

MINUTES

January 26, 2009

The regularly scheduled meeting of the Board of County Commissioners was called to order this 26th day of January, 2009, in meeting room 240 of the Cleveland County Office Building by Chairman Rod Cleveland. Tammy Howard, County Clerk/Secretary, called roll and those present were:

Rod Cleveland, Chairman
Rusty Sullivan, Vice-Chairman
George Skinner, Member
Tammy Howard, Secretary

Others present were: Christine Brannon, David Batton, Saundra DeSelms, Joe Lester, Melinda Duke, Peggy Laizure, James Tyree, Deborah VanWye, Joanna Owen, Denise Heavner, David Tinsley, Dan Cary, Anette Pretty, Waldo Blanton, Anita Martin, Jon Echols, Trent Smith, Brad Young, James Hert and Lindsey Bailey.

Chairman Cleveland began the meeting with the Pledge of Allegiance.

George Skinner moved, seconded by Rusty Sullivan, to approve the table of the Regular Meeting of January 20, 2009.

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.
Motion Carried.

Upon the request of Melinda Duke, Purchasing Agent, Rod Cleveland moved, seconded by George Skinner, to award the bid per the bid summary to the low bidders and alternates, Paving Materials, Haskell Lemon Construction and T.J. Campbell Construction, County Bid #HWY-1400 – Six-Month (6) Non-Encumbered Contract to provide Asphalt Material. The bid term will be from February 11, 2009 through August 10, 2009.

The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

Rusty Sullivan moved, seconded by George Skinner, to table the awarding and/or rejecting of County Bid #COM3-1401 – Purchase and Delivery of one (1) or more, 2006 or newer, Multipurpose Excavator, with 500 or less hours of usage for the County Commissioners.

The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

Chairman Cleveland called for the discussion, consideration, and/or action to authorize the District Attorney to take any appropriate action in reference to Nashert Construction Company or its Contract Bond (Employers Mutual Casualty Company) in regards to the completion of the Addition & Renovation of the Cleveland County Courthouse if after the expiration of the thirty days (30) from the Certificate of Substantial Completion delivered to Nashert Construction on or about January 7, 2009 the identified items are not completed or corrected (punch list).

David Batton, Assistant District Attorney, stated per Mike Kelly with Nashert Construction, everything on the punch list was completed except for one (1) item.

Rusty Sullivan moved, seconded by Rod Cleveland, to authorize David Batton, Assistant District Attorney to take any appropriate action needed in reference to Nashert Construction Company or its Contract Bond (Employers Mutual Casualty Company).

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.

Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to accept the following Jail Report from the Sheriff's Office:

The Cleveland County Detention Center held an average of 216 inmates this reporting period. The following are the daily inmate counts which were taken at 8 a.m. on each day listed.

Date	Head Count	Pott Co.	Other	C.C.D.C.
01/13/2008 Tues	221	18	7	198
01/14/2008 Wed	214	18	7	189
01/15/2008 Thur	212	18	7	187
01/16/2008 Fri	214	20	7	187
01/17/2008 Sat	213	18	8	187
01/18/2008 Sun	219	18	8	193
01/19/2008 Mon	216	18	8	190
01/20/2008 Tues	221	18	8	195
<i>Daily Average</i>	<u>216</u>	<u>18</u>	<u>7</u>	<u>191</u>

The Book-In comparison for this week:

2009 42 FEMALES & 147 MALES = 189 TOTAL. (2.1% increase from last year)

*59 Inmates listed an address outside of Cleveland County.

2008 45 FEMALES & 140 MALES = 185 TOTAL

*46 Inmates listed an address outside of Cleveland County

During this week: Two workers were assigned to the Work Release Program. Seven people were out on ankle monitors. 128 people were held on Misdemeanor and 229 on Felony charges. 64 people were held on Municipal charges.

Five Inmates was transported to DOC.

The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

George Skinner moved, seconded by Rod Cleveland, to extend the Burn Ban Resolution adopted on January 22, 2009 in the Commissioner's Emergency Meeting.

The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

Chairman Cleveland called for the Presentation by Sooner Medical Staffing LLC, for proposed professional medical services for the Cleveland County Detention Center. Jon Echols and Trent Smith presented a proposal for professional medical services.

