

MINUTES OF REGULAR SCHEDULED MEETING OF THE BOARD OF COUNTY COMMISSIONERS, ROGERS COUNTY COURTHOUSE, 219 SOUTH MISSOURI, COMMISSIONER'S MEETING ROOM 1-109, CLAREMORE, OKLAHOMA, MONDAY, AUGUST 18, 2008, AT 9:00 O'CLOCK A.M.

Notice of said meeting was filed in the Office of the County Clerk on Thursday, August 14, 2008, at 3:58 P.M. and posted on the Courthouse Bulletin Board; Outside the Commissioner's Meeting Room; on the Exterior Window at the Southeast Entrance and Front Door Entrances to the Courthouse and on the Wheelchair Ramp Door.

- ITEM 1: CALL TO ORDER:
Chairman Dan DeLozier called the meeting to order at 9:00 A.M.
- ITEM 2: ROLL CALL:
Chairman Dan DeLozier, Commissioner Mike Helm and Commissioner Kirt Thacker were all present.
- ITEM 3: FLAG SALUTE:
Commissioner Thacker led the salute and Pledge of Allegiance to the American Flag.
- ITEM 4: PRAYER:
Commissioner Helm said a prayer.
- ITEM 5: APPROVAL OF MINUTES: August 11, 2008
Commissioner Helm made a motion to approve the minutes from August 11, 2008, as presented. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 6: UNFINISHED BUSINESS: None presented.
- ITEM 7: ZONING: None presented.
- ITEM 8: PLATS: None presented.
- ITEM 9: ROADS AND BRIDGES: None presented.
- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS: None presented.
- ITEM 11: TRANSFER OF FUNDS: None presented.
- ITEM 12: UTILITY PERMITS:
1. A T & T – boring & trenching starting at the SW/corner of Section 1, Township 22 North, Range 14 East and bore west into Section 2, Township 22 North, Range 14 East, then trench and bore west approximately 2800 feet, then north into Saddle Brook Subdivision in District #2 –
Commissioner Helm stated that this utility permit was for boring only and ask A T & T to make sure they put the ditches back they way they were and if dirt and sod is required, we ask them to do that. Commissioner Helm made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. CEP Mid-Continent, LLC, 15 West 6th Street, Suite 1400, Tulsa, Ok 74119 – boring county road 407.5 just south of county road EW/390 in Section 30, Township 23 North, Range 15 East of the I.B.&M., Rogers County in District #2 –
Commissioner Helm stated that this utility permit is boring only. Paul Wallace with CEP Mid-Continent, LLC, 15 West 6th Street, Suite 1400, Tulsa, Ok 74119, was present at the meeting and stated to the Board that he has contacted all the residences in this area about doing this permit and that all were satisfied. Commissioner Helm stated that seeing that the applicant has satisfied all the residences in the area, made a motion to approve. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. CEP Mid-Continent, LLC, 15 West 6th Street, Suite 1400, Tulsa, Ok 74119 - boring county road EW/390 midway between Sections 19 and 30 of Township 23 North, Range 15 East of the I.B.&M., Rogers County in District #2 –
Commissioner Helm stated that this utility permit is boring only. Paul

Wallace with CEP Mid-Continent, LLC, 15 West 6th Street, Suite 1400, Tulsa, Ok 74119, was present at the meeting and stated to the Board that he has contacted all the residences in the area and met their requirements. Commissioner Helm stated that since the applicant was met all the requirements of the residences around in the area, made a motion to approve. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – Nick Epperson - \$270.00 & \$405.00

Commissioner Helm made a motion to approve the attendant care claims as presented. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –

Sheriff's general fund vehicle maintenance: Froman Oil Company, \$3500.00 and Sheriff's jail account vehicle maintenance: Froman Oil Company, \$450.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as presented. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Orders Exceeding Amount of Issuance – None presented.

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action on granting Deed of Dedication to the City of Claremore to three (3) parcels of land containing approximately 200 square feet each being located at the corners of 1st Street and Lynn Riggs Blvd. and Patti Page Blvd. and Lynn Riggs Blvd. in the City of Claremore for street improvement projects –

Gene Haynes, District Attorney, explained to the Board that he was contacted by Randy Elliott, City of Claremore attorney, who is present today. The City of Claremore has some street improvement projects that they want to do to make it easier for trucks to turn on those corners.

