

July 15, 2019

The Ottawa County Board of Commissioners held their regular scheduled meeting at 9:00 A.M. on July 15, 2019, with the following members present: Chairman Chad Masterson, Commissioners Mike Furnas, Russell Earls 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 2:18 P.M., July 11, 2019. 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 from July 8, 2019. By vote: Masterson, aye; Earls, aye; Furnas, aye.

4. Motion by Earls, second by Furnas, to approve the following claims: 17 GREEN COUNTRY SHREDDING \$70.00 18 STATE FARM INSURANCE \$35.00 19 OK SECRETARY OF STATE \$10.00 20 SPARKLIGHT CABLE \$119.65 21 CO ASSESSORS ASSOCIATION OF OK \$175.00 22 AF3 TECHNICAL SOLUTIONS \$2,820.00 23 AF3 TECHNICAL SOLUTIONS \$2,880.00 24 PITNEY BOWES \$146.64 25 AT&T MOBILITY \$53.02 26 COMMUNITYWORKS \$140.00 27 CODA \$890.00 28 GRAND GATEWAY \$8,000.00 29 AT&T \$328.86 10 AT&T \$236.11 11 OK NATURAL GAS \$41.79 12 U S CELLULAR \$918.47 13 AT&T \$84.41 14 AT&T \$161.25 30 AT&T MOBILITY \$24.02 15 AT&T \$322.77 16 SPARKLIGHT \$78.94 2 OK NATURAL GAS \$126.02 3 STANDLEY SYSTEMS COPIER \$236.37 4 AT&T \$380.42 5 KELLPRO \$1,774.80 6 QUAPAW NATION UTILITIES \$54.00 7 OK DEPT OF TRANSPORTATION \$2,144.76 8 OK DEPT OF TRANSPORTATION \$2,144.76 9 OK DEPT OF TRANSPORTATION \$2,144.76 1 LAKELAND PETROLEUM \$500.00 11 AT&T \$187.01 10 MES, MUNICIPAL EMERGENCY SERVI \$2,778.00 1 AT&T \$455.69 2451 THOMSON REUTERS - WEST \$955.20 2443 WELCH STATE BANK \$130.31 2452 QUILL CORPORATION \$232.82 2444 WELCH STATE BANK \$370.86 2445 WELCH STATE BANK \$399.10 2453 CINDY MANGOLD \$75.00 2446 WELCH STATE BANK \$271.97 2454 LAKELAND OFFICE SYSTEMS \$1,476.03 2455 PITNEY BOWES \$76.49 2447 WELCH STATE BANK \$77.15 2456 MIAMI PEST CONTROL \$250.00 2457 DEERE & COMPANY \$3,888.85 2458 COMDATA \$51.28 2448 WELCH STATE BANK \$231.52 2449 WELCH STATE BANK \$1,348.08 2450 WELCH STATE BANK \$80.53 2459 COMDATA \$242.11 2460 OAK CREST AUTO TIRE & LUBE \$32.66 323 VERONICA LONG \$24.00 324 SARAH MACE \$49.00 325 SARAH HUBBARD \$296.00 326 LANNA BRINGARDNER \$168.40 327 MARSHA MOORE \$156.00 328 ORKIN EXTERMINATION CO \$48.63 329 HOME DEPOT PRO \$56.70 330 McKESSON MEDICAL-SURGICAL \$275.11 331 WAL-MART \$21.97 332 QUAPAW PLUMBING \$1,978.20 1723 WELCH STATE BANK \$797.53 1724 WELCH STATE BANK \$731.29 1725 WELCH STATE BANK \$759.16 1726 RUSSELL EARLS \$68.27 1727 TOMO DRUG TESTING \$78.00 1728 B&B AUTO SUPPLY \$182.82 1729 HUGHES LUMBER \$37.93 1730 AUTOMOTIVE OF FAIRLAND \$60.16 1731 VICTOR L PHILLIPS \$980.15 1732 WAL-MART \$166.56 1733 FLEETPRIDE \$479.26 1734 CINTAS \$305.92 1735 STEVES COUNTRY GARAGE \$155.91 362 IRON WORKS STEEL \$8,206.04 363 IRON WORKS STEEL \$9,820.96 364 IRON WORKS STEEL \$6,562.08 365 KEMP STONE \$630.48 366 KEMP STONE \$323.79 367 KEMP STONE \$131.20 368 KEMP STONE \$104.00 369 KEMP STONE \$382.80 370 KEMP STONE \$4,071.48 371 DUB ROSS \$7,559.64 372 BEACHNER GRAIN \$2,010.00 28 JOLENE HOOPER \$100.00 190 MIAMI ORIGINAL RENT TO OWN \$899.00 191 OK AUTO GLASS \$368.00 189 LAKELAND PETROLEUM \$125.79 137 WELCH STATE BANK \$37.60 188 WELCH STATE BANK \$49.12 375 WELCH STATE BANK \$88.27 376 WELCH STATE BANK \$68.17. By vote: Masterson, aye; Earls, aye; Furnas, aye.

