

March 9, 2026
REGULAR MEETING
MINUTES

The Muskogee Board of County Commissioners met in session at 8:15 a.m. Members present were: Chairman, Keith Hyslop; Vice-Chairman, Kenny Payne; Member Ken Doke; and Muskogee County Clerk, Polly Irving.

1: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved to Open the meeting at 8:37 a.m. The motion was unanimous.

2: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved the Purchase Orders. The motion was unanimous.

3: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved the Monthly reports. The motion was unanimous.

4: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved the Emergency Meeting minutes for February 24, 2026. The motion was unanimous.

5: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved Regular meeting minutes for March 2, 2026. The motion was unanimous.

6: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved a 2026 Officer List for the Muskogee County District Attorney's Office. The motion was unanimous.

7: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved a 2026 Self-Reported Inventory List for Keefeton Fire Department. The motion was unanimous.

8: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved a 2026 Self-Reported Inventory List for Gooseneck Bend Fire Department. The motion was unanimous.

9: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved a Declaration of Surplus (2026-04) for District 2 consisting of a truck. The motion was unanimous.

10: No Action

No action was taken regarding a Quote from Hicks Air Conditioning Service Inc. for County Service Building repair.

11: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved a Letter from Oklahoma Uniform Building Code Commissioner. **John Tyler Hammons:** *"Mr. Chair, members of the commission, the Oklahoma Uniform Building Code Commission sets the building codes in the state of Oklahoma. Every year, they send a letter out to all the jurisdictions to make sure that we are collecting their statutory fee. Whenever they issue a building permit, we have to send \$5 on to them. Our adopted building codes and fee process does allow for that \$5. They just want their \$5"* **Kenny Payne:** *"Let me ask you a question, and it's off the cuff without letting*

you research. If you don't know, don't make me feel bad. I think you will, though. When we hired this company, Okie, that's to do anything having to do with any building code that the county would have. In other words, if the fire marshal would have done it, we are now doing it through that company. And that's not just certain parts. I just wanted to clarify that." **John Tyler Hammons:** "Correct. And, again, the resolution we adopted, statutory fee, does allow for that \$5 fee already. They just want their \$5." The motion was unanimous.

12: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved a 2026 Self-Reporting Inventory List for Boynton Volunteer Fire Department. The motion was unanimous.

13: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved a 2026 Muskogee County Non-Law Enforcement General Policies, Directives and Reforms. **Kenny Payne:** "This is something that ACCO has sent out just to update all our policies and make sure that we're up to date. And I think, have we already done the one that were two? One for law enforcement and one for us?" **Melissa Lee:** "This is the one for us." **Kenny Payne:** "Okay." **Melissa Lee:** "This is the non-law enforcement." **Kenny Payne:** "And we still haven't gotten one from the sheriff yet, correct?" **John Tyler Hammons:** "We haven't signed that one yet." **Kenny Payne:** "All right." The motion was unanimous.

14: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved a Memorandum of Understanding between Muskogee County Board of County Commissioners and the Town of Oktaha to assign a Floodplain Manager and have the MOU expire on June 30, 2026. **John Tyler Hammons:** "This is an MOU between Muskogee County and the Town of Otaha where our floodplain administrator will serve as the town's floodplain administrator. Happy to answer any questions." **Carrie Wages:** "So the Oklahoma Water Resource Board sent them a letter saying that they were aware they didn't have a floodplain manager, which puts them in jeopardy of losing their grant capabilities. And then that puts us in jeopardy of losing ours for the whole county. So we're going to do, I'll do theirs, and it'll be OK." **Kenny Payne:** "Do you have similar agreements with other small towns?" **Carrie Wages:** "No. Usually everybody does their own. We might get one from Webber. So that might happen." **Kenny Payne:** "So in other words, every other small town has their own floodplain manager?" **Carrie Wages:** "They do." **Kenny Payne:** "I don't mind to do this, but I think we should encourage Oktaha to get their own." **Carrie Wages:** "I agree." **Ken Doke:** "If a town does their own and don't get it right, does it still affect us?" **Carrie Wages:** "No. We would step in and try to help as much as we could, just so that we don't jeopardize our own countywide." **Kenny Payne:** "I'm surprised a lot of other, I'm sorry to interrupt you, a lot of other small towns haven't gotten this same letter, to be honest with you." **Carrie Wages:** "Webber has theirs. Haskell has theirs. Warner has theirs. Nobody else has one." **Kenny Payne:** "Fort Gibson?" **Carrie Wages:** "Fort Gibson does have theirs, yeah." **Kenny Payne:** "That's what I'm saying. We've got about 10 small towns." **Carrie Wages:** "They said they can't afford it." **Ken Doke:** "So it's just the really small towns, it sounds like, maybe that don't." **Carrie Wages:** "They said they weren't able to afford it." **Kenny Payne:** "And I believe that might be true." **Carrie Wages:** "I didn't know what else to do other than kind of step in so that we don't jeopardize ours. Unless somebody has somebody to talk to down there." **Kenny Payne:** "I would like, again, I don't mind to help them, but I would kind of like to know the possible liability that we're undertaking by accepting to do this." **Carrie Wages:** "It's kind of a double-edged sword, you know, because we will take the liability on issuing those." **Kenny Payne:** "But what is the liability, I guess, and I don't expect you to know, but I think we could get an answer legally." **John Tyler Hammons:** "Yeah, so one of the issues is, in order to participate in FEMA's National Flood Program, we have to have an onsite, a local jurisdictional floodplain manager. If they don't have one, you can't participate in the flood program, which means you can't get flood insurance, which means you can't get a bank loan. So the community has to have it. On the other side, we don't set the rules, FEMA sets the rules, but there is some liability if we fail to follow FEMA's regulations." **Kenny Payne:** "In the event of an emergency, are we taking on any more liability than we would have otherwise?" **Kenny Payne:** "Not in the

