

NOTICE OF REGULAR MEETING

ROGERS COUNTY CRIMINAL JUSTICE AUTHORITY

PLACE: Public Meeting Room, 2nd Floor, Rogers County Courthouse
200 South Lynn Riggs Blvd., Claremore, Oklahoma

DATE & TIME: Thursday, March 6, 2014 at 9:00 O'clock a.m.

MINUTES

*****CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO BE TAKEN ON THE FOLLOWING LISTED ITEMS ON THE AGENDA:**

- ITEM 1: CALL TO ORDER:** Commissioner Thacker called the meeting to order at 9:15 A.M.
- ITEM 2: ROLL CALL TO ESTABLISH QUORUM:**
Determine that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act. - Commissioner Thacker, Mayor Holland, Mayor Statum, Mayor Flanagan, and Mayor Charles were present and Quorum was established and determined that Notice of Meeting and Agenda were properly posted in accordance with Oklahoma Open Meeting Act. ***Note*** Chairman DeLozier and Commissioner Helm was attending the Board of County Commissioners' meeting that was in session. Mayor Price was attending an emergency Chelsea Medical Board meeting. Chairman DeLozier arrived at 10:00 A.M. Commissioner Helm arrived at 10:08 A.M. ***
- ITEM 3: APPROVAL/DISAPPROVAL OF THE MINUTES:** February 6, 2014 – Holland made a motion to approve the minutes and Statum seconded the motion. Roll call: Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-abstained from voting. Motion carried.
- ITEM 4: ELECTION OF VICE-CHAIR:** Flanagan made a motion to nominate Mayor Holland as Vice-Chair and Thacker seconded the motion. Roll call: Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.
- ITEM 5: UNFINISHED BUSINESS:** None presented.
- ITEM 6: FINANCIAL STATUS UPDATE:** Teresa Jackson, County Clerk 1st Deputy gave the members a copy of February 2014 financial ledgers for their review. Ms. Jackson asked if the \$96,000 approved from November 2013 to be transferred from Criminal Justice to 04SJ account in order for it to be spendable. Bill Turner, CPA, stated that a motion would have to be made to allow the Chairman to do a purchase order and place it on next month's agenda. Commissioner Thacker asked Mr. Orbison to supply the wording for the next agenda.
***Note *** Commissioner Thacker moved to Item 12:8
- ITEM 7: DISCUSSION/POSSIBLE ACTION ON CASH FUND ESTIMATE OF NEEDS AND REQUESTS FOR APPROPRIATIONS:**
- Total amount being requested on the February 2014 Cash Fund Estimate of Needs and Request for Appropriations - \$196,569.55
 - Sales Tax - \$194,174.80
 - Interest on Deposit Bank Account - \$11.33
 - Jail Bond Fees - \$2,383.42
- ITEM 8: DISCUSSION/POSSIBLE ACTION ON SHERIFF'S REPORT OF THE JAIL AND UPDATE:** Undersheriff Jon Sappington stated they have been working with the police chiefs on moving their inmates from the jail and on accepting their arrest with medical issues. If an arrest comes in with a known medical issue and it is questionable as to the safety of the individual to be confined, then a Fit For Confinement form must be signed off by the hospital, which will allow the individual to be accepted into the jail with the medical issue. This is going by the Jail Standards Policy. Mayor Flanagan requested that a copy of the Jail Standards Policy be supplied to each member of the Criminal Justice Authority for review and Undersheriff Sappington agreed to get copies for them.
- ITEM 9: DISCUSSION WITH POSSIBLE ACTION ON TRANSFER OF APPROPRIATIONS:**
- Sheriff's Jail 04SJ-200 \$390,000.00 and 04SJ-204 \$20,000.00 to 04SJ-110 Sheriff's Jail Salaries for a total of \$410,000.00 – Commissioner Thacker asked this to be struck from the agenda since it was listed in error.

ITEM 10: DISCUSSION ON POSSIBLE ACTION ON JUDGES' REPORTS: None presented.

ITEM 11: DISCUSSION WITH POSSIBLE ACTION ON RATIFICATION OF PURCHASE ORDERS: Charles made a motion to approve and Holland seconded the motion. Roll call: Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.

