# **BOARD OF COUNTY COMMISSIONER'S Minutes**

### **APRIL 15, 2013**

Josh Geer, Hilltop Baptist Church, led the prayer and the Pledge of Allegiance.

The regularly scheduled meeting of the Board of County Commissioners was called to order at 1:05 p.m. this 15<sup>th</sup> day of April 2013, in the meeting Room 200 of the Cleveland County Office Building by Chairman Rod Cleveland, Tammy Belinson, County Clerk/Secretary, called roll and those present were:

Rod Cleveland, Chairman Rusty Sullivan, Vice Chairman Darry Stacy, Member Tammy Belinson, Secretary

Others present were: Assistant District Attorney James Robertson, Jim Williams, Melinda Duke, Keri Lyles, Denise Ellison, Patty Cox, Valerie Mattheus, Gayla Sukenis, George Mauldin, Joy Hampton, Susan Moffat, Terran Manning, Christine Cartmell, Lindsey Bailey, Shelkh Rokan, Ursula Carter, Jim Reynolds, Greg Nieto, Josh Geer, Tom Thompson, Jeff Raley, Ernest Turnage, Linda Atkins and Peggy Laizure.

After the reading of the minutes of the meeting of April 8, 2013, and there being no additions or corrections, Darry Stacy moved, seconded by Rusty Sullivan, that the minutes be approved. The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

#### **Bid Openings:**

After opening BID# COM2-1598 – Building Materials and Labor to build a 50' x 40' x 1. 14' Building and a 70' x 100' x 20' Building for the District #2 County Commissioner, Purchasing Agent Melinda Duke asked Chairman Cleveland if he would table the bids. Rod Cleveland moved, seconded by Rusty Sullivan, to table the bid.

(The bidders, each with properly executed non-collusion affidavits are listed as follows:)

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CLEVELAND COUNTY BID SUMMARY								
	JPL Const.	Turnage Construction Inc.	Apollo Building Systems, Inc	L.G. Construction Co., Inc.	Ray Shaw Metal Buildings	SilverCliffe Construction Company	Diversified Construction	MC Morehead Construction
BID: #COM2-1598	1			-	1		<del> </del>	
DEPT: District #2 Commissioner					†			
DATE OPENED: 4-15-13	1	2	3	4	5	6	7	8
List of Individual Items								
Building Materials and Labor to		1						111111111111111111111111111111111111111
build a 50' x 40' x 14' Building				1			(	
and a 70' x 100' x 20' Building for the								
District #2 County Commissioner.								
Was an on-site inspection made?Yes/No	YES	YES	YES	YES	YES	YES	YES	YES
Project #1:			:					
BID PRICE:	\$33,360.00	\$63,830.00	\$45,870.00	\$59,900.00	\$22,215.00	\$75,000.00	\$122,000.00	\$42,519.00
Approximate Starting Date:	4/16/2013	4/25/2013	15 days after contract	May 1, 2013	7/1/2013	6/1/2013	June 1, 2013	May 15, 2013
Approximate Ending Date:	5/16/2013	6/25/2013	90 to 120 days	July 31, 2013	9/1/2013	7/31/2013	Nov. 30, 2013	July 15, 2013
Project #2:							AMSS <sup>1</sup> allian a solid affine	
BID PRICE:	\$123,000.00	\$203,550.00	\$148,830.00	\$194,245.00	\$143,943.00	\$260,000.00	\$266,000.00	\$164,441.00
Approximate Starting Date:	4/16/2013	5/15/2013	15 days after contract	May 1st, 2013			June 1, 2013	May 15, 2013
Approximate Ending Date:	5/30/2013	7/15/2013	90 to 120 days	Aug. 31st, 2013	7/1/2013 9/1/2013	5/1/2013 7/31/2013	Nov. 30, 2013	Sept., 15, 2013
							*** **********************************	
TOTALS:	\$156,360.00	\$267,380.00	\$194,700.00	\$254,145.00	\$166,158.00	\$335,000.00	\$388,000.00	\$206,960.00
Contact:	Jim P. Lawrence	Farmant Town	James W. March	Tindow A. C.	D 01	D21 D-11- 1	P-44 P-44	
Title:	Jim P. Lawrence	Earnest Turnage	Jerry W. Meek	Lindsay A. Gay President	Ray Shaw Owner	David Pollard President	Brad A. Reynolds	Jack Marshall
Address:	3901 Frontier	2500 Wahat	101 Industr'-1				Project Mgr.	Superintendant
Audices,	Circle Norman, OK 73026	3529 Webster Moore, OK 73160	101 Industrial Blvd. Moore, OK 73160	5940 Epperly Drive OKC, OK 73135	PO Box 893 Noble, OK 73068	PO Box 149 Edmond, OK 73083	6288 Boucher Drive Edmond, OK 73034	PO Box 373 Locust Grove, OF 74352
Phone:	405-520-1652	405-249-8433	405-790-0335	405-672-9100	405-412-6199	405-285-6199	405-340-3164	918-605-2847
Fax:	405-310-2298	405-790-0039	405-790-0316	405-672-5604	405-872-5185	405-285-6499	405-348-7070	918-479-7105
NON-COLLUSION AFFIDAVIT:	YES	YES	YES	YES	YES	YES	YES	YES

