

CHEROKEE COUNTY COMMISSIONERS MEETING
OCTOBER 6, 2025

The Board of County Commissioners met for a regular meeting on Monday, October 6, 2025 at 9:00 A.M. for which the time, place and agenda were posted on the second floor of the Cherokee County Courthouse.

Members of the Board present were Commissioner Whitewater, Commissioner Jenkins and Commissioner Hall.

A motion was made by Commissioner Jenkins and seconded by Commissioner Hall to waive the reading of the minutes for the September 15, 2025 regular meeting and the minutes of September 22 & 23 special meetings and approve as written. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

AGENDA ITEMS:

1. A motion was made by Commissioner Jenkins and seconded by Commissioner Hall to approve an agreement for Emergency Management Services between the Cherokee County Board of Commissioners and the City of Tahlequah Mayor and the Sequoyah County Board of Commissioners, for the Cherokee County Emergency Management to respond within the County of Sequoyah should an emergency occur, this agreement will be temporary until Sequoyah County hires an Emergency Management Director. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
2. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve a Letter of Choice for County Bridge Inspection Contracts selection, the Commissioners chose Circuit Engineering District No. 2. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
3. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve a resolution authorizing the County Treasurer to accept checks in the amount of \$201,304.25 from the State of Oklahoma for the year 2024, for Flood Control Proceeds to be apportioned to the school districts and to the County General Fund. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
4. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve an agreement to work on private property with Andrew Clinton in District #1. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
5. A motion was made by Commissioner Jenkins and seconded by Commissioner Hall to approve a resolution to vacate a right-of-way easement to Cherokee County located at the following: a strip of land 66 feet wide, on each side of the following described line: beginning at a point 360 feet North of the Southwest Corner of the SE4 of the SE4 of the SW4, Section 26-16-21, thence North 56 Degrees-31' East, a distance of 580 feet, containing approximately 1 acre in District #2, requested by property owner Teddy Rogers. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
6. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve a resolution to accept funds received from Yates Family Trust for reimbursement for Willis Road Project in the amount of receipt, to be appropriated into 1102-6-4300-2075 District #3 Road Projects Account, for FY25-26. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
7. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve a resolution to accept Finley Ridge Drive and Harlan Drive into the County Road System in District #3, roads located in Finley Ridge Phase 1 Replat, requested by Jasen Wright. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
8. No action taken on Jasen Wright approval of Finley Ridge Phase 2 Plat. The plat was not ready for pickup for the Commissioners to view, this item will be on a later agenda.

9. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve an Agreement/Memorandum of Understanding between the City of Tahlequah and Cherokee County is as follows: the Cherokee County Commissioners agree to pay the amount of \$1,200.00 to the City of Tahlequah to offset the cost of handling, feeding, boarding, spay/neuter, process adoption of dogs that come from the County into the City, this agreement is intended to be an as needed basis process for the animals the City Assists with in emergency situations, this is a partnership between the City of Tahlequah and Cherokee County in an effort to alleviate the total financial burden of expenses placed on the City of Tahlequah. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
10. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve the following (two) resolutions for the Treasurer's Office:
- A. Resolutions to add signers on the First State Bank Account Official Depository 41732 as follows:
1. **Resolution to add signers J. Andrew Williams, Eric Jordan, William Cosner was approved but they should have been approved as removed, this resolution will be corrected and put on another agenda to rescind and approve properly
2. Resolution to add signer Blake Johnson
- Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
11. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve the Court Clerk Records Management and Preservation Monthly Report. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
12. A motion was made by Commissioner Jenkins and seconded by Commissioner Hall to approve the following requesting and receiving officers for the Assessor's Office:
- | <u>REQUESTING</u> | <u>RECEIVING</u> |
|-------------------|------------------|
| MARSHA CROSSLIN | AMY CLAYTON |
| EMILY VANDYKE | GINA CHAMPLAIN |
- Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
13. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve the following requesting and receiving officers for the Tahlequah Fire Department:
- | <u>REQUESTING</u> | <u>RECEIVING</u> |
|-------------------|------------------|
| MARK WHITTMORE | RICK HICKS |
| KENNY BARNES | HEATH PENNINGTON |
- Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
14. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve a request to appoint Mark Whittmore and Kenny Barnes to the Cherokee County Sales Tax Advisory Board as representatives of Tahlequah Fire Department. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
15. Acknowledgement:
- A. Application of Delfino Andrade to vacate easement, part of Choctaw Street right of way in Thompson Addition to the City of Tahlequah-Case No. CV-2025-220
16. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve to enter into Executive Session pursuant to 25 O.S., Section 307(B)(4) to discuss with counsel all aspects of litigation including the status of appeal in Donald Wardlow, Administrator of the Estate of Donavan Zachariah Caldwell, deceased, et al. v. Board of County Commissioners of the County of Cherokee, Oklahoma, et al., Case No. CJ-2019-50, filed in the District Court of Cherokee County, State of Oklahoma, on the advice of and at the request of counsel. Public disclosure of these confidential communications would seriously impair the ability of the Board and its attorney to properly process and defend itself in litigation. Counsel may appear telephonically. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

17. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve Executive Session pursuant to 25 O.S., Section 307(B)(4) to discuss with counsel all aspects of litigation including the status of appeal in Donald Wardlow, Administrator of the Estate of Donovan Zachariah Caldwell, deceased, et al. v. Board of County Commissioners of the County of Cherokee, Oklahoma, et al., Case No. CJ-2019-50, filed in the District Court of Cherokee County, State of Oklahoma, on the advice of and at the request of counsel. Public disclosure of these confidential communications would seriously impair the ability of the Board and its attorney to properly process and defend itself in litigation. Counsel may appear telephonically. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
18. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve in public forum, to adjourn Executive Session and reconvene in Open Session. Counsel may appear telephonically. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
19. No action taken on Consider/Action Re: Discussion and possible vote on actions related to pending litigation in Donald Wardlow, Administrator of the Estate of Donovan Zachariah Caldwell, deceased, et al. v. Board of County Commissioners of the County of Cherokee, Oklahoma, et al., Case No. CJ-2019-50, filed in the District Court of Cherokee County, State of Oklahoma, with counsel. Counsel may appear telephonically.
20. A motion was made by Commissioner Jenkins and seconded by Commissioner Hall to approve all claims, P.O.'s, blanket P.O.'s, appropriations and transfers as presented to the board. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.
21. A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to table approval of payroll for October 1, 2025 thru October 15, 2025 until October 10, 2025 at 1:00 P.M. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to recess until October 10, 2025 at 1:00 P.M. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

**FRIDAY
OCTOBER 10, 2025
1:00 P.M.**

Members of the Board present were Commissioner Whitewater, Commissioner Jenkins and Commissioner Hall.

A motion was made by Commissioner Hall and seconded by Commissioner Jenkins to approve County payroll for October 1, 2025 thru October 15, 2025. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

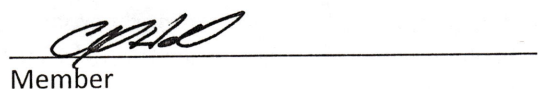
There being no further business to discuss a motion was made by Commissioner Jenkins and seconded by Commissioner Hall. Roll call: Commissioner Whitewater-yes, Commissioner Jenkins-yes, Commissioner Hall-yes. Motion carried.

ATTEST:


Cheryl A. Trammel, County Clerk


Chairman


Member


Member

