$70.00 1611 DISH NETWORK \$53.34 1612 BERNICE SANITATION \$60.00 1613 OTTAWA CO RWD #1 \$34.24 1614 OK DEPT OF TRANSPORTATION \$2,144.76 1615 OK DEPT OF TRANSPORTATION \$2,144.76 1616 HUGHES LUMBER \$68.95 1617 B&B AUTO SUPPLY \$33.93 1618 AUTOMOTIVE OF FAIRLAND \$32.37 1619 CRAFTONS STATION \$155.00 1620 FOUR STATE OFFICE PRODUCTS \$316.22 1621 STEVES COUNTRY GARAGE \$75.00 1622 OTA PIKEPASS \$20.00 1623 LOOPER GENERAL REPAIR \$32.00 1624 FAIRLAND PUBLIC WORKS \$52.44 1625 MIAMI PUBLIC UTILITIES \$26.00 1626 OK DEPT OF TRANSPORTATION \$2,144.76 317 BEACHNER GRAIN \$3,965.00 318 WALTER SPECIALTY \$175.00 319 WALTER SPECIALTY \$175.00 320 WALTER SPECIALTY \$875.00 321 KEMP STONE \$102.96 322 WALTER SPECIALTY \$350.00 323 TULSA COUNTY \$478.60 324 NEO CONCRETE \$1,746.00 325 TULSA COUNTY \$1,399.40 174 LAKELAND PETROLEUM \$106.08 175 AT&T \$187.01 168 TIGER COMMISSARY SERVICES \$14.84 169 TIGER COMMISSARY \$603.17 170 TIGER COMMISSARY \$549.58 171 TIGER COMMISSARY \$941.69 172 TIGER COMMISSARY \$70.00 173 TIGER COMMISSARY \$13.15 174 TIGER COMMISSARY \$127.16 350 LUBE N GO \$127.85 351 SPRINGFIELD GROCER \$1,178.14 352 KARNES PRO TIRE \$80.00 353 AT&T \$586.92. By vote: Masterson, aye; Earls, aye; Furnas, aye.

5. John Clarke, public citizen and former Commissioner, stated that he has been approached by concerned citizens that additional funds may be transferred to the Sheriff's office. They have some concerns as well over salary issues. Maybe I should have dealt with these concerns while I was in office.

But the main reason I am here is because of the concern over the additional funds needed for the Sheriff's office. They have been a constant drain on County resources. Earls, asked, "are the citizens concerned that the Sheriff is going over his budget again this year, and their concern is that the Sheriff's department is draining County government to the point that we will not be able to operate in the future?" Clarke responded, "yes, basically that is what they are concerned about. They have heard through the grapevine that some additional funds were going to be allocated, or at least considered by the Board of Commissioner's today, or before the end of the fiscal year. Earls went on to ask if Clarke would elaborate on the salaries? Clarke said, "It was related to a 40-hour employee versus a 35-hour employee. I'm sorry I can't stay to answer all of your questions; I only have a few minutes." Russell asked, "So the salaries are not related to the Sheriff's office?" Clarke replied, "No." Russell said, "I know you don't have time to debate this right now but thank you for your time."

