



Official Minutes of PAYNE COUNTY BOARD OF COUNTY COMMISSIONERS

The Payne County Board of County Commissioners met in a regular meeting of the board at 9:00 a.m. on **March 20th, 2023**, at the Payne County Administration Building, Gloria Hesser Commissioners Meeting Room 200/201, located in Stillwater, Oklahoma.

Chairman Zach Cavett called the meeting to order: Meeting called to order at 10:08 a.m.

The following members were present: Zach Cavett – Commissioner District 1, Chris Reding – Commissioner District 2, Rhonda Markum – Commissioner District 3, Leslie Echalk – Deputy County Clerk. Invocation by Cavett and Flag Salute to our country lead by Zach Cavett.

Approve minutes of the previous meeting of the board:

Motion by Markum to approve **March 13th, 2023**, minutes as presented, second by Reding. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Miscellaneous items from the Audience (no action will be taken): None presented on this date.

Discussion/Possible Action on Reports from Officers and Boards:

Discussion/Possible Action – Audit Engagement OSA&I: Cavett stated this was for the acceptance for the audit engagement ending for June 30, 2022, for the general and health funds. Motion by Reding to approve the audit engagement with the Chair to sign on behalf of the board, second by Markum. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Discussion/Possible Action – Approval for OSA&I to Review the Calculation of the Payne County Jail's Inmate Incarceration Rate under 57 O.S 38 to Determine Payne County's Actual Daily Cost

Reimbursements to House State Inmates: Cavett stated this is currently at \$27 that the county collects per department of corrections per inmate in order to increase that rate as requested by the District Attorney we need to prove actual costs of those inmates. Cavett stated this would need to be signed by the Chair on behalf of the board. After discussion by the board, motion by Reding to approve the OSA&I review of the calculation with the Chair to sign on behalf of the board and should there be a cost for the review that it would come out of the State Auditors Account pending funds availability, second by Markum. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Discussion/Possible Action – Consideration, discussion and possible action concerning the settling of certain claims in pending litigation filed in the United States District Court of Oklahoma, including potential resolution of certain claims against Walmart, Walgreens, CVS, Teva, and Allergan, related to lawsuits against these pharmaceutical supply chain participants of opioid prescription drugs and taking appropriate action including possible authorization to settle claims:

Cavett stated this has all been sent to the county by the attorneys that Payne County has already engaged with. Motion by Reding to approve items C, D and E together and allowing the attorneys that the county has already hired to pursue these claims and to approve Resolution 2023-36 Teva, Allergan, CVS, Walgreen, and Walmart Agreement as presented with the Chairman to sign on behalf as necessary, second by Markum. Cavett stated the Resolution further states that Payne County, Oklahoma further authorizes its Board of County Commissioners and legal counsel to take all actions required by the Teva, Allergan, CVS, Walgreens, Walmart Settlement Agreements for the benefit of Payne County including executing any documents required to finalize the participation of Payne County. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Discussion/Possible Action – Consider approving participation in the Walmart Settlement Agreement dated November 14, 2022, the Teva and Allergan Settlement Agreements dated November 22, 2022, and the CBS and Walgreens Settlement Agreements dated December 9, 2022, as recommended by legal counsel for Payne County, including approval of Resolution 2023-26, and authorize the Chair of the Board for Payne County Commissioners to execute the Subdivision Participation forms for Payne County's participation in the Teva Allergan, CVS, Walgreens, Walmart Settlement Agreements: approved above.

Resolution 2023-36 – A Resolution to approve participation in Teva, Allergan, CVS, Walgreens, Walmart Settlement agreements: approved above.

Resolution 2023-37 Resolution directing interest funds from ¼ cent sales tax: Manning stated that all of the interest in various funds goes to the fund it accrues interests for but this one fund per state statutes states it can be directed by the County Commissioners to go to the general or highway fund. Motion by Markum to approve Resolution 2023-37 to place interest funds from the ¼ cent sales tax back into the highway fund sales tax interest account, second by Reding. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Discussion/Possible Action Approval Premier Truck group Tulsa Agreement for purchase of two (2) 2024 western star 49X series semi tractor trucks for District 3: Markum stated these needed to be ordered as they would not begin building them until November to January but you have to order way out. Markum is requesting to order two (2) \$150,000 each semi tractor trucks. Motion by Markum to approve with the Chairman to sign on behalf, second by Reding. Cavett stated that if the money is not available at the potential delivery the county is not required to go through with the purchase. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Discussion/Possible Action – Utilization of LATCF Funds: Cavett stated he had previously thought that these funds were lenient in how they could be utilized but the only restrictions are that they cannot be used to lobby; other than that they are pretty free. Cavett stated that the county has received \$50,000 with another \$50,000 coming but not received yet. We do have to submit on these funds how they were utilized. Markum stated are we doing these between the two (2) road districts, Cavett stated Reding had previously

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wanted it divided out between the three. Cavett felt the easiest way to track the use of the funds it would be to document what materials were purchased and used for what road. Cavett stated he would entertain a motion to distribute these funds between District 1 and 3 and to be utilized on a project each. Motion by Markum they get distributed between District 1 and 3 and to be used on one (1) project for each District, second by Reding. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes. Cavett and Markum agreed to split the funds once they all have come in.

