**O**klahoma **C**ooperative **C**ircuit **E**ngineering **D**istricts **B**oard **M**inutes

**R**egular **B**oard **M**eeting

Date: June 29, 2022

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 Max Hess called the meeting to order at 11:04 a.m. OCCEDB staff member, Melinda Anoatubby, called roll; attendance was as follows:

**Board Members Present:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Board Members Absent:** none

**OCCEDB Staff Present:** Randy Robinson & Melinda Anoatubby.

**Guest:** Scott Brians CED #2, John Northup, CED #7, John Kenerson – ODOT, Donnie Head CED #8, Travis Darr – Major #3, Tyler Schroder – CED #8, Lenae Clements – ODOT LG, Matt Vander – ODOT LG, Daniel Clements CED - #4, Troy Travis, Shelly Williams – ODOT, Marvin Woodall -Alfalfa #3, K. Lechenbauer – The Railroad Yard, Gary May- Noble #2, Brandon Dudgeon – ODOT.

**READING OF THE MINUTES OF THE MAY 25, 2022 MEETING AND APPROVAL OR MODIFICATION OF THE SAME**

The minutes from the May 25, 2022 board meeting were read individually. A motion was made by Ty Phillips to approve the May 25, 2022 minutes. The motion was seconded by Darry Stacy. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Max Hess-CED #8.

**Nay**: none

**Abstain:** Sam Chandler-CED #2, Kirk Butler-CED #7

**DISCUSSION AND POSSIBLE ACTION ON CLAIMS**

The following claims were presented to the board for approval of payment: Fuelman in the amount of $308.76. MassMutual $300.23. Nationwide in the amounts of $1025.00, $1,025.00, 1025.00, $250.00, $250.00. Bank SNB bank fees $79.24. Classic Printing $465.00. A motion to approve all claims was made by Randy Thomas and was seconded by Kirk Butler. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**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 $3,863.04. ACCO SIG/SIF in the amount of $741.00. A motion was made by Ty Phillips to approve the payments to ACCO for reimbursement of expenses. The motion was seconded by Darry Stacy and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none.

**DISCUSSION AND POSSIBLE ACTION ON CONCERNING ACCO CONTRACT AGREEMENT.**

A 2023 – ACCO contract was presented to the board for OCCEDB to reimburse ACCO for expenses on a monthly basis and not to exceed $60,000. A motion to approve the renewal was made by Ty Phillips and seconded by Kirk Butler. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none.

**DISCUSSION AND POSSIBLE ACTION CONCERNING THE LEASE AGREEMENT WITH ACCO- SIG/SIF.**

The 2017 ACCO/SIG-SIF, Lease Agreement/Contract was presented to the board. The contract states it auto-renews every year. OCCEDB Board has the responsibility to review the contract and determine that funds and services are available for the fiscal year. The OCCEDB Board has the responsibility to decide to renew or cancel the contract. A letter from ACCO/SIG-SIF was presented to the board and it included the CPI increase by 8.6% or $63.73 per month from $741.00 to $804.73 per month beginning July 1, 2022.

A motion to approve the lease agreement was made by Darry Stacy and seconded by Randy Thomas. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none.

