



## BOARD OF COUNTY COMMISSIONERS

MONDAY, JUNE 17, 2019

Undersheriff Blake Green led in **Prayer and Pledge of Allegiance**.

Chairman Rod Cleveland called to order the regularly scheduled meeting of the Board of Cleveland County Commissioners at 1:00 P.M. this 17<sup>th</sup> day of June 2019 in meeting room 200 of the Cleveland County Office Building. Tammy Belinson, County Clerk/Secretary, called roll and those present were:

Rod Cleveland, Chairman  
Harold Haralson, Vice-Chairman  
Darry Stacy, Member  
Tammy Belinson, Secretary

**Others present were:** Assistant District Attorney Jim Robertson, Assistant District Attorney Abby Nathan, Linda Atkins, Alison Vinson, Undersheriff Blake Green, Brenda Hill, Brian Wint, Bryan Jenkins, Chief of Detention Jacob Wheeler, Daniel Thatcher, Douglas Warr, Earl Cox, George Mauldin, Graham Womack, Randy Robinson, John Roberts, Joy Hampton, Kathy Singer, Laura Smith, Leann Clements, Melinda Duke, Sarita Scott, Susan Burr and Susan Reese.

After the reading of the minutes of the regular meeting of **June 10, 2019**, and there being no additions or corrections, Darry Stacy moved that the minutes be **approved**.

Harold Haralson seconded the motion.

The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.

Motion carried.

### A. Old Business:

1. Upon the recommendation of Assistant Purchasing Agent Susan Reese, Rod Cleveland moved, seconded by Harold Haralson, to **table** the awarding and/or rejecting of the bids until a later date for **Bid #HWY-1911** – Six (6) month Non-Encumbered Contract for bulk oils, lubricants & antifreeze for the County Commissioners. The bid term will be July 22, 2019 through January 21, 2020. The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.
2. Upon the recommendation of Purchasing Agent Melinda Duke. Rod Cleveland moved, seconded by Darry Stacy, to **award** as per bid summary and where low bid was not awarded there is an explanation for **Bid #SHE-1912** – One Year (1) Non-Encumbered Contract for Inmate & Detention supplies for Cleveland

County. The bid term will be from July 1, 2019 through June 30, 2020.  
The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes.  
Motion carried.

3. Upon the recommendation of Purchasing Agent Melinda Duke. Rod Cleveland moved, seconded by Harold Haralson, to **award** as per bid summary and where low bid was not awarded there is an explanation for **Bid #SHE-1913 – One Year (1) Non-Encumbered Contract for Jail Supplies for Cleveland County**. The bid term will be from July 1, 2019 through June 30, 2020.  
The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.  
Motion carried.

#### **B. Items of Business:**

1. Chairman Cleveland said the **Pre-Trial Presentation** will be on the next agenda for **Monday, June 24, 2019**.
2. Chairman Rod Cleveland said, “I make the motion that we precede; if you want to talk about discussions or anything with that, because I have a presentation, unless, you guys have anything that you want to add to it.”

**“Membership** of Circuit Engineering #5 and/or enter in discussions with McClain and Garvin Counties to form a new Circuit Engineering District.”

Harold Haralson asked, “I am just curious to hear what your thought process is on entering into discussions with McClain and Garvin Counties.”

Chairman Cleveland said, “Currently, right now, we have CED#5 and because of CED#5, we have three counties that are in division 3 and three counties that are in division 4. With the CIRB Program that both of us have to, we both have to go to a different CED and actually work within the CED in that division. So after some communications with ODOT, specifically, stating that CED is where, is where the management of the CIRB Program is at and in talking with Logan County, even like Canadian County, which they are not part of they are in division 8, I mean CED#8 and in also talking with some other County Commissioners over in CED#4. We were, okay, how does this work for us, what are we doing? So the thought is, if we dissolve the CED#5 and that dissolves everybody whatever the assets are then is turned back to the counties. Then we could enter into an agreement with McClain County and Garvin County which is division 3 and then we are in more control of our CIRB 5 year plan. ODOT would work with us directly versus us having to go over to CED#4. The same thing with Oklahoma County and Logan County and possibly Payne County and then maybe even Canadian County for them and where they are working directly with ODOT, so then we would have a little more interaction in getting our 5 year plans and our projects done. So that is the thought of it. The other thing is that at CED#5, we kind of talked about as far as CED#5, what is expected in our role to do if we look and create a CED with Garvin and McClain, it would be three counties, and we could design something that is more specific for our needs.

