

The Board of County Commissioners of Osage County met at 10:00 A.M., June 3, 2024, in the OSU Extension Building at Osage County Fairgrounds. Members present were Interim Anthony Hudson, Steve Talburt, and Chairman of the Board, Charlie Cartwright.

Guests present were Leah Quinton-County Clerk Executive Assistant, Jerry Butterbaugh-OCIA, Nona Roach-OCIA, Cindy Murphy-1st Deputy District #2, Ty Loftis-KPMG Radio, Sally Hulse-Treasurer, Ed Quinton-Assessor, Dee Chambers-Free Fair, Gary Upton-Undersheriff, Ashley Kane-ADA, Kelly Pedigo-Fairgrounds Secretary, Jerry Roberts-Emergency Management, Scott Haywood-Health Department, Kelly Chouteau-Election Board Secretary, Michael Gordon-PSO, Kay Kelley-E911, Kyme Vincent-Nutrition Director, Emily DeLozier, Gil DeLozier, Bud Beaston, Dave Slack, Kevin Harrison, Joe Lucas, Shawna Myers, and Terry Shreve.

Charlie Cartwright called the meeting to order.

Charlie Cartwright led the prayer.

Anthony Hudson led the flag salute.

Under new business, Robin Slack stated that the County Clerk office has a young adult from the Osage Nation Youth Employment Training Program working in the office this summer. The Osage Nation wholly pays for the program with no cost to the County. Slack stated there was never a chance the employees would not be paid as payroll had already been run even though the Board had an Emergency Meeting last week. Steve Talburt asked why it was not on the agenda as it typically is. Slack stated she usually included the words payroll, but she has spoken to the auditors, and it does not have to include this wording for payment and the reason she had include was more for notification purposes. Slack said the payroll had already been run, so it was never an emergency.

