

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 25, 2008, AT 9:00 O'CLOCK A.M.

Notice of said meeting was filed in the Office of the County Clerk on Thursday, August 21, 2008, at 4:18 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 Helm led the salute and Pledge of Allegiance to the American Flag.
- ITEM 4: PRAYER:
Commissioner Thacker said a prayer.
- ITEM 5: APPROVAL OF MINUTES: August 18, 2008
Commissioner Helm made a motion to approve the minutes from August 18, 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:
1. Discussion with possible action on refunding \$77,000 to Terry Tandy of 2307 Holly Road, Claremore, Ok 74017, that was deposited with Rogers County on May 9, 2006, for the paving of streets within Trinity Lake Estates, a subdivision in the S/2 of the NE/4 of Section 14, Township 21 North, Range 15 East of the I.B.&M., Rogers County in District #3 -
Commissioner Thacker stated that r. Terry Tandy developed a subdivision called "Trinity Lake Estates" and deposited with the county \$77,000.00 for paving of the streets within the subdivision. And last year we were going through the accounts and checked with Mr. Tandy, and the subdivision streets have never been developed. Mr. Tandy has sent a letter requesting the funds be refunded (see letter). Commissioner Thacker made a motion to refund the \$77,000.00 to Mr. Terry Tandy. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:
1. 005 Use Tax – \$78,623.23
2. 101 Unrestricted Highway – \$248,081.04
3. 141 Cellular Phone Usage –None presented.
4. 142 E-911 - \$7956.24
5. 145 Attendant Care –\$270.00
Commissioner Helm made a motion to approve Items 1, 2, 4 and 5 under cash fund estimate of needs as presented. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 11: TRANSFER OF FUNDS: None presented.
- ITEM 12: UTILITY PERMITS:
1. Rural Water District #3, Rogers County – boring county road NS/4240 lying between Sections 25 and 26 of Township 23 North, Range 17 East of the I.B.&M., Rogers County

and between county road EW/390 and 28A Highway in District #1 –

Chairman DeLozier stated this permit was for boring only and made a motion to approve. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Rural Water District No. 5, Mayes County – water service lines across county roads EW/290; EW/300; EW/310 and NS/428; NS/429 and NS/430 county roads in Sections 1, 2, 3, 10, 11, 12, 14 and 15 of Township 24 North, Range 18 East of the I.B.&M., Rogers County in District #1 – (**see under Item #3**)

3. Rural Water District No. 5, Mayes County – road bores on county roads EW/290; EW/300; EW/310 and NS/428; NS/429 and NS/430 county roads in Sections 1, 2, 3, 10, 11, 12, 14 and 15 of Township 24 North, Range 18 East of the I.B.&M., Rogers County in District #1 –

Chairman DeLozier stated that Mayes County, Rural Water District #5 is putting in new water lines and these permits are for service lines to get to the residences and it they will be all road bores only. Chairman DeLozier made a motion to approve Items 2 & 3 under utility permits as presented. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – August 2008
2. Attendant Care – None presented.
3. State of Oklahoma Office of Juvenile Affairs Alternatives to Detention/

Transportation Claim for July 2008 for \$6138.90 -

Commissioner Helm made a motion to approve Items 1 & 3 under claims as presented. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 14: BLANKET PURCHASE ORDERS:

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

Planning Commission: Froman Oil Company, \$125.00; Rogers County Fair Board: Pixley Lumber Company, \$300.00; Stillwater Milling Company, \$300.00; Lowe's, \$500.00; and Claremore Expo Center, \$1000.00; Sheriff's jail account vehicle maintenance: Froman Oil Company, \$450.00; Sheriff's general fund account vehicle maintenance: Froman Oil Company, \$3500.00; Sheriff's jail account medical: Moore Medical, \$1000.00; Diamond Medical Services, \$200.00; Diamond Pharmacy, \$6000.00; PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$600.00; Sheriff's jail account Board of Prisoners: Bimbo Bakeries, \$1200.00; Farmers Bros. Coffee, \$600.00; Warehouse Market, \$250.00; Sysco Foods, \$6500.00; Sysco Foods, \$2200.00; Sheriff's jail account M&O: Bob Barker Company, \$2500.00; E-911 Addressing: Froman Fuel Company, \$400.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as presented. Chairman DeLozier 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 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 - (**Note**tabled from August 18, 2008 meeting) -

Peggy Armstrong, Rogers County Clerk, explained to the Board that she had left a message on the cell phone of the lady who asked to be on the agenda and that the Board would want her present at the meeting to do an explanation. No one was present at the meeting today. Commissioner Helm informed the Board that this item is OEA taking a initiative petition out for \$850,000,000.00 to fund public education. They want to take it to the senate floor and the house floor to ask for funding for public education and not caring on whether the other sub-committees are funded as far as roads and bridges and anything else. Chairman DeLozier made a motion to table this item indefinitely until further notice from H.O.P.E. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Approve/disapprove Resolution #2008-53 to grant and deliver to the City of Claremore certain Deed of Dedication Instruments for the conveyance of permanent right-of-way and a temporary easement upon County Courthouse property on the southwest corner abutting 1st Street and Lynn Riggs Blvd. and the northwest corner abutting Patti Page Blvd. and Lynn Riggs Blvd. for an intersection widening project and construction of roadway improvements –

