

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 31, 2009, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm called the meeting to order at 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 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 24, 2009

Commissioner Thacker made a motion to approve the minutes from August 24, 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:

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 :

EW580 – Pine Street – 4 Lane – 145th East Avenue East to River or
Bridge #63 on EW410 Road in District #1

NOTEthis item was tabled from August 17, 2009, meeting and August 24, 2009, meeting***

Chairman Helm made a motion to approve and Commissioner DeLozier inquired as to which project and Chairman Helm replied both. Commissioner Thacker seconded the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Discussion with possible action on Approval/Disapproval of Right-of-Way, Public Utility and Encroachment Agreement and Resolution #2009-71 entered into by and between The Department of Transportation, State of Oklahoma, and the Board of County Commissioners of Rogers County, Oklahoma, whereas, the county proposes construction of county bridge over Elm Creek according to plans designated as STP-166C(210)CO Job No. 25427 (04) Const., (03) Util., (02) R/W which plans are by reference made a part of this agreement in District #2 –

Chairman Helm explained this is an understanding between Oklahoma Department of Transportation and the county on us using Cinnabar Service Company for right-of-way and Guy Engineering Services, Inc., will provide the utility easements and this is notification to the public. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Discussion with possible action on Approval/Disapproval of ODOT Claim Form 324a requesting payment for Geotechnical services performed on the subject project from May 31, 2009, to August 8, 2009, of Bridge #79 over Dog Creek being Project #BRF-166C(219)CO; State Job #25744(05) which the claim is against the county's CBRI funds in the amount of \$6355.00 in District #1 –

Commissioner DeLozier stated this is some of the engineering on Bridge #79 over Dog Creek on Akin Road. Commissioner DeLozier made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Acknowledgment for public record whereas, Oklahoma Department of Transportation, Local Government Division acknowledges receipt and acceptance of your resolution requesting programming of federal-aid funds for construction of Project No. STP-166C(244)CO; State Job #26988(04); description: drain, grad, surface, North 193rd Street beginning at SH-266 and extending North approximately 2.2 miles to East 76th Street North in District #2 – Please be advised that this acceptance does not obligate state or federal funds and actual obligation of funds is contingent upon compliance with federal requirements; including Title VI of the Civil Rights Act of 1964; Approval of design plans; Completion of right-of-way acquisition; Relocation of utilities; Deposit of local matching funds and Availability of federal funds -

Chairman Helm explained this project is an STP grant that has been applied for that has been awarded and is simply under Title 6 the notification of what it contains. Acknowledged for public record only, no action taken.

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

1. 005 Use Tax – \$54,995.28
2. 101 Unrestricted Highway - \$311,941.93
3. 141 Cellular Phone Usage - \$22,573.19
4. 142 E-911 - \$20,195.01
5. 145 Attendant Care - \$525.00

Commissioner DeLozier made a motion to approve the cash fund estimate of needs as presented with Chairman Helm 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. A T & T – trenching at the NW/corner of the intersection of South Keetonville Road and county road East 505, located in the SW/4 of Section 21, Township 21 North, Range 15 East of the I.B.&M., Rogers County, to place copper cable beginning at the intersection and ending approximately 55 feet North of the intersection at location of new interface cabinet and cable parallels the West side of South Keetonville Road in District #2 -

Chairman Helm explained this permit was in compliance with the agreement the Board had reached earlier in the year with A T & T and legal counsel. Chairman Helm 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 – None presented.
2. Attendant Care – None presented.
3. Alternatives to Detention/Transportation Claim to State of Oklahoma, Office of Juvenile Affairs for July 2009 in the amount of \$2997.05 –

Commissioner DeLozier made a motion to approve 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 –

