



## CLEVELAND COUNTY BUDGET BOARD

### MINUTES

**MONDAY, FEBRUARY 10, 2020**

The regularly scheduled meeting of the Cleveland County Budget Board was called to order at 10:30 a.m. this 10th day of February 2020 in meeting room 200 in the conference room located at 122 East Eufaula, by Chairman Harold Haralson. Tammy Belinson, County Clerk/Secretary, called roll and those present were:

Harold Haralson, Chairman  
Tammy Richards, 1<sup>st</sup> Deputy, represented Jim Reynolds, Vice-Chairman  
(A proxy for Tammy Richards is on file in the County Clerk's Office.)  
Tammy Belinson, Secretary  
Rod Cleveland, Member  
Sheriff Todd Gibson, Member  
Darry Stacy, Member  
Douglas Warr, Member  
Marilyn Williams, Member

Jim Reynolds, Vice-Chairman, was absent.

**Others present were:** Assistant District Attorney Abby Nathan, Assistant District Attorney Nathan Hale, Linda Atkins, Sarita Scott, Brian Wint, Earl Cox, Kathy Singer, Brenda Hill, Bryan Jenkins, Jacob McHughes, Melinda Duke, John Roberts, Melissa Nies, Bryan Jenkins, Terri Morrow, Christi Morren, Terry Simonson, Daniel Thatcher, and John Roberts.

After the reading of the minutes of the Regular Meeting of **January 13, 2020 and the Special Meeting of January 21, 2020**, and there being no additions or corrections, Darry Stacy moved to **approve** the minutes. Sheriff Todd Gibson seconded the motion.

The vote was: Harold Haralson, yes; Tammy Richards, yes; Tammy Belinson, yes; Rod Cleveland, yes; Sheriff Todd Gibson, yes; Darry Stacy, yes; Douglas Warr, yes; Marilyn Williams, yes.

Motion carried.

#### **A. Items of Business:**

1. **Sarita Scott updated** on HR Department. She said that HR is in the process of creating/updating a PAF (Payroll Action Form) and has turned this in to the Payroll Department for review. The pending form will be more compatible with data entry required in Munis.

Dates to remember are as follows:

- Passport Health will be here February 11, 2020, for Health Screenings, Immunizations.

- Department of Labor Report for Calendar Year 2019 has been submitted online and posted as required.
- Classen Urgent Care will be at the Detention Center and Fairgrounds on February 12, 2020.
- Classen Urgent Care will be in Commissioners' meeting room February 13<sup>th</sup>, 2020

Chairman Haralson asked how the ACA forms were coming. He asked if the printer was working because there was a delay in printing them. Sarita said that the ACA Forms have been printed and will be distributed to employees this week.

2. Melinda Duke reported on the **Purchasing Department** and stated that she is working with Jacob McHughes on the Purchasing Statute to make changes to the statutory bid limits per department instead of the county. She said the change would help each department.

3. Sheriff Todd Gibson moved, seconded by Darry Stacy, to **approve** the following Cash Fund Appropriations:

a.	Assessor Revolving	\$ 807.00
b.	Bridge Capital Improvement	\$ 106.94
c.	County Clerk Lien Fee	\$ 9,298.24
d.	Co Bridge and Road Improvement	\$ 426,060.68
e.	Commissioners Building Fund	\$ 237.41
f.	Court Clerk Revolving Fund	\$ 10,405.06
g.	Co Clerk Rec Mgmt./Preservation Fee	\$ 45,272.75
h.	DA Revolving Fund	\$ 735.12
i.	District Court Rev Fund	\$ 2,552.80
j.	Drug Court Contributions/Donation	\$ 683.27
k.	Fairgrounds	\$ 25,660.75
l.	Health	\$ 7,983.00
m.	Highway	\$ 464,780.78
n.	Juvenile Drug Court Revolving Fund	\$ 9,833.32
o.	Sales Tax	\$ 889,522.38
p.	Sheriff Federal Share Revenue	\$ 2.12
q.	Sheriff Services Fees	\$ 125,660.75
r.	Treasurer Certification Fee	\$ 4,420.00

The vote was: Harold Haralson, yes; Tammy Richards, yes; Tammy Belinson, yes; Rod Cleveland, yes; Sheriff Todd Gibson, yes; Darry Stacy, yes; Douglas Warr, yes; Marilyn Williams, yes.