One would be a CED between the three counties and we kind of work it and since we have the same District Attorneys’ offices and they are aware; so, we tried to do things similar. That was my thoughts that I was thinking. I talked to McClain County Commissioner Wilson Lyles. He thought it was a novel idea to explore and I talked to Commissioner Holden. He wants to look at it some more and it sounds like it could be promising and the same way with the Commissioner Glen Murray in McClain County. This is something that Logan County and Oklahoma County are looking at on their side as far as an option and everything. The reason why I put it on here, it is because I am the representative for the county for the CED of which if we pursue that then we would put that on the agenda for the next CED meeting to dissolve it and then I want our board action because the county is actually the board member of the CED.”

Commissioner Haralson called on Randy Robinson, P.E., Executive Director, Oklahoma Cooperative Circuit Engineering Districts Board, to address the issues Cleveland County would face in forming a new CED.

Randy Robinson said, “The statutes and the bylaws allow any numbers of CEDs to form. Currently, there are eight. He represents the statewide Circuit Engineering District Board and there are eight commissioners who serve as presidents. There’s three different funding programs handled by the statewide board; the CED revolving fund, the solid waste program and the emergency transportation revolving fund. It does in, his bylaws, in the statewide bylaws, state that a CED can be formed if a CED wants to form and enter into an inter-local agreement with the statewide board. So it is going to take the statewide board seeing that this is a good idea on a statewide level and it would take a board passage which you would need to have five members and if it does not, and you decide to go ahead and form the one fund, the CED revolving fund follows the counties but only follows the counties or the CEDs if you are part of the statewide board. So what you could be in jeopardy of in forming a CED and not part of the statewide board is then the statewide board would not be able to push on and serve you that CED revolving fund for Garvin, McClain and Cleveland. That would be in jeopardy.”

Commissioner Haralson asked, “You worked for ODOT at one point and time, is that correct?”

Randy Robinson said, “Yes.”

Commissioner Haralson asked if forming our own CED would get things done any faster, because ODOT seems to work at their own pace according to what he has seen.

Mr. Robinson said, “Historically, decades ago, at one time our ACCO Districts mirrored ODOT’s field divisions. Over time, from whatever reason, they’ve dispersed. We have five out of the eight CEDs right now that mirror county by county with ODOT field divisions. But unfortunately in the middle of the state, we don’t, that is what Commissioner Cleveland is referring to is that CED#4 has eight counties that are in ODOT field division three. There are three counties in CED#5. Even if you formed a CED#9 for instance or whatever you still have to meet with those other CEDs in that field division to combine your CIRB Program or do like in District #8 with Logan, Payne and Oklahoma County where they have a sub-set of the field divisions’ money to try to put together their CIRB 5 year plan. I have not seen that it has increased the project flow as far as the

process flow it is just another kind of layer that you have to go through for ODOT then to combine the whole 5 year plan together.”

Commissioner Cleveland said, “First of all, whenever you are talking about the Circuit Engineering Revolving Fund and you being the director as the director of the revolving fund would that be something that you would recommend to the board that they accept the inter-local and to fund a new CED?”

Mr. Robinson said, “You know that is one thing that I would need to visit with my board president and see what his thoughts are about creating another CED. Is that beneficial to the state and to counties in general and I will leave that up to him and the board’s decision”

Commissioner Cleveland said, “I think that it would certainly be beneficial for us counties and that is what we are about. We are a collective volunteer to put together whatever is best for the county individually. Not to challenge you or anything, usually they take your advice on that. Do you see any kind of problem with three counties, basically, a CED busting up from six to three-county district?”

Mr. Robinson said, “I don’t see the benefit in what your proposal is as far as saving time and money. I think there is the potential of overhead costs that are still there. If we do and the statewide board enters into an inter-local agreement there will still be some sort of cost born by the three counties instead of the six for managing the CED Revolving Fund. Whereas now, it is spread out over six counties instead of three, I am not seeing the benefit either working through ODOT or saving you money.”

