

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, August 24, 2009, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm called the meeting to order at 9:04 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 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: August 14, 2009 and August 17, 2009

Commissioner Thacker made a motion to approve the minutes from August 14, 2009 and August 17, 2009, as presented with Commissioner DeLozier 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:

1. Discussion with possible action on Approval of Resolution #2009-62, whereas, HB1176 (CIRB) requires counties to set county priorities for projects, and these projects are currently funded by HB1176:

2011	JP 25479	BR#102 and 106 – Realign Keetonville Road in District #2
2012	JP 25480	BR#107 and 108 Corridor in District #3

Therefore, be it resolved that the Board of County Commissioners of Rogers County, Oklahoma, does declare the following priority project for the HB1176 2014 program year - ***NOTE***this item was tabled from August 17, 2009, meeting***

Commissioner DeLozier stated he has been talking with Guy Engineering about identifying a project for District #1 and a resolution is not ready for today. Commissioner DeLozier made a motion to table for another week (August 31st) with Chairman Helm seconding the motion.

A citizen from the Keetonville area inquired about the Keetonville realignment as stated on the agenda and what did that mean? Chairman Helm replied this is a realignment project at Honey Creek, of the two (2) bridges, it has nothing to do with the piece that fell off, which falls under FEMA not HB1176 (CIRB).

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

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

None presented.

ITEM 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS: None presented.

ITEM 13: CLAIMS:

1. Salaries – August 2009

Chairman Helm inquired if there was any salary claims for person(s) terminated, quitting, retiring, etc.? Marilyn Gibson, 1st Deputy County Clerk, reported that Sheilda Conley with the Election Board is retiring effective August 31, 2009, and is requesting her compensatory and remaining vacation time from the Rogers County Election Board be paid in addition to her monthly check at the end of the month; Terri Thomas, Election Board Secretary,

will be retiring from her position effective August 31, 2009; Marlaina Moody with Rogers County Sheriff's jail is no longer an employee effective August 21, 2009, and was paid for vacation and comp time owed her (see letter); District #1 employees Willie Evans and Eric Morrison are no longer employed at District #1 – Commissioner Thacker made a motion to approve the salary claims for August 2009, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Attendant Care – None presented.

3. Tort Claim – Marion Gooding – an amount in excess of Ten Thousand Dollars (\$125,000.00) plus the arrest record of Mr. Gooding cleared -

Assistant District Attorney, Barry Farbro, recommended the Board take no action on this tort claim. No action taken.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –

District #3: R & S Auto Parts, Claremore, \$750.00; and Sheriff's general fund vehicle maintenance: Froman Oil Company, \$200.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Orders Exceeding Amount of Issuance –

Purchase order #145 issued to Boxcer Equipment originally for \$5000 for District #2 is over by \$381.26 and purchase order #986 issued to St. Francis Lab originally for \$600 for Sheriff is over by \$552.25 (see letter of explanation) – Chairman Helm commented that the purchase order for District #2 went over the blanket amount, because when it comes to repairs you never know how much it is going to cost until the piece of equipment is tore down and inspected. Commissioner Thacker made a motion to approve payment of the two (2) purchase orders as listed in excess of issuance with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action on Approval of 2009 Employee Personnel Policy Handbook for Rogers County and pursuant to Oklahoma Statutes Title 19, Section 339, Rogers County, by a majority vote of the elected officials, does hereby adopt the "Employee Personnel Policy Handbook" Rogers County by signing of Resolution #2009-64 –

Assistant District Attorney, Barry Farbro, stated the most recent updated form of the handbook was provided to the county officers over a month ago; comments were received from County Assessor, Melissa Anderson, and Farbro has not had time to address her comments. Farbro commented that he did not receive any further comments from other officers. Mayes County has already adopted this policy and it is in place now. Farbro reminded the proposed handbook is based on the ACCO form drafted by Crowe & Dunlevy, which is one of the oldest and largest law firms in the Sate of Oklahoma with offices in Tulsa, Oklahoma City and Norman. The firm has an excellent regional reputation and employs several attorney's who concentrate solely on employment law issues and related litigation.

Farbro and Anderson met and addressed her comments. Farbro commented Anderson had some very good points, on overtime the policy indicates comp time will be scheduled at the discretion of the elected official, but there is nothing about overtime, and all overtime should be approved by the elected official. We discourage overtime, only as needed. The other item had to do with casual day at the courthouse, most of the county offices employees wear jeans and that would be at the discretion of the officer. With these two (2) minor changes, Farbro recommended approval of the policy handbook by a majority vote of the elected officials and having the policy printed and bound by a print shop and attach any policies already adopted by the Board of which are not a part of this policy, such as the Political Activity Policy and the Smoke Free Policy.

Chairman Helm made a motion to approve the handbook policy with the recommendation of the District Attorney's office with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carierd.