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

3. Approve/disapprove acceptance of CDBG-EDIF request for an infrastructure award to support Advanced Research Chemicals, Inc. through Oklahoma Department of Commerce as contract number 13376 CDBG-ED 08 in the amount of \$100,000.00 as follows: Contract Certification Regarding Lobbying; Community Development Block Grant Contract (with budget attached); Authorization for Mailing Correspondence; Release of Funds Checklist; Notice of Adverse Change; Designate the County's Chief Executive Officer, the Chairman, as the certifying officer under the National Environmental Policy Act of 1969 to assume overall responsibility for the environmental review process; Make a Finding of No significant Impact on the Environment for the Advanced Research Chemicals ED Rail Spur Infrastructure Project (13376 CDBG ED 08); Authorize the Chairman to sign the Environmental Certification and Request for Release of Funds; Approve the Anti-displacement Plan for Advanced Research Chemicals, Inc.; authorize the Chairman to sign the Placement Plan for 13376 CDBG ED 08; Approve the Execution of a Resolution by the County to track future beneficiaries of the CDBG-EDIF Infrastructure Improvements funded as part of 13376 CDBG ED 08; Approve the Execution of a Certification of Leverage Form for 13376 CDBG ED 08; and Approve the Chairman's signature on a letter certifying compliance with federal procedures –

Andy Armstrong with INCOG was present at the meeting and explained to the Board that several weeks ago a request was submitted for a grant in the amount of \$100,000.00 through Oklahoma Department of Commerce for a rail spur at Advanced Research Chemicals, Inc. at the Port of Catoosa. Commissioner Helm inquired from Armstrong as to how many jobs this would create in Rogers County? Armstrong replied 15 employees for this specific project. Commissioner Helm made a motion to approve. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

4. Approve/disapprove Resolution #2008-54 authorizing Application for Financial Assistance through Grand Gateway EDA's Rural Economic Action Plan Fund on behalf of the Justus-Tiawah Public Schools –

Commissioner Thacker explained to the Board that Justus-Tiawah was applying for a grant for a canopy project at the south campus. Commissioner Thacker made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Approve/disapprove reappointment of Don Hill to the Rogers County Industrial Development Authority as trustee –

Don Cochran with RCIDA was present at the meeting and presented the Board with a letter requesting the re-appointment of Don Hill to RCIDA board for a period of 5 years. (see letter) Commissioner Helm inquired as to what area does Mr. Hill represent? Cochran answered the Claremore area. Chairman DeLozier made a motion to approve. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

6. Approve/disapprove County Officer's Monthly Reports for July 2008 –

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

7. Discussion with possible action on procedures for payment of invoices on purchase orders for Sem Materials and Acord Transportation -

Marilynn Gibson, Purchasing Agent, inquired from the Board as to how pay purchase orders on Sem Materials and Acord Transportation. Gibson continued that when you order from Sem Materials, Rogers County is having to pay for the transportation costs. Some of the purchase orders were encumbered for the full price, which means delivered price and others have been encumbered FOB, which means we have to pay for transportation of. We have been told on the purchase orders to Sem Materials for the full price, to wait for a credit from Sem Materials on the transportation costs and then pay Acord Transportation. Commissioner Helm stated that at the last ACCO meeting, ACCO was going to get with the State Auditor's Office and adopt guidelines for all 77 counties to follow, so we should do what the State Auditor's office says to do. Gibson stated that as of this time we do not have any guidelines to go by from the State Auditor's office. Chairman DeLozier stated that he was not told to split out transportation costs when he encumbered his purchase orders. Commissioner Helm made a motion to pay the purchase orders presented for payment today, as they are now (encumbered). Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

8. Acknowledgement for public record receipt of warrants received from State of Oklahoma 12.5% of the remaining 25% of the eligible expenses associated with FEMA-1735-DR-OK as follows: District #1 \$327.17 on warrant #103884265; District #2 \$339.25 on warrant #103884267; District #3 \$167.54 on warrant #103884272; Heritage Hills Golf Course \$487.10 on warrant #103884269; Emergency Management/Bob Anderson \$290.88 on warrant #103884266 and \$543.48 on warrant #103884271; Verdigris Fire Protection District \$298.33 on warrant #103884270 and Northwest Fire Protection District \$1458.29 on warrant #103884268 –

Acknowledged for public record only, no action taken.

9. Acknowledgement for public record receipt \$279.09 from CMC Recycling for

District #3 – Acknowledged for public record only, no action taken.

10. Acknowledgement for public record receipt of \$6732.00 from Acme Brick Company as per agreement for District #2 – Acknowledged for public record only, no action taken.

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 25, 2008***Commissioner Helm made a motion to approve payment of all purchase orders from all departments as presented. Commissioner Thacker 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 and meeting was adjourned at 10:43 A.M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

By: _____
Peggy Armstrong, Rogers County Clerk

(SEAL)