5. There was no participation under Citizens Participation or Public Comments.

6. Motion by Earls, second by Furnas, to approve bid from the Ottawa County Treasurer, on County property from Matthew Thulin in the amount of One Thousand Dollars. Legal description as follows: Lots 25-26, Block 123 of Original Plat 1, in the City of Miami, Ottawa County, Oklahoma, according to the recorded plat thereof. This property attaches to Thulin Automotive. He would like to purchase it in case he wants to expand his business. By vote: Masterson, aye; Earls, aye; Furnas, aye.

7. Motion by Earls, second by Furnas, to approve Memorandum of Understanding between Cherokee Nation and Ottawa County, Oklahoma. By vote: Masterson, aye; Earls, aye; Furnas, aye.

8. Motion by Earls, second by Furnas, to approve Detention Services Agreement by and between Sequoyah Enterprises Inc. and the Board of County Commissioners of Ottawa, Oklahoma. By vote: Masterson, aye; Earls, aye; Furnas, aye.

9. Motion by Furnas, second by Earls, to approve Verizon equipment and service quote for the Ottawa County Sheriff. Sheriff Floyd introduced a representative from Verizon, Shawn McCarty, to answer any questions and discuss the quote. Monthly expenses will be \$959.76, which is cheaper than what they are paying now. Earls: Sheriff, are you changing because of the savings? Floyd: Savings and service that they provide. After doing research and asking others about their service we decided that Verizon was the best route for us. Earls: Are there any additional charges later? Floyd: No. McCarty: If you decide to upgrade in the future, there are phones down the line when the contract expires but the jet packs are always free. Furnas: How many hot spots? McCarty: Twelve. Floyd: We don't have a contract right now; it was with U.S. Cellular but has expired. Some of our coverage area is hit and miss so we need something a little better. Earls: Shawn, you understand that this will be a 1-year contract only? McCarty: Yes. That is all we do on government. Because it is government there is no termination fee so if you decide to switch from Verizon there is no termination date you get to keep the equipment. Furnas: Do you have a facility close in case we need service? McCarty: We don't. Because it is a government contract and retail stores can't touch government contracts. I'm always the first point of contact, I service all of northeast Oklahoma and have an office in Tulsa. We do have an online portal with 24-7 online support. Masterson: Is there a trial period on this? What if you try it for 30 days and you decide this isn't any better than what we've got? Can we send it back? McCarty: All of the equipment we are quoting is actually free so there is no charge for any of the equipment. There is a 30-day policy on all government accounts but because there is no termination fee you could do that at any point. If you decide to cancel in 21 days, you will pay 21 days of service. Furnas: What is the turnaround with a piece of equipment if there is a problem. McCarty: I can place an order and have it shipped over night. By vote: Masterson, aye; Earls, aye; Furnas, aye.

10. No action on approval of Turn Key Health contract renewal for fiscal year 2019-2020. Sheriff Floyd needs to find out if they will do a month to month instead of yearly contract until we get a better handle on the budget.

11. Motion by Earls, second by Furnas, to approve Correctional Communications Services Agreement by and between City Tele-Coin Company, Inc. and the Ottawa County Sheriff's office. Sheriff Floyd: This is for the inmate phone system, also with Commissary. This will put everything under one umbrella. Earls: Will you be gaining in income? Stewart Mayfield, the representative from City Tele-Coin, stated that they have provided the inmate phone service for about 2 years for the Sheriff. We retained all of the inmate phone calls. With the phone contract we are going to add video kiosks, six wall-mounted kiosks for the inmates, kiosk in the front for the public, then distribute 48 tablets in the facility and we can add to that in his jail population. All of that at no cost to the County. With the Commissary, you are on a 10-year old contract Tiger contract paying you 5% so we are going to double your money there. We are the Sheriffs one point of contact, with no fees or charges to the County. Earls: You said 48 tablets? Mayfield: We are going to start with that, yes. The tablets are basically what the wall-mounted kiosk have. In addition, we will have all of the jail forms, grievance and medical. Earls: How many jails do you do currently? Mayfield: I have about 52. Earls: How long have you been doing these tablets and kiosks? Mayfield: The kiosks we've had in place probably 3 or 4 years. We've had video services in Muskogee for 4 years, tablets we brought on a year ago. We have 100 at Muskogee, 80 at Kay, 50 at McClain. We are getting ready to go into McCurtain and Leflore. We already have video services at Kay, Osage and Adair. The wall-mounted kiosks will replace the current smart kiosks, then we will put one in the lobby. Earls: We had some additional costs to get electrical to the install the kiosks. Are there going

