

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONER'S FOR ROGERS COUNTY, OKLAHOMA

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

DATE & TIME: Monday, April 27, 2009, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm called the meeting to order @ 9:02 A.M.

ITEM 2: ROLL CALL TO ESTABLISH QUORUM:

Determine that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act.

Chairman Mike Helm, Commissioner Kirt Thacker and Commissioner Dan DeLozier were all present and quorum established.

ITEM 3: FLAG SALUTE:

Chairman Mike Helm led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: PRAYER:

Marilynn Gibson, 1st Deputy County Clerk said a prayer.

ITEM 5: APPROVAL OF MINUTES: April 20, 2009, April 21, 2009, and April 23, 2009.

Chairman Helm made a motion to approve the minutes from April 20, April 21, and April 23, 2009, as presented. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS: None Presented.

ITEM 7: ZONING: None Presented

ITEM 8: PLATS:

1. Approve/disapprove Final Plat of River Port Ranch V, a subdivision located in the SW/4 and the NW/4 of Section 19, Township 20 North, Range 16 East of the I.B.&M., Rogers County – Developer: Mary E. Dupre Revocable Trust (**note**this item was tabled from April 20, 2009, meeting**)

Chairman Helm asked if the developer or legal representation was present. They were not. Chairman Helm stated that the compaction test was not done or other necessary test required by the county. Chairman Helm made the motion that this plat would be put back on the Agenda when the developer complies. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action on approval of Resolution #2009-21 on Force Account Bridge Project greater than \$75,000 on Project No. CB-166D(182); J/P: 235361(04), whereas, Rogers County is requesting reimbursement of costs in the amount of \$200,000 from the Oklahoma Department of Transportation out of Rogers County's County Bridge and Road Improvement Fund –

Chairman Helm stated that all the paperwork for this project has been submitted. However, the Oklahoma Department of Transportation is now requesting that any claim over \$75,000.00 has a Resolution signed in addition to the claim. Chairman Helm made a motion to approve Resolution #2009-21 as presented. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

2. Discussion with possible action on Petition requesting for speed control devices be installed on Fieldstone Drive located in Cedar Bluff II and Ranch Acres Estates V –

Chairman Helm stated this is in District #2. They are putting a dip in the road to deter speeding. Chairman Helm said that this method has worked in Ranch Acres and Chestnut Farms. 60% of the residents on Fieldstone Drive signed a petition to have the dip(s) installed. For safety issues the County is not putting in speed bumps. The speed bumps can cause a

speeding vehicle to loose control. Chairman Helm requested the signed petition be entered into the minutes for public record. Commissioner DeLozier seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:
1. 005 Use Tax – \$69,834.29
 2. 101 Unrestricted Highway – \$282,367.48
 3. 141 Cellular Phone Usage – \$20,755.24
 4. 142 E-911 - \$10,530.48
 5. 145 Attendant Care – \$1,769.00

Commissioner Thacker made a motion to approve Items 1 thru 5 under cash Fund estimate of needs as presented. Commissioner DeLozier seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

ITEM 11: TRANSFER OF FUNDS:

1. District #2 One Cent M&O to Lease/Purchase - \$7631.55

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

ITEM 12: UTILITY PERMITS:

1. Chelsea Gas Authority – boring county road NS/4160 Road approximately 500 feet North of Highway 66, lying between Sections 33 and 34 of Township 22 North, Range 16 East of the I.B.&M., Rogers County in District #1 -

Commissioner DeLozier said he had looked at the area stated on the utility permit and made the motion to approve. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – April 2009

Chairman Helm asked if there were any terminations, dismissals or resignations. Payroll Clerk Cathy Cooksey stated these were the normal monthly salary claims to be paid on April 30, 2009. Commissioner Thacker made the motion to approve claims as presented. Chairman Helm seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions – Sheriff: Speedy Lube, \$400.00; Froman Oil Company, \$3500.00; Froman Oil Company, \$500.00; PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$600.00; Diamond Drugs, Inc., \$6000.00; Diamond Medical Supply, \$400.00; Sysco Foods, \$6700.00; Warehouse Market, \$250.00; Sysco Foods, \$2700.00; Farmer Bros. Coffee, \$400.00; Bimbo Bakeries, \$1200.00; and Correctional Dental Services, \$2000.00, Emergency Management: Froman Oil Company, \$400.00, Fair-board: Claremore Expo Center, \$1500.00, District #3 1 Cent: R & S Auto Parts, \$750.00. Chairman Helm made a motion to approve the blanket purchase orders. Commissioner DeLozier seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried

2. Orders Exceeding Amount of Issuance –

Purchase Order #906246 issued to Claremore Expo Center in the amount of \$600.00 was approved for \$1302.84. **Reason for overage:** The purchase order amount is an estimate based on 2008 figures. A purchase order was issued to Stillwater Milling which would have covered shavings cost, but they were purchased through the Expo Center. Also, tablecloth prices increased since the Expo has dropped their linen contract and only purchasing as needed. So, without knowing ahead of time these things would occur, the blanket purchase order was estimated lower than needed. Submitted and signed by Andrea St. John, O. S. U. Cooperative Extension Secretary. Commissioner Thacker made a motion to approve Purchase Order #906246. Commissioner DeLozier seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action on presentation by Lisa Clark, Rural Development Specialist with Oklahoma Department of Commerce on services offered to improve delivery of Rural Development Services for Rogers County - (***)continuance from March 30, 2009, meeting(***) –

Lisa Clark with ODOC at 1012 North 38th Street, Muskogee, Oklahoma was present. Ms. Clark stated that at the March 30, 2009 meeting we discussed the stimulus package. “I have been researching – trying to match programs with what we discussed, Jail, Funding for Courthouse and County Barn. Concerning the Jail and GEO Thermo updating, I have found there is available funding through the Energy Efficiency and Conservation Block Grant which Rogers County could apply for. Guidelines are not ready yet, but should be online in the next week to ten (10) days. Carolyn Sullivan with ODOC, in the Oklahoma City office would be your tech support person.” Ms. Clark also stated that the timeline is very quick and short and Rogers County will need to move on this project as soon as possible. Other stimulus projects such as weatherization funding will be handled by the local Community Action Program. The local CAP administrator is Carol May. Grant funding for Courthouse, County Barn and Dispatch Center is going to be hard because Rogers County does not qualify for any U. S. D. A. funding due to our size. There may be CDBG funding available. That is a possibility to look into for the County Barn.

Homeland security should have funding available for the Dispatch Center. It will take more digging to get to the right person. Commissioner DeLozier said to keep digging.

Chairman Helm added, that since the March 30, 2009 meeting that he instructed his secretary Robin Anderson to establish Rogers County for the Stimulus Program for being a large county and we have been able to secure \$330,800.00. “Because of your leadership, we were able to get into the program and we just want to say “thank you’ for putting us on the right direction.”

Ms. Clark will return to the Board of County Commissioners Meeting on May 26, 2009 at the request of the County Commissioners. Discussion only, no action taken.

2. Discussion with possible action through INCOG in developing and approving a community development project to be submitted to Oklahoma Department of Commerce for funding consideration under the FY-09 Community Development Block Grant Program for the construction of water distribution improvements within Rogers County Rural Water District #8; Conducting a special public hearing to consider future community development needs; Discussion and possible action on approval of Resolution #2009-22 requesting assistance from ODOC; Discussion and possible action for approval of an FY-2009 CDBG Citizen Participation Plan; Discussion and possible authorization of Chairman to submit an FY-09 CDBG Water and Wastewater Engineering Application to ODOC –

Chairman Helm asked Andy Armstrong for his presentation. Project being presented today is concerning Rural Water District #8. The area is on Highway #88 near Tiawah in the Panther Creek area where there is about 3000 linear feet of waterline that is undersized. Either side has been replaced with a 10 inch line and RWD#8 is trying to match the remaining 3000 linear feet so entire line will be a 10 inch line. The water district has also submitted this project (I think) to the Cherokee Nation for funding. They are hunting for money wherever they can. The deadline for this project is the end of the week. The project is \$136,000.00 and we are asking the Department of Commerce to cover all of that.

Chairman Helm asked if there was a way to have all the Rural Water Districts meet for informational purposes only what is available for 2010. Mr. Armstrong said that would fine and he has been trying to do something along those lines.

Chairman Helm opened the meeting for discussion on the public hearing portion of the presentation. He asked if there were any questions from the public. Question from Joy Hampton, Claremore Daily Progress, inquiring as to what happens if the money is granted thru the Cherokee Nation? Mr. Armstrong said he couldn't speak for the Cherokee Nation, but ODOC money would be committed to the project it was requested for.

Chairman Helm said the public hearing was concluded. Commissioner DeLozier made a motion to approve Resolution #2009-22. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried

3. Discussion with possible action on sales proposal presented by Terra Telecom for paging system for Rogers County –

Rick Johnson, Engineer and Technician for Terra Telecom said he has done work for Rogers County in the past with video surveillance systems in District #1 and District #2 and installed cameras in the Courthouse. This proposal was requested by Mr. Bob Anderson, Emergency Management Director for Rogers County for an Emergency Notification System for the Courthouse.

System could be designed for lights in each office, hallways, and courtrooms for emergency situations such as bomb threats, weather alerts or other dangers in the building. If lights were not acceptable, other visual notifications or audible notifications could be installed. All systems could be inter-connectable. Sheriff Scott Walton stated the need for the current silent alarms we now have in place. Sheriff Walton said he was all for the right warning system.