Anthony Hudson moved to approve and sign minutes for Regular and Emergency Meeting of May 28, 2024. Steve Talburt stated that one thing he saw on the Emergency Minutes in the comments was that some sentences were incomplete. Robin Slack stated she interrupted Cartwright. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve blanket purchase orders #247012-#247064. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Anthony Hudson moved to audit and allow purchase orders for payment. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried. The following purchase orders were approved for payment: 244186 XYBIX 79183.83; 246609 O'REILLY AUTOMOTIVE 54.02; 246903 CHOCTAW CASINO RESORT 2668.60; 246767 GUY ENGINEERING SERVICES 13989.52; 246343 NETWORK ENHANCEMENT SYSTEMS 46.35; 246907 NEXTIVA 144.49; 246322 AT&T U-VERSE 102.92; 244251 XYBIX 7462.77; 244954 2-H REFRIGERATION 543.00; 245099 PICTOMETRY INTERNATIONAL 40000.00; 245214 EMBER BUTCHER 321.88; 245781 EMBER BUTCHER 596.51; 245803 WILSON PEST & LAWN 65.00; 246001 UNIFIRST 213.76; 246002 UNIFIRST 78.40; 246102 TOP SECRET D.D. SERVICE 63.00; 246106 UNIFIRST 226.40; 246232 GLENN SECURITY SYSTEMS 120.00; 246241 WILSON PEST & LAWN 65.00; 246405 WILSON PEST & LAWN 345.00; 246420 US CELLULAR 54.96; 246464 CHEYENNE PATRICK 159.59; 246575 QUILL 985.41; 246638 BTM WIRELESS 3134.29; 246641 ARTIC RESTAURANT EQUIPMENT & SUPPLY 4910.00; 246685 THE FAIRFAX CHIEF 823.20; 246711 CINTAS 200.00; 246714 OKLAHOMA NATURAL GAS 173.48; 246715 OKLAHOMA NATURAL GAS 53.84; 246716 SYMMETRY ENERGY SOLUTIONS 134.04; 246765 QUILL 85.82; 246777 MERRIFIELD OFFICE SUPPLY 173.43; 246782 C&B AUTO GLASS SERVICES 293.00; 246871 PIONEER FIRE & SAFETY 390.00; 246906 JASON WARNER SIMS 1000.00; 246115 IDG 790.00; 246211 US CELLULAR 186.00; 246578 MCKESSON MEDICAL SURGICAL 2439.53; 246725 VIP VOICE SERVICES 653.80; 246727 RICOH USA 215.65; 244499 LOWE'S 170.95; 245895 JOHN DEERE FINANCIAL 169.98; 246168 ANCHOR STONE COMPANY 11692.39; 246373 STANDLEY SYSTEMS 32.19; 246525 WILSON PEST & LAWN 65.00; 246590 FORMBY OIL COMPANY 1429.50; 246751 KIMBALL MIDWEST 127.83; 246769 JOHN DEERE FINANCIAL 129.99; 246778 FLEET FUELS 11881.51; 246839 CINTAS 139.30; 246840 STEWART MARTIN KUBOTA OF BROKEN ARROW 176.97; 246841 JOHN DEERE FINANCIAL 109.99; 246860 WINDSTREAM CORPORATION 214.82; 246904 SUMMIT UTILITIES OKLAHOMA 55.82; 246905 TOWN OF FAIRFAX 194.22; 246913 DAVIS SANITATION 135.00; 246914 MCCORD RWD#3 30.50; 246915 WINDSTREAM CORPORATION 386.57; 246781 AUTO-CHLOR SERVICES 450.45; 245745 DETECTACHEM 414.74; 246096 OKLAHOMA DRUG & ALCOHOL TESTING 30.00; 246470 GALLS 1062.75; 246488 SYMMETRY ENERGY SOLUTIONS 366.13; 246754 UNIFIRST 53.79; 246844 AT&T 470.12; 246852 AT&T 426.35; 242367 GREEN COUNTRY TOURISM 303.11; 242374 GREEN COUNTRY TOURISM 825.00; 243388 GRIFFIN COMMUNICATIONS 400.00; 243393 GRIFFIN COMMUNICATIONS 400.00; 243395 GRIFFIN COMMUNICATIONS 2083.33; 243680 MARY BETH MOORE 6064.37; 245562 VYVE BROADBAND 105.95; 245564 VISIT WIDGET 426.00; 245883 KCD ENTERPRISES 1200.00; 246121 MARY BETH MOORE 397.03; 246124 RANDI CHESBRO 400.45; 246326 AT&T MOBILITY 179.70; 246515 THE FAIRFAX CHIEF 8165.00; 246347 HARPS FOOD STORES 166.42; 246439 AT&T U-VERSE 62.15; 246458 PIONEER FIRE & SAFETY 340.00; 246640 TOMO DRUG TESTING 27.50; 246479 CHERYL A. SHRIVER 1000.00; 246597 TRI COUNTY TECH 3000.00; 246709 CINTAS 237.11; 246779 COLEMAN WILSON 25.69; 246780 CINTAS 266.34; 246866 GARY UPTON 325.71.

Steve Talburt moved to approve Utility Permit #1632 submitted by ONE Gas Inc. starting at a point in the NE/4, SE/4 of Section 30, Township 20N, Range 11E crossing at 16743 E Shell Creek Rd and ending at a point in the SE/4, NE/4 of Section 30, Township 20N, Range 11E. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Anthony Hudson moved to table update on the Courthouse Annex Project from Dalton Higgins. Anthony Hudson stated Higgins would not be able to attend this meeting. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to table how to account for time away from work for the employees impacted by the Barnsdall tornado on May 6, 2024. Robin Slack stated Tony Reeves inquired about how to handle timesheet because he and another employee in his department were both impacted by this emergency. Slack stated she believe other District #1 employees were also impacted. Anthony Hudson said he had three employees who were affected, but they had enough vacation time. Ashley Kane stated she thinks leave with pay would be fine since the County was in an emergency, but suggested the Board check with SAI. Slack said she would be happy to reach out to SAI for clarification on the matter. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to award all low bids based on project location and transportation cost; waste fees to be based on Oklahoma Statutes for Bid #24-21 Road and Bridge, Bid #24-22 Grader Blades, and Bid #24-23 Tires. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to open Bid #24-24 Election Ballots and Bid #24-25 Road Sign Blanks. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried. Charlie Cartwright announced two bids for Election Ballots from Royal Printing Company and Mid-West Printing Comp. Cartwright announced one bid for Road Sign Blanks from Vulcan Inc. Steve Talburt moved to accept all bids for Tabulation. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve the following contracts for Ergon Asphalt & Emulsions (Bid #24-18), Coastal Energy Corp (Bid #24-18), Wright Asphalt Products Co (Bid #24-18), Tulsa Asphalt, LLC (Bid #24-19), Logan County Asphalt (Bid #24-19), Evans & Associates Construction (Bid #24-19), Bison Materials, LLC (Bid #24-19), Cowboy Asphalt (Bid #24-19), Candy Creek Crushers, LLC (Bid #24-20), Stewart Stone (Bid #24-20), Burbank Materials (Bid #24-20), Anchor Stone (Bid #24-20), Bison Materials Hogshooter (Bid #24-20), APAC-Central, Inc (Bid #24-20), Bison Materials LLC Dewey (Bid #24-20). Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