Discussion/Possible Action – Utilization of Opioid Funds: Cavett stated that Noel Bagwell with Payne County Drug Court reached out and wanted to be considered for these funds as well. Cavett wanted to wait until all of the funds were in from the Opioid settlement before making a decision on the use of these funds. After discussion by the board motion by Reding to table, second by Markum. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Ingress and Egress Agreements: None presented on this date.

Purchase Orders: New/Blanket/Tabled/Disallowed/Payroll/Longevity: 2022-2023 \$141,235.57 2022-2023 Extension-ST 115, RASH DEA, 106.70, TRAVEL 116, PAYNE, LAURA, 322.27, TRAVEL 117, OK DEPT OF CAREER & TECH EDUC, 560.00, ENVELOPES; Fair Board 736, ONCUE EXPRESS, 567.93, FAIR MEETING 737, STROMSKI WELDING, 3000.00, PIPE PROJECT 738, DEARINGER PRINTING & TROPHY, INC., 818.50, SUPPLIES FOR LIVESTOCK SHOW; Fair Main-ST 278, GRIMSLEYS, INC., 1000.25, FEBRUARY BLANKET 279, QUEST TECHNICAL SERVICE, 248.00, JANUARY BLANKET 280, VISIT STILLWATER, 1100.00, FEBRUARY BLANKET 281, QUEST TECHNICAL SERVICE, 248.00, FEBRUARY BLANKET 282, DEARINGER PRINTING & TROPHY, INC., 1642.00, LIVESTOCK SHOW BOOKS 283, CINTAS FIRST AID & SAFETY, 114.47, FEBRUARY BLANKET 284, STILLWATER MILL AGRI CENTER, 244.00, OVERAGE 285, UNIFIRST, 385.64, FEBRUARY BLANKET 286, A-1 SEPTIC SYSTEM, 600.00, CLEAN OUT SEPTIC TANK 287, STILLWATER MILL AGRI CENTER, 56.95, FEBRUARY BLANKET 288, STILLWATER STEEL AND, 31.75, FEBRUARY BLANKET 289, STILLWATER MILL AGRI CENTER, 2740.00, WOOD SHAVINGS 290, CONSTELLATION NEWENERGY-GAS DIVISION, LLC, 1501.95, UTILITIES 291, B & C BUSINESS PRODUCTS, INC., 112.23, FEBRUARY BLANKET 292, QUALITY WATER SERVICES, 35.75, WATER DELIVERY 293, WIN WHOLESALE COMMERCIAL, 182.28, FEBRUARY BLANKET 294, POWERNET, 10.67, LONG DISTANCE 295, MIDWEST DECORATING INC., 900.00, CURTAINS 296, TOUCHTONE, 2.03, LONG DISTANCE 297, STAPLES, 50.91, FEBRUARY BLANKET 298, ATWOOD DISTRIBUTING, 170.51, FEBRUARY BLANKET; Fire- St 84, METRO EMERGENCY UPFITTERS LLC, 12384.20, UPFIT VEHICLE; General 3024, R & S RENOVATIONS, LLC, 735.30, LABOR & MATERIALS 3025, TOUCHTONE, 20.37, PHONE 3026, DAVIS SANITATION, INC., 70.00, DUMPSTER 3027, A T & T MOBILITY, 232.25, UTILITIES-CELL PHONE 3028, OKLA. NATURAL GAS, 888.46, UTILITIES 3029, CITY OF STILLWATER, 492.86, UTILITIES 3030, LOWES COMPANIES, INC., 362.18, SUPPLIES 3031, SHRED-AWAY SHREDDING, INC., 40.00, BLANKET 3032, B & C BUSINESS PRODUCTS, INC., 280.22, SUPPLIES 3033, KELLPRO, INC., 178.98, SOFTWARE 3034, GRIMSLEYS, INC., 201.24, SUPPLIES 3035, QUALITY WATER SERVICES, 20.75, WATER SERVICES 3036, SHRED-AWAY SHREDDING, INC., 1100.00, SHREDDING SERVICES 3037, TOUCHTONE, 38.53, UTILITIES 3038, SHRED- AWAY SHREDDING, INC., 40.00, SHREDDING SERVICES 3039, HUNTER, LOSCO, 8.25, MILEAGE REIMBURSEMENT 3040, INTERWORKS, INC., 45.00, HOSTING DOMAIN 3041, SHRED- AWAY SHREDDING, INC., 40.00, NOVEMBER BLANKET 3042, ALADEN CARPET CLEANING, 250.00, JANITORIAL SERVICES 3043, A T & T MOBILITY, 338.36, UTILITIES-CELL PHONE 3044, B & C BUSINESS PRODUCTS, INC., 147.94, PAPER 3045, WALKER COMPANIES, 88.25, NOTARY; Health 331, MILLER, ROXANNE, 703.86, TRAVEL 332, BELL, LEANN, 76.76, TRAVEL 333, BAIRD, ROBIN, 144.36, TRAVEL 334, AHA PROCESS, INC, 300.00, TRAINING 335, GRIMSLEYS, INC., 58.63, SUPPLIES 336, LAIRD, GRACIE, 172.39, TRAVEL 337, A T & T, 77.81, UTILITIES 338, ALLIANCE BUSINESS SERVICES, 838.48, UTILITIES 339, GRIMSLEYS, INC., 400.67, CLEANING SUPPLIES; Highway 1105, CORPORATE BILLING LLC, 584.70, PARTS 1106, A T & T MOBILITY, 257.40, UTILITIES-CELL PHONE 1107, NAPA AUTO PARTS, 2790.00, LICENSE 1108, LOCKE SUPPLY, 690.18, PARTS 1109, VASSAR HARDWARE AND TOOL, 96.43, SUPPLIES 1110, OKLA. NATURAL GAS, 452.29, UTILITIES 1111, HARRIS STATION 33, LLC, 730.90, TIRES & WASTE FEE 1112, HOIDALE COMPANY, INC., 8648.99, FUEL PUMP 1113, OSU AGE CTP, 80.00, CLASS 1114, EARNHEART CRESCENT LLC, 4359.87, UNLEADED FUEL 1115, MARTIN ELECTRIC, 450.00, PARTS 1116, EARNHEART CRESCENT LLC, 22168.15, DYED DIESEL 1117, OKLA. NATURAL GAS, 37.45, UTILITIES 1118, HARRIS STATION 33, LLC, 887.60, TIRES & WASTE FEE 1119, RAILROAD YARD, 1247.04, SUPPLIES 1120, A PLUS AUTO GLASS LLC, 125.00, SERVICE CALL; HIGHWAY 1/4TH-ST 18, QUAPAW CO., INC., 12938.38, ROAD ROCK 19, STEWART STONE, INC., 3430.19, YARD CLEAN UP 20, STEWART STONE, INC., 13209.75, CRUSHER RUN; Jail-ST 249, BREWER CARPET ONE, 1213.69, FLOORING IN ELEVATOR 250, GRIMSLEYS, INC., 4820.63, CLEANING SUPPLIES 251, AADVANTAGE LAUNDRY SYSTEMS, INC, 145.65, SERVICE CALL; Mental Health 10, PAYNE CO. DRUG COURT, INC., 6041.67, ADMINISTRATION FEES; ML Fee 48, THE JOURNAL, 30.00, SUBSCRIPTION RENEWAL 49, DEARINGER PRINTING & TROPHY, INC., 2385.00, WARRANTS; RM&P 51, AMAZON CAPITAL SERVICES, 69.99, OFFICE SUPPLIES; Rural Fire-ST 87, ROSS' STATION, 698.62, FEBRUARY BLANKET 88, FIREPENNY, 5505.60, PUMP 89, FIREPENNY, 5505.60, PUMP; SH Svc Fee 208, HIGH COM ARMOR SOLUTIONS, 4035.00, VEST/CARRIER 209, GALLS, LLC, 70.91, SUPPLIES

