

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, October 5, 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 28, 2009; October 1, 2009 and October 2, 2009 – Commissioner DeLozier made a motion to approve the minutes from September 28th, October 1st and October 2nd, 2009, as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #521 – Commercial Generators

Commissioner DeLozier, Chairman Helm and Bob Anderson, Emergency Management Director, reviewed the bids and completed a weight scale on the generators. DeLozier reported that the bid from 2J's Electric, Inc., did not include the courthouse as requested and bid was hard to understand. The bid from Commercial Power Solutions had no fuel tank and no bid for courthouse wiring. The only complete bid submitted was from Warren Cat at \$39,297.26 each. Chairman Helm made a motion to award the bid to Warren Cat on 80k W mobile generator set for \$39,297.26 each for the county warehouses at District #1; District #2; District #3 and Emergency Management facility at the Courthouse with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

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: None presented.

ITEM 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS: None presented.

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, Chelsea, for \$600.00 – Chairman Helm made a motion to approve the blanket purchase order 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. Open & Award Bid #522 – Excavator – District #2
18 bid packets were mailed; 0 being returned undeliverable and 7 responses received as follows: “No Bids” from Northern Equipment Company in Enid, Oklahoma; C.L. Boyd Company in Oklahoma City; Frontier Equipment Sales, LLC, in El Reno; and Keystone Equipment Company in Sand Springs. Two (2) bids were received from Kirby-Smith Machinery, Inc. as

follows: 2009 Gradall XL3100-3 4x4 w/60" digging bucket for \$278,115.00; and 2008 Gradall XL3100-3 4x2 with 60" digging bucket for \$195,000.00. Bids were received from Boxcer Construction Equipment, Inc., on 2005 Gradall XL3100 for \$155,000.00. Chairman Helm made a motion to table awarding of the bid for one week (October 12th) to allow time to review the bids with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Open & Award Bid #901 – Surplus Generators – District #3

Bids were received as follows: Ray Houston \$400 on 1 new Troy Bilt generator; Pat Stone \$325.01 on 1 or more 5000 watt generator and John Schaffitzel \$258.58 for 1 generator or \$1176.58 for all 5 generators. Commissioner Thacker made a motion to approve selling of 1 new Troy Bilt generator to Ray Houston for \$400 with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Discussion with possible action on Approval of Detention Services Agreement by and between the Board of County Commissioners for Tulsa County and the Board of County Commissioners for Rogers County, Oklahoma, for the purpose of detaining juveniles in Tulsa County –

Judge Erin O'Quinn was present at the meeting for this item. Commissioner DeLozier inquired from O'Quinn as to how often are we being able to send detainees to Tulsa County? O'Quinn answered, we haven't for some time because of Tulsa County canceling the contract. Commissioner DeLozier asked, how often are there beds available in Tulsa County? O'Quinn replied, it's just like any other facility in the State of Oklahoma, beds will be available sometimes and when they are in Tulsa County, we are not having to go to the western side of the state. O'Quinn continued that she always felt there was a good working relationship with Tulsa County. 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 on Approval of 2010 Census Partnership Agreement Form and 2010 Census Partner Resolution - ***NOTE***Lisa Martin Anderson with the U.S. Census Bureau, Partnership Specialist made a presentation to the Board on September 8, 2009***

Chairman Helm inquired if Assistant District Attorney, Barry Farbro, had reviewed the documents and Peggy Armstrong, Rogers County Clerk, answered no. Chairman Helm made a motion to table this item for one week (October 12th) to allow time to review the documents with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Discussion with possible action signing of Oklahoma Department of Transportation Federal Emergency Relief Project Damage Statements for FEMA 1735 DR –

Commissioner DeLozier reported that previously they had completed FEMA forms and now they are telling us we have to complete ODOT forms and they will be sent to James Pruett at ODOT. Chairman Helm made a motion to approve the damage statements as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Discussion with possible action on Re-Appointment of Mr. Stephen J. Kissee for a 4-year term on the City of Tulsa-Rogers County Port Authority Board whose term will expire on October 25, 2009 –