Assessor: Rogers County District #3, fuel \$400.00; Emergency Management: Froman Oil, \$400.00; Sheriff's jail medical: Diamond Drugs, Inc., \$6000.00; Diamond Medical Supply, \$500.00; Correctional Dental Services, \$2000.00; Medical Compliance Specialty, Inc., \$400.00; PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$1200.00; Sheriff's general fund vehicle maintenance: District #3 Warehouse, \$3000.00; District #2 Warehouse, \$2000.00; District #1 Warehouse, \$3000.00; Sheriff's jail Board of Prisoners: Farmer Bros. Coffee, \$200.00; Bimbo Bakeries, \$1350.00; Sheriff's general fund vehicle maintenance: Froman Oil Company, \$1000.00 Warehouse Market, \$300.00; Sysco Foods, \$7100.00; Sysco Foods, \$3200.00 – Commissioner DeLozier made a motion to approve the blanket purchase orders as presented with Chairman 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 with Bill Turner with Turner & Associates, PLC, on 2009-2010 county budget and approval of –

Bill Turner explained that copies of the county 2009-2010 Estimate of Needs and Financial Statement of the fiscal year 2008-2009 were delivered Friday, August 28th, to the County Clerk's Office. Peggy Armstrong, Rogers County Clerk, stated copies were distributed to the various offices. Chairman Helm inquired what happened to all the changes, what did we end up with? Mr. Turner replied numbers were moved around, the bottom line is \$17,478,068.58, which

includes general government and one-cent with total budget for one-cent being \$8,767,479.04 at 90% including carry-over money, which is up approximately \$500,000 from last year. Mr. Turner continued the changes were made accordingly to the last meeting we had with the officers and did what they wanted to do with the carry-over money and the rest was put in general fund. Total amount in general fund is \$3,317,232.88 which is up approximately \$500,000 also. Chairman Helm inquired if there was any questions from the officers present at the meeting and no one responded. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Discussion with possible action on Approval of Publication Sheet, Rogers County, Oklahoma, Financial Statement of the various funds for the fiscal year June 30, 2009, and Estimate of Needs for fiscal year ending June 30, 2010, of the Governing Board of Rogers County, Oklahoma –

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

3. Presentation on the benefits of employee child care by Dee Ann Brown, Rogers County Coordinator, Sooner SUCCESS –

Dee Ann Brown, 9957 East Shadowlake Drive, Claremore, Ok 74017 with Child Care Resource Center and Rogers County Sooner SUCCESS coordinator, who assist families with children with special needs. Brown is the Rogers County Coalition secretary, and an employee of Child Care Resource Center. One of our needs assessment for Rogers County through the coalition has been quality child care for all employees and working individuals of Rogers County, so they can successfully carry out their employment.

Brown introduced the manger of the Child Care Resource Center, Melinda Belcher, M. Ed., who explained the benefits of having quality child care for all employees, but for county employees as well. The mission of the Child Care Resource Center is to promote quality, affordable child care in Tulsa, Creek, Rogers County Wagoner counties through information sharing, advocacy, training, service development and education. Rogers County has become our 2nd largest call volume in parents needing help in finding child care. Families have a struggle in finding child care and can loose up to five (5) to twenty-nine (29) days of work each year with child care issues. Belcher proposed Rogers County looking at doing a “needs assessment” for your employees. Three (3) things the county can look at is 1.) an on-sight child care center; 2.) off-sight child care center for county employees and 3.) contract with other child care centers or homes to hold spots for county employees, which would help in search for child care and we could also work with those centers and homes to improve the quality of the child care that they serve the children and families with. Belcher recommended the county do a survey for “needs assessment”.

Commissioner Thacker stated he was for the county doing a “needs assessment”. Chairman Helm recommended Belcher and Brown coordinate this survey through the County Clerk's Office and contact Peggy Armstrong, Rogers County Clerk.

4. Discussion with possible action on request for a replacement to the Rogers County Public Health Authorities Trust due to the death of Dave Story –

Renee Wantland, Administrative Programs Officers with the Rogers County Health Department was present at the meeting on behalf of Rogers County Public Health Facilities Authorities Trust. Commissioner Thacker stated it has been brought to his attention that a replacement is needed on the Rogers County Public Health Facilities Authorities Trust Board, so they can finish the trust out which will be paid off in seven (7) months, so they will need another member appointed to the Board to finish out the business, which is a three (3) person Board. Commissioner Thacker made a motion to appoint Herb McSpadden to the Rogers County Public Health Facilities Authorities Trust Board with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Open & Award Bid #515 – Concrete

