

**MINUTES OF SOLID WASTE AUTHORITY MEETING  
MARCH 19, 2019**

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Solid Waste Authority City of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, March 19, 2019, at 5:30 p.m. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on March 15, 2019.

Chairman David Berrong called the meeting to order with the following present;

**CHAIRMAN:** David Berrong

**TRUSTEES:** Bobby Stewart, Jason Hulin, Chuy Rosales

**ABSENT:** Ernie Dowdell

**CITY MANAGER:** Mark Skiles

**CITY CLERK:** Lisa Anders

**CITY TREASURER:** Debra Blanchard

**CITY ATTORNEY:** Absent

**NEWS MEDIA:** Gerald Green and Mike Smith

**OTHERS:** Gene McCullough, Mary Helen Jones, Donald Webb, Brett Russell, Paul Rinkel, Toby Anders, Amanda Arvizo, Gwen Ruiz, Wade Anders and others.

Chris Fields of the First Baptist Church opened the meeting with prayer and Trustee Bobby Stewart led the Pledge of Allegiance.

**AGENDA ITEM NO. 3: CONSENT AGENDA**

A. Minutes of Regular Meeting of March 5, 2019

Moved by Trustee Rosales and seconded Trustee Hulin that Consent Agenda Item No. 3 (a) be approved.

Chairman put the motion to a roll call vote:

Aye: Rosales, Hulin, Stewart, Berrong

Nay: None

Chairman declared the motion carried.

**AGENDA ITEM NO. 4 ACTION ITEMS**

**4A. CONSIDER, DISCUSS AND TAKE ACTION ON SANITATION TRUCK CONTRACT WITH SUMMITT TRUCK OF OKLAHOMA CITY**

City Manager Mark Skiles explained that bids had been taken on the purchase of a new sanitation truck. Summit Truck Group had submitted a bid of \$186,587.21 on August 14, 2018. The bid documents stated a guaranteed delivery date of 150 calendar days after notice of award. A penalty of 1% of the bid price will be deducted for each day of late delivery beyond the time specified. Skiles said the manufacturer has asked for relief on the liquidated damages.

Public Works Director Donald Webb said this is the second truck the City has purchased from Summit. He said that Summitt has also done warranty work on City trucks in the past.

Trustee Hulin made the motion to abolish the penalty for late delivery on the truck.

City Manager Mark Skiles recommended not imposing the full penalty and started that no money has been exchanged yet. He said Summit had stated that the reason for the delay had been due to parts.

Chairman Berrong said this action would be setting precedence for the future and felt that eliminating the penalty would diminish the situation and he wanted to be fair.

Trustee Stewart said if the City continues to do business with Summit that they should show good faith.

Chairman Berrong said that the integrity of the form should be maintained.

Trustee Stewart seconded the motion to abolish the penalty.

Chairman put the motion to a roll call vote:

Aye: Hulin, Stewart

Nay: Rosales, Berrong

Chairman declared the vote a tie.

Trustee Rosales made the motion to assess a penalty of \$2,500.00. There was no second.

Motion was made by Trustee Hulin and seconded by Trustee Rosales to table the item.

Chairman put the motion to a roll call vote:

Aye: Hulin, Rosales, Stewart, Berrong

Nay: None

Chairman declared the motion carried.

#### **AGENDA ITEM NO. 5 TRUSTEES REPORT**

None

#### **AGENDA ITEM NO. 6: CITY MANAGER'S REPORT**

None

#### **AGENDA ITEM NO. 7: ADJOURNMENT**

Moved by Trustee Hulin and seconded by Trustee Rosales to adjourn the meeting.

Chairman put the motion to a roll call vote:

Aye: Hulin, Rosales, Stewart, Berrong

Nay: None

Chairman declared the meeting adjourned at 5:50 p.m.