

April 1, 2019

The regular meeting of the Board of Texas County Commissioners was called to order by Jack Strain, Chairman. Ted Keeling, Richard Bryan, members and Wendy Johnson, County Clerk were present. April Coble with Guymon Daily Herald, Mike Boring and Harold Tyson were also present.

The agenda was filed on March 29, 2019, at 10:00 a.m. in compliance with the Open Meeting Act.

Strain verified we were in compliance with the Open Meeting Act with all board members present.

Tyson gave update on the Emergency Management Program.

Motion by Keeling, second by Bryan to approve blanket purchase orders for usage.

GENERAL: 194204, Lumber Mart, \$300.00; 194231, Tractor Supply Credit Plan, \$250.00; 194233, Master Cleaners/Holland Oreck, \$300.00; 194234, Texas Co Reg Juvenile Detention Ctr, \$4000.00; 194235, Matt Boley, Tx County Sheriff, \$1000.00; 194237, Mathis Oil Co Inc., \$400.00; 194238, L & J Auto Parts Inc., \$400.00; 194239, Clingan Tires Inc. of Guymon, \$1200.00; 194240, Water Barrel, \$100.00.

DISTRICT #1: 194253, Warren Cat, \$1000.00; 194254, Southern Office Supply Inc., \$200.00; 194255, Mayfield Paper Company, \$500.00; 194256, Keating Tractor & Equipment Inc., \$1000.00; 194257, Hooker Hardware & Auto LLC, \$400.00; 194258, Hooker Hardware & Auto LLC, \$1000.00; 194259, Doris Davis Gravel Pit, \$1200.00; 194260, Ameripride Linen and Apparel Services, \$1300.00.

DISTRICT #2: 194213, Advanced Water Solutions, \$40.00; 194214, B & B Sales Co., \$300.00; 194215, Clingan Tires Inc., of Guymon, \$1000.00; 194216, Green Country Equipment LLC, \$1000.00; 194217, Guymon Standard Supply Inc., \$500.00; 194218, L & J Auto Parts Inc., \$2000.00; 194219, NAPA, \$750.00; 194220, Prairiefire Coffee Roasters, \$200.00; 194221, S & S Services, LLC, \$500.00; 194222, SPC Office Products, \$300.00; 194223, Top Value, \$200.00; 194224, Unifirst Corporation, \$1200.00; 194225, Virgil Brune Estate, \$2000.00; 194226, Warren Cat, \$3000.00; 194227, Wirtz Lumber & Supply Inc., \$500.00.

DISTRICT #3: 194205, Bruckner Truck Sales Inc., \$2500.00; 194206, Rush Truck Center, \$3000.00; 194207, Baber Supply Inc., \$3000.00; 194208, Prairiefire Coffee Roasters, \$300.00; 194209, Mayfield Paper Company, \$1000.00; 194210, Seward County Waste Hauling Mgt., \$3000.00; 194211, Unifirst Corporation, \$1500.00; 194212, Yellowhouse Machinery Co., \$3000.00.

HEALTH MILL LEVY: 194249, McMichaels Plumbing Inc., \$300.00; 194250, Northwest Shredders LLC., \$150.00; 194251, Northwest Shredders LLC., \$150.00.

JUVENILE NUTRITION: 194252, Walmart Community, \$500.00.

SHERIFF SERVICE FEE: 194236, Goodwell Car Wash, \$100.00.

60% SALES TAX: 194241, Affiliated Foods, \$1000.00; 194242, US Foodservice Inc., \$1000.00; 194243, S & S Services LLC., \$700.00; 194244, United Discount Drug, \$500.00; 194245, United Discount Drug, \$500.00; 194246, Wirtz Lumber & Supply Inc., \$500.00; 194247, Top Value, \$750.00; 194248, Sysco Oklahoma a Division of Sysco USA II LLC, \$1000.00; 194232, Golden Light Equipment Co., \$450.00; 194228, Walmart Community, \$600.00; 194229, Mastercard, \$500.00; 194230, Specialty Clinics of St. Anne, \$600.00.

Aye: Keeling, Strain, Bryan. Nay: none.

Motion by Bryan, second by Keeling to approve the following claims and purchase orders for payment.