Randy Elliott, City of Claremore attorney along with Chris Cochran, Tri-State Engineering were present at the meeting. Tri-State Engineering is the company that does routine engineering projects for the City of Claremore. Mr. Elliott explained that the City of Claremore has a joint project with ODOT on Lynn Riggs Blvd. to improve the intersections at 1st Street, Patti Page Blvd. and Will Rogers Blvd. The purpose of the project is to widen the angle of intersections and to improve the stoplights. We need more right-of-way from the county at 1st Street corner and Patti Page Blvd. corner and also at the Patti Page Blvd. corner, we need a temporary right-of-way for construction purposes only. We have talked to the Rahn's on the 1st street side and also with RCB Bank on the Patti Page Blvd. side to acquire easements. We will also need to acquire right-of-ways from Walgreen's across the street.

Mr. Elliott continued that they hope the county will dedicate the right-of-way since it's a city/county/state project. ODOT wants the right-of-way in fee simple title. Chairman DeLozier inquired about where exactly was the temporary right-of-way? Mr. Cochran replied that there is a 20-foot triangle at the intersection of Patti Page Blvd., it's an additional 5-foot wide strip outside of that triangle.

Mr. Haynes stated that there was some questions and it depended on the desire of the Board and if the Board decides to donate it then the question doesn't come up. And if you decide to give the right-of-way in exchange for payment, the appraisal was for an easement, instead of fee title, which is about 20% difference. Haynes continued that he did not draft a resolution, because they did not know which way the Board would vote to go. The D.A.'s office will draft a resolution on the action taken today and present to the Board for signing.

Chairman DeLozier made a motion in the spirit of working with the City of Claremore and ODOT, made a motion to grant the deed of dedication, except for the temporary 5 foot strip. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion with possible action on presentation by Andy Armstrong with INCOG to inform the Board what it is INCOG does for the county and payment of 1st quarter membership dues for fiscal year 2008-2009 for \$7801.00 –

Andy Armstrong with INCOG along with Executive Director, Rich Brierre were present at the meeting. Mr. Brierre explained about a few of the services that INCOG provides and stated that Andy Armstrong is up here a lot and we do a lot of economic development projects through the Department of Commerce at the Port of Catoosa, Chelsea, Inola, etc. We also are the designated metropolitan planning organization for transportation planning. And as a result of that, funds become available to the INCOG area, which includes a significant portion of Rogers County. We have a funding program called the surface transportation program urbanized area projects.

One of the projects is here in Rogers County is for \$720,000.00 at Pine and 161st East Avenue for improvements. We also operate the Tulsa County Home Consortium, which is 6 counties, including Rogers County and 17 cities/towns that qualify directly for HUD funds. We also do the REAP programs and a number of economic development programs that Rogers County has been involved in.

Commissioner Helm inquired from Mr. Brierre as to how they work with Planning Commissions? Mr. Brierre replied they staff a number of planning commission so we have a planner in the community and we have provided support to the City of Claremore/Rogers County Planning Commission on an update of the comprehensive plan. We are available and provide assistance to area planners a great deal of technical assistance and support. We also assist the county and Planning Commission in long-term planning in federal grant programs. We do a lot of grant writing and grant administration and can help match your needs on what is available and what programs are out there. Irving Frank is on our staff and is very well experienced on working with planning commissions through out the state. Commissioner Helm asked what is the benefit for us to be on the Board? Mr. Brierre answered by establishing a working relationship with local governments through out the area.

Commissioner Helm made a motion to approve with Rogers County Industrial Authority paying for $\frac{3}{4}$ of the bill and Rogers County pay the \$7801.00. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. Discussion with possible action whereas, HOPE (Helping Oklahoma Public Education) is requesting permission from the Board to use public sidewalks located around the courthouse to obtain signatures on a petition for improvement of funding for public schools in Oklahoma –

Chairman DeLozier made a motion to table for one week (August 25th) to allow for someone from HOPE to be present at the meeting. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

4. Discussion with possible action for additional discovery costs on mold remediation in courthouse basement under Bid #487 –

Nathan Butterfield with WorldWide Restoration, Inc., was present at the meeting and presented the Board with the additional discovery costs that were found in the OSU Extension offices. Total cost will be \$3081.14. Commissioner Thacker stated that for the health and safety of the people that work down there, we're going to have to do it. Commissioner Thacker made a motion to approve. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Discussion with possible action on occupancy of Rogers County Courthouse annex building located at 415 West 1st Street in Claremore, Oklahoma – (**note**this item was tabled from August 4, 2008 and August 11, 2008, meetings**)

Chairman DeLozier stated that he is sticking with his original plans and had discussed with Gene Haynes about moving bogus checks and the investigators into the old election board building and moving the election board to the building at 415 West 1st Street. DeLozier continued that he doesn't see right now with the economy any other changes needing to be made or moving any other offices. We are currently taking care of the mold remediation problem in the basement, because of the flooding, and that will take care of what needs to be done down there. Mr. Haynes needs offices for 2 more attorneys, and that's the main reason for moving bogus checks and the investigators over to the old election board building. And in the building we would be moving the election board too, there would be space in the back part of the building to conduct meetings, etc. The biggest expense would be making the bathrooms ADA compliant, and we are going to have to do that no matter who we move in there, but it would be a minimal cost.