6. Motion by Furnas, second by Earls to approve EPA Request for Access to Property - Goodrich Asbestos Site, Miami, OK. Mike McAteer, an On-Scene Coordinator with the United States Environmental Protection Agency (EPA) discussed the situation on asbestos. The EPA is cleaning up phase one at the Goodrich plant. Up until a week ago the owner of most of the property had provided the EPA with access agreement. That owner has stopped paying his taxes and is in bankruptcy in Alabama. The EPA is coordinating with him through his attorneys. As of last Monday, the property has defaulted ownership to the County. I have talked to Mike Furnas regarding the fact that we do need an agreement from the Board to stay on the property. He gave me the verbal and we provided him with a graph access agreement for the work we are doing. All of the demolition of that building that occurred by the previous owner in 2014-2015 is still sitting out there in the debris and is contaminated with asbestos, so with that many houses around us and the schools, the EPA has decided to move forward with the removal. So, we need a signed access agreement from the Board, so I respectfully ask for your signatures and I will answer any questions and will do my best to answer those either now or at any point. Masterson: What do you think is the estimated time to get that cleaned up? McAteer: For this phase, which is to take what is left of the building out of there, and then take down 2 of the unstable structures that are also contaminated we are estimating about 3 or 4 months. We started about 2 weeks ago. We would like to get done while school is out. But it may drag into September for this phase of work. Masterson: What is the next phase? McAteer: There is this large building on the property called the powerhouse building, which is also full of asbestos, but the building is in good shape structurally. We are getting bids right now to have a company go in. The foundation is full of pits and basements which also has asbestos and most of them are sitting in water right now so it's a slightly lower priority right now. We would like to address those possibly by filling them in with concrete or a slurry mix of some sort. I don't have a date for that yet. It is structurally sound; we had an engineer go out there a few weeks ago. The other 2 buildings are in bad shape so we will just take them down in a wet demolition process as part of phase 1. Earls: Do you have everything you need as far as equipment? McAteer: We have trucks running daily. Everything is going to Prairie View landfill in Lamar, Missouri, which is approved for asbestos. We are averaging 20 loads per day so about 200 to 300 tons a day is coming out of there. We sampled all of the piles and every one of them has elevated levels of asbestos mixed in with them. Again, I am going on a verbal from Mike but we need an access agreement signed to stay on the property. Furnas: The only other option on that was to stop the clean up and since we were able to get in and expedite it from the time the County owned it and get a written agreement that the verbal was not something that was out of line. McAteer: Correct. I have the authority to take a verbal and keep moving forward. Although, there is an agreement here today to be signed. Earls: Is it fair to say that when your job is complete, we will be able to put this up for sale or transfer it? McAteer: Our goal would be, once phase 2 is done, the property would be free of any asbestos. There are a few other small items relative to the asbestos that need taken care of. There is a tank that still has carbon black in it. That's an easy thing for us to remove. Also, there is some oil contamination, our goal would be to hopefully put

this back into use. The ground water problem is still there, that's being handled under authorities with the Oklahoma Department of Environmental Quality. The EPA is not involved with that. So, there will probably be restrictions with the use of ground water under that facility as well as downstream. Furnas: Mike, could you touch on the monitoring you have around the facility so the citizens know their children are safe? McAteer: Part of this is standard protocol on these asbestos clean-ups. We have trucks line up; poly material has to be put in the bed of the trucks. They roll out to the hot zone, we load them up with excavators. Then at the end they are wrapped, stapled down or glued down, and tarped, then brought out to be de-contaminated. They have to clean up before they can get on the road. Everything has to be kept wet so most days we have a lot of water going out there. We have meters on hydrants that the city lets us use. We are putting water on it constantly and we have set up 5 monitoring stations around the perimeter, on the fence line, north, east and south. We have dust monitoring all day long and then we run samples every day at all 5 locations to look for asbestos to make sure we are not getting any asbestos. The good news is, so far, we have not seen any asbestos come through. Earls: So, the water you use to clean the trucks off with when they hit the road gets monitored. If it gets high in asbestos, what do you do with the water? Does it evaporate off? McAteer: The water is coming straight out of the city's hydrant so that's clean, so that water stays on site, it never goes off. We did a test on the powerhouse building to see if we could pump out the basement to see how fast it would re-charge and it didn't, which was good. The water is run through a 5-micron filter and discharged in a sanitary sewer. We did this just to experiment only because we knew that one spot had asbestos, although it is below regulatory limits, we just didn't want to take any chances. The water anywhere else we are using is coming straight off the hydrants and staying on site, basically evaporating. By vote: Masterson, aye; Earls, aye; Furnas, aye.

