

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, MARCH 2, 2009, 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, February 26, 2009, at 3:05 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; on the Wheelchair Ramp Door and on the county web site\*\*\*

- ITEM 1: CALL TO ORDER:  
Chairman Mike Helm called the meeting to order at 9:00 A.M.
- ITEM 2: ROLL CALL:  
Chairman Mike Helm and Commissioner Kirt Thacker were present.  
Commissioner Dan DeLozier was absent.
- ITEM 3: FLAG SALUTE:  
Chairman Helm led the salute and Pledge of Allegiance to the American Flag.
- ITEM 4: PRAYER:  
Commissioner Helm said a prayer.
- ITEM 5: APPROVAL OF MINUTES: February 23, 2009 and February 26, 2009  
Commissioner Thacker made a motion to approve the minutes from February 23, 2009 and special meeting of February 26, 2009, as presented. Chairman Helm seconded the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.
- ITEM 6: UNFINISHED BUSINESS:  
1. Award Bid #503 – Crack Sealant for District #3 – (\*\*\*)note(\*\*\*)this item tabled from February 17, 2009 and February 23, 2009, meetings(\*\*\*)  
Commissioner Thacker made a motion to award the bid to the lowest bidder of Missouri Petroleum from St. Louis, Missouri for PT Products 3405 of \$28.92 unit price per 60 lb. box with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.  
2. Award Bid #505 – Overhead Garage Doors for District #2 –  
Allen Carter, District #2 foreman, presented the Board with a letter recommending awarding of the bid to Overhead Door Specialist in Bartlesville, since the lowest bidders did not include the electrical work in their bid. Carter also provided a weight scale of the bid project. Chairman Helm made a motion to award the bid to Overhead Door Specialist in Bartlesville, based upon the recommendation of District #2 road foreman Allen Carter, with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.
- 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. Chelsea Gas Authority – boring in the NE/4 of Section 33, Township 22 North, Range 17 East of the I.B.&M., Rogers County, for 18707 East Oakdridge Drive, approximately 1590 feet West of county road NS/422 in District #1 –  
Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.  
2. Rural Water District #6, Rogers County – road bore of county road NS/4170 between Sections 26 & 27 and Sections 34 & 35 of Township 20 North, Range 16 East of the I.B.&M., Rogers County, to install 6" PE waterline and 6" PE waterline in 12" steel casing (.25 WT) in District #3 –

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

ITEM 13: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –  
Sheriff's general fund account vehicle maintenance: Froman Oil Company, \$3500.00; Sheriff's jail account vehicle maintenance: Froman Oil Company, \$500.00; Fairboard: Claremore Expo Center, \$600.00; Stillwater Milling Company, \$1000.00; and District #1: Everett Terry, \$200.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.
2. Orders Exceeding Amount of Issuance – Purchase order #904609 issued by Sheriff's jail medical account to Diamond Medical Supply for \$200.00; to be paid over by \$39.83 for a total purchase order payment of \$239.83. Chairman Helm made a motion to approve and stated that Pam Rue would be attending the next Purchasing Class offered by OSU for county government, so she would be familiar with the county purchasing practices and procedures. Commissioner Thacker seconded the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action on request from Karol L, May, Executive Director of Community Action, the re-appointment of Clarice Doyle to the Community Action Board of Directors – (\*\*Note\*\*this item was tabled from February 23, 2009, meeting\*\*)

Karol May, Executive Director of Community Action stated that she lives in Washington County at 1900 South Madison Blvd. in Bartlesville, Oklahoma. Community Action is located in the Will Rogers Hotel and Apartment Center, and we are a partner in the renovation of the hotel, which is now 38 senior apartments and 5 retail spaces. We are partners with Rogers County Historical Society and a private developer out of Minnesota and Community Action brought public funds into the partnership to restore the hotel.

May informed the Board of the purposes of Community Action, which originated for the purposes of serving low income individuals in providing them educational and resources to get themselves out of poverty. Our largest program at this time is Head Start and the next largest program is housing. We have developed quite a few new affordable housing units in Rogers County, including some in Claremore. We apply for funds from HUD and partner with private builders and construct new family affordable housing. Our 3<sup>rd</sup> largest program is in Pryor, a senior citizens food service, which we prepare about 500 meals per day. We also operate The Advantage Program, which provides shelf life meals for persons who can't get to retail sights. Community Action has about 250 employees and our Board of Directors is made up of 3 types of members (public elected officials or their representatives; members of private groups and low income citizens who may have received or may be interested in our services).

