

## 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: Friday, May 29, 2009, at 9:00 O'clock A.M.

### **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 Mike Helm called the meeting to order at 9:13 A.M. Chairman Mike Helm, Commissioner Kirt Thacker and Commissioner Dan DeLozier were present and 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.  
Interested parties attending the meeting were James Goodpaster, mediator; Elizabeth Nichols, attorney for Material Service Corp.; Larry Stewart and Lynn Stewart, owners of Material Service Corp.  
Commissioner DeLozier 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, DeLozier-aye. Motion carried and the Board entered Executive Session at 9:14 A.M.
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 Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered regular session at 10:44 A.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. –  
Commissioner Thacker made a motion to approve the settlement of claim of Intervenor Christopher Neal Begley as negotiated through mediation in the amount of \$150,000.00 payable within ninety (90) days from April 23, 2009, and Intervenor Christopher Neal Begley will dismiss his claim against Rogers County with prejudice. Commissioner DeLozier seconded the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. 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 at 11:15 A.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 Friday, May 22, 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.*