



## BOARD OF COUNTY COMMISSIONERS

### AMENDED MINUTES

MONDAY, APRIL 18, 2022

#### **Brady Neal led in 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 18th day of April 2022, 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  
Harold Haralson, Vice-Chairman

Commissioner Rod Cleveland said, "This meeting is unlawful because the amended agenda was posted after 1:00 P.M., Thursday. The Board of County Commissioners approved Good Friday as a legal holiday recognized by the State, Federal, Financial Institutions, and private businesses. The Open Meeting Statutes states that an Agenda for a public body shall be posted 24 hours prior to meeting time excluding Saturday, Sunday, and Holidays observed by the State. If this meeting is called to order, it would be unlawful to take action on any items in the agenda and would be illegal under the Open Meetings Act. I have been advised not to participate in an unlawful meeting for fear of criminal reprisals and I would like to extend that to the Board. Please do not count me in as a quorum if the Chairman chooses to call the meeting to order and take action on the items. I have received correspondence from constituents of concern about the unlawfully posted agenda and continuing outside of the law."

Chairman Darry Stacy asked for legal counsel to respond.

Assistant District Attorney Jim Robertson said, "I will speak to that. There was an agenda amended and an agenda posted after 1:00 P.M. There were things added to that agenda; E2, E3, E4, and E5. I would ask for you to table. Everything else was posted in a timely manner. I ask the Board to proceed on those items."

Commissioner Rod Cleveland said that he would ask that the District Attorney's Office immediately take action to file in District Court for Declaratory Judgement Action on the lawfulness of the posted time of this agenda to determine if this meeting is appropriate under the Open Meeting Law in Title 25 of the Oklahoma Statutes Section 301-314.

Chairman Darry Stacy asked, "You are asking them that they do what?"

Commissioner Cleveland said, “I am asking that they immediately call for a Declaratory Action to determine if this is a lawful meeting under the Open Meetings Act.”

Assistant District Attorney Jim Robertson said, “Again, I would ask that those items posted after 1:00 P.M., which are E2, E3, E4, and E5, be tabled until next week, to provide the public with adequate notice. I am comfortable proceeding with all other items.”

At this point, Commissioner Rod Cleveland exited the meeting.

Chairman Stacy said, “All right, we have a quorum.”

**Others present were:** County Clerk Tammy Belinson, Assistant District Attorney Kristina Bell, Assistant District Attorney Jim Robertson, Assistant District Attorney Keaton Haney, Bryant Rains, Rusty Sullivan, Brian Amend, Tracy Mamone, Melissa Houston, John Roberts, Alison Vinson, Bryan Jenkins, Courtney DeKalb Myers, Mendi Brandon, George Mauldin, Sheriff Chris Amason, Undersheriff Marcus Williams, Lisa Ward, Marshall Britton, Duke Senter, Brian Wint, Lisa Painter, Leann Clements, Sarita Scott, Melinda Duke, Joy Hampton, Laura Smith, Douglas Warr, Shannon Lane, Shawn Musgraves, Carm Harvey, Lynne Driver, Mike Reynolds, Christina Foss, Pam Howlett, and Melissa Nies.

After the reading of the minutes of the **Regular Meeting of April 11, 2022**, and there being no additions or corrections, Harold Haralson moved that the minutes be **approved**. Darry Stacy seconded the motion.

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

Motion carried.

**A. Old Business:**

1. Upon the recommendation of Melinda Duke, Darry Stacy moved, seconded by Harold Haralson, to table the awarding and/or rejecting of the bids until a later date for **Bid #FG-2029** – Construction of a new south entrance gate to the Cleveland County Fairgrounds.

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

Motion carried.

2. Upon the recommendation of Melinda Duke, Darry Stacy moved, seconded by Harold Haralson, to table the awarding and/or rejecting of the bids until a later date for **Bid #HWY-2030** – One-Year (1) Non-encumbered contract for highway and bridge materials for the County Commissioners. The bid term will be from May 5, 2022 and ending May 4, 2023.