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

2. After opening BID# HWY-1600 – Three-Month (3) Non-Encumbered Contract to provide Materials and Installation of 42" wide Sod for roadside Erosion, Purchasing Agent Melinda Duke asked Commissioner Cleveland if he would table the bid due to so many line items. Rod Cleveland moved, seconded by Darry Stacy, to table the bid. The bid term will be from April 30, 2013 through July 29, 2013.

(The bidders, each with properly executed non-collusion affidavits are listed as follows:)

# CLEVELAND COUNTY BID SUMMA

and the state of the second of	List of Individual Bidders					
	Canadian Valley Turf	Allen Farms, Inc.	Sioux Const.	Easton Sod Farms	Green Turf Sod	Bentley Turf Farms
BID: # <b>HWY-1600</b>	+		<del> </del>			
DEPT: Co. Commissioners DATE OPENED: 4-15-13	1	2	3	4	5	6
List of Individual Items Three-Months (3) Non-Encumbered		4	3		<u> </u>	
Contract to provide Materials and Installation of 42" wide Sod for						
Roadside Erosion for the Cleveland				i		
County Commissioners.						
The bid term will be from April 30, 2013 through July 29, 2013.					AND ADDRESS OF THE PARTY OF THE	
ZONE 1:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 2:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 3:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 4:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 5:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 6:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 7:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 8:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 9:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 10:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 11:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.20	\$0.19
ZONE 12:	\$0.1795	\$0.175	\$0.34	\$0.22	\$0.22	\$0.19
ZONE 13:	\$0.1795	\$0.175	\$0.34	\$0.20	\$0.20	\$0.19
ZONE 14:	\$0.1795	\$0.175	\$0.34	\$0.20	\$0.20	\$0.19
ZONE 15:	\$0.1795	\$0.175	\$0.34	\$0.20	\$0.20	\$0.19
ZONE 16:	\$0.1795	\$0.175	\$0.34	\$0.20	\$0.20	\$0.19
Notice required by bidding vendor:	72 hours	72 hours	3 days	2 days	72 hours	3 days
Will deliver and start the installation:	72 hours	72 hours	7 days	2 days	72 hours	3 days
Vendor's Statement:	sod installation only, does not incluede water or fertilizer	Watering Sod	Bid price does not include any watering, rolling, or fertilizer.	u-3 Bermuda Sod Minimum 3000 sq. ft. deliveries.	No watering or fertilizing of sod is included in this pricing.	We will only do the work described by the truckload at a time (10,000 sq.fi
			No maint. Of sod of any kind, after installation		Sod & installation only.	No exceptions, Anything less can be negotiated for higher price.
Contact Person:	Chris Roberts	Mark Bienhoff	Randy Shelton	Adam Hyland	Ryan Sullivan	Marc Bates
Title:	Farm Mgr	Estimator	Management	Manager	V-President	Marketing Coord
Address	PO Box 424 Spencer, OK 73084	476 Allen Rd Norman, OK 73072	PO Box 486 Weatherford, OK 73096	11101 N Broadway Ext. OKC, OK 73114	31 Baylee Creek Trail Lawton, OK 73501	2211 Westpark Norman, OK 73069
Telephone Number:	405-771-5122	405-364-3998	405-464-0486	405-749-1622	580-353-8873	405-364-7511
Fax Number:	405-771-5136	405-360-3009	580-772-5856	405-752-9495	580-353-8872	405-366-6339
Business Relationship Affidavit:	YES	YES	YES	YES	YES	YES

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

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#### Old Business:

1. Upon the recommendation of Purchasing Agent Melinda Duke, Rod Cleveland moved, seconded by Rusty Sullivan, to table BID #HWY-1599 – One Year (1) Non-Encumbered Contract for Highway and Bridge Materials for the County Commissioners. The bid term will be from May 5, 2013 and ending on May 4, 2014.