2. Discussion with possible action on Bid on County Property submitted by Bob Jackson, 442653 East 367 Road, Big Cabin, Ok 74332, on county property described as "*a strip of land 100 feet wide across the E/2 of the NW/4 of Section 30, Township 23 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma*" - ***NOTE***this item was tabled from August 17, 2009, meeting***

Chairman Helm commented last week it was thought this property was located in District #1 and it has been discovered the property is located in District #2. Chairman Helm made a motion to table for another week (August 31st) to allow him time to review the property with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Discussion with possible action on Approval of Resolution #2009-65, authorizing Application for Financial Assistance from the Rural Economic Action Plan Fund through Grand Gateway on behalf of the Justus-Tiawah Public School –

Commissioner Thacker 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 Approval of Resolution #2009-66 of the Rogers County Board of County Commissioners establishing the Nine-One-One Voice Over Internet Protocol (V O I P) Emergency Service Fee at the rate of fifty-cents (\$.50) per month for each (V O I P) service user, pursuant to Title 63 O.S. (2006), Section 2851 et.seq.

Commissioner DeLozier reported that this resolution is the same as the City of Claremore passed to collect the fifty-cent fees from the voice over internet protocol, because land lines are becoming obsolete and voice over internet is being used more and more just like the cell phone usage to fund 911. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Discussion with possible action on Court Clerk's Revolving Fund and what it can be expended for –

Candi Czapansky, Court Clerk, reported that she had received a request as to what the Court Fund Revolving Fund could be expended for. Czapansky responded Title 19 O.S. § 220 directs that the fund "shall be expended by the Court Clerk for the lawful operation of the Court Clerk's Office" and it also has to be approved by the presiding judge, who is Judge Steidley at this time. Chairman Helm inquired if the money could be used to pay the four (4) court fund employees and Czapansky replied, yes, that she was already doing it. Chairman Helm inquired if the funds could be used to remodel judges chambers or offices and Czapansky replied, I don't think so. Chairman Helm inquired can the money be used in helping to fund the building of the courthouse? Czapansky replied, not that I'm aware of, I would have to check into it. Czapansky continued with paying four (4) employees out of it, the funds will not go very far. Discussion only, no action taken.

6. Acknowledgement for public record receipt of check #208-126101 from CMC Recycling for District #3 in the amount of \$40.40 and **\$116.81** – Acknowledged for public record only, no action taken.

7. Acknowledgement for public record receipt of check #1299 from Grand Gateway Economic Development Assoc. E-911 services fees for June 2009 in the amount of \$22,573.19 – Acknowledged for public record only, no action taken.

8. Acknowledgement for public record receipt of check #027721 from Association of County Commissioners of Oklahoma for illegal dump roll offs in District #1 in the amount of \$1400.00 – Acknowledged for public record only, no action taken.

9. Acknowledgement for public record receipt of check #01006797 from Acme Brick Company in the amount of \$7,680.00 in District #2 – Acknowledged for public record only, no action taken.

10. Approve/disapprove Resolution #2009-67 and Reimbursement form directing County Treasurer to deposit funds from Rogers County Sheriff's Office fuel reimbursement into the one-cent sales tax fund for distribution for District #3 in the amount of \$2766.26 and \$1982.27 –

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

11. Approve/disapprove Resolution #2009-68 and Reimbursement form directing County Treasurer to deposit funds from Rogers County Sheriff's Office fuel reimbursement into the one-cent sales tax fund for distribution in District #1 in the amount of \$1977.79 and \$1175.85 –

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 #2009-69 and Reimbursement form directing County Treasurer to deposit funds from Acme Brick into the one-cent sales tax fund for distribution in District #2 in the amount of \$7680.00 –

Chairman Helm 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 #2009-70 and Reimbursement form directing County Treasurer to deposit funds from Assessor Visual Inspection for fuel reimbursement into the one-cent sales tax fund for distribution in District #2 in the amount of \$255.87 and \$113.73 –

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

Chairman Helm made a motion to recess the meeting for five (5) minutes with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting recessed at 9:45 A.M.

Chairman Helm called the recessed meeting back to order at 9:52 A.M. with Commissioner Thacker and Commissioner DeLozier present and quorum established.

Discussion continued on Agenda Item #1 –

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, August 24, 2009***
Chairman Helm made a motion to approve payment of all purchase orders from all departments as presented with Commissioner Thacker 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 –

1.) An agreement for Enhanced Emergency Number (E-911) Service for Cox Oklahoma Telecom, LLC, dba Cox Communications was emailed to the County Clerk's Office and a copy taken to Assistant District Attorney, Barry Farbro, for review before the Board considers it and a copy was given to each Commissioner for review. Chairman Helm commented that whenever the agreement is ready to be placed on the Agenda for consideration by the Board, to have County Clerk, Peggy Armstrong, contact Leon Pfeifer, Director of Government Affairs with Cox Communications be present at the meeting for discussion and questions.

2.) Next week the Employee Personnel Policy Handbook to be put on the agenda as to where to pay for the printing of and discussion about where to have them printed.

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 meeting was adjourned at 10:48 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, August 20, 2009, at 2:57 P.M. 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.