The Board acknowledged letter from the County Clerk stating Rebekah Reeves as 1st Deputy.

Anthony Hudson moved to approve and sign State Fiscal Year 2025 with the Oklahoma Department of Mental Health and Substance Abuse Services for period July 1, 2024, through June 30, 2025, including Criminal Justice - Drug Court Administration for \$30,000, Criminal Justice - Early Diversion Adult State for \$21,250 and Criminal Justice - Mental Health Court Administration for \$60,000 Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Anthony Hudson moved to approve quote from Metro Carpet & Tile for \$19,157.18 for Flooring in the Sheriff's business offices and common area. Additional quotes obtained were from Anderson Flooring for \$24,900 and JERRICO Tile & Carpet, Inc for \$21,963.42. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve quotes from Merrifield Office Supply for \$6,239 for miscellaneous office supplies for Rock Fire Department REAP #240138. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to table two payments of \$62,166.17 (totaling \$124,332.34) from Bond Reserve (Account 1301-1-2000-5210). Sally Hulse stated OCIA has requested a double payment be made, but it will affect what is given to the Fairgrounds and General Fund. Hulse noted that the County initially gave OCIA \$800,000. Nona Roach stated OCIA no longer have the \$800,000 and went on to state OCIA paid roughly \$180,000 on taxes. Charlie Cartwright stated he would like to table this for one week. Jerry Butterbaugh stated he understands tabling the matter, but every payment has been late in the past nine months. Cartwright stated he is uncomfortable with making a decision today as he has been unable to speak to anyone regarding the matter. Hulse stated the payment should always have been on time. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve payment to Osage County RWD#20 for Engineering services for \$1,850 to be paid for with 18622 CDBG 22 and 18623 CDBG 21 Grant Funds (Account 1400-1-1000-2005). Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve to correct Misc #26902. Anthony Hudson stated back in February they approved Kellogg Engineering for a project, but Guy Engineering was erroneously input. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Anthony Hudson moved to table application for Older Americans Grant for Nutrition for Title III for \$550,786; Local Donations for \$30,000; Grantee Cash for \$80,000; and NSIP for \$29,113 totaling \$689,899 for 34 years of delivered meals. Charlie Cartwright asked Ashley if they could still move forward as this is a 4-year contract, and the Agenda

