

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, July 27, 2009, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm called the meeting to order at 9:03 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 present and quorum was established.

ITEM 3: FLAG SALUTE:

Commissioner DeLozier led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: PRAYER:

Commissioner Thacker said a prayer.

ITEM 5: APPROVAL OF MINUTES: July 20, 2009

Commissioner DeLozier made a motion to approve the minutes from July 20, 2009, as presented with Chairman Helm seconding 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: None presented.

ITEM 9: ROADS AND BRIDGES: None presented.

ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:

1. *005 – Use Tax
2. *101 – Unrestricted Highway
3. *141 – Cellular Phone Usage
4. *142 – E-911 –
5. 145 – Attendant Care – None presented.

Chairman Helm made a motion to approve the cash fund estimate of needs as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS:

1. Chelsea Gas Authority – bring county road East 400 approximately 3/10 of mile East of county road South 4190 lying between Sections 30 & 31 of Township 23 North, Range 17 East of the I.B.&M., Rogers County -

Commissioner DeLozier commented this was a boring only and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – July 2009
2. Attendant Care – None presented.
3. Alternatives to Detention/Transportation Claim to State of Oklahoma, Office of Juvenile Affairs for June 2009 in the amount of \$1631.85

Commissioner DeLozier made a motion to approve the salary claims for July 2009, as presented and the detention transportation claim as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –
District #1: Everett Terry, \$200.00; Sheriff's general fund vehicle

maintenance: First Vehicle Services, Inc., \$1000.00; District #3 Warehouse, \$2000.00; District #2 Warehouse, \$2000.00; District #1 Warehouse, \$2000.00; and Froman Oil Company, \$500.00 – Chairman Helm made a motion to approve the blanket purchase orders as presented with Commissioner Thacker 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 approval of and signing of Agreement between Rogers County, Oklahoma, and BKL, Inc., for architectural services on Rogers County Feasibility Study for a new courthouse, existing courthouse renovations, a 911/Emergency Management Facility and potential expansion of the county jail –

Kim Reeve and Billy Knowles with BKL, Inc., were present at the meeting and Mr. Knowles went over attachment A, B & D as attached to the agreement. Commissioner Thacker made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Presentation introducing University of Phoenix Adult Education Programs by J.R. Clontg –

Chairman Helm stated that Mr. Clontg could not be present at the meeting today and had requested for this item to be tabled until August 17th. Commissioner DeLozier made a motion to table this item until August 17, 2009, with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Discussion with possible action on Approval of flood insurance coverage on the Rogers County Courthouse and contents with Fidelity National Property and Casualty through Burrows Agency, Inc., agent, in the amount of \$2312.00 –

Commissioner DeLozier stated that he has visited with Dave Burrows at the Burrows Agency for flood insurance on the courthouse and the coverage would be \$500,000 on the building and \$50,000 on the contents in the basement for an additional sum of \$2312.00. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Discussion with possible action on Resolution #2008-03 of the City of Claremore, regarding the detachment of certain property from the corporate limits of the City of Claremore: “Cambridge Estates, a subdivision being a part of the NE/4 of the SE/4 of Section 11, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, according to the recorded plat thereof” in District #2 –

Chairman Helm stated that the City of Claremore had given the Board notice when they annexed in the property, but there was no public record of when the City of Claremore detached Cambridge Estates, therefore, the county did not know they were to take care of the roads and Northwest Fire Protection District was not aware the subdivision was back in their jurisdiction. Chairman Helm continued this item was placed on the agenda to make it a matter of public record for everyone to know. Commissioner DeLozier inquired if the 911 addresses needed to be changed? Bob Anderson, Emergency Management Director, replied no, the office has been working on it for the past couple of months with Northwest Fire Protection District. 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 approval of appointment of Richard F. Tesson to fill the resigned seat of Bobby Sweet with the Oologah-Talala Emergency Medical Services Board of Directors, to serve a 4-year term ending on May 2013 –

A representative from OTEMS was not present at the meeting. Chairman Helm read the letter that had been submitted by Jack Griggs, Board Chairman for OTEMS; and made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Approve/disapprove juvenile services contract by and between Eastern Oklahoma Youth Services, Inc, for services at Pittsburgh County Regional Detention Center and the Board of County Commissioners of Rogers County, with the term of the contract for fiscal year ending June 30, 2010 –

see Item #7 for Board action

7. Approve/disapprove juvenile services contract by and between Eastern Oklahoma Youth Services, Inc., for services at Woodward County Regional Detention Center and the Board of County Commissioners of Rogers County, with the term of the contract for fiscal year ending June 30, 2010 –

