

MINUTES OF THE COUNTY COMMISSIONERS MEETING HELD ON NOVEMBER 13, 2018

The Board of the Grady County Commissioners met on this day for a regularly scheduled meeting with the following board members: Windle Hardy, Ralph Beard, and Kirk Painter.

The meeting was called to order and roll call: Windle Hardy, Ralph Beard, Kirk Painter.

The meeting was opened with the "Pledge of Allegiance"

Kirk Painter made a motion to approve the minutes of the November 5, 2018 meeting. It was seconded by Windle Hardy. AYE: Windle Hardy, AYE: Kirk Painter; and Ralph Beard Abstained.

Windle Hardy made a motion to approve the following blanket purchase order numbers 192876-192886. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard, AYE: Kirk Painter.

GCEMA/Fire Reports: Dale Thompson reported that they have a statewide exercise this Thursday and they are planning on having a good turnout with people from the Hospital, Health Department, Red Cross and excreta. Dale also reported that Melissa Moore with the state would be coming down to talk with Emergency Management's new part time employee to make sure she understands how the Safe Room project will work. He stated that Judge Young would draw names to determine the winners of the 230 safe room recipients. He also informed the board that he resubmitted a letter of intent to the state for the generator grant and that when he did the quote for the generators had actually gone down and the counties part would be approximately \$22,300.00. Kim Duke reported that they had a training drill this past Thursday.

9:15 A.M. Windle Hardy made a motion to approve the bid request for a 2015 or newer Ford Explorer for Emergency Management. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard, and AYE: Kirk Painter

Safety Director: No Report

No action on the draw request from Courthouse Security Vestibule or Grady Memorial Hospital.

Joyce Kirksey came to talk to the BOCC about a conveyance that had taken place in 1932. She stated that this land had been in their family name. They had not realized this was there and that they had leased the mineral rights to other companies and the other companies either did not find it or they felt that the intent of the Conveyance was not to include the mineral rights. Now however, Echo is trying to lease the mineral rights on this land and they want mineral rights dispute resolved before they send out the money. That Grady County could disclaim the mineral rights to this section of land. Stephanie Robinson the ADA, stated that this Conveyance did not specify that the minerals were to not to be included; and therefore the minerals are normally considered to go with the land. She stated that

we were talking about around \$32,000.00, and as the ADA for Grady County could not advise the Commissioners to sign the disclaimer, as it would be like giving away tax payers assets. She advised that they not sign the disclaimer then a lawsuit could be filed, then it would go to the district Judge and he could make a ruling on it. Therefore, it wouldn't look like the Commissioners were just giving up taxpayer dollars and it would be a more official ruling on what was to be done with this piece of property. Kirk painter, Ralph Beard, and Windle Hardy all looked over the Conveyance. Windle Hardy pointed out that the wording "over", looked like the intent was to only be the use on top of the land not the mineral rights. Kirk stated that he felt like since the county never received any royalties on the piece of land and only the land owners had, along with the fact that the conveyance stated "over" along with if the land is not used it will revert back to the land owner that they should sign the disclaimer. Kirk also felt that all of the rights to the land should possibly go back since the property had not been used. Windle said that he would like to mention that he was present for a case where the District Judge made a ruling on an easement dispute. The case had similar wording, will revert back to the land owners if not used, the conveyance took place in 1968 and yet the Judge ruled that it was still Grady County's to use, as the conveyance did not specify how long it had to be without use. Windle Hardy stated that he felt like it might be better to get a Judge's ruling versus the Commissioners that way if they ever wanted to build on the land they could and no one could come back later to dispute the matter. Kirk Painter made a motion approve the action with Joyce Lynn Kirksey regarding only the disclaimer of interest for mineral rights and gas leases division orders and for Kashmir 2-13 WH in section 13-T7N-R7W drilled by Echo Energy LLC. Stephanie Robinson stated that she wanted it to be known that the Commissioners were going against her advice by making this motion. But if they did approve it that it would only be for the mineral rights in question and not the easement itself. Kirk stated that he didn't feel like any citizens would honestly have a complaint about giving back a family what was rightfully theirs. It was seconded by Ralph Beard. NO: Windle Hardy, AYE: Ralph Beard, and AYE: Kirk Painter.

9:30 A.M. Kirk Painter made a motion to approve the bid from Police Units Unlimited for two 2013 Chevy Tahoe, in the amount of \$17,300.00 each for a total of \$34,600.00, for Sheriff's Department. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard, and AYE: Kirk Painter

Windle Hardy made a motion to approve the 2019 scheduled Holidays for Grady County. It was seconded by Kirk Painter. AYE: Windle Hardy, AYE: Ralph Beard, and AYE: Kirk Painter.