**DISCUSSION AND POSSIBLE ACTION ON BLANKET PURCHASE ORDER**

A motion was made by Dan Delozier and seconded by Chris White to approve BPO #161. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**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:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date** | **Invoice #** | **County** | **District** | **Description** | **Amount** |
| 5/31/22 | 697 | OCCEDB | Admin | ADMIN-MAY | $2,916.66 |
| 6/3/22 | 698 | LOVE | 2 | CHIPPER | $30,000.00 |
| 6/3/22 | 699 | TULSA | 1 | DUMP RO | $4,215.00 |
| 6/3/22 | 700 | PAYNE | 1,2,3 | DUMP RO | $7,576.65 |
| 6/3/22 | 701 | GRANT | 1 | DUMP RO | $1,500.00 |
| 6/20/22 | 702 | WASHITA | 1 | DUMP RO | $4,076.00 |
| 6/20/22 | 703 | PAYNE | 1,2,3 | CHAINSAW | $6,110.88 |
| 6/21/22 | 704 | PAYNE | 3 | DUMP RO | $147.00 |
| 6/21/22 | 705 | LOGAN | 2 | DUMP RO | $3,375.00 |
| 6/21/22 | 706 | PUSHMATAHA | 1,2 | CHIPPER/CHAINSAW | $24,219.18 |
| 6/21/22 | 707 | POTTAWATOMIE | 2 | DUMP RO | $5,200.00 |
| 6/21/22 | 708 | LEFLORE | 1 | CHIPPER | $30,000.00 |
| 6/21/22 | 709 | CHOCTAW | 1,2 | DUMP RO | $3,000.00 |
| 6/21/22 | 710 | WAGONER | 2 | DUMP RO | $4,200.00 |
| 6/24/22 | 711 | OSAGE | 1,2,3 | DUMP RO | $7,500.00 |
| 6/27/22 | 712 | OSAGE | 1,3 | CHAINSAW | $2,000.00 |
| 6/27/22 | 713 | GARVIN | 2 | DUMP RO | $4,945.08 |
| 6/27/22 | 714 | OKFUSKEE | 1 | DUMP RO | $3,325.00 |
| 6/27/22 | 715 | LATIMER | 1,2,3 | CHAINSAW | $6,000.00 |
| 6/27/22 | 716 | TILLMAN | 1,2,3 | DUMP RO | $12,992.88 |
| 6/27/22 | 717 | MAYES | 1,2,3 | DUMP RO | $17,100.00 |
|  |  |  |  |  |  |
|  |  |  |  | **Total** | **$180,399.33** |

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

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none.

**DISCUSSION AND POSSIBLE ACTION ON REVISION ON THE SOLID WASTE PROGRAM POLICY**

The Solid Waste Policy was presented to the board that included underlined revisions in regards to supporting documentation needed by OCCEDB if the BOCC no longer signs purchase orders and or requisitions due to electronic signatures. A motion to approve the policy revisions was made by Dan Delozier. The motion was seconded by Randy Thomas and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none.

**DISCUSSION AND POSSIBLE ACTION CONCERNING DEQ SOLID WASTE CONTRACT EXTENSION FOR 2022.**

No action

**DISCUSSION AND POSSIBLE ACTION CONCERNING DEQ SOLID WASTE CONTRACT FOR 2023.**

The 2023 DEQ Solid Waste contract was presented to the board. A motion to approve the contract was made by Dan Delozier. The motion was seconded by Ty Phillips and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION ON THE FINANCIAL REPORT**

A financial report was provided to the board for review. A motion to approve the financial report was made by Darry Stacy. The motion was seconded by Randy Thomas and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CEDS’ BUDGETS.**

Fiscal year 2023 budgets were received from CEDs’ 1, 2, 5 and 8. A motion was made to approve 1, 2, 5 and strike 8 by Darry Stacy and seconded by Dan Delozier. (CED 8’s report was 2022 expenses, not the budget) The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

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

No action

**DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF ETR PROJECT CONTRACT AGREEMENTS**

No action

**DISCUSSION AND POSSIBLE ACTION REGARDING EXTENDING ETR PROJECT CONTRACT AGREEMENTS.**

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

|  |  |
| --- | --- |
| Haskell | ETRCR2-31-3(12)16 |
| Muskogee | ETRCR2-51-1(05)22 |
| Choctaw | ETRCR3-12-1(04)15 |
| Choctaw | ETRCB3-12-1(05)17 |
| Choctaw | ETRCR3-12-1(08)22 |
| Pontotoc | ETRCR4-62-3(07)14 |
| Pontotoc | ETRCR4-62-2(14)20 |
| Pontotoc | ETRCR4-62-2(15)20 |
| Coal | ETRCB4-15-2(01)20 |
| Pontotoc | ETRCR4-62-2(16)21 |
| Coal | ETRCB4-15-2(02)21 |
| Coal | ETRCB4-15-3(03)21 |
| Garvin | ETRCR5-25-3(14)21 |
| Grant | ETRCB8-27-3(34)20 |