Commissioner Cleveland said, “Now when you say that ODOT would require us to go to division 3, the way that the state law is written up is that the money that is dispersed by the CIRB is split through the division. It is split eight ways, so it is how the division, which there is no collective counties within the division, it is always CEDs. We don’t have our own division, we have our CED, we have to be with someone else with CED#, we had a subcommittee of CED#5 of us three counties and we got along with the eight counties of CED#4 as a subdivision and that manages it. But, I also have correspondence from ODOT that they are living within the state law, anyway, because they are deferring the management of the CIRB Program to the CEDs, but nowhere in the statutes or even in ODOT’s administrative rules, do they really give that kind of authority to the CEDs and everything. So, if that is the case then ODOT is thinking of that then they would do the CED so we would have our allocation of the CIRB money or we would do our plan and we would send our plan to the division that is bundled up, but then we would be working directly with ODOT, as the new CED, to work on projects.”

Mr. Robinson said, “First, under the administrative code, under that section 700, ODOT does have a policy in their code to give the oversight to put the plan together to the CEDs. That is in the code, not in the Statutes, like you said, but in the Statutes it gives the authority, for the whole program to the Department of Transportation. So they made a code and made a policy that they have given part of the program for putting the projects together to the CEDs. Now, one thing that you could do is what Payne, Logan and Oklahoma County does and is get a sub-set of the division money for your three counties and put a plan together and not have a committee meeting with the other eight counties of CED#4. That is something that is going on right now. That is a possibility and that’s what ODOT

has done in the past. I just have trouble seeing the benefit over all as far as expediting projects or saving you time and money.”

Commissioner Cleveland said, “There are times that when we have CED#5 meeting, whenever there’s board action but it only pertains to Payne, Logan and Oklahoma County that they are having that sub-set and it’s kind of the same way with the three counties, McClain, Garvin and Cleveland County. We go over and have that policy meeting, that CIRB Policy meeting for division 3. So, my thinking was ‘well, if we are, if you have a CED that is exclusive within a division then the working the program out of the CIRB Program makes it stay within the commissioners that are there and you don’t have other influences and everything’. So that is my thoughts. I mean, it hasn’t been done yet. It would be something new. I would hope that the statewide board would not interfere into counties doing what is statutorily given to them to be able join and create a CED, especially if it is good for the benefit of that region and those counties. It’s not like it is taking money away from other counties. Pretty much the allocation is to the counties and then you just lump it into whatever CED they are in. So we get a 77<sup>th</sup> share and then we have a 6<sup>th</sup> share of county CED#5. So that is how funding comes to the county, is that correct?”

Mr. Robinson said, “Which funding are we talking about?”

Commissioner Cleveland said, “The CED Revolving Fund.”

Mr. Robinson said that is not it, it is done by the percentage of the county road factor.”

Commissioner Cleveland said, “Okay, it is.”

Mr. Robinson said that of the six counties, McClain County would be getting the smallest amount on up to Oklahoma County gets the most, so actually when that is pooled together you have the opportunity in your material request program that you have to actually use part of Oklahoma County’s money, technically speaking. So, there in that respect, looking at that, that would be a kind of negative toward you.”

Commissioner Cleveland asked, “Is that Statutory?”

Mr. Robinson said that is the CED Revolving Fund and how it is set up. It is set up by the statewide CED Board.

Commissioner Cleveland said that it is not in the bylaws.

Mr. Robinson said it is not, it is in a separate program describing the policies and procedures of the CED Revolving Fund.

Commissioner Cleveland said, “Okay, can you send that to me?”

Mr. Robinson answered affirmatively.

Darry Stacy stated that his thoughts are to explore this through the State CED Board, because if they are the ones that determine if they get the revolving fund, then they need to discuss it with them. He asked that Mr. Robinson have Zack place this on the next agenda for discussion.

Randy Robinson said that they will have a Board meeting next week.

Chairman Cleveland thanked Randy Robinson for his information.