to be any costs to upgrade? Mayfield: No, it won't cost you a dime. We don't charge the taxpayers or the Sheriff of Ottawa County a dime. Earls: We are trying to head off any thing unforeseen because we weren't able to forecast the cost we were going to incur when we did this the first time. I was told there would be no costs and there was actually quite a bit of cost. Mayfield: We are going to make you very happy. Earls: I'm just trying to be thorough here. Wright: Can you explain what the technology fund is? Mayfield: That is a fund afforded to the sheriff to do with what he chooses. Mitchell: It's a \$10,000 fund that you give to him? Mayfield: To the offices of the Sheriff's department with which he could purchase, I don't know, uniforms, bottled water... Floyd: One of the things we are looking at doing is the video for the court system, so that's part of that. Earls: With that \$10,000? Talk to us about that. Floyd: The video arraignments, we've been discussing with the judges and Mr. Wright about putting the video tv in the court rooms so we don't have to bring inmates to the courthouse for arraignments. We can do it right there from the courthouse. If they have to be face to face, that requires them to be in the court room, we will still have to bring them over but the video arraignment will be done electronically from the jail. That will eliminate a lot of security issues. Earls: Do you have an area already set up over there for that? Floyd: We are going to just put it on a wall so when we pull them out like we normally do for 9:30 arraignments we would just line them up and do one at a time through the wall. Then the judge will be on his stand where he can visit with them. There is not really anything in depth on arraignments. They just understand what they have been charged with. At that point there is nothing for them to plea and they just set a bond amount. Furnas: Where would the 48 tablets physically be? Mayfield: We currently have 4-way chargers that we will put in each of the housing units. If there is an incursion on the inmates' part then the jail staff can remove the tablets. It can be like a carrot stick or punishment type, like they do now, they take phone and commissary privileges away, but what we found, and I have polled all of our video customers, we have about 20 now, generally, across the board, there is an improvement of inmate behavior with video services, because if you are following the rules you can get a video from your wife, or an email, do a video call, or schedule a remote visit with mom and dad. These seem to be working where the inmates behave better. It's not exact but we have noticed that with most of our customers. Earls: The inmates in the pods will have these tablets and at any given time they can call mom and dad. Mayfield: Yes, sir. They can walk over to the wall kiosk and use it. Of course, you already have 2 or 3 phones in your larger housing units. Earls: Counselor, do you see any issues there? Wright: No. It should be a good system and I think it also provides functionality, correct me if I'm wrong, for defense attorneys to be able to contact their clients with that same systems, right? Mayfield: Sure. They are already doing it with the phones. Furnas: Damage to the property? Mayfield: Currently we don't charge you anything, that's written in there with our phones. If the inmates tear one up, we issue an invoice, we don't charge you, but then if the Sheriff chooses to go to the District Attorney, to add charges, we could do that. The deal is if they tear a tablet up, they are valued at about \$200 a piece, and the wall-mounted kiosk, which we have not had one torn up in 4 years. So that would tell me there is an intrinsic value to that kiosk, which would seem the same with the tablets. The economy in your cells, male or female, someone is going to say don't mess with that and don't tear these up because they render me a benefit. We've even seen destruction of the phone go down with video for whatever reason. As a salesperson, I've been doing this for 20 years, attitude is improving. Floyd: One of the benefits of what we want to do is provide the defense attorneys the opportunity to visit with their client on a regular basis. With their case load it is difficult for them to come over to the jail or face to face if they have a question. We are trying to help them out with their case load. They can take the tablets and visit with them privately in a corner or whatever the situation may be. Earls: Talk to me a little more about the \$10,000. How does that work? Mayfield: It's a technology fund, by definition, so whatever the Sheriff would want to buy out of it, the way I understand it, it would be accounted for in that way. Earls: Would it be like a cash fund? Sheriff: In the past they would just mail us a check, that's what they've always done. Earls: By entering into this contract, that qualifies to employ \$10,000, correct? Mayfield:

Yes sir. Earls: When you mail a check, will it come to the BOCC? Who will you mail the check to? Mayfield: It's either that or set up as a technology fund. Masterson: This says every year the contract enters a new rollover. So, he actually won't get that until next year or will it be this year? Mayfield: He would get it this year. But if you want to look at your old contract it was based upon a numeric value of your inmates. The last time I was here, 2 or 3 weeks ago, I think your head count was up to 120. That's good. Bowling: Who maintains the technology fund? How does that work? Floyd: It's deposited like any other check. Bowling: With us? Floyd: Yes. Bowling: So, it goes into where? Mitchell: So, you would bring the check to us, the BOCC would sign it, then you direct us on how you want it divided into your cash funds. Floyd: That's correct. That's how we've always done it in the past. Mitchell: How soon will that be? Mayfield: We've already done it twice. Mitchell: With us? Mayfield: I don't have any idea. We've already been in service for 2 years. The two previous contracts were mitigated on the amount of your headcount. So, if your headcount is 180 or 160... Mitchell: I just don't remember two \$10,000 checks coming through our office. Do you Kathy? Bowling: No. Earls: They may not have been that. If he's breaking it down based on head count it might have been \$6,000 or \$8,000, something like that. A \$10,000 check would have stuck out. Mitchell: It would have to me, and you said you did it twice? So, I just assumed... Mayfield: I'm just saying contractually it has been in your contract. Bowling: It hasn't been ran through our office. Wright: It wouldn't have been \$10,000 if was based on the head count. It would have been some odd number. Floyd: We receive monthly checks from CTC based on what usages or what they've commissioned or whatever is established on that. Smith: He just said it has been done twice but you said you receive monthly checks. Floyd: We receive monthly checks on our commissions from the phones. Smith: But has there been two large amount checks? Cause you said it has already been done twice. Mayfield: I'm just telling of the contract that's been in place, but it has an occupancy numerical value. Bowling: You don't know how much the lump sum payment was? Mayfield: Ma'am I don't know, I'm just in sales, but I could probably find out. Bowling: OK. Floyd: I would have to look and see. I don't know if it's based on a monthly... Earls: This \$10,000, hypothetically, is that a signing bonus? And then there are monthly checks? Mayfield: Yes. Earls: I just wanted to clarify that. Mayfield: We do it with all of our customers. Paid monthly. And obviously, your commissions are based on usage. And if your head count is 180, your usage is going to be a lot more than when it's 60. Earls: Yes sir. I understand. I would like to know, specifically, if you've already drawn this up and if it is going to be a \$10,000 check, I would like to know when that's going to come and where to. Does it come to the court house? Does it come to the Sheriff's office? If you can't answer that now, would you get me that answer? Mayfield: They send it to the same address as the commission checks, I would say. Earls: Those come to the Sheriff's office, Jeremy? Floyd: Yes. Earls: OK. Very good. Mayfield: And I misspoke. You are currently making 5% with Tiger so we should double or quadruple that. Earls: Well that's a good mistake to make. By vote: Masterson, aye; Earls, aye; Furnas, aye.

12. Motion by Earls, second by Furnas, to approve Commissary Services Agreement by and between City Tele-Coin Commissary, LLC and Ottawa County Sheriff's Department. Masterson: What is different about the Commissary contract? Earls: I think we talked about the Commissary. Mayfield: We did. Earls: With the conversation. Masterson: OK. Earls: Most of it. He may have more to add. Mayfield: No, I don't. I just misspoke, I was thinking we offered 10% but we offer 25%. You are currently making 5% under Tiger which is a 10-year old contract signed eons ago. Bowling: Is there a \$10,000 sign on bonus for each one? Mayfield: No. Gatewood: They had a 10-year contract and you are only a 1 year. Mayfield: No. I'm saying the 1-year was signed 10 years ago with Tiger Correctional Services. Then it just rolled over. Floyd: They were renewed every year. Bowling: We understand that. Mayfield: Ok, then what's your question? Bowling: Were there two \$10,000 sign-on bonuses? One for Commissary and one for... Mayfield: No. Bowling: Thank you. By vote: Masterson, aye; Earls, aye; Furnas, aye.

