



## BOARD OF COUNTY COMMISSIONERS MINUTES

MONDAY, MARCH 1, 2021

**This Regular meeting was conducted under 25 O.S §306 (C) (Signed and enacted March 18, 2020). The meeting took place in the Board of County Commissioners Meeting Room and through teleconference. The public who are observing social distancing dialed (312)626-6799, and used the meeting ID: 819 3656 3693 or at <http://zoom.us/j/706237079/> for video. Public comment opportunity was provided by calling ahead to (405)366-0200 to be added to the list.**

Commissioner Rod Cleveland led in the prayer and the pledge of allegiance to the flag.

Chairman Darry Stacy called to order the regularly scheduled meeting of the Board of Cleveland County Commissioners at 1:00 P.M. this 1<sup>st</sup> day of March 2021, in Meeting Room 200 of the Cleveland County Office Building. Linda Atkins, Deputy County Clerk/Secretary, called the roll and those present were:

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

**Others present were:** County Clerk Tammy Belinson, Assistant District Attorney Kristina Bell, Alison Vinson, Sheriff Chris Amason, Undersheriff Kent Richie, George Mauldin, Brenda Hill, Bryan Jenkins, Earl Cox, Joy Hampton, Brian Wint, John Roberts, Melinda Duke, Susan McClelland, Chief of Detention Julie Tipton, Lisa Ward, Mark Braley, Rhonda Farrow, Christina Owen, Jose Chavez, Marilyn Williams, Leann Clements, Duke Senter, Bryant Rains, and Melissa Nies.

After the reading of the minutes of the Regular Meeting of February 22, 2021, and there being no additions or corrections, Harold Haralson moved, seconded by Rod Cleveland, to **approve** the minutes as read.

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

Motion carried.

**A. Old Business:**

1. Upon the recommendation of Susan McClelland, Darry Stacy moved, seconded by Haralson, to **award** to Direct Discount Tire and Southern Tire Mart, LLC, and where the low bid was not awarded there is an explanation for **Bid #HWY-1979** – Six month (6) Non-encumbered contract for tires and tubes. The bid term will be from March 5, 2021 through September 4, 2021. The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes. Motion carried.
2. Upon the recommendation of Susan McClelland, Darry Stacy moved, seconded by Harold Haralson, to **award** to Ergon Asphalt & Emulsions, Inc., LLC, and Vance Brothers, Inc., and where the low bid was not awarded there is an explanation for **Bid #HWY-1980** – Six month (6) Non-Encumbered contract for Road oils, emulsions and sealants for the County Commissioners. The bid term will be from March 7, 2021 through September 6, 2021. The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.
3. Upon the recommendation of Melinda Duke, Darry Stacy moved, seconded by Rod Cleveland, to **award** to 4G Concrete Company in the amount of \$360,000.00 for **Wellness Center Bid #03B** – Site Concrete and Hardscapes. The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes. Motion carried.
4. Upon the recommendation of Melinda Duke, Darry Stacy moved, seconded by Harold Haralson, to **award** to Rudy Construction in the amount of \$72,840.00 for **Wellness Center Bid #32C** – Asphalt Paving. The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes. Motion carried.

**B. Items of Business:**

1. George Mauldin, Emergency Management Director, presented the following **COVID-19 Updates and Operations within Cleveland County**. The average number of new cases statewide has decreased for seven consecutive weeks. The current 7 day average of new cases in Oklahoma is 749, the lowest since August 31. In Cleveland County the 7 day average of new cases is 47, the lowest since August 30.

Hospitalizations have been decreasing for seven weeks. As of February 26, there were 484 individuals hospitalized with COVID-19 with 150 in the ICU. This is the lowest number of hospitalizations since September 18, 2020.

ICU availability has decreased to 8%, down from 9% last week (69 of 895). 15% of medical/surgery beds are available (676 of 4,658), with 97% of hospitals reporting. (2/26).

As of February 25, 2021, 48 counties were in the moderate (orange) category and 29 counties were in the low (yellow) category. Cleveland County had 20.6 (29.5) new cases per 100,000 population, the lowest rate since September 3, 2020.

The rate of new cases increased in 22 counties, decreased in 54 counties and remained the same in one county.

Percent of beds that are COVID-19 positive by region (2/25/21):

Region 1 (northwest) – 4.6% (5.4% last week)

Region 2 (northeast) – 9.7% (10.9% last week)

Region 3 (southwest) – 11.1% (13.0% last week)

Region 4 (east central) – 4.9% (6.4% last week)

Region 5 (southeast) – 7.2% (9.2% last week)

Region 6 (central) – 10.4 (9.5% last week)

Region 7 (Tulsa County) – 7.8% (10.1% last week)

Region 8 (Oklahoma County) – 15.1% (18.7% last week)

Percentages decreased in seven of the eight regions. The only increase was in the central region.