Community Action Board is made up of 12 members of the counties they represent which are Wagoner, Mayes, Rogers, Washington, Nowata. We also operate 2 programs that cover 16/18 counties, which is Child/Adult Food Program, where we establish USDA meals and manage daycare homes or given them advice on nutritional activities. We also have a weatherization program, which operates in Tulsa County as well as all the other counties mentioned.

Three years ago, Clarice Doyle, was appointed to the Community Board to represent the County Commissioners and her term is up, which every Board member has a 3 year term. Doyle's term has expired and we are asking you to either re-appoint her or to appoint one of yourselves or a representative you choose. Community Action Board meets every other month, which is 6 meetings per year, all held in Claremore on the 2<sup>nd</sup> Friday of the months that we meet and we do serve lunch. Clarice Doyle is the Vice-President of the Community Action Board.

Commissioner Thacker inquired if Washington County Commissioner, Mike Dunlap was on the Board? May answered yes, and also Alva Martin from Mayes County is considering joining the board also. Commissioner DeLozier is on our FEMA program, he represents FEMA funds that come into the area and attends that meeting as well.

Chairman Helm stated that he didn't know that the Board of County Commissioners appointed anyone to the Community Action Board, and Helm also requested if the information provided today was in book form. Helm continued that he was really interested in the housing provided by C.A.R.D. and Rogers County has joined National Association of Counties (NACO), which we can provide drug cards, and we are in the process of getting ready to do. Helm stated that he wanted to visit with Karol May from C.A.R.D. and discover the services that they

provide. May suggested having a workshop session and Chairman Helm was agreeable with that.

Chairman Helm made a motion to approve the appointment of Clarice Doyle to the Community Action Board, but the motion died for a lack of second.

Chairman Helm made a 2<sup>nd</sup> motion to table this item for one week (March 9, 2009), with Commissioner Thacker seconding that motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.

2. Approve/disapprove Resolution for Disposing of Equipment for District #2: 1975 Muvall trailer, sn#MUVA3326 – to be sold at auction –

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

3. Discussion with possible action on Approval of Request for Budget Modification for 13263 CDBG 08 for Rural Water District #8 and signing of Letter and Budget Modification Form –

Andy Armstrong with INCOG reported to the Board that this is the 2<sup>nd</sup> project related to the Justus tower and a couple of months ago the Board did an environmental report on. This is a pump station that supplies the Justus tower. The Board of County Commissioners have an interlocal agreement with Rural Water District #8 for \$75,000.00 and they are going to provide \$75,000.00 of their own money.

Armstrong continued, that between the time that the application was made, the district has had to put in a couple of pumps, so essentially they have done part of the project, so we are down-sizing the project because of that. The competition for these funds whenever the application was made, they were evaluated by the Department of Commerce, (ODOC) which everyone was funded for that year. So we don't have to worry about the match being a part of the competition. We are asking you to do is reduce the match by \$61,000, because part of the project has already been done. The match of \$61,000.00 was Rural Water District #8's responsibility, not the county's. The new total amount of CDBG funds will be \$50,000 down from the current grant of \$75,000. There will be no change in beneficiaries or in the environmental finding for the project. And there will be a revised budget showing these changes and we will submit to ODOC.

Chairman Helm inquired if the county would be able to apply for the difference in the reduction of the grant? Armstrong replied that the county has an opportunity each year to apply and you have about 2 months before those applications are do. Currently we are working with District #2 on an income survey to see if they can qualify. This will all have to be done by the end of April.

Commissioner Thacker inquired if the pump that Armstrong was speaking of was the same pump that Rural Water District #8 built on county property? Armstrong replied that is the project we are talking about today. Commissioner Thacker asked if the property boundaries were ever cleared up on the matter? Armstrong replied that he didn't know, would have to check with Brian Marlin at Rural Water District #8.

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

4. Approve/disapprove Resolutions for Disposing of Equipment for Emergency Management as follows: Panasonic printer, sn#11MATJ45770, IBM printer, sn#470053022 and Okidata Microline 192 printer, sn# N/A – all to be junked

Bob Anderson, Emergency Management Director, stated that these items are waiting to be junked upon approval today. Most of the items have been in the office for years and can't even be used. Commissioner Thacker made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.

