

NOTICE OF SPECIAL MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

PLACE: Rogers County Courthouse, 219 South Missouri, Room
1-109, Claremore, Oklahoma

DATE & TIME: Thursday, April 23, 2009, at 10:00 A.M. o'clock

MINUTES

1. Call to Order. Roll Call to establish quorum. Determine that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act.

Chairman Helm called the meeting to order at 10:07 A.M. with Commissioner Thacker being present. Commissioner DeLozier was absent. Quorum was established.

2. Discussion and possible action to enter Executive Session for the purpose of: Confidential communications between a public body and its attorney concerning a pending claim or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct pending litigation or proceeding in the public interest, as authorized by Title 25 O.S. § 307 (4); Participate in mediation of pending action entitled Material Service Corporation and Christopher Neal Begley vs. Rogers County Commissioners, CJ-2004-234, District Court of Rogers County, Oklahoma.

Chairman Helm made a motion to adjourn regular session and enter executive session with advice from Assistant District Attorney, Barry Farbro, with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried and the Board entered executive session at 10:10 A.M.

Those invited to attend in executive session were retired District Judge James Goodpaster, mediator; Elizabeth Nichols, attorney for plaintiff; Barry Stewart and Glenn Stewart, owners of Material Service Corp.; Christopher Neal Begley, intervenor, additional party plaintiff along with intervenor attorneys, John Crockett and Dale Marlar.

The mediation process began.

3. Motion and vote to adjourn Executive Session and enter Regular Session.
Commissioner Thacker made a motion to adjourn executive session and enter regular session with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried and the Board adjourned executive session and entered regular session at 3:58 P.M.
4. Discussion and possible action regarding any matter discussed during Executive Session with respect to Material Service Corporation vs. Rogers County Commissioners, CJ-2004-234, District Court of Rogers County, Oklahoma. – No action taken.
5. Adjournment.
Chairman Helm made a motion to recess the meeting until Monday, May 4, 2009, at 1:00 P.M. as agreed by all parties, with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried and the meeting was recessed at 4:04 P.M. until Monday, May 4, 2009, at 1:00 P.M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

BY: _____
Peggy Armstrong, Rogers County Clerk

This Notice of said special meeting and agenda was filed in the Office of the County Clerk on Thursday, April 16, 2009, at _____ in compliance with Title 25 O.S. § 301 et seq., The Oklahoma Open Meeting Act 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 the county web site.