We have four COVID-19 positive inmates in our jail (8 last report). Five inmates in LARC is currently COVID positive, there are no positive inmates in JHCC.

The case fatality rate (CFR) in Oklahoma is 1.0% (0.8% last week). The CFR for the United States remains at 1.8%.

The positivity rate in Oklahoma today is 5.5% (13.1% Last week). 21 states (24 last week) are currently above the recommended positivity rate (5%).

The positivity rate for the United States is 4.9% (5.3% last week) (Johns Hopkins University, 7 day average). The U.S. is ranked 48<sup>th</sup> of 94 countries for which data is available. Ecuador has the highest rate, Singapore has the lowest.

**Immunization Summary:**

1,399,890 total doses of COVID-19 vaccine have been delivered to Oklahoma.

1,095,890 doses of COVID vaccine have been administered in Oklahoma.  
393,028 Oklahomans have received two doses.

13.1% of Oklahomans older than 18 years are fully vaccinated (CDC).

According to OSDH data, 15.8% of Cleveland County residents 16 years old and older have received at least the prime dose of the vaccine. 49.2% of Cleveland County residents 65 and older have received at least the prime

dose of the vaccine. 32.2% of Cleveland County resident older than 65 have received two doses.

The vaccination rate in Oklahoma is 27,682 per 100,000 population. This is the 7<sup>th</sup> highest rate in the United States. Alaska has the highest rate of vaccination at 36,189/100,000, Texas has the lowest rate at 19,198/100,000.

The Johnson and Johnson vaccine was approved for Emergency Use Authorization by the FDA last Friday, and recommended by the CDC on Saturday. The vaccine is currently being shipped to the states. This vaccine is 72% effective at preventing infection in the U.S., and 85% effective at preventing severe disease. However, it proved to be only 57% effective at preventing infection in South Africa.

Pfizer and Moderna have pledged to make a combined total of 220 million doses of vaccine available by the end of March. Johnson and Johnson have pledged 20 million during the same time frame.

Across the United States, the rate of decrease in new cases has leveled off. There is some concern that cases, hospitalizations and deaths will begin to increase as several variants, most notably the B-1.1.7 variant from the United Kingdom become more widespread.

Chairman Darry Stacy said that the following item numbers, 02 through 14, are **Consent Items** and are routine in nature: Rod Cleveland moved, seconded by Harold Haralson, to **approve** the consent items with the exception of Item No 6 and Item No. 8 which the Board will take separately.

2. **Approval** of Allocation of Alcoholic Beverage Tax in the amount of \$70,259.07

3. **Receive** tort claim of Sara Harper.

4. **Approve** the following Cash Fund Appropriations

a. Assessor Revolving	\$	54.25
b. Bridge Capital Improvement	\$	21.61
c. County Clerk Lien Fee	\$	9,285.17
d. Co Bridge & Road Improvement	\$	40,834.67
e. Court Clerk Revolving Fund	\$	7,639.10
f. Cty Clerk Rec Mgmt/Presrv Fee	\$	67,420.00
g. District Court Rev Fund	\$	5,105.60
h. Drug Court Contrbtion/Donation	\$	507.78
i. Emergency Rent Asst Grant Fund	\$	6,421,674.90
j. Fairgrounds	\$	18,611.50
k. Health	\$	15.00
l. Highway Fund	\$	442,320.26
m. Jail Commissary	\$	57,807.99
n. Juvenile Drug Court Revolving Fund	\$	1,065.75
o. Sales Tax	\$	498,334.08