Rusty Sullivan moved, seconded by George Skinner, to table the discussion, consideration, and/or action to approve the proposed Medical Staffing Contract between the Cleveland County Sheriff and Sooner Medical Staffing LLC. The proposed contract will be for medical staffing services, sole supplier and/or coordinator of the health care delivery system for the Cleveland County Detention Center for the amount of \$210,000.00 through June 30, 2009.

The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

George Skinner moved, seconded by Rod Cleveland, to approve the contract between the Cleveland County Election Board and The Worx Company for the upgrade of the Election Board's website in the amount of \$3,500.00.

The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve the December, 2009, monthly report for Joseph Lester, County Sheriff, (Cash Bond).

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.
Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve the Resolutions Disposing of Equipment as follows:

- a. D105-1 Desk
- b. D225-01 Propane Heater
- c. D225-02 Gas Furnace
- d. D338-5 Battery Charger
- e. D404-1 Lincoln Welder
- f. D404-3 Lincoln Welder
- g. D410-12 Hein Warner Jack
- h. D421-69 Bruno Wessel Stud Gun
- i. D441-0004 Vermeer Brush Chipper
- j. D601-122 2-Channel VHR Radio w/ Antenna
- k. D602-5 2-Channel 40-Watt Rasius Dash Mounted Radio

(The above items are from the District #2 County Commissioner and were either traded or junked.)

The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

Rusty Sullivan moved, seconded by George Skinner, to approve the Resolutions Disposing of Equipment as follows:

- a. D101-10 Credenza
- b. D101-13 Indiana Credenza
- c. D105-26 Knoll Workstation
- d. D611-36 Hewlett Packard Printer
- e. D699-05 Uarco Burster
- f. D699-06 Replacement Windows
- g. D699-07 Replacement Windows
- h. D699-08 Replacement Windows

(The above items are from the Commissioner's Office and were junked.)

The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve the following Cash Fund Appropriations:

a. Sheriff's Service Fee Fund	\$ 39,908.88
b. Sheriff's Commissary Fee Fund	3,213.37
c. Sheriff's Courthouse Security Service Fee Fund	2,953.50
d. Sheriff's Jail Fund	5,619.18
e. Sheriff's Revolving Fund	15,521.71
f. Sheriff's Federal Share Revenue Fund	95.95
g. Treasurer's Certification Fee Fund	3,905.00
h. County Clerk's Lien Fee Fund	4,015.08
i. County Clerk's Preservation Fee Fund	21,382.13
j. Court Clerk's Revolving Fund	11,970.47
k. Fair Board Fund	5,635.00
l. Commissioner's Building Fund	184.16
m. Highway Unrestricted	631,763.32
n. Bridge Capital Improvement	132.79

o. Assessor’s Revolving Fund	2,101.78
p. D.A. Incarceration Costs Fund	341.06
q. Drug Court Revolving Fund Adult Fund	575.20

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.

Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve the following Blanket Purchase Orders:

a. General Fund		
09-3778 – SM2	Forest Lumber Company, Inc.	\$ 2,000.00
09-3791 – B2A-100	OPUBCO Communications Group	750.00
09-3806 – B2A-100	Sirchie Finger Print Laboratories	125.00
09-3815 – SM2	Copelin’s Office Center	3,000.00
09-3821 – B2A-500	Quality Towing Service, Inc.	500.00
09-3823 – B2A-500	O’Reilly Automotive	750.00
09-3827 – B2A-500	Noble Hardware	150.00
b. Highway Fund		
09-3772 – T2A	Action American Transmission	1,000.00
09-3775 – T2A	Locke Supply Company	500.00
09-3782 – T2A	Warren Cat	1,500.00
09-3784 – T2A	Seal Co. Enterprises, Inc.	500.00
09-3785 – T2A	Department of Central Services	1,500.00
09-3816 – T2A	Cummins Southern Plains, Inc.	1,500.00
09-3828 – T2A	Homer’s Radiator Service, LLC	600.00
09-3829 – T2A	Drive Train Specialist, Inc.	600.00
09-3830 – T2A	Dave’s Small Engine Repair, Inc.	800.00
09-3831 – T2A	Cummins Southern Plains, Inc.	800.00
09-3832 – T2A	Standard Steel Company, Inc.	600.00
09-3833 – T2A	Noble Trading Center, LLC	600.00
09-3843 – T2A	Mid-West Hose & Specialty	500.00
c. Health Fund		
09-3822 – MD2	Treat’s Solutions, Inc.	4,000.00
09-3850 – MD2	A. T. & T.	18,000.00
09-3851 – MD2	A. T. & T.	2,000.00

The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.

