

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, NOVEMBER 17, 2008, AT 9:00 O'CLOCK A.M.

Notice of said meeting was filed in the Office of the County Clerk on Thursday, November 13, 2008, at 3:38 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: November 10, 2008
Commissioner Helm submitted to the Board a copy of minutes from August 5, 1985; Implementation of the Fair Labor Standards Act from T. Jack Graves, District Attorney, dated June 5, 1985; July 8, 1985, minutes; August 12, 1985, minutes; Memorandum from District Attorney, T. Jack Graves, dated April 10, 1986; Policy for FLSA Rogers County, compliance with the Fair Labor Standards Act June 1, 1985; Memo from Board of County Commissioners, dates August 23, 1985, concerning comp time; Commissioner Helm stated that he wanted to make these records a part of the public record concerning the comp time of Bob Anderson and Susie Rains. (see documents for reference) Commissioner Helm made a motion to approve the minutes from November 10, 2008, as presented along with the above named documents. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 6: UNFINISHED BUSINESS: None presented.
- ITEM 7: ZONING:
1. Hearing with possible action on the Application for a change of zoning from AR to CH(C-4) and AR to RS-30 for commercial and residential zoning districts by BDMP, LLC, commercial tract being described as a tract of land that is part of the N/2 of the NW/4 of Section 11, Township 21 North, Range 14 East of the I.B.&M., Rogers County, containing 15,39 acres more or less and the residential tract described as a tract of land that is part of the N/2 of the NW/4 of Section 11, Township 21 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma, containing 57.85 acres more or less – address: 16200 East 116th Street North, Owasso, OK 74055 –
Magan DeLozier Green, Planning Commission Director, stated that the Planning Commissioner approved on November 6, 2008, by a give to zero vote. Commissioner Helm inquired from Green as to what was the recommendations for both RS-25 and RS-30 zoning? Green replied, she recommended approval for both RS-25 and RS-30. No opposition was present at the Commissioner's meeting in opposition and the applicant was present. Commissioner Helm made a motion to approve since no one was present in opposition. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 8: PLATS: None presented.
- ITEM 9: ROADS AND BRIDGES:
1. Discussion with possible action on acceptance by Board for dedication of Road and Utility Easement from Claudette French a/k/a Ida C. French a/k/a Ida Claudette French, a single person and Charles E. Francis and Mary Ellen Francis, husband and wife, and Marie A. Laymon, a single person, and Timothy E. Francis and Cynthia A. Francis, husband and wife and Kenneth McDermed and Darla McDermed, husband and wife, the owners of legal and equitable title to the following described real estate situated in Rogers County, State of Oklahoma, for good and valuable

consideration, receipt of which is hereby acknowledged, do hereby grant and convey unto **The Public**, a perpetual easement, through, over, under and across the following described property, situated in said County, to-wit:

“A 50 foot roadway and utility easement being a part of the E/2 of the SW/4 of Section 22, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma” (see Road and Utility Easement for complete legal description)

and Discussion with possible action on acceptance of road into the county road maintenance system by District #1 for county maintenance –

Chairman DeLozier stated that this item was in District #1 and he has been working with Mr. Gene Francis and at one time this was taken care of by the county, but hasn't been for many years now. The road is in excellent shape and Chairman DeLozier made a motion to approve and accept the road into the county road maintenance system for maintenance by District #1. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion with possible action on Approval of Country Bridge and Road Improvement Fund Engineering Contract and Independent Contractor Agreement by and between Board of County Commissioners of Rogers County and Kellogg Engineering, Inc., on right-of-acquisition and utility relocation management County Bridge Replacement Project Bridge No. 56 on EW-40, Rogers County, in District #2 –

Brian Kellogg with Kellogg Engineering, stated to the Board that we are re-doing the contracts that were originally approved a couple of weeks ago. Force accounts are handled different and ODOT came back and wanted us to pull right-of-way and utility relocations out of our normal county road and bridge funds. The right-of-way is one of those things that we don't even know if we're going to need it. Kellogg continued, it's exactly the same dollar amount, we moved \$8300 out of the construction cost and moved right-of-way and utility relocations under our standard independent contract agreement. ODOT voided the three (3) other original contracts. Commissioner Helm made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. Discussion with possible action on Approval of ODOT Programming Resolution and Independent Contractor Agreement by and between Board of County Commissioners of Rogers County and Guy Engineering Services, Inc., for a construction project to replace Bridge #54 over Dog Creek on NS-422 (Sawyer Road) approximately 1.8 miles south of U.S. Highway 66 and 0.2 miles north of State Highway 28A and replace existing 14 foot and 26 foot steel beam spans (40 foot total) with a precast box or bridge to include wing walls, bridge location is 66N4220E0390007 and NBI 08743 in District #1 –

Chairman DeLozier stated that this is a bridge that he has programmed on the county-5-year program to re-build and this is the engineering contract on it. Chairman DeLozier made a motion to approve. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS: None presented.

ITEM 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS: None presented.

ITEM 13: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – Nick Epperson, \$360.00 -

Commissioner Helm made a motion to approve the attendant care claim of Nick Epperson for \$360.00 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 & Prescriptions –

Sheriff's jail account: Froman Oil, \$700.00 and Sheriff's Civil Fee Account: Froman Oil Company, \$3500.00 – Commissioner Helm 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. Approve/disapprove Resolution and Reimbursement form directing County

Treasurer to deposit funds from State of Oklahoma, PA-1754 #834 on warrant #101046542 in the amount of \$8502.30 for District #1 into the one-cent sales tax fund for distribution -

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

2. Approve/disapprove Resolution and Reimbursement form directing County Treasurer to deposit funds from State of Oklahoma FEMA on Disaster #1754 on warrant #101044645 in the amount of \$1206.93 for District #1 into the one-cent sales tax fund for distribution -

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

3. Approve/disapprove Resolution and Reimbursement form directing County Treasurer to deposit funds from State of Oklahoma, PA-1678 PW1146 OK145 SA #799 on warrant #101043103 in the amount of \$13,051.62 for District #2 into the one-cent sales tax fund for distribution -

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

4. Approve/disapprove Resolution and Reimbursement form directing County Treasurer to deposit funds from State of Oklahoma, PA-1678 PW1146 PK145 #799 on warrant #101043102 in the amount of \$166,915.01 for District #2 into the one-cent sales tax fund for distribution -

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

5. Discussion with possible action on appointment of Kati McKim as receiving agent for District #3 -

Commissioner Thacker stated that District #3 had only one receiving agent and they need two receiving agents. Commissioner Thacker made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

6. Approve/disapprove County Officers Monthly Reports for October 2008 -

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

7. Approve/disapprove Contract by and between Board of County Commissioners of Rogers County and Texas County Juvenile Detention Center for juvenile services from July 1, 2008 until June 30, 2009 -

Commissioner Helm made a motion to approve as presented. 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, November 17, 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 -

Commissioner Helm stated that he would like the Board to consider approving Friday, January 2, 2009, as an additional holiday for the employees. Item will be placed on next weeks agenda, November 24th.

ITEM 19: RECESS OR ADJOURNMENT:

Chairman DeLozier made a motion to adjourn the meeting. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. Meeting was adjourned at 10:08 A.M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

By: _____
Peggy Armstrong, Rogers County Clerk

(SEAL)