p. Sheriff Service Fee	\$ 320,278.37
q. Treasurer Certification Fee	\$ 5,295.00

5. **Accept** the State of Oklahoma Purchase Card contract with Bank of America effective March 1, 2021.
  6. This Item moved to the end of the Consent Docket for separate action.
  7. **Approve** Lease Agreement between Standley Systems and Cleveland County Health Department for copiers in the Moore Office. The monthly amount is \$1,175.22 effective December 1, 2020 through November 30, 2021.
  8. **This Item is moved to the end of the Consent Docket for separate action.**
  9. **Notification of Appointment** of Melissa Nies as Receiving Officer for accounts 100280/52000, 54000 and 55000, Building Maintenance Funds and account 111120/54000, Emergency Rent Assistance Grant Fund.
  10. **Declaration of Surplus** of the following items from the Cleveland County Sheriff's Office.
    - a. Computer Server, B219-0373
    - b. Computer with monitor, B219-0441
    - c. Cisco ASA 5505 VPN, B219-0459
    - d. Dell Power Edge Server, B219-0478
    - e. Barracuda Hot Plug Hard Drive, B219-0479
    - f. Dell OptiPlex Minitower, B219-0492
    - g. HP SB 6200 Computer, B219-0573
    - h. Cisco Switch, B219-0673
    - i. Cisco Router / Phone System , B219-0674
  11. **Notification of Appointment** of Denise Ellison and Rod Cleveland as Requisition Officers for account 111120/54000, Emergency Rent Assistance Grant Fund.
  12. **Accept** Resolution #R-2021-98 of a 2001 Caterpillar Model AP1055D Asphalt Paver S/N 0FAC00927 from City of Norman to Cleveland County to be assigned to Cleveland County District #2.
  13. **Auditor report 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.
  14. **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**

6. **Chairman Stacy called for discussion on the Acceptance of Resolution on Appointment of Fair Board Members as follows: Danny Belinson, District 1; John McDaniel, District 2 and Christa Spears, District 3 effective March 1, 2021 for a three (3) year term.**

Rod Cleveland moved, seconded by Harold Haralson, to **approve** the appointment of Fair Board Members as follows: Danny Belinson, District 1; and John McDaniel, District 2.

He asked for more discussion on Christa Spears.

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

Rod Cleveland discussed the election of Christa Spears, District #3.

He said there were several questions brought up since there was a tie vote and had to be settled by the flip of a coin.

Legal Counsel, Kristina Bell was asked to comment.

Kristina Bell said that a tie vote took place and pursuant to Oklahoma Statutes, Title 2. §2-15-68, the two individuals were allowed to settle the tie by tossing a coin and Christa Spears was declared the winner.

Commissioner Haralson said that Ronda Farrow is here today and wishes to speak during the Public Comment; however, with the legal advice given to him, Christa Spears is the winner. He said that in his opinion the Election Board should handle these elections. Commissioner Haralson said that the BOCC can appoint a designee according to Statutes and would like to move forward as a future agenda appointing the Cleveland County Election Board as our designee to handle these elections.

Chairman Stacy said, “Well, that’s a good idea too.”

Darry Stacy asked Bryant Rains if he can confirm that Christa Spears is a registered voter in Cleveland County.

Bryant Rains said that he could not confirm at the meeting, but could confirm once back at his office.

Darry Stacy asked if they submit something to him to show they are registered.

Bryant Rains said that they have nothing to do with the Fair Board elections.

Rod Cleveland said that when they file for the Fair Board office that is filed with the County Clerk. He asked if the County Clerk verifies the information.

County Clerk Tammy Belinson said that her office verifies that they are a registered voter and she makes a copy of their drivers’ license to verify addresses. Christa Spears is registered under a maiden name, but she is a registered voter. She offered to go to her office and present the BOCC with the documents.

Chairman Stacy said that he will take her word for it.

Rod Cleveland said that it came to his attention that some voters may not reside in District #3; and at District #1, they have a list of registered voters from the County Election Board to look up to confirm.

Assistant District Attorney Kristina Bell said that only the registered voters are allowed to vote by Statute and should reside in the District.

Upon the Legal Counsel's advice, Harold Haralson moved that Christa Spears, District 3 be declared the winner and **approve** the appointment effective March 1, 2021, for a three (3) year term. Darry Stacy seconded the motion. The vote was: Rod Cleveland, yes; Harold Haralson, yes; Darry Stacy, yes. Motion carried.

8. After a brief discussion, Rod Cleveland moved, seconded by Harold Haralson, to **table** until a later date having discussion and/or action on the acceptance of the Resolution regarding Cleveland County Commercial Property Assessed Clean Energy ("C-PACE") Program. The vote was: Harold Haralson, yes; Darry Stacy, yes; Rod Cleveland, yes. Motion carried.

**C. No new business to present at this time.**

**D. During Commissioner's discussions concerning County Business,** Commissioner Cleveland updated on the Emergency Rental Program. He said that Melissa Houston has been working diligently on the new guidance that came down through the U.S. Treasury Department that provides more information on what they need to do.