event of an emergency. I think most of the event would be, we say in areas not in the flood zone, and it is, that's where some liability could generate." The motion was unanimous.

15: Motion

Commissioner Doke made a motion and it was seconded by Commissioner Payne, approved the Participation in the Opioid Settlement that got a judgment of \$100 million against Remnant. The motion was unanimous.

16: Motion

Commissioner Payne made a motion and it was seconded by Commissioner Doke, approved a Transfer of Appropriations in the amount of \$248,631.26 from the Use-Tax (1301-1-8020-2005) to the Okay Rd Rehabilitation (1301-6-8041-2501). **Kevin Wilson:** "So, this is actually for payout number three from APAC. We really didn't expect or plan on doing this, but there's just a discussion between myself and Commerce on actually exactly how much money we requested for free reimbursement. And until we get that settled, they're just not releasing funds, and we've got a contractor just hanging out, holding onto money for no fault of their own. They're just hanging onto this. Commerce has reviewed payout number three. They didn't have an issue with this. This board has already approved it, so we're just paying it until we get the money reimbursed. Again, there's no issues with the payout. We're just waiting on it." **Ken Doke:** "Let me provide a little clarity on what you're talking about. So, we actually had two grants. One of them was FEMA Advanced Assistance through OEM. The next was CDBG DR through Oklahoma Department of Commerce. When we did the budget, we submitted that we were going to cover a certain portion of the project out of Advanced Assistance grants, which is the FEMA grant. And then we were going to cover the rest of it through DR, through Commerce, that grant. So, when MESHEK started sending the bills, I guess, they had to separate those. We have to be very careful that we don't double-dip, you know, charge it off to this grant and then turn around and accidentally charge it off to this grant. So, there is no discrepancy on the dollar amounts that we spend or anything like that. They're having discussion on should these amounts have been applied to this grant or this grant. And so, literally, it's like it's six and one to us. It really doesn't matter. Commerce just needs to decide which bucket they want to put it in and then take it off those, you know, however they want to allocate it, I guess." **Kevin Wilson:** "So, our original leverage amount from the FEMA was \$534,000. That's some change. The last number we got from MESHEK, WSB, was \$501,507.54, I believe. So, as I was going through there, when you look what we've previously, our approved benefit expansion reports and then the actual invoices that they showed that they submitted for reimbursement, I came up with a number that's about \$20,000 off. And this is where the hangup is. Commerce is still stuck on the 501 because that's what MESHEK says. My documentation shows something different and we're trying to get clarification from MESHAC before they'll finally just give us a penny." **Ken Doke:** "But we had enough money in the advance assistance grant to do the larger amount that Kevin's talking about. So, if we don't bill it to that one, we're going to bill it off DR. And we're leaving money on the table in the advance assistance grant if they don't attribute it to that grant. So, I'd like to get it. I'd like to have it attributed where it needs to be, but at the end of the day, if they hold us up, we'll just take it off the yard and move on." **Kevin Wilson:** "The advance assistance is closed out. So, what we've received from that is all we're going to receive. So, in the real world, it doesn't make any difference, but accuracy is important just so we don't double dip out of the federal funds." **Kenny Payne:** "What would be the possibility starting next week to get a weekly report of all the monies involved in this? What we're getting from FEMA, what we're getting from CBDG, what we've spent, and where from every week." **Ken Doke:** "It should be easier now because advance assistance is done. So, you're not juggling two grants now. We're down to just one. So, now it's pretty simple." **Kevin Wilson:** "And the money that you're requesting from FEMA is not that many invoices." **Kenny Payne:** "About \$250,000, right?" **Kevin Wilson:** "Actually, it's almost \$501,000." **Kenny Payne:** "What are they asking for from us right now?" **Kevin Wilson:** "It's about \$240,000." **Kenny Payne:** "\$248,000." **Ken Doke:** "Originally, that advance assistance grant was 1 point something million." **Kevin Wilson:** "Originally, it was \$1.5 million." **Ken Doke:** "But only a portion of it was toward that project. He was able to get my project out of that, too, for Coffee Road. That's the advance assistance grant that you used to do Coffee Road." **Keith Hyslop:** "I haven't done nothing yet." **Ken Doke:** "But just the engineering of it, I guess. I think we did 55th or