7. Motion by Earls, second by Furnas, to approve re-appointment of members Joe Dale Morgan and Joey Williams, who wish to remain on the Emergency Medical Services Board for another 5-year term from July 1, 2019 to June 30, 2024. By vote: Masterson, aye; Earls, aye; Furnas, aye.

8. Motion by Earls, second by Furnas, to approve donation check #1636 from Flintridge Framp Inc. to Animal Cruelty Unit, in the amount of \$2,000.00. By vote: Masterson, aye; Earls, aye; Furnas, aye.

9. Motion by Earls, second by Furnas, to approve Contract for Secure Detention Services for Texas County Juvenile Detention Center in Hooker, Oklahoma between Ottawa County Board of Commissioners and Texas County Board of Commissioners. By vote: Masterson, aye; Earls, aye; Furnas, aye.

10. Motion by Earls, second by Furnas, to approve equipment and service contract from Verizon for Emergency Management and Courthouse maintenance. Chad Holcomb, Emergency Management Director, said this is a cell phone for his department, and one hot spot. David Cline is also on the same plan. By vote: Masterson, aye; Earls, aye; Furnas, aye.

11. Motion by Furnas, second by Earls, to approve project number G04927-0160(1) G, S payment of \$34,456.72 for the State Line Road Project. This is a Bureau of Indian Affairs project for District #2. By vote: Masterson, aye; Earls, aye; Furnas, aye.

12. Motion by Earls, second by Furnas, to approve bid from the Ottawa County Treasurer, on County property from Dale and Nina Dresia in the amount of Two Hundred Thirty-Three Dollars. Legal description as follows: Lot Fifteen (15), Block 133, in the City of Miami, Ottawa County, State of Oklahoma according to the recorded plat thereof. By vote: Masterson, aye; Earls, aye; Furnas, aye.

13. Motion by Earls, second by Furnas, to approve bid from the Ottawa County Treasurer, on County property from Dale and Nina Dresia in the amount of Two Hundred Thirty-Three Dollars. Legal description as follows: Lots Twenty-Three (23), and Twenty-Four (24) in the Block 129, in the City of Miami, Ottawa County, State of Oklahoma according to the recorded plat thereof. By vote: Masterson, aye; Earls, aye; Furnas, aye.