**E. Public Comment** was made by Christina Owen concerning the Emergency Rent Assistance Grant Fund.

Ronda Farrow spoke about the Fair Board Election. She said, "I told Mr. Haralson that I do not agree to that coin flip unless the list has been verified. I went to the Election Board myself and found four people on this list that are not registered to vote and one of them is even out of our district. So how is that fair to someone like me or to the other people who voted for me if you allow people who are not registered to vote? Because all they did, as far as I know, they just walked in and signed their name and put an address down. From what the Election Board said these people don't live at these addresses. So is that fair? That's what I'm asking."

Chairman Stacy said, "This is your opportunity for Public Comment, so we are open to hearing whatever you want to say."

Ronda Farrow said, "Okay, my thoughts are if you are going to run for an office shouldn't you have your correct and legal name on your voter registration? That's my thought. It's not the way it is, I guess. But I wanted to make sure that I said that I would not agree to that coin toss. Mr. Haralson told me that these were all verified and the list was not even given to the Clerk until today. That's all I have to say."

Chairman Stacy said, "Thank you."

County Clerk Tammy Belinson asked to speak on Ms. Farrow's issue. She said, "This is something that the County Clerks have struggled with over the years. We have tried several times to, sorry Bryant, move the election over to the Election Board. They are the ones that actually have the register of voters there. I would like to offer some solutions to the Board that we might think about, about changing policies. One of them is getting a certified list before the election to have the registered voters come in and sign like they do in a regular election. In this particular election, the list had sixty-seven people and there were sixty-eight ballots. From what I understand there is an agreement on how to do the tie. I think having the certified list from the Election and the folks have to sign their name would help to eliminate that problem on the list not matching the ballots. The second thing would

be, I think it is time that we update our forms a little bit, so I would like to go over that with you guys in the future on ideas to do that. In the event that there is a tie again could we do something like have the two candidates or three candidates, however many there are, sign an affidavit stating that they agree as to how the tie-breaker is going to go down. I don't know if we can legally do that, it may be something for our ADA (Assistant District Attorney). Those small changes would really help in the future to hold these elections to be a little more accountable. I really think that as County Clerks, we cannot certify who is a registered voter or not, I can check a candidacy form, but to have an actual list of those that live in District #3 that list would help that person that has been duly appointed by the Commissioners to run that election."

Commissioner Cleveland asked, "I have a question, you said that there were sixty-eight ballots but only sixty-seven people signed the sheet?"

Tammy Belinson said that from what she understands there were sixty-eight ballots and there was a tie and they decided on a tie-breaker. She said, "I was not there so I cannot speak to the exact events."

Chairman Stacy said, "I like Commissioner Haralson's idea if it is a designee why can't we designate the Election Board to handle these?"

Tammy Belinson said that it may not be in their authority.

Election Board Secretary Bryant Rains said that he was checking with the State Election Board and they say that §2-15-68 details how the election is to be handled and added that it is not done by the Election Board.

Chairman Stacy asked if he could be a designee and added can the Board not designate someone.

Commissioner Haralson said, "That would be my thought I think that is something that the District Attorney's Office will have to work out, I mean obviously..."

Tammy Belinson said that the Election Board can provide a certified list of registered voters.

Bryant Rains said, "I will be happy to help you with anything that I can because that is what we do. I will just have to see what we are authorized to do."

Commissioner Haralson said, "Well, the other thing is we would probably have to if, we could have the Election Board do it; it is, we have some expense now doing it but I am sure there will be an expense for the Election Board doing it too which we will probably will have to deal with."

Commissioners Cleveland said that there are sixty-seven signatures and one cannot have a tie with that many signatures and asked how it comes to sixty-eight votes.

Commissioner Haralson said, "At the time this happened, I called Jim Robertson (Assistant District Attorney) and proceeded based on his advice."

Commissioner Cleveland said, "That's okay, I was just asking."

Harold Haralson said that they did what legal advisors advised them to do.

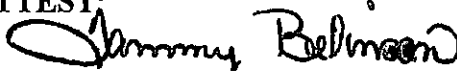


- F. There being no further business to come before the Board for discussion, Rod Cleveland moved, seconded by Harold Haralson, to **adjourn** the meeting at 1:41 P.M. The vote was: Darry Stacy, yes; Rod Cleveland, yes; Harold Haralson, yes. Motion carried.

(Clerk's Note: The agenda was posted on the 26<sup>th</sup> day of February, 2021, at 9:52 A.M.)

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

  
\_\_\_\_\_  
Darry Stacy, Chairman

ATTEST:  
  
\_\_\_\_\_  
Tammy Belinson, County Clerk and Secretary to the Board

Minutes prepared by:   
\_\_\_\_\_  
Deputy County Clerk