A motion to approve the extension was made by Darry Stacy for all ETR Extension’s. The motion was seconded by Randy Thomas and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION ON AGREEMENT BETWEEN ODOT AND OCCEDB FOR GRANT WRITING COST SHARING SERVICES.**

A MOU was presented to the board with highlighted revisions. A motion to approve the MOU with the revisions was made by Dan Delozier. The motion was seconded by Kirk Butler and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION CONCERNING IIJA GRANTS AND FUNDING**

Discussion – Garver recommended to consider the BIP – Bridge Improvement Programs grant along with the Rural Surface Transportation grant.

No action

**DISCUSSION AND POSSIBLE ACTION CONCERNING FY 2022 STP FUNDING FOR ROADS AND BRIDGES**

No action

**DISCUSSION AND POSSIBLE ACTION REGARDING PROPERTY AND LIABILITY INSURANCE RENEWAL**

The ACCO-SIG insurance renewal was presented to the board in the amount of $3,691. A motion to select option 1 (pay in full) and approve the renewal was made by Chris White and seconded by Ty Phillips. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**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 $2,905.00. A motion to pay in full and approve the renewal was made by Darry Stacy and seconded by Kirk Butler. The motion passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION CONCERNING NATIONWIDE RETIREMENT POLICY AMENDMENT AND 2% EMPLOYEE RETIREMENT LOSS.**

NRS returned 2% of the employees’ retirement from July – December 2021 and remitted it back to OCCEDB as a credit. Darry Stacy made the motion to refund the employees for the 2% retirement loss that NRS remitted back to OCCEDB in the amount of $1,103.27, $381.00, $375.00. The motion was seconded by Dan Delozier and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

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

Randy Robinson discussed CED #8 using Garver to write and submit an IIJA grant. Randy discussed he was served with an Open Records Act request concerning road records in section 18, T2S R19W; section 19, T2S R19W; section 13, T2S R20W; section 24, T2S R20W in Jackson County. Randy also handed out the results of the state wide county commissioners primary election results and discussed presenting a workshop at the DA Council Summer conference that will be held in Broken Arrow July 13, 2022. Shelly Williams discussed that there will be ER Training from FHWA. Shelly discussed 3 topics that ODOT will be presenting to the Transportation Commission on July 11, 2022 that will include: approved FY 2023-2027 CIRB Plans, HB3037, and the Bridge Formula Funding. ODOT wanted to remind everyone that the equipment lease renewals are due by August 2, 2022. Brandon Dudgeon – ODOT discussed the Industrial and Lake Access dates and deadlines.

**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. At 11:57 AM Darry Stacy made a motion to enter into Executive Session. The motion was seconded by Dan Delozier and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

b. At 12:17 PM Chris White made a motion to reconvene into Open Session. The motion was seconded by Ty Phillips and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**Action regarding the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of the Executive Director and Accounting / Administrative Assistant for the OCCEDB.**

A motion to approve a $5,000 salary increase for Randy Robinson and Melinda Anoatubby effective July 1, 2022 was made by Darry Stacy. The motion was seconded by Dan Delozier and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**DISCUSSION AND POSSIBLE ACTION REGARDING OCCEDB BUDGET**

The board was provided with a requested budget for fiscal year 2023. Darry Stacy made a motion to approve FY 23 OCCEDB budget to include salary increases and associated changes. The motion was seconded by Randy Thomas and passed as follows:

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**NEW BUSINESS**

None.

**ADJOURNMENT**

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

**Aye:** Dan Delozier-CED #1, Sam Chandler-CED #2, Chris White-CED #3, Randy Thomas-CED #4, Darry Stacy-CED #5, Ty Phillips-CED #6, Kirk Butler-CED #7, Max Hess-CED #8.

**Nay**: none

**Meeting adjourned**