

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, February 22, 2010, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Kirt Thacker called the meeting to order at 9:00 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 Kirt Thacker, Commissioner Dan DeLozier and Commissioner Mike Helm 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 Helm said a prayer.

ITEM 5: APPROVAL OF MINUTES: February 16, 2010

Commissioner Helm made a motion to approve the minutes from February 16, 2010, as presented with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS: None presented.

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:

1. 005 Use Tax – \$249,402.03
2. 006 Rogers County Courthouse & E911 Facility – \$90,533.84
3. 101 Unrestricted Highway - \$217,776.82
4. 141 Cellular Phone Usage – None presented.
5. 142 E-911 - \$18,230.57
6. 145 Attendant Care – None presented.

Commissioner DeLozier made a motion to approve Items #1, 2, 3 & 5 under cash fund estimate of needs as presented with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS: None presented.

ITEM 13: CLAIMS:

1. Salaries – February 2010

\*\*\*NOTE\*\*\* Kyle Mack at District #1 and Sonny Hampton with District #2 have been terminated\*\*\*Chairman Thacker made a motion to approve the salary claims for 2010 as presented with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –  
E911 Addressing: Froman Oil Company, \$300.00; Emergency Management: Froman Oil Company, \$400.00; Rogers County Health Department: Claremore Physicians Immediate Care, \$400.00 – Sheriff's jail: Bimbo Bakeries, \$1350.00; Farmers Bros. Coffee, \$300.00; Sysco Foods, \$3200.00; Sysco Foods, \$7100.00; Warehouse Market, \$300.00; District #1 Warehouse, \$5000.00; District #2 Warehouse, \$3000.00; District #3 Warehouse, \$6500.00; Speedy Lube, \$500.00; Correctional Dental Services, \$2000.00; Diamond Medical Supply, \$1000.00; Diamond Drugs, Inc., \$6000.00; St. Francis Lab, \$1200.00; PHS Mobile X-Ray, \$600.00; Medical Compliance Specialty, Inc., \$400.00 – Chairman Thacker made a motion to approve the blanket purchase orders as presented with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier

aye, Helm-aye. Motion carried.

2. Orders Exceeding Amount of Issuance – None presented.

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action regarding Approval/Disapproval regarding posting of signage at all entrances to the Rogers County courthouse – “Warning: All Persons are Subject to Search Beyond this Point; All Activities are Monitored Electronically: All Weapons are Prohibited Including Firearms, Knives or Other Offensive Weapons; Engaging in Loud or Profane Behavior will Result in Arrest; Disobeying a Lawful Order will Result in Arrest: No Food, Drink or Tobacco Use of Any Kind Permitted Beyond this Point – (Comm. Office)

Chairman Thacker stated this was discussed some in detail under new business last week with Captain McElhaney and Judge Post. Captain McElhaney had earlier provided the Board with copies of the signage and stated the copy provided is the final version of the Board chooses to approve. Commissioner DeLozier asked about the last line about no food and no drink, a lot of employees bring their lunch and eat in the offices. Captain McElhaney agreed and suggested striking the last sentence from the signage. Commissioner Helm inquired from Assistant District Attorney, Barry Farbro, if the employee personnel policy handbook and resolution on tobacco use would have to be amended? Farbro replied, no, his impression of the signage is a notice to the general public who are entering the courthouse premises to conduct business. The personnel policy handbook allows for employees to eat on premises in a designated dining area. Commissioner Helm stated with legal counsel not having a problem, made a motion to approve with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion with possible action regarding paying for another dispatcher out of E911 funds - (D#1)

Commissioner DeLozier stated Captain Shane Reynolds and Pam Rue came to him about the need for another dispatcher and the sheriff's budget had no money in it to cover for that. Sheriff Scott Walton stated in trying to be in compliance with keeping our hours down on comp time, in order to cover shifts without going over the comp time, another dispatcher would be very helpful, because there are times we only have one dispatcher on duty.

Captain Reynolds commented last week a tally was kept of all the phone calls received by the dispatchers and a daily average is 250/260 with 911 calls averaging between 35 to 50 daily. There are instances when one dispatcher is sick or a child is sick or they are on vacation, which leaves one dispatcher by themselves. We are currently running 8 full time dispatchers, and Claremore Police Department is running 10 full time dispatchers. We are requesting the Board to consider funding at least one to help, which would be greatly appreciated. Captain McElhaney stated it also becomes an officer safety issue when a dispatcher is by themselves and all the phone lines are lit up and an officer is trying to call in.

Commissioner DeLozier stated funds are available in the E911 account to fund a dispatcher. Chairman Thacker asked for clarification, you are asking for the rest of the fiscal year, but you will be asking for also in next year's budget. Sheriff Walton replied, yes sir, in continuation for next year's budget we will also be asking for E911 to continue funding another dispatcher.

