

Oklahoma Cooperative Circuit Engineering Districts Board

Minutes

Regular Board Meeting

Date: **June 24, 2020**

Time: 11:00 a.m.

Place: ACCO

429 NE 50th St

OKC, OK 73105

CALL TO ORDER BY THE CHAIRMAN AND ROLL CALL

The Oklahoma Cooperative Circuit Engineering Districts Board (OCCEDB) held a regular meeting on this day in compliance with the Oklahoma Open Meetings Act. President, Joe Don Dickey, called the meeting to order at 11:00 a.m. OCCEDB staff member, Chris Schroder, called roll; attendance was as follows:

Board Members Present: Dan Delozier-CED #1, Sam Chandler-CED #2, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Joe Don Dickey-CED #7, Max Hess-CED #8.

Board Members Absent: Tony Simmons-CED #3.

Guest: Scott Brians-CED 2, Donnie Head-CED 8, Rod Cleveland-Cleveland County, Shelly Moody-CED 6, John Kenerson-ODOT, John Blickensderfer-CED 1, Brian Young-CED 7, Jeffrey Dixon-CED 5, Bryce Bohot-Jefferson County, Shelly Moody-CED 6, Marc Bolz-Garfield County, Brian Wint-Cleveland County, Cheryl Wilson-SAI, Shelly Williams-ODOT, Troy Travis-Lochner, Jason Shanks-Kay County.

OCCEDB Staff Present: Randy Robinson, Chris Schroder.

READING OF THE MINUTES OF THE MAY 20, 2020 MEETING AND APPROVAL OR MODIFICATION OF THE SAME

The minutes from the May 20, 2020 board meeting were read individually. A motion was made by Dan Delozier to approve the May 20, 2020 minutes. The motion was seconded by Darry Stacy. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.

Nay: none.

Abstain: none.

DISCUSSION ON CED AUDITS AND OTHER COUNTY ISSUES BY THE STATE AUDITOR AND INSPECTOR

Cindy Bryd, State Auditor and Inspector, attended the OCCEDB meeting to discuss changes to CED audits. Her office will now be in charge of auditing CEDs'. She stated these will be operational audits and she will use the same set of staff to do all eight audits. She expects to have these audits completed sometime around February of 2021.

Cindy then discussed changes as a result of SB1888 passing this last session which sends 35% of CIRB funding to counties M&O. The Auditor's office has requested that the counties create a sub account, with the purpose of being able to track these funds and provide this information to Legislators if requested. She stated counties can do PO's directly out of this sub-account and use is for the same statutory purposes defined under the County Highway Fund.

Lastly, she discussed 1099's and the debate if ODOT or Counties should be doing the 1099 for CIRB right of way purchases. She stated there is nothing black and white in the IRS code but ultimately, if ODOT puts this language in their contracts with counties then counties will have no choice but to do the 1099's.

DISCUSSION AND POSSIBLE ACTION ON CED REVOLVING FUND POLICIES

Randy Robinson discussed the auditing changes for CEDs' with the State Auditor and Inspector now performing their audits. With this change Randy recommended removing policy number one in the CED Revolving Fund Funding Application Policies. This policy required CEDs' to submit a yearly independent audit to the OCCEDB. A motion was made by Dan Delozier to remove policy number one and seconded by Ty Phillips. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON CLAIMS

The following claims were presented to the board for approval of payment: Fuelman in the amount of \$26.47, Nationwide in the amounts of \$50.00 and \$895.83 for May 28th, Nationwide in the amounts of \$50.00 and \$895.83 for June 15th, ACCO SIG/SIF in the amount of \$724.00, and Walker Companies in the amount of \$110.00. A motion to approve all claims was made by Max Hess and was seconded by Ty Phillips. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING REIMBURSEMENT PAYMENT TO ACCO

A claim outlining reimbursement of miscellaneous expenses to ACCO were presented to the board in the amount of \$3,093.84. A motion was made by Dan Delozier to approve the payments to ACCO for reimbursement of expenses. The motion was seconded by Darry Stacy and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON SOLID WASTE PROGRAM CLAIMS

The following solid waste claims were presented to the board for approval of payment:

Pushmataha County - \$29,923.00
Logan County - \$30,000.00
Bryan County - \$2,500.00
Pushmataha County - \$2,250.00
Tillman County - \$2,513.83
Murray County - \$4,500.00
Lincoln County - \$2,250.00
Seminole County - \$2,263.72
Choctaw County - \$2,190.00
Ottawa County - \$4,262.57
Bryan County - \$3,500.00
Choctaw County - \$3,695.00
Murray County - \$4,472.65

