

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: Tuesday, September 8, 2009, at 9:00 O'clock A.M.

MINUTES

- ITEM 1: CALL TO ORDER:
Chairman Mike Helm called the meeting to order at 9:01 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 31, 2009
Commissioner DeLozier made a motion to approve the minutes from August 31, 2009, as presented with Commissioner Thacker 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 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 -
Chairman Helm stated the City of Claremore sent us a letter asking for our input and we put it on the agenda for discussion so the Board could solicit any comments from the public. Joe Perez, intern with the City of Claremore, was present, along with City Clerk, Nan Pope and Police Chief Mickey Perry. Perez and Pope were not familiar with the letter. Commissioner Thacker made a motion to table for one week (September 14, 2009) to allow a representative from the City of Claremore to come to help explain their request with Commissioner DeLozier seconding the motion. 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:
1. Rural Water District #3, Rogers County – boring county road East/445 on a tract of land located in the N/2 of Section 19, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, in District #1 –
Commissioner DeLozier made a motion to approve since it was a bore only with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
2. Enogex, LLC, P.O. Box 24300, M/C E358, Oklahoma City, Ok 73124-9907- boring county roads NS/4240 and NS/4250; and EW/620; EW/630 and EW/640 for pipeline (nautral gas line) crossing the NE/4 of Section 35, Township 19 North, Range 16 East and SE/4 of Section 26, Township 19 North, Range 17 East; SE/4 of Section 26, Township 19 North, Range 17 East and SW/4 of Section 25, Township 19 North, Range 17 East; NW/4 of Section 25, Township 19 North,

Range 17 East and SW/4 of Section 24, Township 19 North, Range 17 East; NE/4 of Section 24, Township 19 North, Range 17 East and SE/4 of Section 13, Township 19 North, Range 17 East; and NE/4 of Section 13, Township 19 North, Range 16 and the NW/4 of Section 18, Township 19 North, Range 17 East of the I.B. & M., Rogers County, Oklahoma, in 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.

3. A T & T – boring county road EW/520 on both side of intersection of county road NS/4190, beginning at the NE/corner of Section 36, Township 21 North, Range 16 East of the I.B.&M., go east to the NW/corner of Section 31, Township 21 North, Range 17 East, to replace copper cable for approximately 1530 feet beginning 330 feet west of county road NS/4190 and cable to run parallel to south side of county road EW/520 in District #3 -

Commissioner Thacker stated he gave a verbal for A T & T to proceed last week and made a motion to approve with Commissioner DeLozier 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.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –
District #1: R & S Auto Parts, \$600.00 – Commissioner DeLozier made a motion to approve the blanket purchase order as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
2. Orders Exceeding Amount of Issuance –
Purchase order #164 from the Assessor's Office to District #3 County Warehouse for fuel originally approved for \$400.00 to be paid over by \$9.65 for a total of \$409.65
Commissioner Thacker made a motion to approve payment of purchase order #164 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 with Lisa Martin-Anderson with Census Bureau on potential partnership with Rogers County for 2010 census through Department of Commerce - ***note***this item was originally on August 17, 2009, meeting***
Lisa Martin-Anderson, partnership specialist with U. S. Department of Commerce, U.S. Census Bureau, 1411 North 105th East Avenue, Pine Street Industrial Park, Tulsa, Ok, 74116, explained the U.S. Census Bureau is trying to establish partnerships with county governments, city governments, etc. in order to help spread the word in the community as to how important it is for the citizens and the community to be counted. Recruiting will start in October 2009 at the City library and hiring will be from within the community. Discussion only, no action taken.
2. Discussion with possible action on request for Representative to Serve on City of Claremore Redevelopment Project Plan Review Committee for Creation of Tax Increment Finance District and Approve/Disapprove adoption of Resolution #2009-73 Authorizing and Directing Commissioner Dan DeLozier to serve as Representative on the City of Claremore Tax Increment District Number One Project Plan Review Committee; Authorizing and Directing the Representative to report progress regarding City of Claremore Tax Increment District Number One; AND Authorizing and Directing that said Representative perform all other acts necessary to complete service on the Review Committee; All in Accordance with the Local Development Act, 62 O.S. Supp. 2001, §§ 850 *et seq. as amended* –

Tim Hight, Executive Director with Claremore Industrial & Economic Development Authority (CIEDA), explained that on August 3, 2009, by resolution, the City Council of the City of Claremore directed that the CIEDA cause the development of a proposed project plan in compliance with the Local Development Act and the Neighborhood Development Act, additionally, the City Council created a Tax Increment Finance District Review Committee required by the Local Development Act.

Chairman Helm inquired if there was a map indicating the area that would be involved. Assessor, Melissa Anderson, presented a map that the Assessor's Office had been developing. Hight explained it is still early in the geography on where the boundaries will begin and end, but basically from north Highway 66 and east Highway 20. Chairman Helm inquired as to what does blighted area mean? Hight explained areas in the flood plain, under-developed, etc.

Chairman Helm inquired if the boundary included the proposed 911 center and Hight answered, it could be. Hight continued that he has already met with Superintendent's from the schools that will be affected and a public meeting is planned for Tuesday, September 22, 2009, at 5:00 P.M. at the Community Center in Claremore.

Chairman Helm made a motion to appoint Commissioner Dan DeLozier to the review committee since most of the land would be located in District #1 with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Chairman Helm asked Peggy Armstrong, Rogers County Clerk, to request CIEDA to send the county copies of their agenda and minutes from each meeting so the Board could discuss it at their next meeting.

