

March 22, 2021

The regular meeting of the Board of Texas County Commissioners was called to order by Jack Strain, Chairman. Dolan Sledge, Ted Keeling members and Wendy Johnson, County Clerk were present. Harold Tyson, Emergency Manager, Grant Wadley, Guymon Fire Chief, Rick Harbison, Guarantee Abstract, Don Heise and David Kidwell were also present.

The agenda was filed on March 19, 2020, 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.

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

GENERAL: 212070, 1590, **\$45.98**, Agilis Systems LLC Linxup, services; 213691, 1591, **\$23.99**, Amazon Capital Services Inc, parts; 213708, 1592, **\$215.91**, Amazon Capital Services Inc, parts; 213709, 1593, **\$239.81**, Automedic, services; 212517, 1594, **\$175.00**, Bar H Pest Control, services; 213744, 1595, **\$555.00**, Jordan Ray Boley, contract labor; 213743, 1596, **\$786.25**, Kirk Douglas Brittain, contract labor; 213720, 1597, **\$100.00**, City of Guymon, charity; 213722, 1598, **\$1449.57**, City of Guymon, utilities; 213741, 1599, **\$167.98**, Macie Cossell, contract labor; 212825, 1600, **\$1000.00**, Dr. Paul Calmes, services; 213477, 1601, **\$675.00**, Mungia's Heating & Air Cond Inc, contract; 213697, 1602, **\$40.00**, Panhandle Printing LLC, supplies; 213441, 1603, **\$258.20**, PTCI Inc, phone/internet; 213730, 1604, **\$52.72**, Southern Office Supply Inc, supplies; 213687, 1605, **\$1642.66**, SPC Office Products, supplies; 213742, 1606, **\$249.75**, Jeremy Wayne Womble, contract labor.

DISTRICT #1: 213610, 1468, **\$9313.22**, Ergon Asphalt & Emulsions Inc, supplies; 213680, 1469, **\$456.30**, Fronk Oil Company Inc, parts; 213681, 1470, **\$293.48**, TNT Hydraulic Inc, parts; 212873, 1471, **\$1205.14**, Tri County Electric Coop Inc, utilities.

DISTRICT #2: 212948, 1472, **\$205.00**, Circuit Engineering Dist. #8, signs; 213577, 1473, **\$1063.52**, City of Guymon, utilities; 213541, 1474, **\$1573.17**, L & J Auto Parts Inc, parts; 213351, 1475, **\$198.00**, SPC Office Products, vacuum; 213686, 1476, **\$2194.50**, Warren Cat, parts.

DISTRICT #3: 212813, 1477, **\$632.59**, Baber Supply Inc, parts & supplies; 212540, 1478, **\$2924.80**, Frank Berry & Sons Inc, caliche; 213682, 1479, **\$75.00**, Dustin G Hale, phone stipend; 213673, 1480, **\$257.20**, PTCI Inc, phone; 213685, 1481, **\$8.17**, Scissortail Communications LLC, phone; 213672, 1482, **\$60.00**, Sewell Machine & Welding, metal; 213710, 1483, **\$213.92**, Jack Strain, mileage reimbursement; 213554, 1484, **\$632.51**, Texhoma Supply LLC, parts & supplies; 213711, 1485, **\$168.52**, West Texas Gas Inc, utilities.

SHERIFF COMMISSARY: 213613, 24, **\$240.26**, SPC Office Products, supplies.

HEALTH MILL LEVY: 213727, 152, **\$764.58**, City of Guymon, utilities; 213281, 153, **\$121.42**, Mayfield Paper Company, supplies; 213512, 154, **\$81.99**, Quill Corporation, supplies;

213712, 155, **\$180.94**, Scissortail Communications LLC, phone; 213173, 156, **\$46.99**, SPC Office Products, signs.