ITEM 12: AGENDA ITEMS:

1. Update from Legal Counsel James Orbison with law firm of Riggs, Abney, Neal, Turpen, Orbison, & Lewis – Mr. Orbison reported on the law for working county inmates. He further stated that the Board of County Commissioners' can request to work inmates as long as the road chief is deputized, inmates are fed, they must be sentenced, and charges are not for a violent offense. Undersheriff Sappington stated there is concern for the liability due to injuries. Commissioner Thacker stated that he would like to use the inmates that are able to work and use them to pick up trash and debris removal.
2. Update from Certified Public Accountant Bill Turner, CPA – Mr. Turner presented current financials for review and stated that they are ahead of where they were compared to last year's budget. The coming year budget will need to be adjusted to reflect the additional needs for salary.
3. Invoice from Riggs, Abney, Neal, Turpen, Orbison & Lewis #530786 for December \$178.50 – Charles made a motion to approve and Flanagan seconded the motion. Roll call: Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.
4. Possible amendments to the Authority's Trust Indenture regarding whom shall be the Trustees of the Authority – Mr. Orbison reviewed this matter and reported that this item was brought about due to a lack of attendance at the monthly Criminal Justice Authority meetings for the past 3 months. There was some interest in adding alternates to step in place of the absent Trustee with voting rights. Mr. Orbison stated that in the Trust, you must specify whom the Trustees are by name and then it will take additional members to establish a quorum. It will take 2/3 of the governing bodies approval before any change to the Trust can occur. Mr. Orbison would recommend leaving the trust as it stands and realize that the past 3 months lack of attendance was an atypical occurrence. No action was taken on this item.
5. Possible amendments to the Authority's Trust Indenture adding new Beneficiaries of the Trust created by the Authority's Trust indenture – Commissioner Thacker stated that Verdigris has expressed interest in being a beneficiary of the Trust. Mr. Orbison said that paperwork is all that is involved. Flanagan made a motion to invite Verdigris to be a beneficiary of the Trust and Charles seconded the motion.
6. Engagement letter for preparation of certain financial statements of the Authority from Turner & Associates, PLC. – Bill Turner presented the Authority with an Engagement Letter for \$1,500 for the preparation of financials and have presented to auditor for auditing. Flanagan made a motion to accept Mr. Turner's Engagement Letter for preparing the financial report for fiscal year ending 6/30/13 and Thacker seconded the motion. Roll call: DeLozier-aye Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.
7. Engagement letter for audit service for Violet F. Kirkendall, CPA, PC – Flanagan made a motion to table 1 month and seek an additional quote from another CPA to do the audits. Charles seconded the motion. Roll call: DeLozier-aye, Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.
8. Sheriff's office request for a formal letter to be sent to a Judge allowing discussion to begin on an issue regarding the Inmate Writs – Lt. McLemore – Chief Justice Dynda Post was present to address this item. Judge Post stated she was unaware of any issue regarding any inmates not moving through the process correctly or in a timely manner. She had visited with the other judges and they too stated to Judge Post that they were unaware of any issue with any inmates. Judge Post said the point of contact for the Sheriff Department and Jail will be Judge Crosson. Commissioner Thacker further stated that the Jail needs to communicate with Judge Crosson and with this Board (Criminal Justice Board) because the Trust is who handles the funds for the jail. Lt. McLemore stated that there are currently 199 inmates in the jail of which 42 of those inmates are DOC inmates. The legal capacity for the jail is 250 inmates. Judge Post said she would follow up on the two Writ inmates in question.
Note At this point Thacker returned to Item 7 ***
9. Possible action on implementation of supervisor pay scale – Undersheriff Jon Sappington presented a spreadsheet of the proposed salary for supervisor positions. He explained that the pay for the job at hand is not appealing to prospects and they keep losing employees due to other companies paying them more. Lt. McLemore added that they have a lot of accrued compensation time due to being short staffed. DeLozier asked who are the exempt employees and Undersheriff Sappington replied that per Jenny Bentley, none of the employees are exempt employees. Commissioner

Helm asked that a legal opinion be sought as to who can be considered exempt employees. Flanagan further stated that there needs to be more employees hired to cover the shifts. Flanagan made a motion to table 1 month and additional information be supplied and Holland seconded the motion. Roll call: DeLozier-aye, Thacker-aye, Helm-aye, Flanagan-aye, Statum-nay, Holland, aye, Charles-nay. Motion carried.

10. Analysis on the cost per inmate – Lt. McLemore presented information reflecting for 2012-2013 the lowest population was 170 inmates at \$40.80 per day and for 2013-2014 the lowest population has been 156 inmates at \$48.12 per day. Flanagan asked if there was a Statue of Limitation if no claim was filed with DOC for their inmates and Mr. Orbison answered that he could not find one.

ITEM 13: NEW BUSINESS:

1. Consideration and possible action with respect to any other matters not known about or which could not have been reasonably foreseen prior to posting the agenda – None presented.

11. **RECESS OR ADJOURNMENT:** Holland made a motion to adjourn at 10:44 a.m. and Statum seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye, Flanagan-aye, Statum-aye, Holland-aye, Charles-aye. Motion carried.

ITEM 14:

ROGERS COUNTY CRIMINAL JUSTICE AUTHORITY

BY _____
Robin Anderson, Secretary

(SEAL)

Notice of said meeting was filed in the Office of the County Clerk on Tuesday, March 4, 2014 at p.m. and posted on the front entrance to the Courthouse and on the county website.