Commissioner Thacker reported that Mr. Kissee has done an excellent job in the past for the Port Authority and Bob Portiss has asked the Board for Kissee to remain on the Port Authority Board and Mr. Kissee has agreed to remain. Commissioner Thacker made a motion to re-appoint Stephen J. Kissee for another 4-year term on the City of Tulsa-Rogers County Port Authority Board with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Discussion with possible action on Approval of Resolution #2009-81 and Reimbursement form directing Rogers County Treasurer Cathy Pinkerton-Baker to deposit funds from FEMA PA#1754 on warrant #101196138 in the amount of \$14,000.00 into the one-cent sales tax fund for distribution for District #2 –

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

8. Discussion with possible action on Approval of Resolution #2009-82 and Reimbursement form directing Rogers County Treasurer Cathy Pinkerton-Baker to deposit funds from Acme Brick on warrant #01011589 in the amount of \$5,320.00 into the one-cent sales tax fund for distribution for District #2 –

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

9. Discussion with possible action on Approval of Resolution #2009-83 and Reimbursement form directing Rogers County Treasurer, Cathy Pinkerton-Baker to deposit funds from Town of Oologah on warrant #12122 in the amount of \$760.12 and from Oologah Municipal Authority on warrant #3809 in the amount of \$10,80 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.

10. Discussion with possible action on Approval of County Clerk's Cashbook and Summary Report to the Board of County Commissioner's for September 2009 –

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

11. Discussion with possible action on Approval of Resolutions for Disposing of Equipment for District #3 as follows: 3000 gallon fuel tank with electric pump, diesel #BS-924718 and 3000 gallon fuel tank with electric pump, gas #F-71828 –

Commissioner Thacker reported that these fuel pumps were replaced with new ones and these old ones are to be declared surplus to be sold at a later date. Commissioner Thacker made a motion to approve the resolutions as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

12. Discussion with possible action on selection of employee county seal contest finalists –

Commissioner Thacker presented the Board with wooden plaques of the 3 finalists in the employee county seal contest that were done by Inola Castings. Commissioner Thacker reminded everyone that the names of the finalists are still confidential. All contestants turned their drawings into Terri Thomas, former Election Board Secretary and she kept a list of the names in a sealed envelope. Chairman Helm made a motion to award 1st place to Debbie Morrison and Esther Henson in the Rogers County Assessor's Office, Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. Commissioner DeLozier made a motion to award 2nd place to Debbie Morrison and Esther Henson in the Rogers County Assessor's Office, roll call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. 3rd place went to Pamella L. Hill in the Court clerk's Office. Chairman Helm reported the winning drawing will officially become the new county seal and for all county offices to adopt. The Commissioner's will be working with Rogers County Industrial Development Authority and Inola Castings to have pins made.

.....

NOTEItems 13, 14 & 15 were discussed in recessed meeting at 1:00 P.M. in Executive Session***

Chairman Helm called the recessed meeting back to order at 1:15 P.M. with Commissioner Thacker and Commissioner DeLozier being present and quorum established.

13. Discussion and possible action to enter Executive Session for the purpose of discussing the employment, hiring, and appointment of any individual salaried public officer or employee, as authorized by Title 25 O.S. § 307(1), to wit: conduct interviews and evaluate applicants for the position of Administrative Assistant to the County Commissioners –

Commissioner DeLozier made the motion to enter Executive Session with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board entered Executive Session with County Clerk, Peggy Armstrong at 1:16 P.M.

14. Motion and vote to adjourn Executive Session and enter Regular Session –

Commissioner Thacker made a motion to adjourn Executive Session and enter Regular Session with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 4:49 P.M.

15. Discussion and possible action with respect to the employment, hiring, appointment, interviews and evaluation of applicants for the position of Administrative Assistant to the County Commissioners as discussed during Executive Session -

No action taken.

16. Recess or Adjournment:

Commissioner Thacker made a motion to adjourn the meeting with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting was adjourned at 4:50 P.M.

.....

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, October 5, 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 – None presented that required Board action.

ITEM 19: RECESS OR ADJOURNMENT:

Commissioner Thacker made a motion to recess the meeting until 1:00 P.M.

to come back and discuss Items 13, 14 & 15 in Executive Session with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting was recessed at 10:58 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, October 1, 2009, at 3:06 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.