5. Acknowledge receipt of check #1255 from Grand Gateway Economic Development Association E-911 for December 2008 E-911 services fees in the amount of \$22,612.22- Acknowledged for public record only, no action taken.

6. Approve/disapprove County Clerk's Cashbook and Summary Report to the Board of County Commissioners for February 2009 –

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

7. Discussion with possible action on Ted King addressing the smoking ban at the Rogers County Courthouse –

Chairman Helm inquired from Mr. King if he had read the Resolution adopted by the Board and written by the District Attorney's office on Rogers County being a smoke-free workplace? King replied that he had not. Chairman Helm suggested that King obtain a copy of the resolution from the County Clerk's office and read it to become informed about it before wanting to talk about it before the Board. Chairman Helm made a motion to table this item for one week, and have Mr. King obtain a copy of the resolution from the County Clerk's Office and become familiar with how it reads and then get back in touch with Commissioner Thacker before he can be placed back on the agenda. Commissioner Thacker seconded the motion. Roll Call: Helm-aye, Thacker-

aye. Motion carried.

8. Discussion with possible action on signing of Addendum to Plan Agreement with Delta Dental upgrading all fully-insured, non-Delta's Choice accounts to include comprehensive implant benefits –

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

9. Discussion with possible action with Rogers County Fire Chiefs Association on possibly extending the county burn ban for Rogers County and adoption of Rogers County Burn Ban Resolution #2009-15 –

Bob Anderson, Emergency Management Director, reported to the Board that he had contacted all local fire departments, with the exception of Owasso, but a message was left and no return phone call was made, and they were in agreement with the burn ban and the issuing of permits for agricultural burning by farmers/ranchers. The allowing of agricultural burning, pastures and range land only, was approved at a special meeting on Thursday, February 26, 2009, by the Board of County Commissioners, and person(s) must get a permit from their local fire department first and person(s) also have to inform the Emergency Management office.

Commissioner Thacker stated that he wanted it made a matter of the minutes that he personally believes and feels the county is regulating the right of the people, but understands that there is a huge danger involved. Anderson stated that is why we had a special meeting on Thursday, to make an exception for ag burning to help assist the people with their burning as long as they contact their local fire department to be professionally evaluated as to whether they can burn or not. Anderson continued that we want to work with the people and help assist them, not alienate them.

Discussion continued as to whether brush was considered ag or not. Chairman Helm stated that under DR1735 branches and trees were natural resources and could be burnt. Anderson stated that DEQ considers brush as ag and can be burnt under our current burn ban.

Chairman Helm made a motion to approve the burn ban for another 7 days with the exception of agricultural burns be done through their local fire department evaluating the situation and issuing permits as they see fit and Helm continued that ag burning is considered branches/trees, which are natural resources. Commissioner Thacker seconded the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.

10. Discussion with possible action on District #3 Commissioner Kirt Thacker, donating generators to fire departments within District #3 boundaries in Rogers County –

Commissioner Thacker stated that during the big ice storm, District #3 bought several generators and distributed them to fire departments for them to use as they saw fit, whether it be at their own fire department, for someone on oxygen, a child on a nebulizer for asthma or whatever the case may have been. The generators are currently stored at District #3 county warehouse and he would like to donate them and divide them equally amongst fire departments in District #3 for them to use as they need. Commissioner Thacker made a motion to approve and District #3 will do Resolutions for Disposing of Equipment at a later date, because these generators are on inventory. Chairman Helm seconded the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried.

11. Acknowledgement of a "Thank You" from the Town of Verdigris to Rogers County for the donation of a 2001 Chevrolet ½ ton Silverado 4 x 4, sn#1GCEK19V31E221269, disposed of at the February 17, 2009, Commissioner's meeting –

Commissioner Thacker read the letter received from the Town of Verdigris to the Board and audience in attendance and asked the letter be made a matter of public record. 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\*\*\* Commissioner Thacker made a motion to approve payment of all purchase orders from all departments as presented with Chairman Helm seconding the motion. Roll Call: 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:

Commissioner Thacker made a motion to adjourn the meeting with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried. Meeting was adjourned at 10:53 A.M.

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

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

(SEAL)