GENERAL: 193946, 1639, **\$1614.06**, AF3 Technical Solutions, furniture & services; 193945, 1640, **\$5000.10**, AF3 Technical Solutions, furniture & services; 193947, 1641, **\$3770.11**, AF3 Technical Solutions, furniture & services; 193758, 1642, **\$232.24**, Ameripride Linen and Apparel Services, supplies; 192959, 1643, **\$175.00**, Bar H Pest Control, services; 194121, 1644, **\$50.00**, Bar H Pest Control, services; 194129, 1645, **\$100.00**, City of Guymon, charity; 193497, 1646, **\$1000.00**, Dr. Paul Calmes, services; 194162, 1647, **\$97.00**, Guymon Daily Herald, subscription; 193759, 1648, **\$967.65**, The Hooker Advance, publication; 194029, 1649, **\$5200.00**, Landmark GSI, quarterly payment; 193662, 1650, **\$140.00**, Long & McKinnon Inc., notary renewal; 193760, 1651, **\$360.65**, Mayfield Paper Company, supplies; 194123, 1652, **\$235.00**, Nelson Plumbing, services; 194030, 1653, **\$197.67**, PTCI Inc., services; 194165, 1654, **\$206.88**, Southern Office Supply Inc., services; 192864, 1655, **\$65.63**, Southern Office Supply Inc., supplies; 192215, 1656, **\$304.43**, Tisdale & Ohara PLLC, services; 193835, 1657, **\$1468.00**, TM Consulting Inc., services; 194147, 1658, **\$370.19**, Tri County Electric Coop Inc., utilities; 194125, 1659, **\$1308.23**, Tri County Electric Coop Inc., utilities; 194135, 1660, **\$124.55**, Tri County Electric Coop Inc., utilities.

DISTRICT #1: 193632, 1758, **\$1206.00**, Doris Davis Gravel Pit, gravel; 194127, 1759, **\$38.12**, Dillon Edwards, meal reimbursement; 194136, 1760, **\$44.63**, Foss Motors Inc., parts; 193871, 1761, **\$17.08**, Guymon Daily Herald, publication; 194033, 1762, **\$130.77**, Liberal Kenworth, parts; 194128, 1763, **\$85.71**, Liberal Kenworth, supplies; 194036, 1764, **\$54.08**, Michael Lundgrin, meal reimbursement; 193971, 1765, **\$715.00**, Pro Tech Spraying Service, services; 193977, 1766, **\$377.99**, TNT Hydraulic Inc., parts; 193573, 1767, **\$1346.60**, Tri County Electric Coop Inc., utilities; 193115, 1768, **\$328.64**, Wyndham Garden Stillwater, lodging.

DISTRICT #2: 193872, 1769, **\$17.08**, Guymon Daily Herald, publication; 194008, 1770, **\$108.12**, Kellpro Inc., services; 194026, 1771, **\$1176.94**, Mathis Oil Co Inc., fuel; 193557, 1772, **\$1555.39**, Tri County Electric Coop Inc., utilities.

DISTRICT #3: 193873, 1773, **\$17.09**, Guymon Daily Herald, publication.

JUVENILE DETENTION: 192766, 353, **\$57.41**, Ameripride Linen and Apparel Services, supplies; 194148, 354, **\$104.09**, Hooker Hardware & auto LLC, parts; 192768, 355, **\$29.12**, Plunketts Pest Control, services; 194170, 356, **\$365.30**, Nicole Spry, mileage & meal reimbursement; 194150, 357, **\$361.28**, Nicole Spry, mileage & meal reimbursement; 193994, 358,

**\$313.53**, Tri County Electric Coop Inc., utilities; 193869, 359, **\$194.12**, Walmart Community, groceries & supplies.

SHERIFF FORFEITURE: 194131, 22, **\$64.02**, Tri County Electric Coop Inc., utilities.

SHERIFF GRANT: 193928, 2, **\$6995.00**, Weber Refrigeration and Heating, unit cooler.

HEALTH MILL LEVY: 193206, 191, **\$125.00**, McMichaels Plumbing Inc., service & repairs; 191265, 192, **\$150.00**, Northwest Shredders LLC, services; 193628, 193, **\$177.99**, SPC Office Products, supplies; 194137, 194, **\$859.23**, Tri County Electric Coop Inc., utilities; 190943, 195, **\$161.47**, Walmart Community, supplies.

