

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, September 14, 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: September 8, 2009, and September 1, 2009

Commissioner DeLozier made a motion to approve the minutes from September 1, 2009, and September 8, 2009, as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #516 – 2005 or Newer Gradall for District #2 to purchase and or Lease/Purchase - ***NOTE***this item was tabled from award of bid on the September 8, 2009, meeting***

Benny King, District #2 assistant road foreman, stated he and shop foreman, Brian Hickok, reviewed the bids and recommended that all bids submitted be rejected and the county re-bid at a later date a different type of machine, due to some of the safety concerns. Chairman Helm made a motion to reject all bids submitted on Bid #516 2005 or newer gradall and re-bid at a later date with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

NOTEBid #522 is bid number for re-bid of gradall to be opened October 5, 2009***

ITEM 7: ZONING: None presented.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action on where the City of Claremore is soliciting comments/input on proposed improvements to railroad crossings located at two sites in Rogers County, Oklahoma, the southern portion of the project begins 0.57 miles north of East Blue Starr Drive and extends south to 0.15 miles north of county road 510 (Flint Road/King Road) and the northern portion of the projects extends from 500 feet south of the railway crossing at South 4160 Road north to Northeast Akin Road - ***NOTE***this item was tabled from September 8, 2009, meeting***

Claremore Police Chief Mickey Perry stated the City of Claremore wanted the county's input, comments and possible support on the railroad project as per Troy Powell, City Manager. Commissioner DeLozier stated he would review the document. Commissioner Thacker stated he could not comment on the item until he knows more about what they are trying to do. Commissioner Thacker made a motion to table until a representative from the City of Claremore attends the meeting to explain the project with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

NOTECity Clerk, Nan Pope, sent an e-mail on Tuesday, September 15, 2009, stating the City of Claremore did not want this item back on the county agenda**

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 – a. Kevin Roberts - \$145.00 – Election Board
b. Chris Heath - \$480.00 – District #1

Commissioner DeLozier made a motion to approve the 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.
3. Tort Claim – Cox Communications, Inc. - \$1222.77 dump truck left bed up and hit lines at 20612 South 4120 Road, Claremore, Ok – No action taken

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions – Sheriff's Civil Fee Account M&O: District #3 Warehouse, \$3000.00; Speedy Lube, \$500.00; District #3: R & S Auto Parts, \$750.00 – 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 – Purchase orders #748 and #161 exceeded the amount of issuance (see purchase orders) Commissioner Thacker made a motion to approve as presented 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 Report and Recommendations to the Board of County Commissioner's from Rogers County Courthouse, County-Wide 911 and Jail Committee – Bill Higgins, committee chairperson, presented a copy of the report and recommendations to the Board of County Commissioners regarding the Courthouse and 911 Center. Higgins continued that the committee exercised extreme due diligence. One thing the committee has asked me to request if the Board agrees today to submit this item to the voters, allow the committee to remain in place and do some further consultation with the architects and with the Board regarding the facilities.

Higgins continued that the committee is of the opinion that both projects of the 911 Center and the courthouse both will not only enhance the safety of Rogers County citizens, which is a primary force, but also provide a functioning courthouse that is very much needed. The committee is recommending the Board to pass a resolution to extend the 1/6 cent tax, which would not result in an increase, and it is anticipated to generate about \$1.1 million dollars per year. The architects and financial personnel that we have discussed this with have indicated it will probably take \$1.5 million per year to fund the project that they envision, building between 90,000 and 100,000 square feet. It is believed the two projects will total approximately \$20,000,000.00. Other sources of funding recommended by the committee is remaining funds be pledged through a combination of general government funds as well as funds from the Rogers County Industrial Development Authority (RCIDA) as well as grants. Higgins stated the committee respectfully requests the Board consider adopting the report and recommendations as presented.

Commissioner Thacker stated the committee worked really hard and agreed with the recommendation that the committee remain in place and also recommends adopting the report and recommendations of the committee. Commissioner DeLozier and Chairman Helm thanked everyone for their hard work, it has been very much appreciated.

Commissioner Thacker made a motion to approve the report and recommendations of the committee as submitted with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Discussion with possible action on consideration and approval of Resolution #2009-78 authorizing and directing the calling and holding of a special election in Rogers County, Oklahoma, for the purpose of submitting to the registered, qualified voters of said county the question of levying and collecting a one-sixth of one percent (.167%) sales tax to provide funds for the purpose of erecting, furnishing, equipping, renovating, operating and maintaining county buildings and facilities and acquiring sites therefore, and/or to be applied or pledged toward the payment of principal and interest on any indebtedness, including refunding indebtedness, incurred by or on behalf of Rogers County for such purpose; providing ballot title; providing for notice to Rogers County Election Board; polling places and conduct of such election; and providing for commencement and duration of such sales tax –

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

3. Acknowledgement of change in investment services provider from PrimeVest Financial Services to Raymond James Financial Services through RCB Financial Services, Mary Wood, representative – Acknowledged for public record only, no action taken.