Darry Stacy moved to **table** this until a later date in order to find out what the State wants to do about this item. Harold Haralson seconded the motion. The vote was: Rod Cleveland, yes; Darry Stacy, yes; Harold Haralson, yes. Motion carried.

3. Chairman Cleveland called for discussion of the **FY 2020 Application** for DEQ Environmental Officer Grant Program. He said that this is an application ready to be applied for in the amount of \$50,000.000.

Harold Haralson moved, seconded by Darry Stacy, to **strike** this item from the agenda.

Darry Stacy said discussion was had between Jacob McHughes and the Undersheriff as to not being ready to move forward with this program at this time; however, they may consider it at a future date.

Undersheriff Blake Green thanked them for looking out for them by making grants available and for making them aware of this program. They weren’t aware of this when they made their budget and it would require them to cannibalize a position at this point. They are very interested in looking into this for next year and budget for it appropriately.

Darry Stacy asked that he relay this information on to Jacob McHughes.

Undersheriff Green stated affirmatively.

The vote was: Darry Stacy, yes; Harold Haralson, yes; Rod Cleveland, no. Motion carried.

Chairman Rod Cleveland said that the following Items, No. 4 through No. 23, are **Consent Items** and are routine in nature: Harold Haralson moved to **approve** the Consent Items. Darry Stacy seconded the motion:

4. **Contract** between Board of County Commissioners of Cleveland County and Sequoyah Enterprises, Inc., for its detention services effective July 1, 2019 through June 30, 2020 in the amount of \$26.00 per day, per child.
5. **Contract** between Board of County Commissioners of Cleveland County and Western Plains Youth & Family Services, Inc. for Juvenile Detention Services at the Northwest Oklahoma Regional Juvenile Detention Center effective July 1, 2019 through June 30, 2020 in the amount of \$58.00 per day, per child.
6. **Contract** between Board of County Commissioners of Cleveland County and Western Plains Youth & Family Services, Inc. for Juvenile Detention services at the Beckham County Juvenile Detention Center effective July 1, 2019 through June 30, 2020 in amount of \$58.00 per day, per child.
7. **Contract** between Board of County Commissioners of Cleveland County and Texas County Juvenile Detention Center effective July 1, 2019 through June 30, 2020 in the amount of \$41.00 per day, per child.
8. **Contract** between Board of County Commissioners of Cleveland County on behalf of Cleveland County Health Department and L.G. Construction to furnish

all labor and material for construction of a sterile room at 250 12<sup>th</sup> Ave. NE, Norman OK effective June 17, 2019 through August 2, 2019 in the amount of \$9,373.00.

9. **Contract** between Board of County Commissioners on behalf of Cleveland County Health Department and Absolute Data Shredding effective July 1, 2019 through June 30, 2020 at the Norman and Moore locations. Price based on Eight (8) Executive Shred Consoles at \$18.75 per container, per service and Three (3) 95-gal Poly Carts at \$40.00 per container, per service.
10. **Contract** between Board of County Commissioners on behalf of Cleveland County Court Clerk and Village at Cambridge to lease three (3) 10x20 storage units effective July 1, 2019 through June 30, 2020 in the amount of \$110.00 a month per unit; payable annually in the amount of \$3,960.00.
11. **Contract** between Board of County Commissioners on behalf of Cleveland County Sheriff’s Office and City of Noble effective July 1, 2019 through June 30, 2020 to provide incarceration of the City prisoners and detainees within the County Jail, under the custody of Sheriff, and to otherwise coordinate booking and detention functions in the amount of \$48.63 per day for each person incarcerated in said facility.
12. **Memorandum of Agreement** between Board of County Commissioners on behalf of Cleveland County Fairgrounds and Norman Public Schools, agrees to assist Independent School District 29 with providing an emergency evacuation site for students, faculty and visitors who must evacuate a Norman Public School campus effective July 1, 2019 through June 30, 2020.
13. **Contract** between Board of County Commissioners on behalf of Cleveland County Fairgrounds and Dell effective July 1, 2019 through June 30, 2020 in the amount of \$311.65.
14. **Contract** between Board of County Commissioners on behalf of Cleveland County Fairgrounds and Schendel Pest Services effective July 1, 2019 through June 30, 2020 in the amount of \$42.00 per month.
15. **Contract** between Board of County Commissioners on behalf of Cleveland County Fairgrounds and Del Nero Communications Management, LLC effective July 1, 2019 through June 30, 2020 in the amount of \$1,020.00.
16. **Renewal Contract** between Board of County Commissioners on behalf of Cleveland County Fairgrounds and Eureka Water Co. effective July 1, 2019 through June 30, 2020 in the amount of \$6.20 per 5-gallon bottle of water.
17. **Agreement** between Cleveland County Sheriff’s Department and GeoSafe to grant access to GeoSafe Mobile Service in the amount of \$12,000.00 per year July 1, 2019 through June 30, 2020.
18. **Annual Cylinder Lease Contract** between Cleveland County District #3 and James Supplies to lease 21 cylinders at \$46.00 per cylinder for the period of July 1, 2019 through June 30, 2020.
19. **Joint Resolution** between the Board of Cleveland County Commissioners and Cleveland County Justice Authority to renew the Sales Tax Agreement previously

