



BOARD OF COUNTY COMMISSIONERS

MONDAY, JULY 1, 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 1st day of July 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 Operations Jose Chavez, Sheriff Todd Gibson, Earl Cox, George Mauldin, Jacob McHughes, Joy Hampton, John Roberts, Kathy Singer, Laura Smith, Laurie Beth Marshall, Leann Clements, Melinda Duke, Sarita Scott, Susan Burr, Douglas Warr, Mike Finley, Jeffery Dixon, John Graham and Susan Reese.

After reading of the minutes of the regular meeting of June 24, 2019, and there being no additions or corrections, Darry Stacy moved that the minutes be **approved**. Harold Haralson seconded the motion.

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

E. Bid Openings:

Susan Reese publicly opened and named each bidder. Rod Cleveland moved, seconded by Harold Haralson, to **accept** the bids and instructed the Purchasing Department to qualify, tabulate and prepare a report for each bid and make recommendations to the Board of County Commissioners on the following:

1. **BID #HWY-1915** – Six-Month (6) Non-Encumbered Contract to provide Asphalt Material. The bid term will be from August 11, 2019 through February 10, 2020.

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

CLEVELAND COUNTY BID SUMMARY

Bid #HWY-1915 Asphalt Materials

Bid Term August 11, 2019 through February 10, 2020

List of Individual Bidders

	Asphalt Producer s, Inc.	T&C Asphalt Materials	Paving Materials Inc.	T.J. Campbell Const. Co.	Haske ll Lemo n Const ructio n Co.	Logan County Asphalt Co.	Page 1
BID:							
#HWY-1915							
DEPT: Co.							
Commissioners							
DATE							
OPENED: 7-1-19							Awar ded to: Table d on 7/1/ 2019
 List of Individual Items:							
Six-Months							
(6) Non-Encumbered Contract for Asphalt Materials for the County Commissioners							
The Bid Term will be from August 11, 2019 through February 10, 2020.							
Contact Person:	Karen Pittman	Tim McBride	Greg Kalicki	Arlen Halvorson	Roy Counts	Todd Braid	
Title:	AP/AR	President			Sales Manager	Sales Manager	
Address:	105 NE 44th OKC, OK 73105	406 N. Blaine Ave. Chandler, OK 74834	2401 S. Broadway Moore, OK 73160	PO Box 3788 Edmond, OK 73083	PO Box 75608 Oklahoma City, OK 73147	2905 Commerce Blvd. Guthrie, OK 73044	
Telephone Number:	405-528-2448	405-760-4484	(405) 793-1725	(405) 672-6768	(405) 947-6069	866-383-3711	
Fax Number:	405-524-1838		(405) 793-9989	(405) 513-6786	(405) 974-6068	405-282-1554	
Email Address:	burnskarenp@hotmail.com	timothy_mcbride@att.net	gregk@silverstarconst.com	TJCEstimatings@tjcambell.com		ica@logancoountyasphalt.com	

NON- COLLUSION AFFIDAVIT:	YES	YES	YES	YES	YES	YES
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F. Old Business:

1. After reading of the minutes of the regular meeting of June 17, 2019, and there being no additions or corrections, Harold Haralson moved that the minutes be **approved**. Darry Stacy seconded the motion.
The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.
Motion carried.

G. Items of Business:

1. Rod Cleveland moved, seconded by Darry Stacy, to elect Harold Haralson as **Chairman for FY 2019/2020**.
The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.
2. Rod Cleveland moved, seconded by Darry Stacy, to elect Darry Stacy as **Vice-Chairman for FY 2019/2020**.
The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes.
Motion carried.
3. Chairman Harold Haralson presented John Graham a **Certificate of Appreciation** for services rendered to District #3 by having accomplished the proper functioning of their radio system. He asked that everyone concerned come forward for a photograph opportunity under the camerawork of Joy Hampton.
4. Jacob McHughes made a **presentation on Rapid DNA**. He attended a Lunch and Learn, as requested by Tulsa County, in order that the information he received could be conveyed to the Board of Cleveland County Commissioners. The lecture topic was about Rapid DNA. The invites of the attendees were State Legislators, FBI, DOC, Tulsa County Officials, Former Colorado Assistant Attorney General, Tribal Government Officials and Law Enforcements. He stressed that the information submitted is to only inform the BOCC and is in no way an endorsement. He is merely passing the information from Tulsa County to them since they are the policy and decision makers for Cleveland County. Rapid DNA was initiated in Oklahoma by SB 184, the premise on an original act by President Trump in 2017, HR 510. Basically, the FBI issues standards and procedures on Rapid DNA. His observations at the meeting were that it speeds up the process when someone is arrested to get hits off of other crimes that these individuals have committed in other states. Oklahoma is the first state to adopt this style of law and Tulsa County has spearheaded this and they are actively trying to get this information out to other counties as to what they are doing. This will go into effect in November 2019. He said that Representative Carol Bush made the offer to come and meet with the BOCC on