A motion to approve all claims was made by Ty Phillips and was seconded by Darry Stacy. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING PROPERTY AND LIABILITY INSURANCE RENEWAL

The ACCO-SIG insurance renewal was presented to the board in the amount of \$3,047.00. A motion to select option 1 (pay in full) and approve the renewal was made by Darry Stacy and seconded by Dan Delozier. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING WORKER'S COMPENSATION INSURANCE RENEWAL

The worker's compensation insurance renewal was presented to the board in the amount of \$3,273.00. A motion to pay in full and approve the renewal was made by Darry Stacy and seconded by Dan Delozier. The motion passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON BLANKET PURCHASE ORDER

A motion was made by Max Hess and seconded by Ty Phillips to approve BPO #138. The motion passed as follows:
Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON THE FINANCIAL REPORT

A monthly financial report was provided to the board for review. A motion to approve the financial report was made by Ty Phillips. The motion was seconded by Dan Delozier and passed as follows:
Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CED'S BUDGETS

Fiscal year 2021 budgets were received from CEDs' 2, 4, 7 and 8. A motion was made by Dan Delozier and seconded by Ty Phillips to accept the budgets. The motion passed as follows:
Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING CED'S AUDITS

No action.

DISCUSSION AND POSSIBLE ACTION REGARDING THE DISBURSEMENT OF CED REVOLVING FUNDS TO THE CED'S

All CEDs' were eligible to receive a disbursement. The amounts were as follows: CED 1-\$31,777.91, CED 2-\$21,722.75, CED 3-\$28,193.67, CED 4-\$22,623.33, CED 5-\$22,429.00, CED 6-\$28,102.88, CED 7-\$26,625.52 and CED 8-\$43,641.95. A motion was made by Ty Phillips to approve the disbursements. The motion was seconded by Dan Delozier and passed as follows:
Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF ETR PROJECT CONTRACT AGREEMENTS

The following contracts for ETR projects were submitted to the board for signature:

Rogers County – Project # ETRCR1-66-3(08)20

Ottawa County – Project #'s ETRCB1-58-2(12)20, ETRCB1-58-1(13)20

Coal County – Project # ETRCB4-15-2(01)20

Pottawatomie County – Project #'s ETRCR4-63-3(07)20, ETRCR4-63-1(08)20, ETRCR4-63-1(09)20

A motion to approve the contracts contingent on funding availability for the Rogers and Ottawa County projects was made by Dan Delozier. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING EXTENDING ETR CONTRACT AGREEMENT

The following extension contracts for ETR projects were submitted to the board for approval/signature. Chris Schroder stated that he received extensions from Bryan, Choctaw, Tillman and Washita after the board packet was sent out.

Haskell ETRCR2-31-3(12)16

Muskogee ETRCB2-51-3(04)19

Cherokee	ETRCR2-11-2(12)19, ETRCR2-11-1(14)19, ETRCR2-11-3(15)20, ETRCR2-11-3(16)20, ETRCR2-11-3(17)20
Adair	ETRCR2-01-2(09)19, ETRCR2-01-3(10)19
Okmulgee	ETRCB2-56-1(08)20
McIntosh	ETRCR2-46-3(24)20, ETRCR2-46-3(25)20, ETRCR2-46-3(26)20
Choctaw	ETRCR3-12-1(04)15, ETRCB3-12-1(05)17
Pittsburg	ETRCR3-61-3(06)15, ETRCR3-61-3(07)16, ETRCR3-61-3(09)16, ETRCR3-61-3(10)16, ETRCR3-61-3(12)17, ETRCB3-61-3(14)17, ETRCR3-61-3(15)17, ETRCR3-61-3(16)19
Marshall	ETRCR3-48-3(02)19
Bryan	ETRCR3-07-3(02)19
Seminole	ETRCB4-67-2(09)14, ETRCR4-67-1(10)17, ETRCB4-67-3(11)17
Okfuskee	ETRCB4-54-1(02)18
Pontotoc	ETRCR4-62-3(07)14, ETRCR4-62-1(13)20, ETRCR4-62-2(14)20, ETRCR4-62-2(15)20
Pottawatomie	ETRCR4-63-2(05)14
Cleveland	ETRCB5-14-3(03)16, ETRCR5-14-1(04)19
Carter	ETRCR6-10-3(01)17
Jefferson	ETRCR6-34-3(45)19, ETRCR6-34-2(46)19, ETRCR6-34-3(47)20
Grady	ETRCB6-26-3(07)20, ETRCB6-26-1(08)20
Love	ETRCB6-43-2(10)20
Stephens	ETRCR6-69-1(03)20
Tillman	ETRCR7-71-3(07)20
Washita	ETRCB7-75-1(18)20
Kingfisher	ETRCR8-37-1(03)20
Kay	ETRCR8-36-2(33)19, ETRCB8-36-3(34)20, ETRCB8-36-3(35)20, ETRCB8-36-3(36)20
Grant	ETRCB8-27-3(33)20, ETRCB8-27-3(34)20, ETRCR8-27-3(35)20, ETRCR8-27-2(36)20, ETRCB8-27-123(37)20
Ellis	ETRCR8-23-3(09)20