60% SALES TAX: 213721, 564, **\$1811.08**, City of Guymon, utilities; 213696, 565, **\$297.49**, JJ's Plumbing, parts & labor; 213288, 566, **\$63.16**, Mastercard, travel; 212990, 567, **\$95.80**, Prairiefire Coffee Roasters, coffee & supplies; 213247, 568, **\$119.00**, Southwest Medical Center, services; 213702, 569, **\$52.31**, SPC Office Products, supplies; 213467, 570, **\$992.06**, Sysco Oklahoma, groceries; 213699, 571, **\$90.00**, TLC Pest Solutions LLC, services; 212348, 572, **\$26.31**, Turn Key Health Clinic LLC, medical.

HOSPITAL SALES TAX: 213716, 10, **\$7289.75**, Anchor D Bank, loan payment.

EMERGENCY MANAGEMENT: 213643, 20, **\$1200.00**, Joe's Custom Concrete LLC, labor.

Aye: Keeling, Strain, Sledge. Nay: none

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

GENERAL: 213762, Mathis Oil Co Inc, \$200.00; 213763, Mathis Oil Co Inc, \$200.00; 213764, L & J Auto Parts Inc, \$400.00.

DISTRICT #1: 213765, Ameripride Linen and Apparel Services, \$1400.00; 213766, Hooker Hardware & Auto LLC, \$1000.00; 213767, Hooker Hardware & Auto LLC, \$400.00; 213768, Mayfield Paper Company, \$400.00; 213769, Prairiefire Coffee Roasters, \$300.00; 213770, Jeff Slatten, \$1200.00; 213771, Warren Cat, \$1000.00.

HEALTH MILL LEVY: 213772, Guymon Heating and Air LLC, \$500.00.

LEPC: 213773, SPC Office Products, \$200.00.

SHERIFF SERVICE FEE: 213777, Goodwell Car Wash, \$100.00.

60% SALES TAX: 213774, Sysco Oklahoma, \$1000.00; 213775, Affiliated Foods, \$1000.00; 213776, U S Foodservice Inc, \$1000.00; 213778, The Compliance Resource Group Inc, \$200.00; 213779, The Compliance Resource Group Inc, \$65.00; 213780, Parkview Pharmacy Inc, \$500.00; 213781, Mastercard, \$500.00.

Aye: Keeling, Sledge, Strain. Nay: none

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

Tyson gave an update on the Emergency Management Program.

Heise discussed Hurlimann Road and the new housing addition going in out there. He is concerned about the water drainage and thinks it is going to become a big issue in the future and the traffic is going to get heavy also with all the houses going in.

Aimee Midkiff, Treasurer joined the meeting.

Kidwell has the same concerns as Heise and thinks that they should move the drainage to the South to flow East away from other property. He said it is not right that the City put all the drainage issues on the County.

Matt Boley, Sheriff joined the meeting.

There was no transfer of appropriations to approve.

Motion by Sledge, second by Keeling to approve the appointment of Guillermo Mesta, Andy Marquez, and Veronica McCullough as Detention Deputies for the Sheriff. Aye: Keeling, Sledge, Strain. Nay: none

Motion by Keeling, second by Sledge to approve **Resolution #100-20-21**.

RESOLUTION ACCEPTING DONATION FOR

Donations in the Memory of Jerry Bales to Texas County Fire Department Fund

WHEREAS, it is the desire of the Bales family to have donations in memory of Jerry Bales for Texas County Fire Department Fund,

WHEREAS, Texas County will use the funds as they see fit for the use of the Fire Departments of Texas County; and,

WHEREAS, Texas County will use this money until it is gone; and,

WHEREAS, Texas County has received the following donations:

Trent & Tania Watson dba T and Farms - \$50.00

WHEREAS, the County is authorized to accept such donations pursuant to O.S. 60, Chap. 9, Sec. 390,

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners does agree to accept the donations in the total amount of **\$50.00** in the form of check as stated above and does direct the County Clerk to deposit the same into Donations Account #1235-3-5312-2005.

The undersigned hereby certify that the foregoing Resolution was duly adopted and approved by the Board of County Commissioners of Texas County, Oklahoma, on the 22nd day of March, 2021.