Motion Carried.

Rusty Sullivan moved, seconded by George Skinner, to approve Certificate of Requesting Officers on Blanket Purchase Order Numbers:

09-0009 – F2	09-0025 – T2A
09-0146 – SL2	09-0730 – T2A
	09-1971 – T2A
09-2421 – MD2	09-3006 – T2A
09-2836 – CFBRE2-300	
09-3412 – CFBRE2-300	

The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve Purchase Orders for Payment of Personal Services, Travel, Maintenance & Operation, and Capital Outlay from:

<u>FY 08/09</u>	
a. General Fund	\$ 510,655.38
b. Highway Fund	79,583.21
c. Health Fund	224,854.07
d. Sheriff Service Fee Fund	271.75
e. Sheriff Revolving Fund	12,334.67
f. Sheriff Commissary Fund	13.77
g. County Clerk Lien Fee Fund	7,066.07
h. County Clerk Preservation Fund	5,971.12
i. Fair Board Fund	500.34

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.
Motion Carried.

(For a complete listing of warrants and original signatures, see warrant registers.)

Chairman Cleveland called for Miscellaneous Discussion.

James Hurt with Precision Door addressed the Board. Mr. Hurt stated his company provided all of the doors for the remodeling project. Mr. Hurt also stated his company has not been paid by Nashert and is owed \$24,000.00 and wants to find out why his company is not being paid.

David Batton, Assistant District Attorney, replied the County does not control how the subs are paid.

George Skinner moved, seconded by Rusty Sullivan, to approve going into Executive Session for the purpose of discussion on the Retirement/Resignation effective on February 28, 2009 of the Cleveland County Assessor, pursuant to provisions of the Oklahoma Open Meetings Act, pursuant to Title 25 O.S. § 307 (B)(1)&(4) and the purpose of discussion of the proposed employment, hiring, appointment, or promotion to the position of the Cleveland County Assessor to finish the term due to the pending retirement of Denise Heavner effective on February 28, 2009, pursuant to Title 25 O.S. § 307 (B)(1)&(4) and Title 51 O.S. § 10 (B). The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

George Skinner moved, seconded by Rusty Sullivan, to approve going back into Regular Session.
The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.
Motion Carried.

David Batton, Assistant District Attorney, state that no decisions were reached and no votes were taken during Executive Session.

Chairman Cleveland called for the discussion, consideration, and/or action on the Retirement/Resignation of the Cleveland County Assessor.
Chairman Cleveland stated upon the acceptance of Ms. Heavner's resignation letter it would be done with great reluctance.
Rusty Sullivan stated Ms. Heavner would be greatly missed.
George Skinner concurred.
George Skinner moved, seconded by Rusty Sullivan, to accept Ms. Heavner's letter of resignation.
The vote was: George Skinner, yes; Rod Cleveland, yes; Rusty Sullivan, yes.
Motion Carried.

Chairman Cleveland called for the discussion, consideration, and/or action on the employment, hiring, appointment, or promotion to the position of Cleveland County Assessor to finish term due to the pending retirement of Denise Heavner effective on February 28, 2009.
Discussion took place about the possibility of promoting David Tinsley to finish out the term.
Rusty Sullivan stated Ms. Heavner's 1st Deputy, David Tinsley, had been employed by the County one-year longer than Ms. Heavner. Mr. Sullivan went on to say by promoting Mr. Tinsley it would be a seamless transition.
Rusty Sullivan moved, seconded by George Skinner, to appoint Mr. David Tinsley to serve out the remainder of Ms. Denise Heavner's term as County Assessor.
The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; George Skinner, yes.
Motion Carried.

There being no further business to come before the Board, George Skinner moved, that the meeting be adjourned. Rod Cleveland seconded the motion.
The vote was: Rusty Sullivan, yes; George Skinner, yes; Rod Cleveland, yes.
Motion Carried.

(Clerk's Note: Agenda was posted on 1-23-09 @ 8:44 a.m.)