14. Motion by Earls, second by Furnas, to approve Interlocal Governmental Agreement between Ottawa County and the City of Commerce, Oklahoma. By vote: Masterson, aye; Earls, aye; Furnas, aye.
15. A report was given by Kathy Bowling, Ottawa County Treasurer, on the resale of real estate taxes on June 10, 2019. County owned properties were submitted to the Board of County Commissioners. The resale was held in Judge Culvert's office at 9:00. Our office has been busy with over 300 properties in the sale. We received word on those properties that we received payments for and it went down to 69 properties. 32 properties were sold to individuals and 37 are now County owned. Resale is an ongoing thing for our office. Now we will start on next year's resale and we will be selling 2016 properties. So, it's a constant battle to get people in here to pay their taxes so they can keep property. Once deeds are recorded, if someone bought their property, they have to go through a legal process or make a deal with the new owner if they want it back.
16. The executive session requested by Sheriff Floyd was cancelled because the attorney was not able to attend.
20. Motion by Earls, second by Furnas, to approve the following transfer(s) of appropriation: \$11,982.52 from account 0001-1-1000-1110 to 0001-1-1000-2005. By vote: Masterson, aye; Furnas, aye; Earls, aye.
21. Motion by Earls, second by Furnas, to approve the following checks (s) for deposit: #372 from Oklahoma Cooperative Circuit in the amount of \$3,941.18; #1532 from Ottawa County Election Board in the amount of \$75.36. By vote: Masterson, aye; Furnas, aye; Earls, aye.
22. Robyn Mitchell, County Clerk, announced she would be taking up donations for a deputy county employee who lost his daughter in a tragic accident Friday. She also stated that her office is very busy with the budget, recording, etc. It is what we do every day. Becky Smith, County Assessor, delivered her abstract to the Oklahoma Tax Commission on time and it was all good. Her office is very busy with the visual inspection that they are getting ready to do. Next month she will do the public service as soon as she gets it from the Tax Commission.
23. Motion by Earls, second by Furnas, to approve an easement authorizing encroachment on property: District #2 is rebuilding and improving the hill on South 615 Road. N237.06' of NE SW and S43.44' of N280.5' of E437.87' of NE SW LS TR Beginning NE CORNER NE SW, W 9 RODS to RD, SLY ALG RD, N15 RODS to POB SEC 24 TWP 27 RNG 23. Land owner is Jean M. Lasiter. By vote: Earls, aye; Furnas, aye; Masterson, aye.
24. Commissioners Activity Reports. District #1: Still working on roads due to tornado and flood damage. Visited with the Environmental Protection Agency to expedite clean up on BF Goodrich property. I appreciate all of the help they are doing to make sure that doesn't hang around. Still waiting on threshold that we need to meet. Chad Holcomb said that it would be Wednesday or Thursday, maybe even later, before they would do anything. Furnas said the fact that they did not come back to District #1 was encouraging to him they had the amount of their initial report that they are required to get. Holcomb said they only needed to see 25% of the roads they had seen that. That is very important to the County because the County has spent a lot of money repairing these roads and this would be a great assistance to us to get some relief. District #2: Still repairing roads that were damaged by the flooding, and will be for quite some time. District #3: Still repairing flood damage, and working on summer projects.
25. Earls asked Natasha Mays, County Purchasing Agent, where we are going to be, based on history, and waiting on purchase orders for the Sheriff's Department, for overage? Mays: I think that would be a great question you should ask your Sheriff. He should be keeping track of those numbers. Earls: Last report I had was somewhere around \$58,000. Bowling: What do you plan to do about that? Earls: Well, I'm not sure yet. We have a protocol we have to follow. We will see how it works out. Bowling: What is the protocol? Earls: I'm not sure. Bowling: He doesn't have the money, and last year he went over \$388,000. And now it's \$58,000. Are you going to give it to him? Kenny Wright: Unless that's

on the agenda, it's going to be for a different session. Earls: I agree. Wright: it needs to be an agenda item to discuss. It is up to the Board to set the agenda. Mitchell: Commissioners, should I add it to the agenda for the next meeting? Earls: I want to make sure my colleagues have their understanding of where we are going to begin. Mitchell: Is that a yes, or a no? Earls: That is a no from me, but if they want it on there, they can say so. Mitchell: Time is growing short, as far as the budget is concerned. Masterson: I believe it needs to be on the agenda next week. Bowling: We don't want the budget to be the reason why we don't get our tax roll which is why we don't get money in on time, and have to borrow money from another account. I feel like we are going to be in that same place again. The sooner we decide on the budget, the sooner we can get the tax roll going. Wright: I would recommend we put it on Monday's agenda. It's the Sheriff's plan to be here, right? Mitchell: As far as I know, he will be here for the executive session. Wright: That is my understanding, so that would be a good time. Larry Gatewood: The Sheriff needs to bring with him the necessary items that are in question, so they can be discussed. Earls: Good point, Larry, but in the past what we have experienced they don't have a good feel about where they are at, that is why I asked Natasha. Mitchell: I think they know where they're at. Gatewood: I trust that statement, but it is time he takes this step of responsibility, and appropriate action. I don't want to go into Friday's meeting on the 28th without some resolution, because there's going to be a lot of questions from me about the Sheriff's budget that I want answered. I want to have these things lined out so that I am making true, and factual statements. It is needed in able to take appropriate action.

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

Chad Masterson, Chairman

Robyn Mitchell, Ottawa County Clerk
Miami News-Record