Board of County Commissioners of
Texas County, Oklahoma

SEAL

s/Jack Strain
Chairman

ATTEST:
s/Wendy Johnson
County Clerk

s/Dolan Sledge
Member

s/Ted Keeling
Member

Aye: Keeling, Sledge, Strain. Nay: none

Harbison presented the plat to show what property was in the Resolution.

Motion by Keeling, second by Sledge to approve **Resolution #86-20-21**.

RESOLUTION CONFIRMING PREVIOUSLY ABANDONED AND DISCLAIMED PROPERTY OF TEXAS COUNTY USED FOR PUBLIC HIGHWAY PURPOSES AND VACATED PUBLIC HIGHWAY AND SURPLUS PROPERTY OF TEXAS COUNTY AND APPROVAL OF THE SALE OF SUCH PROPERTY PURSUANT TO TITLE 69, SECTION 1001 OF THE OKLAHOMA STATUTES

WHEREAS, Robert P. Curtis and Lola Curtis, husband, and wife, conveyed certain real estate by means of a Highway Deed to the Board of County Commissioners of Texas County, Oklahoma, dated June 30, 1919, with said deed being filed in the records of the County Clerk of Texas County on July 10, 1919 and recorded in Book 71 at Page 429, for and in consideration of One Dollar (\$1.00), said real estate being described as:

A tract of land lying and being in the South Half (S/2) of the Northwest Quarter of (NW/4) of Section Thirty-Two (32), Township Three North (T3N), Range Fifteen (R15) East of the Cimarron Meridian (ECM), in Texas County, State of Oklahoma, more particularly described as follows:

Commencing at a point where the South line of the Chicago Rock Island and Pacific Rail Way Company's right of way intersects the north line of the northwest quarter of Section Thirty-two, Township Three North, Range Fifteen East of the Cimarron Meridian, thence in a southwesterly direction along the south line of said right of way to the intersection of said south line with the west line of the northwest quarter of Section Thirty-two, Township Three North, Range Fifteen East of the Cimarron Meridian. Thence due south to a point which said point shall measure sixty-six feet by a straight line drawn from said point to the nearest point of said right of way; thence in a northeasterly direction parallel to the south line of said right of way, to where said line intersects with the north line of the northwest quarter of section thirty-two of Township Three North of Range Fifteen East of the Cimarron Meridian, then west to the point of beginning.

Texas County, Oklahoma still retains title to a portion of the above-described tract, more particularly described as follows, to-wit:

Commencing at the Northwest (NW) corner of the South Half (S/2) of the Northwest Quarter (NW/4) of Section Thirty-Two (32), Township Three (3) North, Range Fifteen (15) East of the Cimarron Meridian (ECM), in Texas County, State of Oklahoma;

Thence S 02°00'28" W along the West line of the South Half (S/2) of the Northwest Quarter (NW/4) of said Section a distance of 294.21 feet to a point, said point being on the Southerly right of way line of the Union Pacific Railroad, said point being 50.00 feet perpendicular to the centerline of said railroad, said point being the true POINT OF BEGINNING for this description;

Thence continue S 02°00'28" W a distance of 88.85 feet to a point, said point being 116.00 feet perpendicular to the centerline of said railroad;

Thence N 49°58'59" E paralleling the centerline of said railroad a distance of 569.36 feet to a point on the North line of the South Half (S/2) of the Northwest Quarter (NW/4) of said Section;

Thence N 87°44'08" W along the North line of the South Half (S/2) of the Northwest Quarter (NW/4) of said Section a distance of 98.10 feet to a point on the Southerly right of way line of said railroad, said point being 50.00 feet perpendicular to the centerline of the railroad;

Thence S 49°58'59" W along the Southerly right of way line of said railroad a distance of 437.30 feet to the POINT OF BEGINNING and containing 0.763 acres more or less;

WHEREAS, it appears the above-described real estate was given or donated to Texas County for public highway purposes;

WHEREAS, the above-described tract of land was utilized as a public roadway for a period of time until State Highway 54 was constructed through the City of Guymon, at which time said tract of land ceased to be used for public roadway purposes;

