

June 28, 2004

The regularly scheduled meeting of the Cleveland County Budget Board was called to order this 28th day of June, 2004, in the conference room of the Cleveland County Fairgrounds, 605 E. Robinson, Norman, Oklahoma, by Chairman Bill Graves. Roll was called by Dorinda Harvey, County Clerk/Secretary and those present were:

Bill Graves, Chairman
F. DeWayne Beggs, Vice-Chairman
Dorinda Harvey, Secretary
Rhonda Hall, Member
Denise Heavner, Member
Leroy Krohmer, Member
George Skinner, Member

Member Sandra DeSelms was absent at roll call.

Others present were: Dan Cary, Mike McDanel, Tammy Howard, Donna Roberts, and Jane Cannon.

After the reading of the minutes of the regular meeting of June 14, 2004, and there being no additions or corrections, Rhonda Hall moved that the minutes be approved. George Skinner seconded the motion.

The vote was: Bill Graves, yes; F. DeWayne Beggs, yes; Dorinda Harvey, yes; Rhonda Hall, yes; Denise Heavner, yes; Leroy Krohmer, yes; George Skinner, yes.

Motion carried.

Chairman Graves called for discussion, consideration, and/or action on implementing the Cleveland County Policy on the use of Cell Phones, Vehicle usage, Uniforms and Safety Equipment.

Leroy Krohmer asked what safety equipment covered and Mike McDanel, Assistant District Attorney, stated that safety equipment is like gloves, helmets, or any kind of clothing that are issued for safety. This is to say that if you are going to use those for personal use than it is a taxable event and is a benefit and the policy simply says you shouldn't use issued safety equipment for personal use and if you do you can be taxed.

Chairman Graves stated that on the cell phones he thinks it is a big discriminating idea, because the people who are in the buildings can use the phones for any purpose whatever, but because you are out in the field and have to have a cell phone to be kept in contact you are being penalized for that fact. If the County is to audit the cell phones than we are going to also have to pay to receive a detail billing on each cell phone and that's another cost.

Chairman Graves is opposed to the whole thing even though it is a federal law and stated that this almost goes back to Hitler and the Gestapo when people told on each other. Chairman Graves committed on the people that use county vehicles, these are people that are on alert when they are at home. During the past three tornados the county had immediate action by

our people because they had their vehicles at home. Chairman Graves continued saying the fuel tank rule was dumb because the truck wouldn't be able to move if the bed of the truck was filled with a fuel tank and it was full of fuel and it would be a very dangerous. These things are going to create cost, which will have to be faced when the final budget is done. Chairman Graves doesn't want to do anything until the IRS comes down here and penalize us and then we can take corrective action. Chairman Graves thinks anything that the IRS writes the county up on he feels sure they will give us a certain period of time to correct before there is a penalty.

(Saundra DeSelms entered the meeting at this time).

George Skinner stated that he can agree with a lot of what Chairman Graves has said, and thinks it's a bad omen, but it is law and he thinks as public officials we are compelled to uphold the law.

Chairman Graves stated the law is that we as a Budget Board are suppose to comply with GASP 34 also and we are not doing it because it is going to cost us a heck of a lot of money to do it.

Denise Heavner stated that her group had cell phones (her appraisers) and she got an itemized bill already and there was not additional charge for that. She could sit down and mark what everyone of those call were but she just doesn't want to do it because of time purposes. She thinks it is a good idea to basically use the same money that she paying each month for the cell phones and distribute it evenly to each of the employees and give them a small allowance to pay for their own cell phones. Then she doesn't have to log it and they can use it personally as much as they want to as long as it is available for Ms. Heavner to contact them during the day. She also agrees it is a nit-picking type thing, but like Mr. Skinner said we are suppose to obey the law.

Mr. Krohmer stated that since we know it is the law he would hate to get written up about it. Mr. Heavner stated how she was going to transfer money to do this and give her people an allowance stating that it seems like the only solution to her.

Mr. Krohmer stated that foremen and assistant foremen would be the only two for the Commissioners.

Ms. Heavner stated than you would only do an allowance to those two.

Mr. Skinner explained what would have to be done if the employees do not get their own cell phones, logs would have to be kept on business or personal calls and the law says you can not use county equipment for personal gain.