this matter if interested in receiving more information on this matter. Tulsa County offered to do the same as well.

Commissioner Stacy commented that no one wants to get the bad guy more than he and spent twenty-three years doing just that. He said that the 4th Amendment was always held sacred in the course of their investigations and now it is his biggest concern. Compulsory extraction and analysis of a person's DNA prior to conviction is a search and based upon the Constitution 4th Amendment right this does not fall within any exception to the requirement for a warrant. DNA collection is a bodily intrusion on an individual's blueprint by the government. Unlike finger printing, DNA is not used as a form of identification, but rather as stated by the government only compared with crime scenes samples at this time; however, the future scientific implication of what these samples can be used for are limitless. One of the primary principles of the criminal justice system is the presumption of innocence until proven guilty. He asked at what point we draw the line in the form of intrusion of the state and federal government into our private lives. He asked if anyone in the room would give out their Social Security Number. Commissioner Stacy stated they are asking us to give out our genetic blue print to be cataloged and screened. The 4th Amendment does not allow the government to seize and warehouse our personal papers or effects just because they promise to not examine them later and the law should be no different with our genetic blue print. He said there is already a fight taking place to hold on to their Second Amendment rights and now the American people are being asked to give up their 4th Amendment rights as well. He said, "As you can see I am thoroughly passionate about this and I have personal beliefs and opinions about this that this is an intrusion on our 4th Amendment rights when we chose to do this prior to conviction."

Sheriff Todd Gibson stated that he was asked to attend the lunch and learn but was not available to attend the meeting. He has not received anything from Tulsa County. He agrees, philosophically, with Commissioner Stacy on this matter.

Chairman Haralson said that since Oklahoma is the first state to do this, it places them in the situation as the first ones to deal with all of the law suits that will arise.

Jacob McHughes said that he agrees with the Commissioners and having heard all the arguments from both sides in whatever interpretation of what the 4th Amendment is and the premise of what this whole thing was about which was to simply get the bad guys off of the street that had perpetrated crimes in other states. He finished by saying that his purpose was to bring to the message to the Board's attention.

5. Rod Cleveland moved to designate Harold Haralson as the Official Cleveland County Board Member to the District #5 Circuit Engineering District Board of Directors.

Harold Haralson respectfully declined and moved to **appoint** Darry Stacy to the District #5 Circuit Engineering District Board of Directors.

Darry Stacy seconded the motion.

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

6. Rod Cleveland moved, seconded by Darry Stacy, to close out funds with residual balances to be transferred to the general fund.
The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.
7. Darry Stacy moved, seconded by Rod Cleveland, to **approve** the new Chart of Accounts.
The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes.
Motion carried.

Chairman Harold Haralson **said** that the following Items, No. 8 through No. 31, are **Consent Items** and are routine in nature with the exception of Item No. 20, due to an error in that item: Darry Stacy moved to **approve** the Consent Items with the exception of Item no. 20. Rod Cleveland seconded the motion:

8. **The Resolution on Various Contracts requiring re-authorization, continuance or renewal for the Fiscal Year beginning July 1, 2019.**
9. **The List of Requisitioning Officers and Receiving Officers in workflow for the Fiscal Year beginning July 1, 2019.**
10. **The Resolution to Reimburse the Officials or Department Heads for services of Public Employees or other purposes from various entities per Title 62, O.S. § 335. Said Resolution to begin July 1, 2019 through June 30, 2020.**
11. **Resolution designating County Depository Banks for FY 2019/2020.**
12. **Cleveland County Investment Policy for FY 2019/2020.**
13. **Contract** between Cleveland County and Tyler Technologies third amendment for additional training days. The additional days will only be billed if used.
14. **Contract** between Board of County Commissioners on behalf of Cleveland County District 1 and Xerox Business Solutions Southwest effective July 1, 2019 through June 30, 2020 in the amount of \$36.00 per month.
15. **Renewal Contract** between Board of County Commissioners on behalf of Cleveland County Safety and Emergency Management and Xerox Business Solutions Southwest effective July 1, 2019 through June 30, 2020 in the amount of \$.0075 per black and white and \$.0400 per color copy.
16. **Contract** between Board of County Commissioners on behalf of Cleveland County Sheriff's Office and Lexipol effective July 1, 2019 through June 30, 2020 in the amount of \$33,517 for FY 19/20.

17. **Discuss/Award** contract for Metro Flooring for removal and re-installation of carpet in the amount of \$8,487.07 for the Cleveland County Sheriff's Department located in Slaughterville, OK.
18. **Contract** between Board of County Commissioners and Stacey Clement, Directly Observed Therapist effective July 1, 2019 through June 30, 2020 not to exceed \$8,666.00 for services including \$10.00 per service visit and mileage in accordance with the State Travel Reimbursement Act (STRA).
19. **Contract** between Board of County Commissioners and Vivian Y. Gibson, Directly Observed Therapist effective July 1, 2019 through June 30, 2020 not to exceed \$8,666.00 for services including \$10.00 per service visit and mileage in accordance with the State Travel Reimbursement Act (STRA).
20. **(Clerk's Note:** This Item was moved to the end of the agenda.)
21. **Contract** between Board of County Commissioners and Community Works for juvenile detention services at Cleveland County (Couch Center) and Pott County (Carter Hall) effective July 1, 2019 through June 30, 2020 in the amount of \$24.34 per day per child.
22. **Interlocal Agreement** for Veteran Services provided through Cleveland County Health Department effective July 1, 2019 through June 30, 2020 in the amount of \$90,000.00 for the term of this contract in order to cover individual salary and benefits.
23. **Interlocal Agreement** for Healthy Living Program provided through Cleveland County Health Department effective July 1, 2019 through June 30, 2020 in the amount of \$200,000.00 for the term of this contract in order to cover individual salary and benefits.
24. **Agreement** for Pre-Trial, Mental Health Pre-Trial and Community Service Court Services between Cleveland County Board of Commissioners and Cleveland County Pre-Trial Services, LLC effective July 1, 2019 through June 30, 2020 in the amount of \$365,000.00 annually.
25. **Preventive Maintenance Agreement** between Board of County Commissioners and PR Fitness effective July 1, 2019 through June 30, 2020 in the amount of \$900.00 annually.
26. **Renewal Addendum** between Board of County Commissioners and Windstream effective July 1, 2019 through June 30, 2020 for FY 19/20. All terms and conditions will remain the same.
27. **Renewal Contract** between Board of County Commissioners and Eureka Water Company effective July 1, 2019 through June 30, 2020 in the amount of \$6.20 per 5 gallon jug.

28. Renewal Contract between Board of County Commissioners on behalf of the Wellness Center and Eureka Water Company effective July 1, 2019 through June 30, 2020 in the amount of \$6.20 per 5 gallon jug.