Chairman Helm requested that Mr. Johnson have a meeting with Sheriff Walton, and Commissioners DeLozier to present bid proposal. No action taken.

4. Discussion with possible action on acceptance of Letter of Resignation of Billy K. Quinton as Rogers County Excise/Equalization Board Member –

Chairman Helm made the motion to receive Mr. Quinton's resignation. Commissioner Thacker seconded the motion. Roll Call: Helm – aye, Thacker – aye, DeLozier – aye. Motion carried

5. Discussion with possible action on appointment of new Rogers County Excise/Equalization Board member –

Chairman Helm stated no appointment was available at this time. Needed input from the other commissioners. No action taken.

6. Discussion with possible action on approval of Resolution #2009-23 declaring May 2009, as Fair Housing Month –

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

7. Discussion only on letter received from Oklahoma Department of Environmental Quality granting Rogers County a waiver from obtaining a Small MS4 permit from the EPA's Storm Water Phase II –

Chairman Helm said this was a letter that stated Richard Smith with INCOG had been successful in waiving our Storm Water. This exemption is for the next four (4) years. No action taken.

8. Discussion only on letter received from INCOG Transportation Policy Committee selecting Rogers County project Pine Street Roadway Relocation, ODOT #26696(04) for funding in the amount of \$63,553 in District #2 –

All of Rogers County does not qualify for Tulsa Metro Urbanized Area. Chairman Helm said we asked for \$6.8 million dollars for Rogers County but only a small portion East of Catoosa, Pine Street Roadway Relocation qualified, and was granted \$63,553.00. This road is used by Catoosa Schools. Oklahoma Turnpike Authority left a one (1) lane bridge on Pine Street. No action taken.

9. Approve/disapprove Detention Services Agreement by and between the Pottawatomie County Public Safety Center, Pottawatomie County Regional Juvenile Detention Center "Glenn Dale Carter Hall" and the Board of County Commissioners of Rogers County for fiscal year 2009-2010 – (***)Note***this item was tabled from April 20, 2009, meeting(***)

Commissioner DeLozier made the motion to approve the agreement as presented. Commissioner Thacker seconded the motion. Helm, - aye, Thacker – aye, DeLozier – aye. Motion carried.

10. Approve/disapprove Resolution #2009-24 and Reimbursement form directing County Treasurer to deposit funds from Mike Graham Auctioneers to District #2 on check #5525 (total amount of check \$116,311.00) \$100,000 to be deposited into the one-cent sales tax account for distribution and \$16,311.00 to deposited into salaries –

Chairman Helm asked that Resolution be approved. Commissioner Thacker seconded the motion. Helm – aye, Thacker – aye, DeLozier – aye. Motion carried.

11. Discussion with possible action Rogers County launching Prescription Drug Discount Card that can be used by all residents offering average savings of 20% off retail price sponsored by National Association of Counties (NACo) –

District #2 Secretary, Robin Anderson stated that this program is free to member counties. All materials, printed forms, and cards are free. Ms. Anderson will be distributing the cards to schools, day-cares, senior centers, and other public places. If you do not have prescription insurance, this card will help with savings up to 20%. May 5th is the targeted starting date.

Chairman Helm made the motion to have Ms. Anderson distribute the cards in Rogers County. Commissioner Thacker seconded the motion. Helm – aye, Thacker, - aye, DeLozier – aye. Motion carried

12. Acknowledgement for public record only receipt of check #1266 from Grand Gateway Economic Development Association E-911 for February 2009 E-911 service fees in the amount of \$20,755.24 –

Acknowledged for public record – no action taken

13. Acknowledgement for public record only receipt of check #1130555326 from GEICO Indemnity Insurance Company in the amount of \$89.87 for District #3 –

Acknowledged for public record – no action taken

14. Discussion with possible action to enter Executive Session for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, 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 a pending investigation, litigation, or proceeding in the public interest, as authorized by Title 25 O.S. § 307 (B) (4), to wit: unpaid overtime/unused comp time wages of James Darrin Hester –

Executive Session not necessary

15. Motion and vote to adjourn Executive Session and enter Regular Session –

16. Discussion and possible action with respect to any matter considered and discussed with the Board's attorney during Executive Session –

Commissioner Thacker made a motion to deny claim upon recommendation from legal counsel. Chairman Helm seconded motion. Helm – aye, Thacker – aye, DeLozier – 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 – No public comments

ITEM 17: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions)

Chairman Helm made a motion to approve purchase orders for payment with the exception of #907189 and #907314. Commissioner Thacker seconded the motion. Helm – aye, Thacker – aye, DeLozier – 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 Helm made a motion to adjourn the meeting with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. Meeting adjourned @ 11:21 A. M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

By: _____
Peggy Armstrong, Rogers County Clerk

(SEAL)

Notice of said meeting was filed in the Office of the County Clerk on Thursday, _____, 2009, at _____ 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