

July 29, 2019

The Ottawa County Board of Commissioners held their regular scheduled meeting at 9:00 A.M. on July 29, 2019, with the following members present: Chairman Chad Masterson, Commissioners Mike Furnas, Russell Earls and County Clerk Robyn Mitchell.

Notice of the meeting was posted at the south door of the Ottawa County Courthouse at 3:16 P.M., July 25, 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 July 22, 2019. By vote: Masterson, aye; Earls, aye; Furnas, aye.

4. Motion by Earls, second by Furnas, to approve the following claims: 2 DAVID CLANIN CPA PLLC \$2,500.00 14 OKLAHOMA TAX COMMISSION \$19.00 15 WELCH STATE BANK \$277.53 1 FAIRLAND VETERINARY HOSPITAL \$92.50 2 VETERINARY CENTER \$325.00 148 THOMSON REUTERS - WEST \$272.14 163 APRIL EPPERSON \$165.00 164 SOONER PRINTING \$25.00 165 ALERT 360 \$35.00 166 BRIAN SPARKS \$127.50 167 MIAMI NEWS-RECORD \$94.75 168 ACCO WORKERS COMP \$12,912.00 169 VERIZON \$85.91 149 FLEETCOR TECHNOLOGIES \$681.93 150 FLEETCOR TECHNOLOGIES \$736.50 151 CITY OF MIAMI \$50.00 152 MIAMI FIRE PROTECTION \$130.00 153 OK NATURAL GAS \$290.90 154 SPARKLIGHT \$247.23 155 PITNEY BOWES \$500.00 156 ACCO WORKERS COMP \$55,345.00 159 TOUCHTONE COMMUNICATIONS \$108.05 157 AADVANTAGE LAUNDRY SYSTEMS \$179.00 158 QUALITY FOOD CORP \$81.50 170 ALERT 360 \$105.00 171 VERIZON \$388.98 172 SPARKLIGHT \$189.83 161 LAKELAND OFFICE SYSTEMS \$54.15 162 LAKELAND FINANCIAL SERVICES \$220.42 160 SPARKLIGHT \$148.26 6 GREEN COUNTRY SHREDDING \$35.00 7 XEROX CORPORATION \$289.28 76 AT&T \$295.84 77 AT&T PHONE BILL \$85.82 78 AT&T \$2.28 79 ACCO WORKERS COMP \$21,907.33 80 ACE HARDWARE \$81.40 81 ALERT 360 \$37.00 82 FABICK TRACTOR \$1,077.18 83 YELLOWHOUSE MACHINERY \$723.89 84 CABIN DIESEL \$156.93 85 IRON WORKS STEEL \$67.42 86 TRI-STATE TRUCK CENTER \$243.82 87 ACCO WORKERS COMP \$21,907.33 88 LAKELAND FINANCIAL \$104.25 89 EMPIRE DISTRICT \$192.77 90 WYANDOTTE TELEPHONE \$294.65 91 CODA \$200.00 92 FLEETPRIDE \$1,843.05 93 FABICK TRACTOR \$1,396.70 94 WISPER INTERNET \$69.94 95 ACCO WORKERS COMP \$21,907.34 4 MIDWEST FERTILIZER \$569.86 3 T&C ASPHALT \$950.00 5 KEMP STONE \$1,012.10 6 MIDWEST MINERAL \$299.40 7 LAKELAND PETROLEUM \$6,032.14 13 AMERICAN FIDELITY \$70.68 14 EGID INSURANCE \$1,318.52 15 OKLAHOMA TAX COMMISSION \$164.00 16 OPERS \$1,157.18 17 WELCH STATE BANK \$1,295.03 13 VERIZON \$280.07 12 NE OK ELECTRIC CO-OP \$63.25 12 QUILL \$299.99 13 SIMPLE DISTRIBUTORS \$482.49 14 OK SHERIFFS ASSOC \$1,000.00 2470 KELLPRO \$960.00 2471 ACTION GRAPHICS \$383.25 2465 LAKELAND OFFICE \$147.31 2466 LAKELAND OFFICE \$74.05 2467 VISA, TTCU \$19.50 2468 MEDASSURE \$300.00 2469 LUBE N GO \$116.85 2472 TINT N MORE \$680.20 334 HOMETOWN BOTTLED WATER \$58.00 335 TOUCHTONE COMMUNICATIONS \$11.77 378 KEMP STONE \$4,908.25 379 KEMP STONE \$1,067.43 377 FLEETCOR TECHNOLOGIES \$620.68 378 GRAVES MENU MAKER FOODS \$3,903.32 379 BOB BARKER SUPPLIES \$398.25.