29. Approve the following Cash Fund Appropriations Lapsed Balances from FY 18/19 to FY 19/20:

a.	Assessor's Revolving Fund	\$ 19,992.85
b.	Bridge Capital Improvement Fund	\$ 190,453.18
c.	Child Abuse Prevention Fund	\$ 2,106.52
d.	Bridge and Road Improvement Fund	\$ 3,828,115.50
e.	Commissioners Building Fund	\$ 701,315.03
f.	County Clerk's Lien Fee Fund	\$ 194,244.38
g.	County Clerk's Preservation Fee Fund	\$ 258,200.00
h.	Court Clerk Revolving Fund	\$ 94,799.39
i.	DA Incarceration Cost Fund	\$ 7,622.97
j.	Drug Court Revolving Adult Fund	\$ 20,558.27
k.	Emergency MGT/Risk ASMT Donations Fund	\$ 2,000.00
l.	Fairgrounds Fund	\$ 758,001.60
m.	First Choice Recovery Fund	\$ 2,104.82
n.	Hazard Mitigation Grant Fund	\$ 2,339.04
o.	Highway Unrestricted Fund	\$6,059,443.01
p.	Juvenile Drug Court Revolving Fund	\$ 19,934.64
q.	Local Emergency Planning Committee Fund	\$ 8,271.00
r.	Safe Room FEMA Grant Fund	\$ 2,789.18
s.	Sheriff Cleveland County Justice Center Fund	\$ 3,418.50
t.	Sheriff Commissary	\$ 30,000.00
u.	Sheriff Courthouse Security Service Fee Fund	\$ 130,270.24
v.	Sheriff Criminal Alien Assistance Grant Fund	\$ 18,617.41
w.	Sheriff Donations Fund	\$ 10,638.20
x.	Sheriff Environmental Reward Fund	\$ 9,267.42
y.	Sheriff Federal Share Revenue Fund	\$ 6,265.43
z.	Sheriff Jail Fund	\$ 5,391.59
aa.	Sheriff Revolving Fund	\$ 120,889.99
bb.	Sheriff Service Fee Fund	\$1,206,551.33
cc.	Sheriff Property Forfeiture Fund	\$ 38,640.38
dd.	Sheriff Justice Assistance Grant Fund	\$ 2,000.00
ee.	Sheriff Reserve Deputies Donations Fund	\$ 288.23
ff.	Treasurers Certification Fee Fund	\$ 584,951.07
gg.	Wellness Committee Donation	\$ 400.00

30. Review, Audit, and 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.

31. 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; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.

END OF CONSENT DOCKET

Item No. 20:

Darry Stacy moved, seconded by Rod Cleveland, to **strike** the ones that are incorrect on the following:

111 N. Peters (Cleveland Co.Ops)	\$35.00 mo.
111 N. Peters (F.Dewayne Beggs Ctr)	\$85.00 mo.

AND TO approve the Agreement between Cleveland County and Rod's Pest Control for the period July 1, 2019 through June 30, 2020 for service at the following locations:

14701 S. Westminister Road	\$75.00 qtrly
201 S. Jones	\$225.00 qtrly.
1650 Tecumseh Road	\$60.00 mo.

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

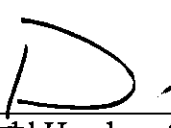
- D. There was no **new business** to come before the Board for discussion.
- E. During Commissioner's discussions about County Business, Commissioner Rod Cleveland said the 9-1-1 Association of Central Oklahoma Governments Board has named him as Vice-Chair and Commissioner Stacy is on the State Board.
- F. There were no comments made by the Public.
- G. **At 1:21 P.M.:** Rod Cleveland moved, seconded by Darry Stacy, to **go into Executive Session** to include Alison Vinson and Sarita Scott 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 Human Resource Employees.
The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes.
Motion carried.
At 1:32 P.M., Rod Cleveland moved, seconded by Darry Stacy, to **reconvene**.
The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.
(During such time the Board of County Commissioners only discussed what was on the agenda and took no action or votes.)

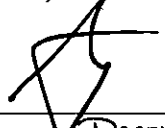
Darry Stacy moved to **move forward as discussed in executive session**. Rod Cleveland seconded the motion.
The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.

H. There being no further business to come before the Board, Darry Stacy moved, seconded by Rod Cleveland, that the meeting be **adjourned** at 1:34 P.M.
The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes.
Motion carried.


(Clerk's Note: Agenda was posted on June 28, 2019 for 12:18 P.M.)

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


Harold Haralson, Chairman
Absent


Darry Stacy, Vice-Chairman

ATTEST:


Tammy Belinson County Clerk and Secretary to the Board



Minutes Prepared by: 
Deputy County Clerk

SCANNED