The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

#### Items of Business:

1. Patty Cox, Sheriff's Department, reported four hundred twenty-four (424) inmates at the County Detention Center. One hundred thirteen (113) of those are Department of Corrections inmates of which ninety-nine (99) have Judgments and Sentencings. (A copy of the Jail Report is attached hereto and made a part of these minutes.)

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JOSEPH K. LESTER SHERIFF

#### OFFICE OF THE

#### **CLEVELAND COUNTY SHERIFF**

128 SOUTH PETERS AVENUE NORMAN, OKLAHOMA 73069 405-701-8888 www.ccso-ok.us

April 15, 2013

Commissioner Rod Cleveland Commissioner Rusty Sullivan Commissioner Darry Stacy 203 S. Jones, Suite 260 Norman, OK. 73069

Dear Cleveland County Commissioners,

As of today's date the head Count of the prisoners in the F. DeWayne Beggs Detention Center is currently at 424.

Thanks,

Rhett Burnett, Undersheriff

2. Darry Stacy moved, seconded by Rusty Sullivan, to approve the resolution passed by the Cleveland County Educational Authority earlier today (April 15, 2013), relating to the incurring of indebtedness by the Trustees of the Cleveland County Educational Facilities Authority to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis in the aggregate principal amount of not to exceed \$75,000,000 to provide funds to Independent School District No. 2, Cleveland County, Oklahoma ("Moore Public Schools" or the "District") required to complete the acquisition,

construction, equipping, renovating and remodeling of school buildings, acquiring school furniture, fixtures, and equipment and acquiring and improving school sites; establish a reserve fund, if any, capitalize interest and pay costs of issuance and all matters related thereto, including but not limited to the waiver of competitive bidding thereof; and declaring an emergency. The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

3. Darry Stacy moved, seconded by Rusty Sullivan, to approve the Resolution Approving and Authorizing the Termination and Dissolution of the Cleveland County Facilities Authority effective June 30, 2013.

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

- 4. Rusty Sullivan moved, seconded by Darry Stacy, to approve the agreement between the Board of Cleveland County Commissioners on behalf of Cleveland County District #1, District #2, and District #3 and Syn-Tech Systems, Inc. The Super Extended Maintenance Agreement is for the period April 19, 2013 through April 18, 2014 in the amount of \$2,304.75 per District. The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.
- 5. Darry Stacy moved, seconded by Rod Cleveland, to approve the agreement among the Board of County Commissioners of Cleveland County, The City of Oklahoma City and, The City of Norman, Project #PJ-CL-0047, Street Resurfacing and Reconstruction on SE 149<sup>th</sup> Street from Post Road to Choctaw Road at a cost not to exceed \$1,000,000.00. Chairman Cleveland said Oklahoma City will provide the materials and Cleveland County and the City of Norman will provide the equipment and manpower.

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

6. Darry Stacy moved, seconded by Rod Cleveland, to approve the Road Application for the Emergency and Transportation Revolving Fund Program for the Resurfacing and Reconstruction of 149<sup>th</sup> Street from Post Road to Choctaw Road, Project #PJ-CL-0047 in the amount of \$1,000,000.00. Chairman Cleveland said the Circuit Engineering District has money to lend at 0 percent interest for projects such as this. He said the county would borrow the \$1 million and Oklahoma City will reimburse Cleveland County. Chairman Cleveland said he anticipates the loan being paid by October 31, 2013.

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

7. Darry Stacy moved, seconded by Rusty Sullivan, to approve Option 3, to receive a refund check from ACCO Self Insurance Fund Surplus Distribution of ACCO-SIF surplus funds. Commissioner Cleveland said Cleveland County and a few other counties have had money on ACCO's books for about 10 years accruing interest. The original amount was \$10,000 and now with interest is more than \$27,000.00. The other options were to leave it on the books or use it to pay next year's employee premiums.

The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

8. Darry Stacy moved, seconded by Rod Cleveland, to approve the Contract between the Board of County Commissioners on behalf of Cleveland County Building Maintenance and Total Beverage Service Inc. – Natural Water Company. The term is from January 2013 through January 2014 at \$5.99 per 5 gallon bottle.

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

9. Darry Stacy moved, seconded by Rod Cleveland, to approve the request to accept an addendum to the contract between the Cleveland County Sheriff's Office and Verizon Wireless to add lines of service as needed (between 15 and 80 Mobile Broadband Devices) to the Sheriff's Office fleet of patrol vehicles at a cost of \$39.99 per month, with a minimum of 15 devices during the term of the agreement. Valerie Mattheus, with the Sheriff's Department, said as new patrol cars are added, the Broadband Devices would be installed. She said the Sheriff's Department has approximately twenty (20) and doesn't anticipate eighty (80) units.

