

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: Tuesday, May 26, 2009, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm called the meeting to order at 9:00 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 was established.

ITEM 3: FLAG SALUTE:

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

ITEM 4: PRAYER:

Sheriff Scott Walton said a prayer.

ITEM 5: APPROVAL OF MINUTES: May 13, 2009 and May 18, 2009

Commissioner Thacker made a motion to approve the minutes from May 13, 2009 and May 18, 2009, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #512 – Skid Steer

Commissioner Thacker made a motion to award the bid to the lowest bidder of Warren Cat for \$36,676.00 with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 7: ZONING: None presented.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action on Approval of Resolution #2009-25 proposing to open and locate a public road being thirty-three (33) feet in width for a distance of 1320 feet over and upon a portion of the section line known as NS/4210 Road between Sections 28 and 29 of Township 23 North, Range 17 East of the I.B.&M., Rogers County, Oklahoma, in District #1 and Set for Public Hearing after publication one per week for three (3) consecutive weeks at least twenty-one (21) days prior to the hearing date -

Commissioner DeLozier stated they have a private road out of this that is a danger to the citizens and they have asked me to take in the road into the county road maintenance system and I won't. The only way to do this and do it correctly is to come in from the other side, which is within a section line and would open up approximately 600 feet to get to it. Commissioner DeLozier made a motion to set a hearing date for the opening of the public road upon said section line for June 22, 2009, at 9:00 A.M. with Commissioner Thacker seconding 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 - \$59,577.21
2. 101 Unrestricted Highway - \$255,572.67
3. 141 Cellular Phone Usage – None presented.
4. 142 E-911 - \$18,469.17
5. 145 Attendant Care - \$1905.00

Commissioner DeLozier made a motion to approve Items 1, 2, 4 & 5 under cash fund estimate of needs as presented with Commissioner Thacker seconding the motion.

Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 11: TRANSFER OF FUNDS:

1. District #2 One Cent Sales Tax M&O to Lease-Purchase - \$2352.00 not \$8029.66

Chairman Helm stated that the transfer for District #2 should be for only \$2352.00, not \$8029.66. Chairman Helm made a motion to approve the transfer for \$2352.00 with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Sheriff's general fund travel to M&O - \$10,000.00

Sheriff Walton stated this transfer was needed to finish the fiscal year and recommended approval to the Board. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Emergency Management Capital Outlay to M&O - \$1000.00

Bob Anderson, Emergency Management Director, stated these are funds needed to pay operating expenses through the end of fiscal year 2008-2009 and recommended approval by the Board. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 12: UTILITY PERMITS:

1. Chelsea Gas Authority – boring county road South 4180 approximately 800 feet Southeast of Highway 66 located between Sections 23 and 24 of Township 22 North, Range 16 East of the I.B.&M., Rogers County, in District #1 – (Sequoyah Schools)

Commissioner DeLozier stated that permit was to re-locate gas lines for the new football field being built at Sequoyah Schools and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. A T & T – digging with a backhoe an 800 foot section that is defective and replacing like for like on county road S/429 north of county road East/3200 being located in Section 10, Township 24 North, Range 18 East of the I.B.&M., Rogers County, in District #1

Commissioner DeLozier stated that he had reviewed this permit and made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – May 2009

Sheriff Walton recommended approval to the Board the two (2) final pay claims that were presented to the Board in his department. Chairman Helm made a motion to approve May 2009 salary claims as presented with Commissioner Thacker seconding 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 –

District #2: P & K Equipment for \$7500.00; Jim Glover Chevrolet, \$7500.00; E911 Addressing: Froman Oil, \$400.00; Sheriff's general fund vehicle maintenance: Froman Oil Company, \$3000.00; Sheriff's jail account medical: PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$600.00; Diamond Drugs, Inc., \$6000.00; Diamond Medical Supply, \$400.00; Correctional Dental Services, \$2000.00; Sheriff's Jail vehicle maintenance: Froman Oil Company, \$500.00; Sheriff's jail Board of Prisoners: Bimbo Bakeries, \$1200.00; Farmer Bros. Coffee, \$400.00; Sysco Foods, \$2700.00; Sysco Foods, \$6700.00; Warehouse Market, \$250.00 – Commissioner DeLozier made a motion to approve the blanket purchase orders as presented with Commissioner Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Orders Exceeding Amount of Issuance – None presented.

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 – (\*\*continued from April 27, 2009, meeting\*\*)

Chairman Helm stated that Lisa Clark could not be present at the meeting today and would let the Board know when to place her item back on the Agenda -

2. Presentation by Chuck Mitchell of Tulls, Crafton and Sparks Engineering firm-

Chairman Helm stated that Chuck Mitchell could not be present at the meeting today and would let the Board know when to place his item back on the agenda –

3. Discussion with possible action to hold a CDBG Project Performance Hearing on 1850 CDBG 96 Project Activities and authorize the Chairman to sign and submit Close-out Documents for the FY 2005 CDBG Water Storage Facility Project (11850 CDBG 96) for Rural Water District #8 –