60% SHERIFF SALES TAX: 194122, 622, **\$389.78**, Affiliated Foods, groceries; 194124, 623, **\$254.03**, Golden Light Equipment Co., parts; 193489, 624, **\$60.00**, Northwest Shredders LLC., services; 194034, 625, **\$595.28**, Sysco Oklahoma A Division of Sysco USA II LLC, groceries; 194130, 626, **\$2878.22**, Tri County Electric Coop Inc., utilities; 194157, 627, **\$320.09**, US Foodservice Inc., groceries; 193130, 628, **\$82.20**, Walmart Community, supplies.

Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Bryan, second by Keeling to approve the minutes of the previous meeting as written. Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Keeling, second by Bryan to approve the Transfer of Appropriation General; \$2,000.00 from 0001-2-5303-4110 capital outlay to 0001-2-5303-2005 maintenance and operations and Juvenile Detention; \$3,000.00 from 1217-2-1800-2005 maintenance and operations to 1217-2-1800-1310 travel. Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Bryan, second by Keeling to approve the claim to the state for reimbursement of salary for the Election Board in the amount \$2,550.12. Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Bryan, second by Keeling to approve the appointment of Julie Hawks Baugh as a member of the County Board of Health. Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Keeling, second by Bryan to rescind the award of **Bid #10-18-19** to J Ferg Pros per the advice of the District Attorney due to they do not have a commercial endorsement for Oklahoma and re-award it to Ground Zero Roofing & Construction due to they were low bidder. Aye: Keeling, Bryan, Strain. Nay: none.

Motion by Keeling, second by Bryan to approve **Resolution #106-18-19** to correct the wording of the original Resolution #103-00-01 for the Use Tax.

#### **RESOLUTION 106-18-19**

**WHEREAS**, Title 68 Oklahoma Statutes, Section 1411, allows the Board of County Commissioners of a county to levy an excise tax on the storage, use or other consumption of tangible personal property;

**WHEREAS**, the Board of County Commissioners of Texas County adopted and entered Resolution #113-00-01 on May 14, 2001, that implemented an excise (use) tax on the storage, use or other consumption of tangible personal property in Texas County, with the collection of said excise tax to commence from and after July 1, 2001;

**WHEREAS**, Resolution #113-00-01 provided that the rate of the excise tax collections would be at the rate of one percent (1%) of the purchase price of such property;

**WHEREAS**, the excise tax rate set by Resolution #113-00-01 was at the same amount as the then existing county sales tax rate of one percent (1%);

**WHEREAS**, the voters of Texas County approved a new sales tax on sales within Texas County of forty five hundredths of one percent (.45%) for a period of ten years beginning July 1, 2019; and

**WHEREAS**, the Board of County Commissioners desire to clarify, modify and amend Resolution #113-00-01 to increase the amount of excise tax to be collected beginning July 1, 2019, and thereafter to an amount equal to the total amount of county sales taxes being imposed on purchases subject to the county excise tax;

**IT IS NOW THEREFORE RESOLVED** by the Board of County Commissioners of Texas County as follows:

**SECTION 1. Modification and Amendment of Resolution #113-00-01**

Section 1 of Resolution #113-00-01 adopted by the Board of County Commissioners of Texas County on May 14, 2001, levying a excise tax beginning from and after July 1, 2001, on the storage, use or other consumption of tangible personal property used, stored or consumed within Texas County is hereby modified and amended with respect to the rate of excise tax to be collected thereon as set forth below. Except to the extent specifically modified herein, all provisions of Resolution #113-00-01 incorporated herein by reference and shall remain in full force and effect as though the same were fully set forth herein.

**SECTION 2. Excise Tax Rate**

From and after July 1, 2019, there is hereby levied an excise tax on the storage, use or other consumption of tangible personal property used, stored or consumed within Texas County, at a rate that is equal to the county sales tax rate of Texas County as may be imposed and levied from time to time by Texas County.

**SECTION 3. Purpose of Excise Tax Revenue**

Section 19 of Resolution #113-00-01 is hereby amended and modified to clarify that all funds derived from the excise tax imposed by Resolution #113-00-01 and this Resolution is intended for and shall be used by the County Commissioners for the support, maintenance, and operations of the county government of Texas County as shall be determined and expended by the Board of County Commissioners.

SECTION 4. Citation

This Resolution shall be known and may be cited as the Texas County, Oklahoma, "Supplemental Use Tax Resolution".

SECTION 5. Effective Date

This Resolution shall take effect on and after July 1, 2019.