Farbro reminded the Board that E911 funds are restricted for E911 purposes only, and as long as the facts justify or support that this is for E911 purposes, don't see any legal reason why the Board could not approve it. Chairman Thacker made a motion to approve with Commissioner DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Discussion with possible action regarding Notice of Intent to Cancel Provision of FY2010 Interagency Agreement regarding the Alternatives to Detention/Transportation Contract due to lack of funding and Discussion with possible action on Approval/Disapproval of Modification of FY2010 Contract Renewal for Alternatives to Detention/Transportation - \*\*\*NOTE\*\*\*this item was tabled from February 8, 2010, meeting and February 16, 2010, meeting\*\*\*

Farbro stated the Office of Juvenile Affairs is proposing to cease reimbursement of costs for Own-Home Detention, which is face-to-face contact and is \$15.00 per day for such services and an additional \$6.50 per day for electronic monitoring. The modification would become effective February 1, 2010. Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

4. Discussion with possible action regarding Approval/Disapproval of Independent Contractor's Agreement by and between Board of County Commissioners of Rogers County, Oklahoma, and Donald W. Wilson, Certified General Appraiser, License #10612CGA, % Don Wilson Appraisal Group, P.O. Box 1205, Claremore, Ok 74018, on John D. Willhoite property (Clermont Properties, Inc.) located at 421 South Patti Page Blvd., Claremore, Ok aka, Lots 7 and 8 in Block 129, Original City of Claremore, Oklahoma and Bill Scarth property located at 214 South Missouri, Claremore, Ok, aka, parts of Lot 5 and 6 in Block 129 Original City of Claremore, Oklahoma – (DA)

Farbro stated this is the standard independent contractor's agreement and ask the Board to formally approve since you have already approved his employment subject to entering into this independent contractor's agreement. Chairman Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

5. Discussion with possible action regarding Approval/Disapproval of Independent Contractor's Agreement by and between Jo Ann Ramirez on behalf Rogers County Health Department for interpreting services and Board of County Commissioners of Rogers County, Oklahoma – (Health Dept.)

Chairman Thacker stated the rate is \$10.00 per hour for interpreting services and made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Commissioner Helm asked since we have entered into a contract, could we use this person for interpreting services anywhere within the county or just at the Health Department? Farbro asked as to whom the agreement is between Jo Ann Ramirez and Rogers County Health Department or Board of County Commissioners. Peggy Armstrong, Rogers County Clerk, explained when the agreement was presented to be placed on the agenda it just read between Jo Ann Ramirez and Rogers County Health Department, and Armstrong added "and Board of County Commissioners of Rogers County" because of them being the governing body. Farbro continued that he knows there is a lady that provides interpreting services hired through the court system because they are obligated to provide interpreting services. Captain McElhaney stated the Sheriff's Office hires another lady when they need interpreting services provided. Farbro continued this could possibly be an option for the county.

6. Discussion with possible action ~~removal~~ to fill vacancy as result of death of Robert Heidlage as requisitioning officer for Rogers County Fair Board and addition of Richard Gebhart and Terry Hughes, as requisitioning officers for the remainder of 2009-2010 fiscal year – (Fair Board)

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

7. Discussion with possible action on Approval/Disapproval of Resolution #2010-9 authorizing Application for Rural Economic Action Plan Grant from the Indian Nations Council of Government (INCOG) – (D#1)

Commissioner DeLozier stated he is applying for a grant through INCOG that has to be done by the end of this month. The money is for building a new county warehouse in District #1. Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

8. Discussion with possible action on Approval/Disapproval of Reimbursement form as per Resolution #2009-76 directing County Treasurer, Cathy Pinkerton-Baker to deposit funds from Sheriff's jail account for fuel reimbursement in the amount of \$475.11 into the one-cent sales tax fund for distribution for District #2 – (Comm. Office)

\*\*\*NOTE\*\*\*action taken by Board under Item #9\*\*\*

9. Discussion with possible action on Approval/Disapproval of Reimbursement form as per Resolution #2009-76 directing County Treasurer, Cathy Pinkerton-Baker to deposit funds from Sheriff's jail account for fuel reimbursement in the amount of \$6498.77 into the one-cent sales tax fund for distribution for District #3 – (Comm. Office)

Chairman Thacker made a motion to approve Items 8 & 9 under Agenda Items as presented with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-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 -

Joy Hampton with the Claremore Daily Progress commented on Item 15 Agenda Items #1.

Barry Farbro, Assistant District Attorney, stated a point of clarification on Item 15 Agenda Item #6, if the action by the Board is a result of the death of Mr. Heidlage, the Commissioner's should direct the County Clerk to make sure the minutes reflect that this action was caused by the vacancy resulting of the death of Mr. Heidlage, as opposed to the removal of.

ITEM 17: NEW BUSINESS:

1. Consideration and possible action with respect to any other matters not know about or which could not have been reasonably foreseen prior to posting the agenda - None presented.

ITEM 18: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: (Materials, Supplies, Parts, Groceries & Prescriptions)\*\*\*NOTE\*\*\*see attached list of all claims that were approved for payment by the Board on Monday, February 22, 2010\*\*\* Chairman Thacker made a motion to approve payment of all purchase orders from all departments as submitted with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 19: RECESS OR ADJOURNMENT:

Commissioner DeLozier made a motion to adjourn the meeting with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried and the meeting was adjourned at 10:12 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, February 18, 2010, at 3:17 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.*