WHEREAS, the Board of County Commissioners of Texas County approved and issued a Resolution Vacating Public Highway on February 7, 1948, whereby Texas County vacated and abandoned the public road across the above-described tract of real estate, and further disclaimed any and all interest in and to the above-described real estate;

WHEREAS, the above-described real estate has not been used by Texas County or the public from and after February 7, 1948, and there is no intention or possible need for Texas County to ever utilize the above-described real estate of for roadway purposes;

WHEREAS, the County Commissioners believe the above described real estate is of nominal value to Texas County or the public, and the same should be sold as provided and in accordance with Oklahoma Statutes, Title 69, Section 1001, subject to the continuing right to the use of the property by any entity currently operating a sewer, water or gas system, telephone or electrical services, and by public service corporations and rural electric and telephone cooperatives for the construction, reconstruction, maintenance, operation and repair of their facilities of service which may be upon the property; and further subject all easements, restrictions, and limitations related to the platting and use of the West Thirty Three Feet (W33') of said tract of real estate for public street and utility purposes as duly plated and recorded of record.

WHEREAS, all of the real property abutting the above-described tract of real estate appears to be owned by Texas County Redi-Mix, LLC;

WHEREAS, the County Commissioners have determined the above-described real estate is for the most part inaccessible and has little or no value to Texas County, or the public, other than Texas County Redi-Mix, LLC;

WHEREAS, it appears that pursuant to 69 O.S. § 1001(D), Texas County Redi-Mix, LLC is the only abutting property owner of record to the entirety of the above-described tract of real estate, and as such should be notified Texas County has declared said tract to be surplus property and is offering to sell said tract of real estate to it at a fair market value of One Hundred Dollars (\$100.00); and

WHEREAS, if the only abutting property owner, Texas County Redi-Mix, LLC, does not elect to purchase said tract within thirty days of the date of receipt of notice from Texas County, the county shall proceed with the sale of said tract as provided by law.

IT IS THEREFORE UNANIMOUSLY RESOLVED BY THE COUNTY COMMISSIONERS OF TEXAS COUNTY as follows, to-wit:

The above-described tract of real estate ceased to be used for public roadway purposes, and the Board of County Commissioners of Texas County approved and issued a Resolution Vacating Public Highway on February 7, 1948, whereby Texas County vacated and abandoned the public road over and across the above-described tract of real estate, and further disclaimed any and all interest in and on the above-described real estate.

The above-described real estate has not been used by Texas County or the public from and after February 7, 1948, and there is no intention or possible need for Texas County to ever utilize the above-described real estate of a roadway and constitutes and is surplus property of the Texas County.

The above-described real estate is for the most part inaccessible to Texas County and the public, other than Texas County Redi-Mix, LLC, the sole abutting property owner of record to the entirety of the above-described tract of real estate.

The county commissioners believe the fair market value of the above-described tract is nominal and place its value as being One Hundred Dollars (\$100.00).

Pursuant to 69 O.S. § 1001 (D), Texas County Redi-Mix, LLC should be notified Texas County has declared said tract to be surplus property, and an offer to sell said tract of real estate at a fair market value of One Hundred Dollars (\$100.00) should be extended to Texas County Redi-Mix, LLC, as the sole abutting property owner.

If Texas County Redi-Mix, LLC does not elect to purchase the tract within thirty (30) days of receipt of notice from the county, then the county should and is hereby authorized to proceed with the sale of the tract of real estate as provided by law.

The sale of the tract shall be made subject to the continuing right to the use of the property by any entity currently operating a sewer, water or gas system, telephone or electrical services, and by public service corporations and rural electric and telephone cooperatives for the construction, reconstruction, maintenance, operation and repair of their facilities of service which may be under or upon the property at the time of sale; and further subject all easements, restrictions, and limitations related to the platting and use of the West Thirty Three Feet (W33') of said tract of real estate for public street and utility purposes as duly plated and recorded in the office of the County Clerk of Texas County, Oklahoma.