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 Dale Joseph Goodeyon and Pamela G. Goodeyon, in the amount of two hundred dollars. Legal description as follows: Lot 11, Block 80, in the Town of Afton, Ottawa County, Oklahoma, according to the recorded Plat thereof. They are going to clean up the property. By vote: Masterson, aye; Earls, aye; Furnas, aye.

7. Motion by Earls, second by Furnas, to approve contract between Western Plains Youth & Family Services, Inc. and Board of County Commissioners of Ottawa County, Oklahoma for Beckham County Regional Juvenile Detention Center. By vote: Masterson, aye; Earls, aye; Furnas, aye.

8. Motion by Earls, second by Furnas, to approve contract between Western Plains Youth & Family Services, Inc. and Board of County Commissioners of Ottawa County, Oklahoma for Beckham County Regional Juvenile Detention Center. By vote: Masterson, aye; Earls, aye; Furnas, aye.
9. Motion by Furnas, second by Masterson, to approve Resolution 2019-14 East West 210 Loop Road Overlay. This is in District #3 and part of the 5-year plan contingent on funding. We have to get these projects ready to let by following criteria. By vote: Masterson, aye; Earls, aye; Furnas, aye.
10. Motion by Earls, second by Furnas, to approve Resolution 2019-15 for North South 680 Road Overlay. This is District #2. It is also part of the 5-year plan and subject to the same prep work. By vote: Masterson, aye; Earls, aye; Furnas, aye.
11. Motion by Furnas, second by Masterson, to approve Resolution 2019-16 for East West 190 Road Overlay. This is the part of the 5-year plan also. By vote: Masterson, aye; Earls, aye; Furnas, aye.
12. Motion by Furnas, second by Masterson, to approve request from Sheriff Floyd to solicit competitive bids for a new jail roof. The Sheriff was absent from the meeting. Mitchell: The Sheriff did look over the specifications from the last bid. Natasha Mays, purchasing agent: The last bid was \$230,000. Masterson: It has to be fixed. Furnas: There was an idea to get someone else to look at it to see if they could put different angles on the roof. If we are spending all of this money on the roof now, history tells us we will be spending it again in the near future. I'm not saying this is a viable option but this might be the only thing we have. Earls: One of the first things we need to do is allow this to go to bid. That will tell us what our options are. By vote: Masterson, aye; Earls, aye; Furnas, aye.
13. Motion by Earls, second by Furnas, to approve Eastern Oklahoma Region-Department of Transportation approving the change of the APAC Vinita quarry to Midwestern Minerals for aggregate base on Stateline Road project. This is for District #2. A piece of machinery broke down and Midwest Minerals is the closest quarry. By vote: Masterson, aye; Earls, aye; Furnas, aye.
14. Motion by Earls, second by Furnas, to approve Eastern Oklahoma Region-Department of Transportation cost breakdown design modification to the cemetery, south entrance. This is on Stateline Road. There was a design flaw where they need to raise the road to make the entrance go into the cemetery. By vote: Masterson, aye; Earls, aye; Furnas, aye.
15. No action taken on renewal for Turn Key Health contract, for fiscal year 2019-2020 for the Ottawa County jail. Masterson: We have not heard anything from the Sheriff on this. He was going to get with them to see if they could get on a monthly basis.
16. No action taken on Ottawa County Budget and Estimate of Needs for Fiscal Year 2019-2020. Mitchell: Larry Gatewood asked me to speak on his behalf. He suggested allowing \$82,000 for payroll and bank the rest of the money for comp time. This will be a one line item. Earls: Even though \$89,000 is allocated. Mitchell: I know that he has hired more people. Earls: I don't have a problem with \$82,000 next month but this month we need to get them paid what is owed. Mitchell: People need to be paid for their time. But when you owe these employees money and you hire people, that doesn't make sense. Masterson: He's hiring these people to replace the ones that are leaving. Mitchell: He's replaced a couple, but he's also hired more than he's replacing. That is what our status sheets show unless they are not being turned into our office. Earls: We allowed him to hire 1 ½ more but he is trying to get new deputies trained before the current ones leave. Mitchell: I'm all for the Sheriff's department having a strong force but, when it comes to payroll, where are we going to take the money from? This is an ongoing struggle in our office, trying to find out where the money is going to come from. Gatewood: We have two vehicles to repair and comp time. I believe we are looking at a couple of issues on comp. Earls: I don't think this Board has a problem with it except for this month because of some rough preliminary numbers of \$3200 to \$3500 that we already owe on comp time and a person who didn't get their paperwork in that we owe 3 days on. Gatewood: At the current census of employees, where does that