entered into on July 1, 2018 set to expire June 30, 2019. This agreement will be effective July 1, 2019 through June 30, 2020.

20. **Joint Resolution** between the Board of Cleveland County Commissioners and Cleveland County Justice Authority to renew the Sub Lease Agreement previously entered into on July 1, 2018 set to expire June 30, 2019. This agreement will be effective July 1, 2019 through June 30, 2020.
21. **Agreement** between Cleveland County Assessor and Tisdal & O’Hara to provide legal services for the period July 1, 2019 through June 30, 2020.
22. **Review, Audit, Approve or Disallow Blanket Purchase Orders submitted. A report will be available for distribution at the meeting or may be obtained from the County Clerk.**
23. **Review, Audit, and approve or disallow claims for Payment of Personal Services, Travel, maintenance & Operations, and Capital Outlay. A report will be available for distribution at the meeting or may be obtained from the County Clerk.**

The vote was: Harold Haralson, yes; Rod Cleveland, yes; Darry Stacy, yes.  
Motion carried.

**END OF CONSENT**

C. There was no **new business** to come before the Board for discussion.

D. During Commissioner’s discussions regarding **County Business**, Commissioner Stacy congratulated Assistant District Attorney Abby Nathan on six months with the Board of County Commissioners as legal counsel.  
Chief Chavez introduced Graham Womack a senior at OCU, who is their first college intern. Mr. Graham did Judicial Services last week and participated in a little bit of action when someone had to be remanded.

(At this point, Photographs were taken with the Board of County Commissioners.)

E. No **Public Comments** from the floor were made at this time.

F. **At 1:28 P.M.**, Darry Stacy moved, seconded by Harold Haralson, to **go into Executive Session** for the purpose of the following: Pursuant to Title 25, OS 307.4 – Discussing the employment, hiring, appointment, promotion demotion, disciplining or resignation of Cleveland County Commissioner Employees Denise Ellison, Melissa Nies, Brian Wint and Cleveland County IT Department Employees Paul Moses, Jerry Vincent, and David Yates.

The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.  
Motion carried.



G. At 1:35 P.M., Chairman Cleveland moved, seconded by Darry Stacy, to return to open session.

The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes.  
Motion carried.

Darry Stacy moved, seconded by Harold Haralson, to have Commissioner Haralson get with Alison Vinson, HR, in reference to the performance evaluation procedures.

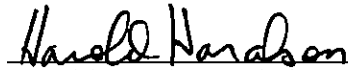
The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.  
Motion carried.

H. There being no further business to come before the Board, Darry Stacy moved, seconded by Harold Haralson, that the meeting be **adjourned** at 1:37 P.M.

The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.  
Motion carried.

(Clerk’s Note: Agenda was posted on June 13, 2019 @ 2:59 P.M.)

**BOARD OF COUNTY COMMISSIONERS  
CLEVELAND COUNTY, OKLAHOMA**



Harold Haralson, Chairman

ATTEST:



Tammy Belinson, County Clerk and Secretary to the Board

Minutes Prepared by:

  
Deputy County Clerk