Commissioner Helm inquired if Chairman DeLozier looked over the paper he had given him? Chairman DeLozier replied yes, but I feel that would be too much moving. Helm replied it would be a lot of moving, but if you would look at it there are five state agencies paid by the state and none of them are paid by the county and if we're going to be able to provide raises for our people, we've got to look at other income and what we can get out of it. The D.A. has been helping us with electric, Candi has been helping us with electric, I see this as another opportunity to free up money by moving people around.

Commissioner Thacker inquired from Gene Haynes, how many of the offices that Commissioner Helm wants to move is under your jurisdiction? Haynes replied that he had not seen the document. In my office in the courthouse it includes bogus checks office, and if I had my choice I would like to keep everybody together, but the thing is we've just run out of space. I wish I didn't have to move anybody. But in order to provide an office for an attorney that is set up in the conference room right now and a legal intern this summer, also had to office in the conference room. Then whenever we need to use the conference room, they have to go somewhere else and it happens several times a week. Of our operation down there, the ones that could move as a unit would be the bogus checks office. The community service office is a part of the D.A.'s office, which has two employees and Drug Court Case Management office. The protective order office and the OHP

breathalyzer office is not part of the D.A.'s office.

Commissioner Thacker stated that he looked over all the changes, and it would cost a tremendous amount of money to move all these offices right now. And I think we should go with what won't require us to expend a lot of money.

Chairman DeLozier made a motion to bogus checks and drug enforcement (investigators) to the old Election Board offices and move the Election Board to the county building located at 415 West 1st Street. Commissioner Thacker seconded the motion.

Commissioner Helm asked of Mr. Haynes, with moving bogus checks office and the investigators, can we get help in remodeling of the old Election Board offices. Haynes replied, if there is anything that we will need to do over at the current Election Board offices, yes, I could provide assistance on that as far as remodeling. I would come before the Commissioner's and show what the plans would be and get your approval.

Roll Call: DeLozier-aye, Helm-nay, Thacker-aye. Motion carried.

6. Approve/disapprove Landmark Business Systems Customer Service Maintenance Agreement for Emergency Management on Gestetner GDSC525SPF color copier, sn#L3665901665, effective July 1, 2008 thru June 30, 2009 –

Peggy Armstrong, Rogers County Clerk, stated to the Board that the D.A.'s office had approved and signed off on the agreement. Chairman DeLozier made a motion to approve. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

7. Approve/disapprove Maintenance Agreement by and between OME Corporation and Rogers County Election Board on mailing machine model #IJ65, sn#57932 and 5 lb. postage scale, model #SE37IJ, sn#7170 for fiscal year 2008-2009 –

Peggy Armstrong, Rogers County Clerk, stated to the Board that the D.A.'s office had approved and signed off on the agreement. Chairman DeLozier made a motion to approve. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

8. Approve/disapprove Resolution for Disposing of Equipment for District #3 as follows: Lexmark X3550 printer, sn#S02100016006 to be junked –

Commissioner Thacker stated that this printer was old and out of date and not compatible with the current computers. Also for public record in keeping with transparencies, by state statute, anything that costs under \$500 doesn't have to be listed on inventory, but at District #3, we inventory everything that we buy. Commissioner Thacker made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 16: PUBLIC COMMENTS AND RESPONSES FROM BOARD MEMBERS: Limited to specific items on the Agenda that are listed and discussed at this meeting and limited in duration at the discretion of the Chairman -

ITEM 17: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions)***NOTE***see attached list of all claims that were approved for payment on Monday, August 18, 2008***Commissioner Thacker made a motion to approve payment of all purchase orders from all departments as presented. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 18: 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.

ITEM 19: RECESS OR ADJOURNMENT:

Chairman DeLozier made a motion to adjourn the meeting. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. Meeting was adjourned at 10:30 A.M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

By: _____
Peggy Armstrong, Rogers County Clerk

(SEAL)