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

- 10. Darry Stacy moved, seconded by Rusty Sullivan, to table the possible housing of Department of Correction Inmates at a lower cost in other counties.

  The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes.

  Motion carried.
- 11. Darry Stacy moved, seconded by Rusty Sullivan, to approve the resolution to declare the following equipment surplus and to be sold at auction from the Cleveland County Sheriff's Department:

a. B331-01	.09 2003 Fo	ord Crown Victoria	VIN#2FAFP71W5	3X215791
b. B331-01	.42 2005 Fe	ord Crown Victoria	VIN#2FAFP71W6	5X147441
c. B331-01	.45 2005 Fe	ord Crown Victoria	VIN#2FAFP71W1:	5X147444
d. B331-00	998 2000 Fe	ord Crown Victoria	VIN#2FAFP71W4	YX168261
e. B331-01	.50 2004 Fe	ord Crown Victoria	VIN#2FAHP71W3	4X102870
f. B347-00	002 1997 Fo	ord Windstar Van	VIN#2FMDA5147	VBD17112

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

- 12. Rod Cleveland moved, seconded by Darry Stacy, to approve the resolution to dispose of the following equipment sold at the Elk City Auction in March 2013 from Cleveland County District #1:
  - a. D218-12 Sharp Digital Copier System
  - b. D301-161 1998 Dodge Pick Up
  - c. D302-123 Freightliner Dump Truck
  - d. D302-229 1988 Freightliner
  - e. D304-7 John Deere Tractor
  - f. D304-16 Case Farm Tractor
  - g. D325-13 1996 Rosco Chipper
  - h. D324-13 MC5 Rotary Air compressor
  - i. D348-98 Generator 3 Axle Trailer
  - j. D348-113 20 ft. Wellscargo Gooseneck Trailer
  - k. D354-47 15' Dump Bed
  - 1. D430-19 Sidemount Tiger Rotary Mower

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

- 13. Darry Stacy moved, seconded by Rusty Sullivan, to approve the resolution to dispose of the following equipment sold at the Elk City Auction in March 2013 from Cleveland County District #2.
  - a. D302-205 Peterbuilt Truck/Tractor
  - b. D302-135 Freightliner Dump Truck

The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

- 14. Rusty Sullivan moved, seconded by Darry Stacy, to approve the resolution to dispose of the following equipment sold at the Elk City Auction in March 2013 from Cleveland County District #3.
  - a. D301-166 2007 Chevrolet Pick up
  - b. D301-167 2007 Pick Up
  - c. D301-132 Chevrolet Pick Up
  - d. D302-143 1991 Ford Truck Tractor
  - e. D315-8 Link Belt Crane
  - f. D332-16 Backhoe
  - g. D337-35 1995 Drexel Forklift
  - h. D348-27 Lufkin Dump Rock Trailer

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

15. Darry Stacy moved, seconded by Rusty Sullivan, to approve the resolution Determining Maximum Monthly Highway Expenditures:

T1A	\$ 696,288.54
T1C	\$ 1,735.72
T2A	\$ 4,785,086.70
T2B	\$ 31,319.16
Т3	\$ 1,184,936.30
Total Unrestricted	\$ 6,699,366.42

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

16. Rusty Sullivan moved, seconded by Darry Stacy, to approve the following Blanket Purchase Orders submitted for the following Departments:

a District #1 Warehouse:

a. District #1 warenouse:		
13-4811 - T2A	A & H Automotive	\$ 500.00
13-4838 - T2A	Hydradyne Hydraulics	\$ 800.00
13-4848 - T2A	Splash Sales, LLC	\$ 3,000.00
b. District #2 Warehouse:		
13-4847 - T2A	Home Depot Credit	\$ 750.00
13-4846 - T2A	O'Reilly Automotive	\$ 2,000.00
13-4849 - T2A	Harbor Freight Tools	\$ 500.00
13-4850 - T2A	Eureka Water Company	\$ 500.00
c. District #3 Warehouse:		
13-4785 - T2A	Noble Farm & Bldg. Supply	\$ 1,000.00
13-4786 - T2A	The Farm Store	\$ 500.00
d. OSU Extension Center:		
13-4758 –E2	CareerTech	\$ 300.00

e. Health Department	<u>:</u>	
13-4821 – MD1C	Jennifer S. Brown	\$ 30.00
f. Fair Board:		
13-4799 – FF2	University of Oklahoma	\$ 300.00
13-4844 – FF2	P & K Equipment Inc.	\$ 500.00
13-4845 – FF2	O'Reilly Automotive	\$ 300.00
g. Sherriff's Office:	·	
13-4831- CFB2	Binswanger Glass	\$ 400.00
13-4832 - CFB2	EF Johnson Technologies	\$ 150.00
13-4834 - CFB2	Elite Equip. Co.	\$ 300.00
h. Building Maintena	nce:	
13-4845 - SM2	UniFirst	\$ 100.00
i. County Clerk		
13-4782	Oklahoma Office Systems	\$ 600.00

