



BOARD OF COUNTY COMMISSIONERS

MONDAY, MARCH 16, 2020

Chief of Operations Jose Chavez led in Prayer and the Pledge of Allegiance.

Chairman Harold Haralson called to order the regularly scheduled meeting of the Board of Cleveland County Commissioners at 1:00 P.M. this 16th day of March 2020, in Meeting Room 200 of the Cleveland County Office Building. Linda Atkins, Deputy County Clerk/Secretary, called the roll and those present were:

Harold Haralson, Chairman
Darry Stacy, Vice-Chairman
Rod Cleveland, Member
Linda Atkins, Secretary

Others present were: Assistant District Attorney Jim Robertson, Assistant District Attorney Nate Hales, Linda Atkins, Alison Vinson, Undersheriff Blake green, Bryan Jenkins, Brian Wint, Bryant Rains, Chief of Operations Jose Chavez, Chief Deputy Jacob Wheeler, Daniel Thatcher, Earl Cox, George Mauldin, Carrie Davis, John Roberts, Joy Hampton, Stephanie Jackson, Adam Balkema, Laura Smith, Leann Clements, Melinda Duke, Susan Reese, Sheriff Todd Gibson, and Melissa Nies.

After the reading of the minutes of the **Regular Meeting of March 9, 2020**, and there being no additions or corrections, Darry Stacy moved, seconded by Rod Cleveland, that the minutes be **approved** as read.

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

A. Old Business:

1. Upon the recommendation of Susan Reese, Harold Haralson moved, seconded by Darry Stacy, to **award** as per bid summary to low bidder Affordable Fence Company in the amount of \$12,380.00 for **Bid #FG-1939** – Contractor for Commercial Metal Fence for the Cleveland County Fairgrounds.

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

2. Upon the recommendation of Melinda Duke, Harold Haralson moved, seconded by Darry Stacy, to **award** to low bidder A1 Quality Services LLC for District #2 in the amount of \$23,597.00 and for location #2, Alan J. Couch Juvenile Center, \$24,428.00 for **Bid #COM-1943** – Purchase and

Installation of two (2) FEMA above ground storm shelters.

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

B. Items of Business:

1. Presentation was made by Carrie Davis on **Pre-Trial**.
2. Commissioner Cleveland said that **Personnel policy** changes, if any, to address COVID-19 will be discussed in an emergency Budget Board meeting at 2:30 pm this afternoon and recommended that the Board skip this item and come back to it later after the Budget Board meeting.

Chairman Harold Haralson said that the following Items, No. 3 through No. 17, are **Consent Items** and are routine in nature: Darry Stacy moved to **approve** the Consent Items. Rod Cleveland seconded the motion: Commissioner Stacy commented that the Sheriff's resignation letter is part of the Consent Agenda and expressed his appreciation for everything that Todd Gibson did for Cleveland County while in that position and wished him the best of luck in his new endeavors.

3. **Approval** of final plat for Hidden Creek Estates, an addition to Cleveland County, being part of Section 3 T7N, R2W of the Indian Meridian, District 3, Cleveland County, Oklahoma.
4. **Request for Approval** of Allocation of Alcohol Beverage Tax in the amount of \$61,840.42.
5. **Resolution** authorizing the implementation of use tax at a rate equaling the current county sales tax pursuant to Oklahoma Statutes Title 68, Section 1411.
6. **Resolution** by the Board of Cleveland County Commissioners to direct the County Treasurer to deposit the collections of the Use Tax with the Cleveland County Industrial Authority.
7. **Sales Tax Agreement** between the Cleveland County Board of County Commissioners and Cleveland County Justice Authority to grant the Justice Authority the power to pledge and assign sales tax revenues through June 30, 2020. This agreement to be renewed annually.
8. **Accept Letter of Resignation** of Sheriff Todd R. Gibson, Cleveland County Sheriff, effective April 3, 2020.
9. **Payment of Invoice** #24952 from Rieger Law Group PLLC for Cleveland County services in the amount of \$98.88.