something like that.” **Kevin Wilson:** “There was five projects total that came out of that, I believe.” **Ken Doke:** “But only a portion of it allocated to Okay Road.” **Kevin Wilson:** “That’s what Commerce is focused on because, of course, that’s their match money on it. But, yes, the short answer is, this request is for \$248,000. Again, there’s no question about the numbers. Commerce has approved it. I’ve just got the contractor hanging out there.” **Kenny Payne:** “One other question concerning that. Whose name is on the invoice that we receive from APAC? Muskogee County, federal government, who?” **Kevin Wilson:** “So we have to sign it, the contractor has to sign it.” **Kenny Payne:** “Whose name is on it?” **Kevin Wilson:** “The invoice to itself? Muskogee County.” **Kenny Payne:** “OK. That’s what I wanted to know.” **Kevin Wilson:** “Yes, we’re billed for it because our contractor is in it.” **Ken Doke:** “So there’s two ways to look at it, really. Right now, we’ve been in a phase where they send us the invoices, we pay it, we get reimbursed.” **Kenny Payne:** “But are we getting reimbursed? No.” **Ken Doke:** “Well, it’s building up.” **Kevin Wilson:** “No. We’re getting reimbursed.” **Kenny Payne:** “Well, and we’ve been saying that for four months.” **Kevin Wilson:** “And I have been, yes.” **Kenny Payne:** “I didn’t say you. I said we.” **Kevin Wilson:** “I’ve been reporting that. But, yes, we’ve been saying that for four months.” **Kenny Payne:** “And the bills keep rolling in, and we keep paying them. And the federal government doesn’t. Oh, so that’s Oklahoma Department of Commerce. Be clear on that.” **Kevin Wilson:** “Because they’re actually the recipient. We’re the sub-recipient.” **Kenny Payne:** “And that’s why I asked about the invoice.” **Kevin Wilson:** “But no, they come to us because our contract is with the contractor.” **Kenny Payne:** “That’s kind of what I figured. Okay.” **Ken Doke:** “But once they get past this, it shouldn’t be pay and reimburse. We should be able to take the payouts, submit it to them, get pre-approved. They send the money here, then we pay out of the payout.” **Kenny Payne:** “And you said there’s a discrepancy of about \$20,000? Between whom?” **Ken Doke:** “It’s not an actual. It’s not a discrepancy.” **Kenny Payne:** “I didn’t say that.” **Kevin Wilson:** “What it is, is what we have reported as leverage money versus what I think it actually is, is about another \$20,000 credit to us on this end.” **Kenny Payne:** “So does that mean we haven’t reported \$20,000 than we should have, or they’re not recognizing \$20,000?” **Kevin Wilson:** “For my numbers, they did not report \$20,000. They shouldn’t have as leverage.” **Kenny Payne:** “And who is they?” **Kevin Wilson:** “Meshek. They’re handling the AA money. They handled all the FEMA grant. That was part of their contract was to handle that. And I think they’ve unreported about \$20,000.” **Ken Doke:** “Let me make sure I understand, though. It’s not overall numbers are correct. It’s just does it go to this bucket or this bucket. Right. I mean, it’s literally just internal reporting of it needs to go in this column or this column. It’s not that it affects.” **Kenny Payne:** “But if you overpay one and underpay the other, that’s not going to flush.” **Kevin Wilson:** “Well, because if we say we spent \$501,000 on leverage and we actually spent \$520,000, well, that extra \$18,000 or \$19,000 has got to come out of our DR money for contract for construction costs. So, therefore, we don’t want to leave that on the table. We want to get it back. So, again, it’s a holdup on getting reimbursement. I mean, we’ll be made whole on this thing. But we’ve got to get past this little step first. There’s no question about getting reimbursed. It’s just getting past this hump in the road.” **Kenny Payne:** “You’ve done a lot of these in your career. Is this the norm? It’s kind of what I thought.” **Ken Doke:** “They’ve been a lot more nit-picky on this because is this the first one they’ve done for DR?” **Kevin Wilson:** “It was the first round of DR. And DR does have some stipulations that standard CDBG doesn’t have. But, no, this is not the norm.” **Ken Doke:** “So, Kevin, so that was an explanation. What are you looking for today?” **Kevin Wilson:** “So we’re looking to transfer enough funds from use tax into the sub-account to get this bill paid so we can get the contractor hold on number three. Because we’ve approved three, we’ve approved four, and they’re going to run and give us number five. So this is for \$248,631.26. That’s correct. And again, we’ll be made whole in that number.” **Kenny Payne:** “I don’t know what we’ve got invested in this. And I know we’re getting something good out of it that is needed. Let me be very clear about that. But for every dollar we take out of use tax to pay this, we lose interest. And over the life of this deal, I think that number might choke you a little bit if we figured it out. That’s all I have to say about that.” The motion was unanimous.

NEW BUSINESS:

None

ADJOURN:

Motion was made by Commissioner Duke and seconded by Commissioner Payne, approved to adjourn the meeting at 9:03 a.m. The motion was unanimous.