Windle Hardy made a motion to accept the applications for permits from Petro Land Services South and United Land Co., a permit to cross with a pipeline. It was seconded by Kirk Painter. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

Kirk Painter made a motion approve waterline permits for Soar Energy Solutions and Apache Corporation. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

Windle Hardy made a motion to accept the applications for permits to cross with a Tin Horn for Continental Resources. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

Kirk Painter made a motion to move to executive session, for the purpose of discussing the employment, hiring, appointment, promotion, disciplining or resignation of any individual salaried public officer or employee; Title 25, Oklahoma Statutes Sec 307-B1. It was seconded by Windle Hardy. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

Windle Hardy made a motion to reconvene the regular meeting. It was seconded by Ralph Beard. Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

No Action on the item discussed in executive session.

Be it resolved by the Board of the Grady County Commissioners to review and approve claims and a special payroll generated by the Grady County governing bodies during the month of November and before and authorize or deny payment of such claims.

Windle Hardy made a motion to approve the transfers and appropriations for the following departments: General, Emergency Management Grant Fund and Sales Tax- FD. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

Windle Hardy made a motion to approve the monthly reports for the following county offices: Treasurer, Assessor, Election Board, Health Dept., Court Clerk, and County Clerk. It was seconded by Ralph Beard. AYE: Windle Hardy, AYE: Ralph Beard and AYE: Kirk Painter.

The board approved the appropriations for the allocation for alcoholic beverage tax for towns and cities in the amount of \$17,122.37 for the month of November 2018.

The board approved the cash fund estimate of needs and request for appropriations for the following cash funds:

Appropriations for County Highway	\$1,434,502.22
Appropriations for County Highway-CBRIF 105	\$56,724.76
Appropriations for Sheriff Service Fees	\$33,327.84
Appropriations for SWB 911 Fee	\$37,916.02
Appropriations for Treasurer's Mortgage Tax	\$880.00 (October)
Appropriations for Protest Tax Interest 2015	\$54.98
Appropriations for Protest Tax Interest 2016	\$99.99
Appropriations for Protest Tax Interest 2017	\$117.16
Appropriations for County Clerk M & M Lien	\$26,277.00
Appropriations for County Clerk's Preservation	\$9,021.00
Appropriations for Visual Inspection	\$.02

Appropriations for Assessor Fee Revolving	\$2,247.00
Appropriations for Emergency Management	\$1,250.80
Appropriations for Law Library	\$2,542.00
Appropriations for Drug Court User Fees	\$1,316.72
Appropriations for Use Tax	\$244,206.72
Appropriations for Court Clerk Fees	\$100.00
Appropriations for Sheriff Drug Forfeiture	\$241.00
Appropriations for Sheriff Public Donation	\$2,707.00
Appropriations for County Sales Tax	Total-\$1,073,178.07

Fairgrounds-\$351,610.74, -Sr. Citizens-\$175,805.38 -each center-\$25,115.06, -Fire Tax-\$175,805.38, -each Fire Station-\$8,790.27, -& GMH Sales Tax-\$311,175.51, -Rush Springs EMS-\$8,087.05, -& Tuttle EMS-\$32,348.19.

Be it resolved by the Board of the Grady County Commissioners that the County Treasurer be directed to deposit the following checks for T-2 #2- Petro Land Services South-\$3,000.00, Soar Energy Solutions-\$1,500.00, Apache Corporation-\$1,500.00, T-2 #1-United Land Co.-\$1,000.00.

Be it resolved by the Board of the Grady County Commissioners that the County Treasurer be directed to deposit the following check for General Fund- Stephens Co D.A. \$451.58 and State Election Board-\$4,234.42.

Be it resolved by the Board of the Grady County Commissioners that the County Treasurer be directed to deposit the following check for 911-Town of Ninnekah-\$300.00, Town of Amber-\$300.00, B4-1- Canadian County-\$48.74, Claude Smith Attorney at Law- \$50.00, and District Attorney- \$100.00; B4-6-Todd Kernal-\$15.00, Gordon Harness-\$15.00, Dewberry Law Firm-\$15.00 and Jon Hester-\$15.00.

Be it resolved by the Board of the Grady County Commissioners that the County Treasurer be directed to deposit the following check for Use Tax Fund-\$275,165.35.

Audience Participation: The Architect for the Jail, Larry Goldberg, and the former Sheriff, Stan Florence, was present. They wanted to discuss how unique our Jail was when it was first made and hear how the Jail was doing at this time. Windle Hardy told them that it has been doing very well and that they are building another to get the inmates out of the fourth floor of the courthouse. Larry and Stan also asked if they could take a tour of the Jail. Windle told them that he would take them.

Windle Hardy made a motion to recess for lunch until 1:30p.m. It was seconded by Kirk Painter. AYE: Windle Hardy, AYE; Ralph Beard, and AYE; Kirk Painter.

Ralph Beard made a motion to reconvene. It was seconded by Kirk Painter. ABSENT: Windle Hardy, AYE: Ralph Beard, AYE: Kirk Painter

Ralph Beard made a motion to adjourn. It was seconded by Kirk Painter. ABSENT: Windle Hardy, AYE: Ralph Beard, AYE: Kirk Painter

Meeting Adjourned.

Passed and approved the 19th day of November 2018.

Attest: *Bill Locke*
County Clerk



The Board of the Grady County Commissioners

Chairman *Robert Beard*

Vice Chairman *Gene J. Pennington*

Member