has a typo of 34 years. Robin Slack stated that Nutrition has been doing this project for 34 years and there is not a typo. Cindy Murphy inquired if this is the same contract with the missing \$80,000 on the cover page. Cartwright stated yes. Cartwright asked Kane if she was good with the contract. Kyme Vincent, Nutrition Director, stated there is a problem. This paperwork did not come out of her office and she had no idea who generated the paperwork. Vincent stated there is a federal grant process that has to be followed and she doesn't know how this happened. Cartwright stated it happened directly with advice from INCOG on handling this, which is why you have the \$80,000 in this location. Vincent stated the problem is INCOG cannot change the application during the grant process, and at this moment in time, you need to file an addendum, which she asked for a few weeks from the Board, so they can discuss rewriting the grant and resubmitting. Vincent stated she has already talked to other people, and there is potential that this entire grant will be thrown out because there was a violation. Vincent stated a grant cannot be altered once submitted, and it is not up to her if this grant process has been violated. It is up to the State. Vincent suggested that the Board table the item because someone needs to talk to the State and the ACL at the federal level to see if the grant process has been violated. Cartwright stated that his understanding Regan McManus spoke with the State, and this is how they told the County to proceed. Vincent stated that many people can say many things, and this federal grant is thousands of pages with each person in the network having responsibilities. Vincent stated she did not write this grant, and this is not a budget that has been submitted, and she does not know why they gave Cartwright that information. Vincent stated there are too many issues with this Agenda item to cover. Cartwright stated there has been one thing changed on the application: the amount the grantee supplies. Vincent stated there was a conversation in 2012 about why we do this. Cartwright stated Ashley Kane now has the floor. Ashley Kane stated she had seen the contract from Kyme about a month ago, but she has not seen this contract. Cartwright inquired if Kane had seen the change in the cover page. Kane stated she had not seen any of the documents involving INCOG. Vincent stated the question comes to who changed the cover page. Cartwright stated he had changed it on INCOG's advice. Vincent stated exactly, that is a violation of the federal bid process and I take no joy in telling the Board this information. Cartwright stated that is her determination. Vincent stated no, it is the State and Federal government's determination. Cartwright stated that is her determination. Vincent stated she really suggests the Board tables the item. Cartwright stated to table one week for Kane to review the change on the cover page and proceed without a doubt. Vincent stated she would let the State and Federal levels know what happened and it's probably not the end of the world, but what would happen would be up to the Area Agency on Aging. Cartwright said thank you. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to approve Transfer for \$12,000 from D#2 Retirement (Account 1102-6-4200-1221) and \$5,000.00 from D#2 Insurance (Account 1102-6-4200-1222) to D#2 Property Insurance (Account 1102-6-4200-2065). Steve Talburt stated property tax is going up so District #2 is transferring the money to put cushion in the account. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

The Board acknowledged receipt of \$21,722.76 from Opioid Abatement Settlement.

The Board acknowledged receipt of \$42,035.90 from Opioid Abatement Settlement.

The Board acknowledged payment of \$6,006.24 from ACCO for loss to 2023 Ford Police Interceptor Utility Vehicle (VIN# 1FM5K8AB5PGA62537) for Sheriff.

The Board acknowledged payment of \$8,386.87 from ACCO for loss to 2021 Chevy Silverado 1500 Crew Cab (VIN# 3GCUYAEF8MG242503) for Sheriff.

The Board acknowledged payment of \$3,980.83 from ACCO for loss to 2020 Chevy Silverado 1500 (VIN# 3GUYAEF6LG196877) for Sheriff.

The Board did not acknowledge payment of \$18,126.00 from ACCO for loss to 2016 RAM (VIN# 1C6RR7XT9GS402479) for \$10,793.17 and 2017 Dodge Grand Caravan Van for \$7,332.83 (VIN# 2C4RDGBG7HR802738) for Sheriff.

The Board acknowledged payment of \$3,480.00 from ACCO for loss to 2020 Chevy Silverado 1500 (VIN# 1GCUYAEF3LZ166512).

Under Citizen's Input, Jerry Butterbaugh inquired if items #25-29 happened at one time or if May was a bad month. Charlie Cartwright stated he is not sure, but he knows there were a few vehicles that were in Ada for training that experienced hail damage. Bud Beaston inquired about an explanation on item #22 and Cartwright stated they are adjusting available funds. Kevin Harrison asked why the County is paying a RWD and Cartwright stated they are a go-between for the REAP grants and sponsors the RWD, so they are funneling the money through.

Anthony Hudson moved to enter Executive Session as per 25 O.S. Section 307 B. 4. to discuss an Amicus Brief or contact for the drafting of an Amicus Brief in United States V. Osage Wind LLC, Case No. 14-CV-704-JFK-JFJ. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Steve Talburt moved to exit the Executive Session. Anthony Hudson seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.

Charlie Cartwright stated that the Board had decided to take no action on the Amicus Brief.

Anthony Hudson moved to adjourn. Steve Talburt seconded the motion. Hudson-yes; Talburt-yes; Cartwright-yes. Motion carried.


Read and approved this 10th day of June, 2024.

Board of County Commissioners  
Osage County, Oklahoma


Robin Slack, Osage County Clerk

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Charlie Cartwright, Chairman  


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Steve Talburt, Vice-Chairman  


Anthony Hudson, Member