The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

17. Darry Stacy moved, seconded by Rusty Sullivan, to approve the Certificate of Requesting Officers on Blanket Purchase Order Numbers:

General Fund		<u>Highway l</u>	Highway Fund		
13-0232	K2	13-0548	T2A	13-0335	MD1C
13-0261	K2	13-2121	T2A	13-3921	MD2
13-0398	E2	13-2419	T2A		
13-2636	R2	13-2681	T2A		
13-2729	CCJC2	13-2688	T2A		
13-2730	B2A	13-2824	T2A		
13-2819	B2A	13-3395	T2A		
13-3080	CCJC2	13-3803	T2A		

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

18. Rusty Sullivan moved, seconded by Darry Stacy, to approve the following Purchase Orders for Payment of Personal Services, Travel, Maintenance & Operation, and Capital Outlay from:

FY	12/13	
a.	General Fund	\$ 38,003.03
b.	Highway Fund	\$ 30,936.51
c.	Health Fund	\$ 6,213.16
d.	Sheriff Service Fee Fund	\$ 2,412.17
e.	Sheriff Commissary Fund	\$ 3,930.25
f.	Sheriff Jail Fund	\$ 58.20
g.	Sheriff Revolving Fund	\$ 68,023.40
h.	Treasurer Certification Fee Fund	\$ 442.44
i.	Treasurer Sales Tax Cash Fund	\$ 625,175.82
j.	County Clerk Preservation Fund	\$ 1,198.48
k.	Fair Board Fund	\$ 3,171.69

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

There was no New Business to come before the Board.

Commissioner's Discussions regarding County Business:

Commissioner Stacy said road season was in full swing and they are going strong.

Rusty Sullivan agreed while stating that his crews are moving forward and are working on the last couple of miles of Etowah Road.

Chairman Cleveland said the south parking lot was being demolished. The City of Norman had asked to use part of the west parking lot for Amtrak parking during the Lions Club Carnival this week. Chairman Cleveland said he told them that there wasn't enough room.

#### **Public Comment:**

Joy Hampton, (The Norman Transcript), introduced Shelkh Rokan, from Bangladesh, who is a journalist there. He is a participating in a cultural exchange program with the State Department and is attending classes in Oklahoma and is a guest of The Norman Transcript.

Joy Hampton said that she wanted to thank Commissioner Stacy for being the first to get back with her to find a photo opportunity for the paper, because there have been a lot of calls expressing happiness in knowing that the Commissioners and the City of Norman are working cooperatively on the roads.

Darry Stacy said that he was very pleased to meet Mr. Rokan and added that he appreciated him coming to the meeting.

Rusty Sullivan moved, seconded by Darry Stacy, to go into Executive Session at 1:43 p.m. Pursuant to 25 O.S. 2001 307.B.1, discussion with counsel regarding employment, promotion demotion, salary, disciplining or resignation of Administrative Assistants to the County Commissioners, IT Department, Purchasing and Director of Emergency Management. The vote was: Darry Stacy, yes; Rod Cleveland, yes; Rusty Sullivan, yes. Motion carried.

Tammy Belinson, County Clerk, asked if the Board had made a motion to recess during executive session.

Chairman Cleveland said that the Board did not make a motion to recess during the executive session. He said, "We were mobile on our executive session."

Tammy Belinson said she was checking to clear any misunderstandings.

Chairman Cleveland said that the Board is back in session.

Rusty Sullivan moved, seconded by Darry Stacy, that the Board be reconvened.

The vote was: Rod Cleveland, yes; Rusty Sullivan, yes; Darry Stacy, yes. Motion carried.

James Robertson, Assistant District Attorney, said, "We went into executive session at 1:47 p.m. and we had to recess at 1:53 p.m. or actually just recessed into a court matter which is the Board of County Commissioners vs. Meers Corp. CJ-2011-1727 before Judge Walkley hearing and we went back, during that recess, no business was discussed and went back in at 3:22 p.m. and came out at 4:02 p.m. During that time, no business was discussed, no action was taken and no votes were cast."

There being no further business to come before the Board, Darry Stacy moved, seconded by Rod Cleveland, that the meeting be adjourned at approximately 4:05 p.m.

The vote was: Rusty Sullivan, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.