

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 3, 2008, AT 9:00 O'CLOCK A.M.

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Notice of said meeting was filed in the Office of the County Clerk on Thursday, October 30, 2008, at 3:03 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 9:04 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: October 27, 2008  
Commissioner Helm made a motion to approve the minutes from October 27, 2008, as presented. Commissioner Thacker seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 6: UNFINISHED BUSINESS:  
1. Award Bid #490 – Break-away Trailer –  
Commissioner Thacker stated that the low bid of Total Truck & Trailer from Norman, Oklahoma, has added several factory installed options to the base price of \$42,070.00, which would make the bid a lot more just to get it up to bid specifications. G. W. Van Keppel bid was \$51,428.00; Kirby-Smith bid \$64,172.00 and Warren Cat bid \$68,475.00. The bid from Total Truck & Trailer was not speced out as the bid requested. Commissioner Thacker continued that the next lowest bid is from G. W. Van Keppel for \$51,428.00 on Etnyre Model PRTN35TD-PS and for the money I feel that is the way to go. Commissioner Thacker made a motion to accept the bid of G. W. Van Keppel for \$51,428, because the lowest bid of Total Truck & Trailer had the factory installed options separated out on their bid instead of including them in their total bid price. Chairman DeLozier seconded the motion. Chairman DeLozier stated that he would be going with the 48 months lease-purchase and Commissioner Thacker stated that District #3 would be going with the 48 months lease-purchase also. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 7: ZONING: None presented.
- ITEM 8: PLATS: None presented.
- ITEM 9: ROADS AND BRIDGES:  
1. Discussion with possible action on Functional Classification Revision Request Form 121 for Oklahoma Department of Transportation for new route requiring reclassification of a local road to major collector status, beginning at the junction of SH 266 and NS406 and extending northerly approximately 2.3 miles to Owasso Urban Boundary (EW53) -  
Commissioner Helm stated that this is a requirement from ODOT for reclassification through the federal government, should we receive federal funds from the federal government they would need this classification. For public record only, no action taken.
- 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. Public Service Company of Oklahoma – boring for underground installation of 193<sup>rd</sup> East Avenue, just north of Highway 266, lying between Section 7, Township 20 North, Range 15 East and Section 12, Township 20 North, Range 14 East of the I.B.&M., Rogers County, in District #2 - (\*\*NOTE\*\*right-of-way must be put back the way it was before boring for utility permit\*\*) -

Commissioner Helm stated that since it is a boring only and we have requested them to put it back like they found it, with sod and dirt and remove the rocks, 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 – Bob Anderson, 250 hours comp hours @ 18.49 hourly = \$4622.50  
Susie Rains, 170 comp hours @ 16.00 hourly = \$2720.00

Bob Anderson, Emergency Management Director, stated that he and Susie have accumulated several comp hours in the last two years. Anderson stated that he still has vacation that he has not burned and other comp time he has not taken. I have visited with Gene and Barry about this, and attached is the rules for overtime compensation for employees the county has been using, the option is there when we accumulate so many hours we have the option to come back. There is money in the cash account from the state monies to cover this, so there is no money coming out of the county funds. We are working on getting the hours down and out before we have another disaster.

Commissioner Helm inquired about the 250 hours of comp time, yet you get ¼ for the city, ¼ from the state and ¼ from the county and the county is being billed for the full 250 hours comp time? Anderson replied that the funds will be coming from the state emergency management department, cash account, not the county's money. Commissioner Helm continued, you have your documentation back to when, showing the 250 hours, where they came in? Do we also have the documentation showing your comings and goings through the Commissioner's office? When Commissioner Thacker was Chairman, he stated in a meeting that you were suppose to report your offices comings and goings to the Commissioner's office so it could be written down, where is that? Anderson replied it would show on the time sheets on record in the County Clerk's office since February 2008.

Commissioner Helm inquired from Marilynn Gibson, 1<sup>st</sup> deputy county clerk, on comp time, he doesn't know of any other department heads or road foreman's who receive comp time, so are we starting a new practice? Gibson replied, that anyone that is not an elected official, is eligible for comp time, that is how it has been done in the past. For example, in the Treasurer's office, the 1<sup>st</sup> deputy had many hours of comp time a few years back, and she got paid for those hours that were over and above. Commissioner Helm replied that the road foreman for District #2 doesn't get comp time, Commissioner Thacker replied that the road foreman for District #3 doesn't get comp time either. Chairman DeLozier also replied that his road foreman doesn't get comp time. Commissioner Helm stated, so we have a practice going on and if we open up the valve, I can see it being a flood. And did we budget this for every body, I know 3 that were not budgeted for. That's going to put us over the budget if we start going back and paying for their comp time also. I don't see how we can do for one and not the others. Why are we here, if this has been a policy that has been going on, you've got three county commissioners that do not pay their road foreman's at all on comp time. Chairman DeLozier replied that when he came into office, it was understood that the road foreman's did not get comp time. This is something that we need to check into.

Peggy Armstrong, Rogers County Clerk, explained that the matter Marilynn was talking about was brought to us by the District Attorney's office, Michele Schultz, when she was assistant district attorney. That was brought before the Board back then and the D.A. ruled on that back then and told us to pay it if the Board approved, that was not a decision the County Clerk's office made. Chairman DeLozier stated that we need to check on this, because he thought the only people that did not receive comp time was the road foreman.

Chairman DeLozier made a motion to table this item for one week (November 10<sup>th</sup>) to allow the Board time to check into and have Bob present all of his documentation showing his and Susie's comp time. Commissioner Helm 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: Froman Oil Company, \$700.00; Sheriff's general fund: Froman Oil Company, \$3500.00; and Emergency Management: Froman Oil Company, \$400.00 – Chairman DeLozier 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. Approve/disapprove Resolution #2008-60 and Reimbursement form directing County Treasurer to deposit funds from RCB Bank for reimbursement on wrecked Mack Truck in District #2 for \$43,682.86 into the one-cent sales tax fund for distribution –

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

2. Approve/disapprove Resolution #2008-61 and Reimbursement form directing County Treasurer to deposit funds from State of Oklahoma, county road EW-39 overlay Force Account Project (asphalt overlay of EW 390 from the intersection of US 169 and EW/390 west approximately 3.8 miles along EW.390 to the intersection on of NS/4060, #CR 166 C(227), j/p 25845(04) in the amount of \$200,000 into the one-cent sales tax fund for distribution in District #2 –

Commissioner Helm stated that this was Vera Road that runs just south of the Oologah-Talala schools and made a motion to approve. Chairman DeLozier seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. Set Regularly Scheduled Meeting Dates for 2009 –

Commissioner Thacker made a motion to approve the Notice of 2009 meeting dates as presented. Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye Thacker-aye. Motion carried.

4. Approve/disapprove Java Dave's Executive Coffee Services for the Rogers County Treasurer –

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

5. Approve/disapprove County Clerk's Cashbook and Summary Report to the Rogers County Commissioners for October 2008 -

Commissioner Thacker made a motion to approve. Commissioner Helm 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 call claims that were approved for payment on Monday, November 3, 2008\*\*\*Commissioner Thacker made a motion to approve payment of all purchase orders from all departments as presented. Chairman DeLozier 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 Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. Meeting was adjourned at 10:28 A.M.

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

By: \_\_\_\_\_  
Peggy Armstrong, Rogers County Clerk

(SEAL)