9 bid packets were mailed with 0 being returned undeliverable and 4 responses received as follows: A & M Concrete, Inc., Catoosa, Oklahoma; Rainbow Concrete Company in Tulsa, Oklahoma; Greenhill Concrete Company in Catoosa, Oklahoma; and Mid-Continent Concrete from Tulsa, Oklahoma. ***note***see complete bids for prices***

Commissioner Thacker made a motion to approve all bids as presented based upon availability with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Discussion with possible action on Report of Radon Test Results by AccuStar Labs Dealer – Environmental Hazard Control, Inc. –

The e-mail from Robert Dean Swain of Environmental Hazard Control, Inc., read as follows: The Radon test canister showed levels of radon below the EPA standard of 4.0 picoCuries per Liter, which was 1.8 in the mechanical room of the basement. As for asbestos you do not have any major issues when it comes to asbestos. There are no Regulated asbestos containing materials that we detected. Cathy Baker, County Treasurer, inquired of mold. Commissioner Thacker replied this report does not cover mold. Chairman Helm made a motion to approve the report as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. 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 and August 24, 2009, meeting***

Chairman Helm reviewed the land and based upon it's location made a motion to deny the bid and keep the land in Rogers County's name for county use by the District #2 warehouse with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Approve/disapprove Resolution #2009-61 Authorizing Applications for Financial Assistance from the Rural Economic Action Plan Fund through Grand Gateway for expansion of sidewalks/awnings for Chelsea Public Schools - ***NOTE***this item was tabled from August 10, 2009, meeting and August 17, 2009, meeting***

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

9. Approve/disapprove Resolution #2009-72 Authorizing Applications for Financial Assistance from the Rural Economic Action Plan Fund through Grand Gateway for installing security cameras inside school buildings project for Foyil Public Schools –

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

10. Discussion with possible action on payment of annual membership dues in the amount of \$3600.00 to Grand Gateway Economic Development Association for 2009-2010 –

Chairman Helm stated since Grand Gateway takes care of E-911 wireless telephone fee for Rogers County, made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

11. Acknowledgement for public record "Notice of No Coverage" on flood insurance coverage from Fidelity National Property and Casualty Insurance Company with agent Burrows and Burrows Agency, Inc. –

Chairman Helm stated that Dave Burrows, our insurance agent discovered it would not be beneficial for Rogers County to pay for flood insurance, therefore Rogers County did not pay the claim for flood insurance coverage canceling the flood insurance. Commissioner Thacker stated, rather than relying on FEMA, we need to build some retaining walls and do what Rogers County can do to help solve this problem and keep the drainage cleaned out. Acknowledged for public record only, no action taken.

12. Discussion with possible action on Removal of David Trude as Receiving Agent for District #3 and Appointing Debbie Burns as Receiving Agent for District #3 –

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

13. Discussion with possible action on County Treasurer's Transcript of Proceedings on sale of county property acquired at Re-sale for Approval of the Board of County Commissioners and Discussion with possible action on Approval of County Deed (Property Acquired at Re-Sale) on the South 50.8 feet of the North 101 feet of Lots 10 & 11 Block 143 Claremore OT, being in Section 16, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, to Habitat for Humanity Claremore, Inc. –

Cathy Baker, Rogers County Treasurer, stated the bid was put in for \$500 and we sold it at public auction for \$2002 and Habitat for Humanity is going to build a home for a family and Baker asked the Board for approval. Commissioner Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

14. Discussion with possible action on Staffing Agreement with Express Employment Professionals for the County Commissioner's Office –

Chairman Helm stated the County Commissioner's office needed to be staffed at all times and this agreement was for a part-time person from Express Employment Professionals. Commissioner Thacker made a motion to approve with Chairman Helm seconding the motion. Roll Call: 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 -

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 31, 2009***Commissioner Thacker 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 –

Chairman Helm reported he would be requesting the County Clerk's Office to put out a notice for publication for applications for a new Commissioner's secretary and the applications would be taken for two (2) weeks.

Chairman Helm praised Bill Turner for his outstanding work on the 2009-2010 county budget and thanked him.

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 and meeting was adjourned at 10:31 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 27, 2009, at 1:39 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.