Motion carried.

4. Rod Cleveland moved, seconded by Darry Stacy, to **approve the Requested Transfer of Appropriations** regarding the following:  
(Per O.S. Title 68, Chapter 1, Art. 30, Sect.3021 & O.S. Title 62, Chapter 2, Sect.461)

- a. From, Election Board, M & O, #54000, \$600.00, to Election Board, Travel, #5300, \$600.00.

The vote was: Harold Haralson, yes; Tammy Richards, yes; Tammy Belinson, yes; Rod Cleveland, yes; Sheriff Todd Gibson, yes; Darry Stacy, yes; Douglas Warr, yes; Marilyn Williams, yes.

Motion carried.

5. Jacob McHughes introduced guest speaker Terry Simonson, Tulsa County, to do a **Legislation Report**. He said that Mr. Simonson is the legislative liaison for Tulsa County and they want to interface with the Budget Board and County to exchange ideas. The county is wonderful for them at the State Capital and helps them out a lot. He invited Simonson to come forward to brief the Budget Board on different Bills they are working on together.

Terry Simonson thanked the Board for having him at the meeting today. He said that it is rare to do a county visit like this. Sometimes they find that the County Associations don't help as much as a brother county might help because they have more of a relationship or understanding of what each one is trying to do through the Bills. He said that they have thirteen (13) Bills from the Counties. One Bill is a carry-over and he asked Jacob to hand out the top nine (9). These come from all of the elected officials from Tulsa County and Jacob McHughes is familiar with them all and he will touch on each one and answer any questions that they may have and will discuss the County Home Rule Bill.

- **The first Bill discussed would add municipal police officers to exempt status for jury trials.** At present, they are called in and go through the process the same as everyone else before being released from serving because that person is a police officer. This Bill will eliminate all the hassle of missing work and standing in lines.
- **The second Bill pertains to Counties supporting nonprofit organizations** whether it is United Way, Special Olympics, and Toys for Tots, it's through payroll deductions. In the past they did Bake, Book, and Clothes Sales; Golf Tournaments, Chili Feasts, parking cars in the evening in a public parking lot at arenas and then they give it to United Way. The County doesn't put anything in it, but it is what employees have always done. Recently, they had an Assistant District Attorney to say that the employee should not be allowed to fundraise in that manner because it is not what you are doing, but where you are doing it. An employee cannot do it in a public building at a public table, even if it is during a lunch break, after work or before work; it's not what you are doing, it's where you are doing it. That applies to any political subdivision, schools, cities, counties, and libraries. If they do it in their view, as they explained to the Commissioners, they will need a Statute that says that you are allowed to do what you have been letting employees do and to make sure that people are not misusing your facilities for fundraising activities and the officials are not even aware of or even approve what the money is going to support. There are no controls to speak of on this. That Bill passed the committee 14-3 and it will move on to whatever is the next round. He said that they can't do anything without some type of authorization because the view is unless it can be shown that it is allowed then it isn't and that is what it boils down to. There is no case law or attorney general's opinion but he understands the positions.