compute? The \$82, \$84, \$85 thousand a month? I'll back off of \$82,000 but I'd like for us to find out where we are at. I think the Sheriff needs to come forward with that information. His intention was to download some cars but those will be \$6000 a year, so if he is doing 3 or 4, that's only \$24,000. We need to know how many employees he has. We have 1 ½ deputies on the budget, but I understand he has hired 6 people. Mitchell: We haven't received the paperwork. I was told they have 2 new employees that start today. Earls: In my opinion, if they aren't following protocol, these people didn't get instructed properly by their department head, therefore they might work 30 or 60 days without a paycheck because they didn't get enrolled properly. And I can also convey that and I don't have a problem with that. Because they need to follow protocol. Mitchell: Before they work one minute, it's required we have their W4, Social Security, and some form of identify. It doesn't take long. Insurance enrollment can wait, but we need everything else. Earls: So maybe we can allow \$83,000 or \$84,000 and set up a separate account for the remaining. Mitchell: Yes, there needs to be. Gatewood: If someone could convey that to the Sheriff. Earls: I will. Gatewood: We've been waiting on an estimate for repairs on those two cars. They've been sitting over there for a year. It's time. Earls: Are you thinking the difference between the \$84,000 and the \$89,000 will go toward fixing the cars as well as a comp time slush fund? If he doesn't use it, it is still his money. Gatewood: We need to get these other people paid. I asked what we ran in comp time last year, realizing it was unusual. Mays: We paid out \$50,000 last year in comp time. Earls: We've got to prepare for it, don't we? Gatewood: That's right. We need to get them paid and taken care of. Earls: Let's dig a little bit deeper and discuss this a little bit further. It's always been a revolving door. As I think about him trying to bring in people, as he knows he's going to have 4 or 5 people quit next month, he wants to bring 4 or 5 people in to train and get them up and running before they quit, and, hypothetically, that \$84,000 does not allow that to happen, so my suggestion to this Board, and to the Chairman of the Excise Board, is that you meet with someone, whether it be me, you and the DA, or Chad, you and the DA, or whoever, to give us a forecast before he does these things, if he can. Sometimes you have a couple of people come up and give a 2 weeks' notice. Gatewood: I think the first thing is getting him the proper accounting system. Getting that done, I would like to see a minimum of a monthly report from the Sheriff of his status of employees and where we are at. It's going to be prudent business. Earls: It's actually pretty easy to get that status if everything stayed the same. Mitchell: We are all required to hand in a monthly report. Is the Sheriff required to do so? Earls: I don't know, and I have no problem with what you are asking. Gatewood: I think in light of where we have been, and where we need to be, his track record has shown that we need this accountability. Earls: I agree. Well, I suppose if we rock on here in 6 months and nothing changes, hypothetically, in the personnel services over there, there are going to be additional dollars, between the \$84,000 and the \$89,000, there's money there to train those people until the others roll out. Cassie Key: I wouldn't wait 6 months. Earls: That was hypothetical. Earls: All I'm saying, hypothetically, if nothing changes, there's additional dollars there. I was talking about training additional personnel. Earls: Because I was worried that he may have to train 2 or 3 people because if we hold him down to \$84,000, that won't work. I'm fine with doing that. Kathy Enyart, OSU Extension Office gave an update on the status of her office. We don't have an Agriculture educator for the rest of the fiscal year due to no increase in their budget. With no increase, programs will be cut. I have a great program assistant and secretary, but those positions will probably be cut, too. I have been working 60 hours a week and it's affecting my health, and family time. Earls: That's something that Larry and I can get with you about afterwards. Mitchell: I have more information about payroll. Two people on the Sheriff's payroll had to be paid out of cash funds to make it work. His cash funds aren't pulling that much so we don't know if the cash funds are going to be there

every month. He still has to pay all of his bills. Not all of his employees came out of personal services. Earls: I think based on the history of what we are already seeing is that we put these limitations on, and he goes over them, these people won't work for nothing, but he's hired them, and I hate that but I need to make it clear to him. Becky Smith: But they work for nothing for a very short period and then at the end of the day they have to be paid. We've been told that by the District Attorney last year. He knows he can do what he wants because at the end of the day it might be 3 or 4 months down the road that you have to pay it. Earls: Our legal counsel is the District Attorney and if that's the ground he wants to stand on then that's his prerogative. I don't know what else to do. Key: I think he needs to be held accountable for payroll. I've got x amount of dollars and I can't go over it. If I go over my payroll are you going to supply me with the general fund? Earls: I would have the same attitude. Keys: That \$388,000 he got before, a lot of that went to payroll, and some of them had a 17% increase in pay. And that's not fair to any County employee or office that County general supplement his payroll while all of us are maintaining our budget, and paying our employees with what we have on paper. That's a lot of our problem. He is just paying whatever he needs to pay, and the money is not there to pay it. The end result is County general comes in and takes care of it because we have to. Bowling: And that's why Kathy Enyart is in the shape she's in. Smith: And he's hired five people, knowing that he doesn't have the money to hire them. Earls: That's a bit of an overstatement. He's hiring people to replace people that are leaving. Mitchell: We haven't seen that yet. Earls: Well I'm just telling you what I was told. Smith: how do you know two people are going to quit a month from now? Earls: Let's move on.