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

Motion carried.

**B. Items of Business:**

1. Harold Haralson moved, seconded by Darry Stacy, to **Authorize** and **approve** the incurring of indebtedness by the Trustees of the Cleveland County Public Facilities Authority (herein the “Authority”) to be accomplished by the issuance of lease revenue bonds, bonds, notes or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis, at a premium or discount, in the aggregate

principal par amount of not to exceed Two Million Dollars (\$2,000,000) (the “Supplemental Bonds”) to provide supplemental funds in addition to the Five Million, Five Hundred Thousand Dollars (\$5,500,000) (the “Bonds”) approved by the Authority at its March 28, 2022 meeting for the financing to complete the acquisition, construction, equipping, renovating, and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites related to Technology Center School District No. 17 Cleveland County, Oklahoma (“Moore-Norman Technology Center” or the “District”); establish a reserve fund, if any, capitalize interest and pay costs of issuance; approving and ratifying and affirming all other actions taken by the Trustees of the Authority on March 28, 2022, and April 18, 2022, with respect to the Bonds and Supplement Bonds.

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

Motion carried.

Darry Stacy moved, seconded by Harold Haralson, to **table discussion, consideration, and/or action regarding the following E2 thru E5:**

2. **Approve** obligation of \$2,000,000.00 of American Rescue Plan funds for public health support.
3. **Approve** obligation of \$1,000,000.00 of American Rescue Plan funds for workforce of underemployed or unemployed.
4. **Approve** obligation of \$2,700,000.00 of American Rescue Plan funds for behavioral and health support at the Cleveland County Detention Center.
5. **Accept** the applications of ADG, IBTS/Tidal Basin, Berry Dunn, UHY, IAF Consulting LLC and Nan McKay & Associates Inc. and make selection for ARPA Project Manager.

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

Motion carried.

Chairman Darry Stacy said that the following item numbers, 06 through 24 are **Consent Items** and are routine in nature: Darry Stacy moved, seconded by Harold Haralson, to **approve** the consent items with the exception of Item No. 9.

6. **Approve** renewal contract between Cleveland County Assessor and Total Assessment Solutions Corporation effective July 1, 2022 through June 30, 2023 in the amount of \$25,500.00.
7. **Approve** the March 2022 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. Chris Amason, County Sheriff
  - g. Jackie Kanak, Health Department

8. **Approve** to award the low quote from RedLand Sheet Metal for installation of 14-gauge stainless steel tops in the amount of \$16,129.00 at Detention Center, per Title 61, Sec. 102 & 103.
9. **(Clerk’s Note: This Item was moved to the end of the Consent Docket for separate action.)**
10. **Approve** standard service contract between Cleveland County Clerk and ARC to renew the maintenance of an OCE PlotWave 300, S/N 330103619 effective July 1, 2022 through June 30, 2023. The monthly rate is \$213.00, through 1,000 square feet included with an overage charge of \$0.1155 per sq. ft. Lease covers parts, labor, travel bond paper and toner.
11. **Approve** standard service contract between Cleveland County Clerk and Personal Legend LLC (Adriana Luna) for Munis Project Management Assistance for FY 2022-2023 in the amount of \$225.00 per hour.
12. **Approve** standard service contract between Cleveland County Clerk and Underground Vaults & Storage effective July 1, 2022 through June 30, 2023. Lease agreement included economy archives hard copy/xrays 138 c/f @ \$3.24 per c/f per year and environmentally controlled vault storage for electronic media/micrographics 24 c/f @\$39.00 per c/f per year.
13. **Approve** standard service contract between Cleveland County Clerk and Square9 Softworks for Square9 Software Assurance and SmartSearch 3 User from July 1, 2022 through June 30, 2023 for \$1,379.02.
14. **Approve** standard service contract between Cleveland County Clerk and Standley Systems LLC for copier maintenance of (2) Savin 6055 copiers at \$0.0105 per B/W copy, (3) Savin-Ricoh C3004 EX Copiers at \$0.0105 per B/W copy and \$0.0525 per color copy, (1) HP H402 printer at \$0.0105 per B/W copy effective July 1, 2022 through June 30, 2023.
15. **Approve** standard service contract between Cleveland County Clerk and Standley Systems LLC for copier maintenance of (1) Savin IM C4500. Copies are at a rate of \$0.008 per B/W copy and \$0.05 per color copy effective July 1, 2022 through June 30, 2023.
16. **Approve** sale of the following Cleveland County properties obtained via Tax Resale:
 