A motion to approve the extension of ETR project contract agreements was made by Ty Phillips. The motion was seconded by Max Hess and passed as follows:

Aye: Dan DeLozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.

Nay: none.

DISCUSSION AND POSSIBLE ACTION ON STP FUNDING FOR BRIDGES AND ROADS

Randy Robinson stated there would be no action on STP bridge funding since all the funds were spent.

Randy Robinson then stated there was \$500,000 in unspent STP Roads funds by Pottawatomie County and the board needed to redistribute those funds as they see fit. Randy Thomas made a motion to apply the \$500,000 in unspent funds to the Johnston County project. The motion was seconded by Darry Stacy and passed as follows:

Aye: Dan DeLozier, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey.

Nay: Sam Chandler, Max Hess.

Randy then mentioned the STP policies need to be updated to reflect Canadian County moving from CED8 to CED5. Darry Stacy made a motion to adopt the updated STP policies contingent on Canadian County joining CED5. The motion was seconded by Randy Thomas and passed as follows:

Aye: Dan DeLozier, Sam Chandler, Randy Thomas, Darry Stacy, Joe Don Dickey, Max Hess.

Nay: Ty Phillips.

DISCUSSION AND POSSIBLE ACTION ON ETR REVOLVING FUND POLICIES

Randy Robinson said the ETR Fund policies need to be updated to reflect Canadian County moving from CED8 to CED5. Darry Stacy made a motion to adopt the updated ETR Fund policies contingent on Canadian County joining CED5. The motion was seconded by Randy Thomas and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION REGARDING LEASE AGREEMENT WITH ACCO

Chris stated the OCCEDB rent agreement with ACCO states the rent can increase based off the consumer price index (CPI). There was not an increase this year so the monthly rent of \$724 will remain the same for fiscal year 2021. A motion to approve the lease was made by Darry Stacy. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON ACCO CONTRACT AGREEMENT

The board was presented with a new contract with ACCO for fiscal year 2021. A motion was made by Dan Delozier to approve the contract. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION AND POSSIBLE ACTION ON APPROVING THE SOLID WASTE PROGRAM CONTRACT WITH DEQ

The board was presented with a new contract with DEQ for fiscal year 2021. A motion was made by Dan Delozier to approve the contract. The motion was seconded by Darry Stacy and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE FOLLOWING.

Pursuant to 25 O.S. §307.B.1, discussion regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of the Executive Director and Accounting / Administrative Assistant for the Oklahoma Cooperative Circuit Engineering Districts Board.

a. Max Hess made a motion to enter into Executive Session. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

b. Ty Phillips made a motion to reconvene into Open Session. The motion was seconded by Randy Thomas and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

ACTION REGARDING THE EMPLOYMENT, HIRING, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINING, OR RESIGNATION OF THE EXECUTIVE DIRECTOR AND ACCOUNTING / ADMINISTRATIVE ASSISTANT FOR THE OCCEDB.

No action.

DISCUSSION AND POSSIBLE ACTION REGARDING OCCEDB BUDGET

The board was provided with a requested budget for fiscal year 2021. Dan Delozier made a motion to approve FY 21 OCCEDB budget. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.
Nay: none.

DISCUSSION OF ENGINEER'S REPORT, TRANSPORTATION AND LEGISLATIVE ISSUES AND CED MANAGERS' REPORTS

Randy Robinson stated they are working on a plan for the McAlester auction since the Pittsburg County Expo center is currently closed because of COVID and that plan could include an online auction.

Randy also said he is working on an updated website for OCCEDB.

NEW BUSINESS

None.

ADJOURNMENT

A motion to adjourn was made by Dan Delozier. The motion was seconded by Ty Phillips and passed as follows:

Aye: Dan Delozier, Sam Chandler, Randy Thomas, Darry Stacy, Ty Phillips, Joe Don Dickey, Max Hess.

Nay: none.

Meeting adjourned