**APPROVED, PASSED, AND ADOPTED**, this 1 day of April, 2019.

BOARD OF COUNTY COMMISSIONERS  
TEXAS COUNTY, OKLAHOMA

s/Jack Strain, Chairman

s/Richard Bryan, Member

s/Ted Keeling, Member

ATTEST:

s/Wendy Johnson  
County Clerk Texas County (SEAL)

Aye: Keeling, Bryan, Strain.

Motion by Bryan, second by Keeling to approve **Resolution #107-18-19** to put 40% of the Use Tax in a fund to use for building maintenance and renovations of the Courthouse.

**RESOLUTION 107-18-19**

**WHEREAS**, Title 68 Oklahoma Statutes, Section 1411, allows the Board of County Commissioners a county to levy an excise tax on the storage, use or other consumption of tangible personal property;

**WHEREAS**, the Board of County Commissioners of Texas County adopted and entered Resolution #113-00-01 on May 14, 2001, that implemented a Use Tax on the storage, use or other consumption of tangible personal property in Texas County, with the collection of said Use Tax to commence from and after July 1, 2001; and the Resolution provided revenues collected from the Use Tax were to be used for the support of the general funding needs of governmental functions of Texas County;

**WHEREAS**, Resolution #113-00-01 provided that all revenues derived from the Use Tax were to be expended by the Board of County Commissioners for the purpose designed by Resolution #113-00-01;

**WHEREAS**, the Board of County Commissioners believe it is in the best interest of Texas County and the citizens of Texas County to segregate and set aside a portion of the Use Tax funds collected for repairs, maintenance, and renovation of the Texas County Courthouse; and

**WHEREAS**, the Board of County Commissioners further believe that forty percent (40%) of the funds derived from the Use Tax should be set aside for such purposes:

**NOW THEREFORE**, the Board of County Commissioners hereby resolve and direct that the commencing immediately upon the adoption of this resolution that the County Treasurer is hereby authorized and directed do the following: (1) Create and establish a special county fund designated as the "Use Tax Fund"; (2) Deposit forty percent (40%) of the total funds derived from the Use Tax collections into the "Use Tax Fund" with the remaining sixty percent (60% of such funds to be deposited to the county General Fund; and (3) Invest all money held and deposited in the "Use Tax Fund" into an interest bearing account with all interest accrued and earned thereon to be retained and added to the "Use Tax Fund" account.

Dated this 1 day of April, 2019.

s/Jack Strain, Chairman

s/Richard Bryan, Member

s/Ted Keeling, Member

ATTEST:

s/Wendy Johnson  
County Clerk, Texas County (SEAL)

Aye: Keeling, Bryan, Strain. Nay: none.

No action was taken on the repairs to the roof of the Juvenile Detention Center.

No action was taken on the request for financial assistance for Memorial Hospital of Texas County Trust Authority.

Motion by Keeling, second by Bryan to approve **Resolution #108-18-19** for a Utility Permit with PTCI in the SW/4 of the SW/4 of Section 26-T5N-R17ECM to the SW/4 of the SW/4 of Section 26-T5N-R17ECM. All requirements of the permit must be met and it shall be bored.  
Aye: Keeling, Bryan, Strain. Nay: none.

There were no charity requests to be approved.

At 11:16 a.m. Motion by Bryan, second by Keeling to move into Executive Session. Aye: Keeling, Bryan, Strain. Nay: none.

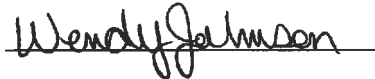
At 4:45 p.m. Motion by Keeling, second by Bryan to move to Regular Meeting. Aye: Keeling, Bryan, Strain. Nay: none.

There was no action taken from the result of the Executive Session.

New Business: Dr. Emmanuel Barias was appointed to the Memorial Hospital of Texas County Trust Authority Board.

Adjourned.

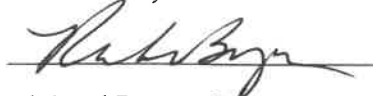
I, Wendy Johnson, the duly elected and qualified County Clerk in and for Texas County, Oklahoma, do certify the above is a true and complete statement of the proceedings of the Board of County Commissioners held in this office on April 1, 2019.



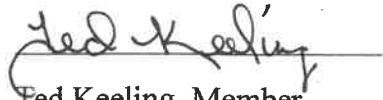
Wendy Johnson, County Clerk



Jack Strain, Chairman



Richard Bryan, Member



Fed Keeling, Member