Blanket: \$3000 for District 1.

Payroll: None presented on this date.

Disallowed: None presented on this date.

Motion to approve purchase orders upon signature by Reding, second Markum. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Monthly Report of Officers: The Clerk's Office presented the following monthly reports of officers: The Payne County Health Department is reporting a balance of \$8,355.17 for the month of February. Motion by Markum to acknowledge the monthly reports as presented, second by Reding. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Public Announcements from the Board (No Action will be taken): Markum stated that TJ Campbell came to their office and they requested to see if they could park their equipment at the old MPower while they are working on 51 East. Cavett stated he would place that on the agenda next week for discussion. Reding wanted to state that weather conditions are such with a higher-than-normal fire danger please be careful and not burn if at all possible.

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Discussion/Possible Action on Utility Permits/Road Crossings: Markum presented two (2) road crossings (D3-23-005, 006) with Rural Water District 3. Motion by Markum to approve the road crossings as presented, second by Reding. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

New Business: None presented on this date.

Adjournment: Motion to adjourn by Reding second by Markum. Roll Call Vote: Markum-Yes, Reding-Yes, Cavett-Yes.

Minutes of the Board attested to:

Attest:

By _____
Glenna Craig, Payne County Clerk
Seal of office

Approved by the Board of Commissioners

On the ____ day of _____ 2023

Chairman_____

Commissioner_____

Commissioner_____