10. **Accept** donation totaling \$3,750.00 from various donors to Cleveland County Sheriff's Office.
11. **Contract** between Board of County Commissioners and Affordable Fence Co. effective March 23, 2020 through March 30, 2020 in the amount \$4,845.00.
12. **Contract** between Board of County Commissioners on behalf of Cleveland County Sheriff's Office and Oklahoma Fiber, LLC effective immediately through June 30, 2020 in the amount of \$135 per month.
13. **Payment of Invoices** from OneBeacon in the amount of \$2,905.26 and \$5,174.06 for government risks deductible dated December 9, 2019 and February 28, 2020, respectively.
14. **Resolution for Disposal** of the following items from Cleveland County District 2. These items were sold.
 - a. 2004 Chevrolet 4x4, D301-154
 - b. 140 M3 CAT Motorgrader, D305-64
 - c. 140 M3 CAT Motorgrader, D305-65
 - d. Power Washer, D439-11
15. **Approve the February 2020 Monthly Reports** of the following Officers:
 - a. Bryant Rains, County Election Board Secretary
 - b. Tammy Belinson, County Clerk
 - c. Jim Reynolds, County Treasurer
 - d. Douglas Warr, County Assessor
 - e. Marilyn Williams, Court Clerk
 - f. Todd Gibson, County Sheriff
 - g. Jackie Kanak, Health Department
16. **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.
17. **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: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes.
Motion carried.

END OF CONSENT DOCKET

- C. Chairman Haralson said that **new business** will be moved to the end of the agenda due to their emergency Budget Board meeting at 2:30 pm.

- D.** During Commissioner's discussions regarding County Business, **Chairman Haralson** congratulated the outgoing Sheriff and his department for finding many ways to save money to benefit their operations and the county as well.

Todd Gibson expounded on the many ways his department found to save money and create efficiencies by going through their contracts and every portion of their operations.

Commissioner Haralson said that it was his pleasure to work with him and his team.

Chairman Haralson requested that the legal department develop a flag policy for raising and lowering the Cleveland County Flag.

- E.** There were no **comments** made by the **Public**.

- F.** **At 1:09 PM Darry Stacy moved, seconded by Rod Cleveland, to go into Executive Session** for the purpose of the following: Pursuant to Title 25, OS 307. B1 – Confidential communications between a public body and its attorney discussing employment, hiring, appointment, promotion, demotion of the Sheriff position for Cleveland County.

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

At this point the Sheriff was invited to stay in executive session.

- G.** **At 1:24 PM, Darry Stacy moved, seconded by Rod Cleveland, to reconvene from Executive Session.**

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

Chairman Haralson said that during executive session the Board only discussed what was on the agenda and no action or votes were taken.

Chairman Haralson recessed the Commissioners' meeting until which time the emergency Budget Board meeting is ended.

At 4:15 PM, the meeting was called to order by Chairman Haralson for discussion and/or action on the Personnel policy changes, if any, to address COVID-19.

Rod Cleveland said that they discussed in the emergency Budget Board meeting several issues and based on those discussions he **moved to give the** Chairman the authority to work with the Emergency Manager Director to implement the Cleveland County Coronavirus Pandemic Plan of Action that itemized level 1 through 5 and to currently place Cleveland County on a level 1 thru 4 basis and to limit access to the Cleveland County Courthouse and annex to the West Entrance only and to limit all meetings and gatherings on Cleveland County property and limit group gathering contact to 10 or less for an indefinite time to be decided by the Chairman and then coordinated through the Emergency Manager Director; according to open meetings' law the public is allowed in even if it is over 10, unless it becomes prohibited by law it shall be 10 or less; the elected officials shall remain responsible for their individual offices; and further, the Board accepts and follows the Court Order issued by the District Courts of the 21st Judicial District in regards to the COVID-19 Emergency Directive AO-2020-1 and the Court Order Suspending April 2020 Jury Term AO-2020-1.