3. Open & Award Bid #516 – 2005 or Newer Gradall for District #2 to purchase and or Lease/Purchase –

20 bid packets mailed with 1 being returned undeliverable and 10 responses received as follows: “No Bids” from G. W. Van Keppel Company; C. L. Boyd; Frontier Equipment Sales, LLC; Oklahoma Territory Construction Equipment; Keystone Equipment Company. Bids were received from the following: Kirby-Smith Machinery, Inc. on new 2008 Gradall XL3300-III for \$199,000.00; Keystone Equipmnet Company on 2009 John Deere 190DW Excavator for \$184,425.00 for base machine only; Boxcer Construction Equipment, Inc. 2005 Gradall XL3100 w/622 hours for \$155,000.00; Kirby-Smith Machinery, Inc. for 2005 used Gradall XL3300-II for \$95,500.00; and Warren Cat 2009 CAT M3160 for \$202,057.00. Chairman Helm made a motion to table awarding of this bid for one week (September 14, 2009) to allow his mechanic and shop foreman to review the bids with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Discussion with possible action on The Bureau of Indian Affairs, Eastern Oklahoma Region, Eastern Oklahoma Regional Office (EORO), is preparing an environmental assessment for the Cherokee Nation (Nation) 10-year Forest Management Plan (FMP) and the purpose of the FMP is to establish Tribal forested land management goals and objectives and to identify the management strategies and activities that will be used in attainment of these goals and objectives and as part of the scoping process under the National Environmental Policy Act of 1969, as amended, the EORO is soliciting comments regarding the potential social, economic, and environmental impacts associated with implementation of the Nation's FMP –

Chairman Helm noted this item for acknowledgement for public record, no action taken.

5. Discussion with possible action on Approval of Quit Claim Deed between the Board of County Commissioners of Rogers County, Oklahoma, party of the first part, and Record Owners, parties of the second part, whereas, the Board of County Commissioners of Rogers County, Oklahoma, pursuant to Resolution duly adopted, does hereby grant, bargain, sell, convey and quitclaim unto the said parties of the second part, the strips of land described as:

A strip of land 50 feet in width through the SE part of the E/2 of NE/4 of NW/4 of Section 11, Township 23 North, Range 17 East;

Also, a strip of land 50 feet in width through the W/2 of SE/4 of NW/4 of Section 11, Township 23 North, Range 17 East;

Also, a strip of land 50 feet in width through the NE/4 of NW/4 of SW/4 of Section 11, Township 23 North, Range 17 East;

Also, a strip of land 50 feet in width through the SE part of SW/4 of NW/4 of SW/4 of Section 11, Township 23 North, Range 17 East;

The strip of land hereby conveyed being on the West side of and adjacent to the right-of-way of the St. Louis and San Francisco RR;

In the Deed from Walter F. Beck and Lelia A. Beck to Rogers County, Oklahoma, dated December 22, 1923 and recorded in Book 171 Page 475 –

Chairman Helm explained this item was brought to him by Tracy Row with Claremore Abstract and he took the item down to Assistant District Attorney, Barry Farbro, for review. Helm continued that in 1996 the Board of County Commissioners approved a Quit Claim Deed, but the legal description did not fully described to close it, legal description needed to be corrected. Commissioner DeLozier made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Discussion with possible action on Approval of Lease Agreement with Pitney Bowes on behalf of Rogers County Sheriff's Office on Desktop DM100 Semi Automatic Digital Postage Meter with 5 lb. scale –

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

7. Approve/disapprove Resolution #2009-74 and Reimbursement form directing County Treasurer to deposit funds from Rogers County Sheriff's Office for fuel reimbursement to District #2 in the amount of \$472.06 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.

8. Approve/disapprove Resolution #2009-75 and Reimbursement form directing County Treasurer to deposit funds from FEMA PA-1735 PW506V.2 #1371 for District #2 in the amount of \$50,000 into the one-cent sales tax fund for distribution –

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

9. Discussion with possible action on removal of Rebecca Muratet as receiving agent for the Board of County Commissioners; and appointing Peggy Armstrong, Rogers County Clerk, as temporary receiving agent for the Board of County Commissioner's pending the hiring of a new secretary for the Commissioner's office –

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 Resolution for Disposing of Equipment for District #1 as follows: Gateway 2000 Pentium III computer, sn#23513549, to be junked –

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

11. Approve/disapprove County Clerk's Cash Book & Summary Report to the Board of County Commissioners for August 2009 –

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

12. Acknowledgement for public record informing the Board of County Commissioner's of the Food Stamp and Food Distribution programs in Rogers County through Oklahoma Department of Human Services, located at 2020 Holly Road in Claremore, Oklahoma, 74017, public hours are from 7:30 a.m. until 5:30 p.m., Monday through Thursday and 8:00 a.m. to 5:00 p.m. on Friday –

Acknowledged for public record only, no action taken.

13. Acknowledgement for public record receipt of check #101174728 on PA1735 in the amount of \$84,327.00 and check #10465086 in the amount of \$14,054.50 from State of Oklahoma, State Treasury, Oklahoma City, 309 Department of Civil Emergency Management for District #2 –

Acknowledged for public record only, no action taken.

14. Presentation of Citations to Chaz Brewer and Chub Brewer –

The Board of County Commissioners along with Sheriff Scott Walton presented citations to Chaz Brewer and Chubb Brewer in their efforts in the search and rescue of Sakari Thomas on Monday, August 3, 2009, at Hawthorn Bluff on Oologah Lake. Presentation 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 Tuesday, September 8, 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 being presented that required Board action.

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 11:10 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 3, 2009, at 4:11 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.