19. Motion by Earls, second by Furnas, to approve the following transfer(s) of appropriation: \$2,500.00 from account number 1102-6-4300-2005 to 1102-6-4300-1310. By vote: Masterson, aye; Earls, aye; Furnas, aye.

21. Monthly Reports: Mitchell reported that payroll is a struggle in her office. It took 2 or 3 times for the secretary at the Sheriff's office to submit payroll because she does not have correct information from the Sheriff. Becky Smith: I would like to say that when the rest of us officials try to talk about something and we get shut down, that's not right. It affects all of us. Earls: We've all had this exact conversation 20 times. It's the same song, different verse. Mitchell: We are talking about the current situation that needs resolved, and if we don't come up with better ways to solve it, it's not going to disappear. Earls: It all boils down to accountability and holding someone's feet to the fire. Bowling: And you're the Board that can do that. Earls: I don't know that we can if we don't have support from the DA's office. Furnas: Everyone that has worked here has been very helpful to the County. I'd like to talk to the DA and see how we are legally liable for paying an individual who has not gone through the process to legally be employed here. But just for liability, there should be a document that we are required to have. I think that would help alleviate anxiety of what this number is going to come to. How many are going to be there? And if we are signing documents that say these people are genuinely employed here then it's legit that they should be paid. Mitchell: It's concerning as a County official when he is hiring people and he may not be able to pay them. Everyone has families they are counting on feeding, and bills that need to be paid. I know the DA says we have to pay those people, which I agree. I just don't see how. What do we do when a new employee is sent over here and we know there isn't money in the budget for them? Bowling: What if one of us did the same thing? How would you handle it? Earls: It would be the exact same scenario. I would visit with the District Attorney and say, "do we have the authority to deny that. That's what I'd do."

23. Commissioners Activity Reports: District #1: Due to rotation on the Convenience Center we have had the frequent problem with people scraping out of the facilities that are provided. They were locked over the weekend and we had trespassers climbing of the fence. The Sheriff's department responded but I don't know if anyone got arrested. I would like to ask if we need to put a sign that says "No Trespassing." Masterson: The hours are posted. I've had the same problem. People think it's a free for all. Furnas: The County takes this scrap metal to offset the cost to supply this service. Its money taken away from the taxpayers. I will get with the DA to see what signage is acceptable. Grass is still growing and we started a spraying program. We have sprayed the city of Commerce and as we get more mowing and grading, we are still finding damage on cross drains. We met with ODOT on Friday and they are trying to find a solution to Promenade Bridge. The only funding that is there right now will be returned to the County from 1 to 5 years. We need to be careful about spending thousands of dollars. It sounds like it is going to be a long, drawn out program if we get it approved. We have to be frugal on what we spend because it is not coming back for a very long time. Routine maintenance. District #2: We are also mowing and spraying the right of ways. Still working on a lot of roads that have been washed out. Routine maintenance. District #3. Routine maintenance and summer projects.

24. New business: Bowling said a woman that wanted to purchase 410 C SW was denied that purchase because the Commissioners want to tear it down. She wanted to know when it is going to be demolished because she is really interested in buying it. Isn't that what the County wants to do? Always has been. Why is this one different? Earls said it needs to be completely demolished, everything hauled off, and in mowing condition so we continue to improve the entire city and neighborhood.

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

1102-6-4100-2005

000767 HERITAGE TRACTOR \$ 1,000.00
000768 TREASE WELDING SUP \$1,000.00

Total for 1102-6-4100-2005 \$2,000.00

1102-6-4200-2005

000769 CINTAS CORPORATION \$100.00
000770 DOLLAR GENERAL CO \$100.00
000771 HOMETOWN BOTTLED \$20.00
000772 HUGHES LUMBER CO \$300.00
000773 SAFETY KLEEN SYSTE \$325.00
000774 YELLOWHOUSE MACHI \$1,000.00
000775 P & K EQUIPMENT INC \$1,000.00

Total for 1102-6-4200-2005 \$2,845.00

1313-6-4300-2005

000776 KEMP STONE CO INC \$6,000.00
000777 KEMP STONE CO INC \$6,000.00
000778 KEMP STONE CO INC \$6,000.00

Total for 1313-6-4300-2005 \$18,000.00

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.

Chad Masterson, Chairman

Robyn Mitchell, Ottawa County Clerk
Afton American Newspaper