Account #142020	Forgotten Parcels LLC	\$25.00
Colonial Estates 15 – PUD Common Area A		
Account #34845	Forgotten Parcels LLC	\$25.00
Heritage Place II Sec 2 Common Areas Drainage and Ped Walkway BIK8		
Account #36280	Forgotten Parcels LLC	\$25.00
Ideal Business Park Common Area A		

17. **Approve** contract between Cleveland County Health Department and Gwenn Agipal dba Yoga Lotus to provide Yoga classes at The Well. The Health Department will pay \$30.00 per yoga class. The contract is to be effective April 18, 2022 through June 30, 2022.
18. **Approve** contract between Cleveland County Health Department and Rachel Conti to provide coordination of services between the NorthHaven Day School and the Early Foundation Replication Project. The Health Department will pay \$11.00 per hour for coordination services and \$0.585 per mile as per the State Travel Reimbursement Act not to exceed \$2,410.60. The contract is to be effective April 18, 2022 through June 30, 2022.
19. **Approve** CED #5 Fund Project Application for Cleveland County District #3 in the amount of \$13,000.00.
20. **Approve** Agreement between Cleveland County and REES Associates, Inc. to provide Design Services for a Cleveland County Multi-Purpose Outdoor Community Space in the amount of \$55,000.00.
21. **Approve** payment of invoice #485610 dated April 13, 2022 in the amount of \$363.80 to Pierce Couch Hendrickson.
22. **Approve** agreement between Cleveland County Information Technology and Standley Systems LLC for copier maintenance of (1) Savin IM C4500 copier. Copies are at a rate of \$0.008 per B/W copy and \$0.045 per color copy effective July 1, 2022 through June 30, 2023.
23. **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.
24. **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; Harold Haralson, yes.  
Motion carried.

**END OF CONSENT DOCKET.**

Darry Stacy moved to **amend** the wording of “Court Clerk” to read “**County Clerk**” and to **approve Item No 9**. -**the** standard service contract between Cleveland County Clerk and Business Imaging Systems, Inc. for a Uscan Microfilm Scanner, S/N 0844168 from July 1, 2022 through June 30, 2023 in the amount of \$1,386.56.

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

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

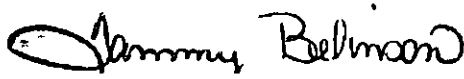
- D. No Commissioners discussions regarding County Business at this time.
- E. During **Public Comment**, Mike Reynolds addressed the Board concerning the posting of the agenda and the legality of the meeting, and discussed an item on the Consent Docket to construct a Pickle Ball Court.
- F. There being no further business to discuss, Harold Haralson moved, seconded by Darry Stacy, that the meeting is **adjourned** at 1:08 P.M.  
The vote was: Darry Stacy, yes. Harold Haralson, yes.  
Motion carried.

(Clerk's Note: The amended agenda was posted on the 14<sup>th</sup> day of April 2022 at 2:28 P.M.)

**AMENDED AND APPROVED ON JUNE 13, 2022 BY THE  
BOARD OF COUNTY COMMISSIONERS  
CLEVELAND COUNTY, OKLAHOMA**

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

**ATTEST:**

  
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Tammy Belinson, County Clerk and Secretary to the Board

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

