

**CIRCUIT ENGINEERING DISTRICT #7**  
Board of Directors  
MINUTES  
**1779 Marshall Rd.**  
**Clinton, OK 73601**  
**10:00 AM, Tuesday, May 19th, 2020**

The board of directors for the Circuit Engineering District (CED) #7 met at 1779 Marshall Road, Clinton, OK 73601. The meeting was called to order at 10:04 a.m.

Those present were:

**BOARD MEMBERS**

Tim Bingham	Kirk Butler	Bart Gossen
Wade Anders	Joe Don Dickey	Mike Allen
Brian Hay	Johnny Davis	Gary Lewis
Steven Fite		

**CED#7: STAFF**

**GUESTS:** See last page

The Circuit Engineering District meeting agenda was posted prior to the meeting at the Custer County Courthouse, CED-7 office, online at the CED's website and faxed to all (11) District #7 county courthouses, in accordance with Title 25 OS § 311. The following items were presented and approved as written at the CED #7 meeting on Tuesday, May 19th, 2020 by the Board of Directors as follows:

**CALL TO ORDER MADE BY JOE DON DICKEY- CHAIRMAN:**

Joe Don Dickey called the meeting to order at 10:04 AM.

**ROLL CALL** Dillon Berry, Absent; all others present

**BOARD APPROVAL AND/OR MODIFICATION OF MINUTES FOR THE APRIL 28TH , 2020 REGULAR MEETING:**

Motion was made by Gary Lewis and seconded by Steven Fite to approve the minutes as presented. The motion carried with the following results:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, and Steven Fite **Nay:** None

**BOARD CONSIDERATION AND ACTION TO APPROVE BLANKET APPROVAL FORM FOR THE MAINTENANCE ACCOUNT(MOLLY'S DONUTS, USPS):**

Blanket was presented to the board. Motion was made by Tim Bingham and seconded by Kirk Butler, to approve the blanket. Motion carried with the following results:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

**BOARD CONSIDERATION AND ACTION TO APPROVE BLANKET APPROVAL FORM FOR THE GENERAL OPERTATING ACCOUNT (CITY OF CLINTON, ATT, PIONEER TELEPHONE, OFFICE DEPOT):**

Blanket was presented to the board. Motion was made by Wade Anders and seconded by Gary Lewis to approve the blanket. Motion carried with the following results:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

### **EXECUTIVE DIRECTORS REPORT**

**BRIDGE REPORT** – John Northup gave a report on ongoing bridge projects. Most projects either have ROW acquisition completed or are in the process of completing acquisition

**ROAD REPORT** Blane Gee reported on road projects. Iris Street and Bessie Road phase 1 are finishing up ROW plans and acquisition will tentatively beginning in July. Final plans for Lawter Road are being checked.

**CONSTRUCTION MANAGERS UPDATE** Brian Young reported on current construction inspection projects

**RIGHT OF WAY UPDATE** Tim Berry gave the status of right of way on several projects, noting that offers would be coming soon for Cottonwood Road. 4 of 6 parcels have been secured on the Kiowa County project. We are still waiting on approval of the revised appraisal on the remaining parcel on Lawter Road.

**SIGNS** The sign shop did \$1038.00 in signs this month and districts in Tillman and Jackson counties have signs to pick up.

Wade Anders followed up the executive director's report by complimenting the way a recent bridge project had turned out. CED7 employees worked to make some adjustments on the design of the project and Anders was very pleased with the result, saying upkeep was easier and he had received many positive comments from residents on the new bridge.

### **BOARD CONSIDERATION AND VOTE TO PAY ALL LEGAL AND JUST CLAIMS OF CED7 AS PRESENTED:**

Motion was made by Johnny Davis and seconded by Gary Lewis to approve payment of all legal and just claims as presented. The motion carried with the following results:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