Darry Stacy seconded the motion.

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

Motion carried.

County Clerk Tammy Belinson took the opportunity to assure the Board that the three employees in her office that tested positive for the flu, including the one employee that tragically and unexpectedly passed away, are the only ones that have tested positive for the flu thus far. Since President Trump opened it up that one can do the virus test if requested many were tested last Friday and Saturday and the results are pending. Until the results come back, the ones that tested positive for the flu are still on leave and working at home. She said this action will prevent more exposure to the flu as well. She added that George Mauldin, Emergency Manager Director, was there to advise her every step of the way and she welcomed all of his recommendations.

H. There being no further business to come before the Board, Rod Cleveland moved that the meeting be **adjourned at 4:22 PM**. Darry Stacy seconded the motion.

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

Motion carried.

(Clerk's Note: Agenda was posted on the 13th day of March, 2020, @ 9:52 AM.)

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

Harold Haralson

Harold Haralson, Chairman

ATTEST:

Tammy Belinson

Tammy Belinson, County Clerk and Secretary to the Board

Minutes Prepared by:

Linda Atkins
Deputy County Clerk



IN THE DISTRICT COURTS OF THE 21ST JUDICIAL DISTRICT
(CLEVELAND, GARVIN & McCLAIN COUNTIES)
STATE OF OKLAHOMA

IN RE: COVID-19 EMERGENCY DIRECTIVE AG-2020-1

Due to the national emergency declared by the President of the United States as a result of the emerging public threat posed by COVID-19, the directives from the World Health Organization and the Oklahoma Department of Health and consistent with the provisions of the Order Suspending In-Person Court Proceedings, I further order that the County Court Clerks shall post a notice at the entrances to every court facility and courtrooms in their county directing that any person who has likely been exposed to COVID-19 should not enter the courthouse.

A person who has likely been exposed to COVID-19 who has business before the courts shall contact the office of the assigned judge (if known) or the county court clerk's office by telephone or other remote means, inform court personnel of the nature of his or her business before the court, and receive further instruction. A person who has likely been exposed to COVID-19 who has business before the courts or who has been ordered to appear before the court MUST make contact as set forth above on or before the date required for the court appearance. Failure to do so may result in a default being entered or a warrant issuing for failure to appear. This provision ONLY applies to persons who have likely been exposed to COVID-19 as set forth below.

For purposes of this Order, a person who has likely been exposed to COVID-19 is defined as any person who:

1. has traveled in China, South Korea, Japan, Italy, or Iran within the previous 14 days;
2. has been directed to quarantine, isolate, or self-monitor;
3. has been diagnosed with COVID-19; or
4. resides with or has been in close contact with any person in the abovementioned categories.

The directives contained in this Order shall take effect on March 16, 2020 and shall remain in effect until further order.

IT IS SO ORDERED!



PRESIDING JUDGE OF THE 21ST JUDICIAL DISTRICT

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

IN RE: **ORDER SUSPENDING**
 APRIL 2020 JURY TERM AO-2020-1

On March 12, 2020 the World Health Organization designated the COVID-19 outbreak as a global pandemic. On March 13, 2020, the President of the United States declared a national emergency as a result of the emerging public threat posed by COVID-19. On March 15, 2020, Governor Stitt declared a State of Emergency for the State of Oklahoma and the Oklahoma Department of Health has urged all Oklahomans to take steps to reduce the spread of infection.

Accordingly, in the interest of public health and safety, all jury trials set between the dates of March 24, 2020 and April 24, 2020 are postponed to a date to be determined by the Court.

Cleveland County citizens who have received summons to appear for jury service for March 24, 2020, April 9, 2020, April 13, 2020 and April 20, 2020 are hereby EXCUSED AND DO NOT NEED TO APPEAR AS ORDERED. Questions concerning jury service may be made by contacting the Cleveland County Court Clerk's Office at (405) 366-0656.

IT IS SO ORDERED this 16th day of March, 2020!



THAD BALKMAN, CHIEF JUDGE