13. Motion by Earls, second by Furnas, to approve Financial Report submitted by the Ottawa County Treasurer for fiscal year 2018-2019. Mitchell: I did speak with the auditor, Lacey Harris, since several

people in last week's meeting argued this transaction. She (auditor) did confirm it was a legal transfer. I have attached the statute to the transfer. Although, it also states this type of transfer must be reimbursed, which never happened. Earls: Did Counsel see it? Mitchell: Yes, we spoke about it. Wright: I'm familiar with the issue but I don't know if there's anything that you need to take any kind of action on. Bowling: It was on the 2018-2019 financial report. You've already taken the action on everything you signed to do the transfers. Wright: So, the issue basically comes down to accounting to a certain degree and that's what the auditor's office recommend that we work with Bill to create some kind of budget item to account for this properly. Mitchell: He has been contacted by myself and Kathy. He will define it in the financial reports. Wright: This would have been the one that was already... Bowling: This was 2018-2019 for the whole year, July 1 to June 30. That's just an overview of everything that was done last year. It's every year. By vote: Masterson, aye; Earls, aye; Furnas, aye.

14. Motion by Earls, second by Furnas, to change aggregate material from APAC Stateline Road Contract from Vinita quarry to Midwest Minerals of Quapaw. Masterson said this project in his District #2 and is with the Bureau of Indian Affairs. A piece of machinery broke down at the APAC plant and caused them to have to find material elsewhere. Midwest Minerals is closest to the job site and APAC recommends we go to them. By vote: Masterson, aye; Earls, aye; Furnas, aye.

15. Motion by Earls, second by Furnas, to approve the modified plan, profile and cross section for Structure Number 10 to present to APAC for review. Masterson said this is the same project and in his district. They are wanting to put a structure on a roadway. The new structure in on Stateline Road had a lot of water and washout so they want to put a box structure. By vote: Masterson, aye; Earls, aye; Furnas, aye.

19. Motion by Earls, second by Furnas, to approve the following checks (s) for deposit: #108246829 from State of Oklahoma in the amount of \$1,000.00; #1543 from Ottawa Election Board in the amount of \$486.02; #G032295 from ACCO Self Insured Group in the amount of \$16,671.27. By vote: Masterson, aye; Earls, aye; Furnas, aye.

22. Commissioner's activity reports. District #1: I have advertised in the paper and other social media sites declaring that Veterans Boulevard is closed this morning. If everything goes right it will be open Wednesday. We lost 2 cross drains completely during the flooding events so we had to close the road down to do it properly. We are trying to catch up on mowing which was put back drastically because of the damage by the flood. We have a declaration in place now. General maintenance. District #2: Last week we worked on South 690 Road along with the help from District #1 and #3. We built up about 3 more feet. We are working on other roads that were damaged pretty bad. We are also behind on mowing. Routine maintenance. District #3: Routine maintenance and working on summer projects.

23. New business: Chad Holcomb, Emergency Management Director, presented a request for assistance with the National Conservation Service due to flooding. They are offering to assist with repair to bridges that are being scoured. He did not get it until Friday and it has to be turned in this Friday. Earls: If there is an allocated amount. Is it first come, first serve, worst need? Holcomb: They will send engineers out to make a determination on whatever is submitted and go from there. Furnas: If this includes major collectors. Holcomb: He has asked that question 3 times and has not received an answer. Earls said it should not. Holcomb agreed. Earls asked if he had asked Bruce Martin. Holcomb: He has not. He did not get done with the inspection until 4:00 on Friday. This needs to be signed today. Motion by Earls, second by Furnas. By vote: Masterson, aye; Earls, aye; Furnas, aye.

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

**1102-6-4300-2005**

000576 B & B AUTO SUPPLY IN \$800.00

000579 AUTOMOTIVE OF FAIRL \$700.00

000581 MR D ONE STOP \$700.00

000584 HUGHES LUMBER CO \$700.00

**Total for 1102-6-4300-2005 \$2,900.00**

**1222-2-0400-2005**

000575 SPRINGFIELD GROCER \$2,000.00

**Total for 1222-2-0400-2005 \$2,000.00**

**1226-2-0400-2005**

000574 LUBE N GO \$350.00 07/11/2019

**Total for 1226-2-0400-2005 \$350.00**

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

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

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Chad Masterson, Chairman

Robyn Mitchell, Ottawa County Clerk  
Afton American Newspaper