Discussion took place on the amount of the allowances, the possibility of the allowances putting people in higher tax brackets and difference phone plans.

George Skinner moved to approve item "1".

Dorinda Harvey, County Clerk, asked about the employees that use county vehicles. Ms. Harvey stated that from the time the county found out about this some employees that use county vehicles that didn't comply have been paying \$3.00 per day for that use. Now that the ruling has been received from ACCO and we know that the truck with the fuel tanks are not in compliance it doesn't seem fair that some are paying and other are not even though they're vehicles are not in compliance.

Mr. McDanel stated that he thought you would just have to go from this point.

Ms. Harvey asked than starting July 1, everyone starts paying and Mr. McDanel stated yea.

Chairman Graves stated that this has to go on the Board of Commissioners meeting to be approved.

Leroy Krohmer seconded Mr. Skinner moved, to approve item one.

Dorinda Harvey and Rhonda Hall asked what the motion was?

Mr. Skinner stated that his motion was to approve item “1”

Dorinda Harvey stated that nothing was ever decided and Mr. Krohmer said it was to just follow the plan. Ms. Harvey asked just the follow the plan, including all of the vehicles and everything?

Mr. Skinner stated to include everything, we are compelled to following the law and this could be on the Commissioners agenda for July 1st and take action on it then.

More discussion took place on the amount of the allowances for phones.

George Skinner stated that he would rephrase his motion and moved to approve Item “1” and on the cell phones that each individual office set up the amount that their employees will be compensated and that each office can determine how much their employees phone bills are and they can be compensated at that rate averaged out over a years time and the vehicles will have to comply with \$3.00 per day added to their salary as income.

Denise Heavner seconded the motion.

Mr. Skinner stated that federal tax would be withheld quarterly.

Ms. Harvey stated that if it is shown as income there will be state tax also.

Chairman Graves stated that this motion is concerning the employees only and Mr. Skinner stated no it was elected officials also.

F. DeWayne Beggs suggested that the Board adopt the policy and then come back and make another motion as to what you want to do to compensate the people.

Mr. Skinner stated that was what was going to be done, because we are going to approve it here and then the Commissioners will also have to approve it so the Commissioners can set the rate in their meeting.

Ms. Heavner asked if the Commissioners were going to set the rate for her office and Mr. Skinner replied that it is in the motion that each office would set their own rates for the cell phone reimbursement.

The vote was: Bill Graves, Abstain, F. DeWayne Beggs, yes; Dorinda Harvey, yes; Sandra DeSelms, yes; Rhonda Hall, yes; Denise Heavner, yes; Leroy Krohmer, yes; George Skinner, yes.

Motion carried.

Mr. Krohmer asked if this had to be 100% to make this work.

George Skinner stated that state law says this will be added in as salary for the elected officials and the law says all elected officials will have the same rate of compensation.

Ms. Heavner stated that everybody has to comply but you don't have to have a 100% vote for it.

Chairman Graves stated that as long as there is a majority of the voting it doesn't make any difference.

George Skinner moved, seconded by Dorinda Harvey, to approve the following Transfers of Appropriations:

- a. From Purchasing Maintenance & Operations, SP2, \$1,000.00, to Purchasing Capital Outlay, SP3.
- b. From Juvenile Maintenance & Operations, SQ2, \$169.23, to Juvenile Personal Services, SQ1A.
- c. From Sheriff's Travel, B1C, \$5,000.00, to Sheriff's Maintenance and Operations, B2A.

The vote was: Bill Graves, yes; F. DeWayne Beggs, yes; Dorinda Harvey, yes; Sandra DeSelms, yes; Rhonda Hall, yes; Denise Heavner, yes; Leroy Krohmer, yes; George Skinner, yes.

Motion carried.

There being no further business to come before the Board, George Skinner moved that the meeting be adjourned. F. DeWayne Beggs seconded the motion.

The vote was: Bill Graves, yes; F. DeWayne Beggs, yes; Dorinda Harvey, yes; Sandra DeSelms, yes; Rhonda Hall, yes; Denise Heavner, yes; Leroy Krohmer, yes; George Skinner, yes.

Motion carried.