UNANIMOUSLY RESOLVED by the Board of County Commissioners of Texas County, State of Oklahoma, on the 22nd day of March, 2021.

**BOARD OF COUNTY COMMISSIONERS
TEXAS COUNTY, STATE OF OKLAHOMA**

s/Jack Strain, Commissioner, Chairman

s/Ted Keeling, Commissioner

s/Dolan Sledge, Commissioner

(COUNTY SEAL)

s/Wendy Johnson, Texas County Clerk

Aye: Keeling, Sledge, Strain. Nay: none

Tano Tovilla with Memorial Hospital of Texas County joined the meeting.

Motion by Sledge, second by Keeling to approve the attorney fees of Lee & Kisner in the amount of \$9,255.87 for the case Board of County Commissioners of Texas County, Oklahoma v. OJA, et al, Texas County case Nos. CV-2020-52 and CV-2020-58. Aye: Keeling, Sledge, Strain. Nay: none

Motion by Sledge, second by Keeling to approve the following Resolutions for Disposing of Equipment for District #2; **Resolution #87-20-21** Dispose of a Bush Whacker Mower #620441.02 sold to Bob Vanstaver for \$3,000.00. **Resolution #88-20-21** Dispose of Wash Fountain #620439.05 junked. **Resolution #89-20-21** Dispose of Flex Wing Bush Whacker #612441.26 junked. **Resolution #90-20-21** Dispose of a Smooth Drum Drag Roller #620320.11 junked. **Resolution #91-20-21** Dispose of a Tail Gate Spreader #620325.00 junked. **Resolution #92-20-21** Dispose of a Steamer Washer #620433.02 junked. **Resolution #93-20-21** Dispose of a Canon Copier #620213.01 Trade in on #620213.02. **Resolution #94-20-21** Dispose of a used Copy Machine #620213.02 sold at auction for \$2.00. **Resolution #95-20-21** Dispose of an Air Conditioner Unit #620620.04 sold for \$307.18. **Resolution #96-20-21** Dispose of an Air Conditioner Unit #620620.05 Traded. **Resolution #97-20-21** Dispose of an Air Compressor #612324.05 Stolen. Aye: Keeling, Sledge, Strain. Nay: none

Wadley said we would let the burn ban expire and re-examine it next week.

Tovilla reported that the Covid numbers were going down still. Dr. Hernandez has done all her training and is now admitting patients. The Nuclear Med Cam is working now, and we have patients scheduled. The MRI is being installed tomorrow March 23, 2021 and should be ready to go by April 1, 2021. We have a problem with the O.R. now. We cannot get the temperature and humidity good. We would like to request help with funding three humidifiers in the amount of \$8,000.00 each for a total of \$24,000.00.

Motion by Keeling, second by Sledge to approve the assistance of \$24,000.00 for three humidifiers for Memorial Hospital of Texas County Operating Room. Aye: Keeling, Sledge, Strain. Nay: none

Motion by Sledge, second by Keeling to approve the following Utility Permits with West Texas Gas:

Resolution #98-20-21 – West Texas Gas – Gas Line – SW/4 of the SW/4 Section 24-T-6N-R14ECM to SE/4 of the SE/4 Section 23-T06N-R14ECM.

Resolution #99-20-21 – West Texas Gas – Gas Line – SW/4 of the SW/4 Section 23-T06N-R14ECM to SE/4 of the SE/4 Section 22-T06N-R14ECM.

All requirements of the permit must be met, and it shall be bored. Aye: Keeling, Strain, Sledge. Nay: none

There were no charity requests to be approved.

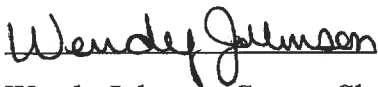
Boring was absent.

There was no need for Executive Session.

Motion by Keeling, second by Sledge to adjourn the meeting. Aye: Keeling, Sledge, Strain. Nay: none

Adjourn

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 March 22, 2020.



Wendy Johnson, County Clerk



Jack Strain, Chairman



Ted Keeling, Vice Chairman



Dolan Sledge, Member