- **The third Bill, Hazard Mitigation Act**, probably is going to be the heaviest lift, as a result of the flooding that happened statewide. Typically there is an interim study and then 2 or 3 people will testify. This year was not like that, it took a better part of two days and 19 people testified. It became clear that the state and counties don't do enough to mitigate disasters and are not prepared for the recovery backend either and yet it happens every year. After the interim study, Representative Sims said that you have to come up with some way to give counties the ability to raise money to fund emergency management and mitigation to protect people. Mr. Simonson wrote the Bill called Hazard Mitigation Assessment District Act and it says that counties would have an option, purely county option, that if a Board of County Commissioners wanted to declare the County an assessment district, they could put before the voters a request for a certain amount of the assessment at no more than a 2 mill equivalent. It would have a sunset of 5 years and then the Bill lists through 12 or 13 areas in support of Hazard Mitigation Disaster Recovery as to what the funds can be used for, whether it is training, equipment, and covering deductible on property insurance. When you have a public facility, for instance, they had a park building that was wiped out and it had insurance but the deductible was \$250,000 and there is no money available, and they had damage at the airport; it has a pretty long list. Now every time he runs a Bill that has the word assessment in it, they know from the get-go that Farm Bureau will be against the Bill. Farm Bureau does not like the word "assessment" because it is code for "property tax" so this is what he did and when you listen to those 19 witnesses and you saw those pictures, nobody got wiped out more than Ag guys. One guy got up and said that 400,000 tons of topsoil washed away and it was really bad for them. Not only are they struggling, but they don't have the money also to be a part of this. So he wrote in the Bill that Ag property is exempt from paying it, but also wrote into the Bill that if you are a rural county and the Census Bureau has done all that and then no less than 40% of the assessment has to come back and be spent on Ag Mitigation. So if you are an Ag owner, number 1, you pay nothing into this. Number 2, at least 40% of what is paid into this has to come back to you because you are the one that needs it the most and you shouldn't have to pay for it and then just left out of the loop. The same way with the nonprofits, they wouldn't have to pay. The BOCC, an authority of sorts, would be over it and FEMA likes it a lot because they say they are here to help, but most don't have a FEMA approved plan and struggle to come up with a match that you are required to get, so this solves that. If approved, you would form a Hazard Mitigation Trust Authority with the Commissioners and 4 Mayors. So if you have cities that have mayors then four mayors sit on it with you. The point is, the citizens that you represent have paid into this assessment and you should be at the table to pitch what you want for your city so you are not left out. Insurance rates will drop if this is in place for loss of life and loss of property.
- **Inmates working for credit in the county jails:** in the Tulsa County Jail there is a lot of work to do and the inmates are just sitting around doing nothing and they can't make them do the work and there are no incentives to work.

Both DOC and Jail Administrators agreed to give them more credit that is similar to an award for good behavior by giving them some credit to reduce their DOCC sentence. He said this Bill will allow that.

- **Continuing Education for County Employees:** last year a Bill was passed that said you have to work five years for the county before you are eligible for Continuing Education. They want to take that out and leave it up to each county. They want to take out the five years for the county and allow the county to decide how long it should be. He said that it says that you should take these courses through the Oklahoma Higher Ed System, and that doesn't always work out for certain labor trades if a license or a certain certification is needed and is not offered here in Oklahoma. So the Bill takes out the five years and allows the County to make that decision.
- **Allowing the County to create misdemeanor drug diversion programs:** County Government is getting specialized in different ways to offer evaluation and treatment for drug abuse to divert misdemeanors even before it goes through the court system and is in the spirit of the 781 money.
- **Recognition for work performed:** He said that right now all you can give an employee for the work they've done is a plaque. You couldn't say a Christmas Dinner or a pizza party or a breakfast and do anything like that unless you wanted to pay for it out of your wallet. **In Title 74**, the State Statutes do all of that for State employees and pay for it out of the State budget, the agency budget. So all this does is say that the County should be allowed to do what the State does. He said if you have ever desired to do a retirement party, here's what happened in Tulsa County. They recently hired a new County Engineer; they have three highway districts and a couple of hundred people that work in them, the officer didn't know when he planned an event last December to feed people in the amount of \$1,500 that his Purchase Order would be denied for payment by the Purchasing Department. He found out through the District Attorney's office that it is not an award. Only a plaque will work and so the officer had to absorb the cost. This Bill says, "Please, allow the County to do what the State is allowed to do". If there is money in the budget to cover things like that then the County should be allowed to do that.
- **Raising the bid limit from \$15,000 to \$50,000:** the County does a lot of Purchasing for a lot of things and do at least 150 Purchase Orders a year between \$15,000 to \$50,000 and don't need to waste all of the time and effort that goes into the bidding process if they are given the option to say they are not going to continue bidding out toilet paper because they know where they can get it and it is \$30,000. This bill would allow that. It just raises the cap from \$15,000 to \$50,000.