### **BOARD CONSIDERATION AND VOTE TO PAY MAY 29TH AND JUNE 15TH PAYROLLS:**

Motion was made by Gary Lewis and seconded by Steven Fite to approve and pay May 29<sup>th</sup> and June 15<sup>th</sup> payrolls. Joe Don Dickey asked if there was any further discussion. Bart Gossen asked for clarification on whether Austin palmer, Kent miller and Jerry Dean were included in these payrolls. It was noted that Jerry Dean is contract labor but the other two individuals were included in these payrolls. Gossen inquired if they were 7 Oil employees and it was confirmed that they are. Brian Young explained paying these employees from CED7 was set up at the recommendation of our accountant. Brian Hay explained this issue was being addressed after the recommendation of District Attorney Angela Marsee that commissioners in her district not approve CED7 payroll with any 7 Oil employees on it based on an audit finding that those employees should be separated from the CED7 payroll. It was noted that CED7 is in the process of figuring out how to separate those employees. Joe Don Dickey noted he was working with legal counsel on a special meeting for May 28<sup>th</sup> to address the issue and recommended the payroll be approved without the 7 Oil employees. Discussion then shifted to the fact that Austin Palmer works also with CED7 and it was noted the DA had suggested if he was affiliated with Circuit Engineering District 7, payroll could come from the CED. It was noted again that the 3<sup>rd</sup> employee mentioned, Jerry Dean, is not on the payroll and is paid as contract labor. After more discussion, Lewis amended his

motion to approve the payroll without Kent Miller and Steven Fite seconded. The motion carried by roll call vote 10-0 as follows:

Mike Allen – Aye	Wade Anders – Aye	Johnny Davis – Aye
Steven Fite – Aye	Gary Lewis - Aye	Tim Bingham – Aye
Brian Hay – Aye	Joe Don Dickey – Aye	Bart Gossen – Aye
Kirk Butler – Aye		

**BOARD CONSIDERATION AND VOTE TO ACCEPT FINANCIAL REPORTS FOR THE FISCAL YEAR TO DATE:**

Motion was made by Kirk Butler and seconded by Tim Bingham to accept the financial reports as presented. The motion carried with the following results:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

**BOARD CONSIDERATION AND VOTE TO APPROVE ETR EXTENSIONS/APPLICATIONS/RENEWALS**

N/A

**BOARD CONSIDERATION AND VOTE TO APPROVE CIRB TASK ORDERS:**

One task order was submitted for approval. A motion was made to approve a task order for JP32912 Kiowa County, STP-238C(060) CI FOR \$54,571.00 by Tim Bingham and seconded by Kirk Butler. The motion carried as follows:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

**BOARD DISCUSSION REGARDING PROPOSED FY 20-21 CED#7**

Brian Young went over the proposed budget. He noted he had included six new trucks in the upcoming budget. The budget will be presented for approval during the June meeting.

**COUNTY COMMISSIONER PARTICIPATION**

N/A

**NEW BUSINESS:**

Joe Don Dickey reported he was working with the CED's attorneys on a possible May 28<sup>th</sup> special meeting to address some issues and the road to take going forward. Brian Young spoke up to address an unforeseen issue that arose from an email received Monday morning regarding Senate bill 1888(see attached). Available CIRB funds will be reduced by 35%, requiring CED7 to adjust the 5 year plan for 2021-2025 approved at the May meeting by \$5 million dollars. Young explained that although the reduction is supposed to be a one time action, he and John Northup had worked to adjust the budget downwards by pushing one project per year back. Discussion followed about which projects this would effect. Because ODOT was asking for the revised plan to be approved and submitted by May 22<sup>nd</sup>, 2020 and the issue arose without enough time to properly amend the May 19<sup>th</sup> agenda, Young asked the board to take action on this item under new business. Kirk Butler made the motion to approve the amended 5 year plan and Mike Allen seconded. The motion passed 10-0 by roll call vote as follows:

Mike Allen – Aye	Wade Anders – Aye	Johnny Davis – Aye
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Steven Fite – Aye  
Brian Hay – Aye  
Kirk Butler – Aye

Gary Lewis - Aye  
Joe Don Dickey – Aye

Tim Bingham – Aye  
Bart Gossen – Aye

Tim Bingham followed up the vote by commenting that although it was not an ideal situation to lose projects, the money that will be given to the counties because of this reduction will be very important to them in the coming months because of the negative effects the COVID-19 pandemic is expected to have on funding.

**ADJOURNMENT:**

Motion was made by Tim Bingham and seconded by Johnny Davis to adjourn at 10:40 am. The motion carried as follows:

**Aye:** Tim Bingham, Kirk Butler, Bart Gossen, Wade Anders, Joe Don Dickey, Mike Allen, Brian Hay, Gary Lewis, Steven Fite, Johnny Davis **Nay:** None