Andy Armstrong with INCOG stated that recently Rural Water District #8 had completed a CDBG Water Storage Facility Project in the amount of \$175,000 and INCOG has prepared a set of Closeout Documents for the Board to consider and recommends approval. A second public hearing should be conducted today on the recently completed project, offering the public a change to comment on the county's performance in regard to the project and the impact upon the Rural Water District #8 area of Rogers County. The public hearing notice was posted on May 18, 2009 at 3:14 P.M. by the County Clerk's Office. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Discussion with possible action on Inmate Telephone Agreement with AGM Telecom Corporation, dated and approved by the Board of County Commissioners on October 17, 2005 **and** discussion with possible action on Approval of new Inmate Telephone Agreement with City Tele-Coin – (\*\*note\*\* this item was tabled from May 18, 2009, meeting\*\*)

No discussion occurred on the old inmate telephone agreement with AGM Telecom Corporation. Sheriff Walton recommended approval of the new Inmate Telephone Agreement with City Tele-Coin. Chairman Helm made a motion to approve the new inmate telephone agreement with City Tele-Coin as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Discussion with possible action on choosing options for requirement by the State of Oklahoma Department of Labor, as well as ASME A17.1 (elevator code), that every periodic safety test be witnessed by a QEI (Qualified Elevator Inspector) registered with the State of Oklahoma, while a licensed elevator company performs the annual/five year test with KONE, Inc. – (\*\*NOTE\*\*this item was tabled from May 18, 2009, meeting\*\*)

Chairman Helm made a motion to choose Option #3 from the QEI response form as presented and Maintenance Supervisor, Arthur Mathews, contact KONE, Inc. and the state when we are ready for the inspection with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Discussion with possible action on completion of County Federal Stimulus Questionnaire from Office of the State Auditor and Inspector, Local Government and Special Services Division –

Peggy Armstrong, Rogers County Clerk, stated that she received an e-mail from Ricky Branch at the State Auditor's Office and they are requesting the county complete the county federal stimulus questionnaire as presented. Chairman Helm stated that the county has been approved to receive \$339,800 for the courthouse through the U.S. Department of Energy as part of the Energy Efficiency and Conservation Block Grant (EECBG) and the Sheriff's office has applied for \$68,000 grant through the District Attorney's Council. Chairman Helm made a motion to approve the questionnaire as completed with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Approve/disapprove Detention Services Agreement by and between ROCMND Area Youth Services, Inc., (for the purpose of detaining juveniles at the Craig County Regional Juvenile Detention Center, Vinita, Oklahoma) and the Board of County Commissioners of Rogers County, Oklahoma, for fiscal year 2009-2010 and this agreement shall be in effect until June 30, 2010-

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

8. Acknowledgement of receipt of check #0000071217 from Thomson Reuters (Tax & Accounting) Services, Inc. for Tax Partners, LLC, payment to Rogers County in the amount of \$59,411.70 – Acknowledged for public record only, no action taken.

9. Approve/disapprove Resolution #2009-26 stating that employees of the County Election Board may be exempted from Rogers County compensatory time policies to allow Election Board employees to be paid monetary compensation for overtime hours earned in elections held for entities other than Rogers County and/or the State of Oklahoma for fiscal year 2009-2010 –

Chairman Helm and Commissioner DeLozier both inquired as to how this resolution was going to fit into the county policy and procedures manual that the county is trying to adopt. Chairman Helm made a motion to table for one week (June 1, 2009) to allow the District Attorney's office to review the resolution as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

10. Approve/disapprove Resolution #2009-27 stating the Rogers County Board of County Commissioners direct the Rogers County Treasurer to reimburse the County Election Board's Personal Services General Fund Account pursuant to Title 62, Section 335 of the Oklahoma Statutes

for fiscal year 2009-2010 –

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

11. Approve/disapprove Resolution #2009-28 allowing Rogers County Election Board reimbursement of funds expended for computers, printers, scanners, hardware, software, internet service, e-mail service, installation and/or maintenance and service agreements and the State Election Board will reimburse Rogers County Election Board as expenses occur and claims are submitted for payment for fiscal year 2009-2010 –

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

12. Approve/disapprove Resolution#2009-29 to allow Rogers County Clerk, Peggy Armstrong, to continue microfilming Land Records as per Bid #404 awarded July 28, 2003, as per the bid contract until completion of the project for fiscal year 2009-2010 –

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

13. Approve/disapprove Resolution #2009-30 whereas, the Court Clerk does hereby agree to make regular deposits from the Court Fund Account and the Court Clerk Revolving Fund into the County General Fund for payroll expenses relating to the Court Fund Employees for fiscal year 2009-2010 –

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

14. Approve/disapprove Resolution #2009-31 to allow Rogers County Commissioner, Mike Helm of District #2 to continue Contract Mowing as per Bid #461, awarded June 11, 2007, as per the bid contract for fiscal year 2009-2010 –

Chairman Helm stated that this is the same thing that the County Clerk, Peggy Armstrong, did under item #12, and we have a bid contract with no increase in the bid price and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

15. Approve/disapprove Lease/Purchase Agreements for Equipment with Welch State Bank on John Deere 724k \$WD Loader, sn#DW724KX625259 for District #2 –

Sherri Mount with Welch State Bank and Chuck Trimble with Keystone Equipment were present at the meeting. Chairman Helm stated that this item had been bid earlier in the year and was awarded to Keystone Equipment through lease purchase. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

16. Presentation by Philip Schoen with GEO-Enterprises, Inc. –  
Presentation only by Philip Schoen, 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\*\*\*see attached list of all claims that were approved for payment on Tuesday, May 26, 2009\*\*\*Commissioner DeLozier 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, 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:

Commissioner DeLozier made a motion to adjourn the meeting with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting was adjourned at 11:50 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\*\*\**