4. Open & Award Bid #517 – Guardrails for District #1
13 packets were mailed with 1 being returned undeliverable and 3 responses received as follows: Collins & Hermann, Inc. from St. Louis, Missouri; Midstate Traffic Control, Inc., from Oklahoma City, Oklahoma; and Time Stripping, Inc., from Van Buren, Arkansas. Commissioner DeLozier made a motion to table awarding of this bid for one week (Sept. 21) to allow time to review the bids with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Open & Award Bid #518 – Fencing for District #1

22 bid packets were mailed with 3 being returned undeliverable and 7 responses received as follows: "No Bid" Williams Fence Company; Owasso Fence Co, LLC; Action Fence Co., Inc., Aaron Fence Company; Collins & Hermann, Inc., from St. Louis, Missouri; Just Fence It, LLC, in Pryor, Oklahoma; Allied Fence Company (no affidavit and seal) Commissioner DeLozier made a motion to table awarding of this bid for one week (Sept. 21) to allow time to review the bids with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Open & Award Bid #519 – Telephone System for Rogers County Health Dept.

12 bid packets were mailed with 2 being returned undeliverable and 4 responses received as follows: Green Country Communications, Coweta, Oklahoma; Choice

Technology, Joplin, Missouri; Key Communications, Tulsa, Oklahoma and Central Telecommunications, Inc., from Oklahoma City. Commissioner Thacker made a motion to table awarding of this bid for one week (Sept. 21) to allow the Health Department time to review the bids with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Discussion with possible action on Annual Report on Occupational Tax to ABLE Commission for the period July 1, 2008 through June 30, 2009 –

Chairman Helm made a motion to table this item so the District Attorney, Gene Haynes, could review and explain to the Board exactly what this report entailed with and the item would be placed back on the agenda at Haynes' discretion with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Discussion with possible action on Approval of Resolutions for Disposing of Equipment for District #3 to be sold by sealed by as follows: Troy Bilt 5000 Watt Pull-Start Portable Generators: sn#1015025584; 1014952938; 1015025581; 1014952926; 1015025438 – All new still in boxes –

Commissioner Thacker explained that these are generators that District #3 bought during the ice storm of 2007 and some have already been donated to fire departments. We want to take sealed bids on these. They are brand new and they are still in the box and FEMA has already paid for these. Commissioner Thacker made a motion to approve the resolutions for disposing of equipment as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

9. Discussion with possible action on Approval of Resolution #2009-76 directing County Treasurer, Cathy Pinkerton-Baker, to deposit funds from reimbursement of fuel from Rogers County Sheriff, Scott Walton and Rogers County Assessor, Melissa Anderson, into the one-cent sales tax fund for distribution into the maintenance and operations account, for each district as expended –

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

10. Discussion with possible action on Approval of Reimbursement form to general fund account per Resolution #2009-76 into one-cent sales tax fund for District #1 for distribution in the amount of \$2448.03 –

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

11. Discussion with possible action on Approval of Reimbursement form to general fund account per Resolution #2009-76 into the one-cent sales tax fund for District #3 for distribution in the amount of \$409.65 –

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

12. Discussion with possible action on Approval of Resolution #2009-77 and Reimbursement form directing County Treasurer to deposit funds from Court Fund Revolving into Court Clerk salary account in the amount of \$10,586.00 –

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

13. Discussion with possible action on Approval of Reimbursement form to general fund account per Resolution #2009-28 into Election Board maintenance and operations in the amount of \$247.27 –

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 for five minutes with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting recessed for five minutes at 10:15 A.M.

Chairman Helm called the meeting back to order at 10:20 A.M. with Commissioner Thacker and Commissioner DeLozier being present and quorum established.

14. Discussion with possible action to enter Executive Session for the purpose of discussing the employment of the following individual salaried public employee as authorized by Title 25 O.S. § 307 (B) (1): Vicki Atchley

Chairman Helm made a motion enter Executive Session upon the advice of counsel District Attorney, Gene Haynes, and the Board entered Executive Session at 10:21 A.M. with Vicki Atchley and County Clerk 1st Deputy, Marilynn Gibson.

15. Motion and vote to Adjourn Executive Session and enter Regular Session –

Chairman Helm made a motion to adjourn Executive Session and enter

Regular Session at 10:31 A.M. with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 10:31 A.M.

16. Discussion and possible action with respect to any matter considered during Executive Session – No action taken.

17. Board of County Commissioner's to attend the Rogers County Excise Board's Special Meeting on Discussion with Possible Action on Approval of 2009-2010 County Budget on Tuesday, September 15, 2009, at 9:00 A.M. – Acknowledged, 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, September 14, 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 – None presented that required Board action.

ITEM 19: RECESS OR ADJOURNMENT:

Commissioner Thacker made a motion to recess the meeting until Tuesday, September 15, 2009, at 9:00 O'clock A.M. to attend a Special Excise Board meeting on the 2009-2010 county budget with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting recessed at 11:08 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, September 10, 2009, at 3:08 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.