Mr. Simonson served on the first Home Rule Charter Commission in 1994, when the State Statute Title 19 was passed, four sections. It was County Option and Counties could if they wanted to appoint a Charter Commission. Elected officials appointed a commission.

Everybody had to pick two people; Senator Treat is not going to push his Bill to amend the Constitution that's a big hill and a lot of change. There is some support from Representative Roberts to move forward and that Bill was one page. It says that everything on the books is repealed and it doesn't give any advice or any instructions. It doesn't give direction, it doesn't talk about anything, it just says if you want to look into it just knock yourself out and go ahead look into it. It has no population or nothing mentioned in there at all. What he heard last week is that Senator Treat will not push his and he will be the Senate sponsor of the Bill to run by Representative Roberts since it is a statutory change. It doesn't affect any of the elected officials' offices like the Constitutional change would have and it could have affected all of your offices except for the Assessor which statutory. Whether or not how that Bill sets now, his hunch is that it is not how it is going to look when it gets to the committee, the things they are going to do next are instructive advice on forming a Charter Commission. They are not going to tell you what is in the charter. If you are even interested in this is what the next step would be and then there will be some language about what is a Charter Commission and who is on it and who puts people on it and how long they have the job and what is their responsibilities if they want to do it. This is the other thing that he thinks is going to have one of the things wrong with the "Treat Bill" is that the threshold for a petition was too easily met by citizens, in that it wouldn't take too many people to force the county to a vote on Home Rule. God knows what would be in that Charter if the people wrote it like the marijuana thing. He said that if they want to do it they will write the questions. They are going to make the requirement of the signatures on an initiative petition a bigger hill to climb than it was before. He thinks that they are going to put in the Bill from what he has heard that the industries have a lot of worry about Oil & Gas Utilities. The assumption is that the Oil & Gas Utilities people think that a county that has Home Rule can mess with their business and change the rules and regulations and throw out the Corporation Commission. Which you can't do, but they think it is possible to do that. In the meeting that he heard last week they were thinking about putting something in the Bill that said County Home Rule cannot supersede, void, or replace or otherwise substitute anything that a state regulatory agency has already done with their business. He said there are parts that they have not worked out yet. Robert's Bill still looks the same as last year. It has not been beefed up or changed.

Rod Cleveland stated he sees some positives in Home Rule, but it needs to be the County's idea, what they fear is 150 legislators getting together thinking they know what is best for county government when they've never been in it.

Jacob McHughes said that Home Rule is not a template from state to state it is different and it depends on what attorney's staff is writing it.

They concluded by saying to watch for the Dustin Robert's Bill, not the Senator Treat Bill.

Chairman Haralson thanked Mr. Simonson for attending the meeting today to present the legislative update.

B. No **new business** was presented to the Board for discussion.

C. No **Budget Board Members** discussions regarding **County Business** at this time.

D. No **Comments** from the **Public** was made at this time.

E. There being no further business to come before the Board, Rod Cleveland moved that the meeting be **adjourned** at 11:22 am. The motion was seconded by Darry Stacy.

The vote was: Harold Haralson, yes; Tammy Richards, yes; Tammy Belinson, yes; Rod Cleveland, yes; Sheriff Todd Gibson, yes; Darry Stacy, yes; Douglas Warr, yes; Marilyn Williams, yes.

Motion carried.


(Clerk's Note: The agenda was posted on February 6, 2020 @ 4:24 P.M, but due to clerical error the word January was incorrect.)

**BUDGET BOARD  
CLEVELAND COUNTY, OKLAHOMA**



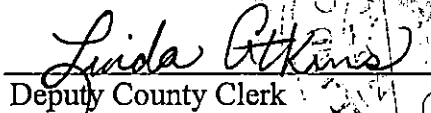
Harold Haralson, Chairman

ATTEST:



Tammy Belinson, County Clerk and Secretary to the Board

Minutes Prepared by:

  
Deputy County Clerk