Chairman Helm made a motion to approve Items 6 & 7 under agenda items as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Approve/disapprove Customer Service Maintenance Agreements on behalf of Rogers County Emergency Management with Landmark Business Systems on Gestetner GDSC525SPF Color Copier, sn#L3665901655 and Ricoh Aficio 350 Copier, sn#2B18840453; with term of agreements for fiscal year ending June 30, 2010 –

Bob Anderson, Emergency Management Director, reported these were

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

9. Approve/disapprove Maintenance/Service Agreements for copiers on behalf of Rogers County Clerk's Office on Canon IR32451, sn#DHK04045 and Toshiba E-550, sn#TL322166; County Treasurer on Canon IR4570, sn#SKU27666; Planning Commission on Toshiba 4560, sn#XH815826 and Toshiba E-25, sn#CFE213952; County Assessor; OSU Extension on Canon IR32451, sn#DHK04122; Commissioner's Office on Canon IRC2550, sn#DCA06407; District #3 Warehouse on Canon IRC2550; District #1 Warehouse on Canon IRC2550 and District #2 Warehouse on Canon IRC2550 with Owasso Copier Services with term of agreements for fiscal year ending 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.

10. Approve/disapprove Maintenance/Service Agreement on behalf of Rogers County Clerk's Office on DM400C Digital Meter Mail System with IntelliLink Interface/PSD for DM300C/DM400C/DM450C' Account software; 5 lb. integrated weighing; integrated weighing platform and IntelliLink subscription with Pitney Bowes –

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

11. Approve/disapprove Amendment No. 1 to Agreement for Enhanced Emergency Number Service (E-911) (features and associated equipment) by and between Board of County Commissioners of Rogers County and Oklahoma Communication Systems, Inc. –

Peggy Armstrong, Rogers County Clerk, read the e-mail from Mary Doherty with TDS Telecom "it is TDS' intent to eliminate the need for annual contract correspondence between us and the county, unless there is a special circumstance that would warrant the need for a new contract to be executed and if such an instance should occur, both TDS and/or the county have the option of notifying the other part of that circumstance and any need for a new contract and that notification would need to be done at least 30 days prior to end of the current fiscal year". Armstrong continued that Assistant District Attorney, Barry Farbro, had no problem in approving the revised language in Section 12 of the agreement.

Chairman Helm gave a history update and stated this thing set out here for a number of years when Gerry (Payne) was Commissioner, he received a letter, which was sent to the D.A. 's office and Barry (Farbro) sent it back to him asking what do you want me to do about it. This was at the same time the county was going through the new cell phone fees and Gerry and Mary (Doherty) talked and it was still not understood what was going on. Gerry (Payne) asked me to look into it. Chairman Helm continued the problem was they were wanting to charge 3% for the cell phone fees and in talking with Darita Huckabee with INCOG, she informed us the going rate was 2.5% and we said we would leave it at 2.5% at that time. And we told her at that time she would have to bring it back annually, because it had set out there for so long and no one knew anything about it and it was totally misplaced.

Chairman Helm commented that this was the reason he was not in favor for the amendment. Chairman Helm made a motion not to approve the amendment and have TDS Telecom come back before the Board every year with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

12. Approve/disapprove Resolution #2009-59 and Reimbursement form directing Rogers County Treasurer to deposit funds from Assessor's Office on warrant #003372 for \$107.08 for fuel reimbursement to District #1 into the one-cent sales tax fund for distribution –

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

13. Approve/disapprove Resolution #2009-60 and Reimbursement form directing Rogers County Treasurer to deposit funds from Acme Brick Company on check #01000572 for \$3000 for county road repair in District #2 into the one-cent sales tax fund for distribution –

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

14. Acknowledgement for public record receipt of check #208-125745 from CMC Recycling in the amount of \$405.89 for sheet iron for District #3 – Acknowledged for public record only, no action taken.

15. Acknowledgement for public record receipt of check #00119063 from United States Treasury, U. S. District Court, Northern District of Oklahoma, for restitution payment of Randy Baldrige 06CR141 in the amount of \$560.00 – Acknowledged for public record only, no action taken.

16. Acknowledgement for public record receipt of check #27611 from Association of County Commissioners of Oklahoma for \$11,000 for District #2 for trash dump roll-offs – Acknowledged for public record only, no action taken.

17. Acknowledgement for public record receipt of check #27600 from Association of County Commissioners of Oklahoma for \$6,555 for District #3 for trash dump roll-offs – Acknowledged for public record only, no action taken.

18. Acknowledgement for public record receipt of cashier's check #591242 from RCB Bank for \$1060.82 for restitution fees at District #1 Snider Cemetery - Acknowledged for public record only, 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 Monday, July 27, 2009***Commissioner Thacker made a motion to approve payment of all purchase orders from all departments as presented with Commissioner DeLozier 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 for the Board to take action on.

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 10:48 A.M.

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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.