

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, July 6, 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: June 28, 2010 and June 30, 2010

Commissioner Helm made a motion to approve the minutes from June 28, 2010, as presented and June 30, 2010, as presented with Commissioner DeLozier 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:

1. Discussion with possible action on Approval/Disapproval of Final Plat of Greystone at Stone Canyon Phase I being located in the S/2 of Section 36, Township 21 North, Range 14 East of the I.B&M., Rogers County, according to the U. S. Government Survey, thereof – Developer: C.A.B.O. Development Co., LLC – District #2

Commissioner Helm explained that Brian Kellogg with Kellogg Engineering, Inc., was still out of town and requested this item be tabled for two weeks. Commissioner Helm made a motion to table this item for two weeks (July 19th) with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-59, whereas, the Board of County Commissioners of Rogers County, Oklahoma, recognize and support the City of Claremore, in a partnership to study, construct, and maintain roads in Rogers County; and whereas, the City of Claremore intends to partner with Rogers County to construct a roadway traffic loop in and around the City of Claremore and Rogers County; and whereas, both the City of Claremore and Rogers County will benefit from this project; and whereas, the Rogers County Commissioners are supportive of this project and its intended goals of traffic reduction and economic development along said roadway, and whereas, it is the direction of Rogers County Commissioners that this project be supported through a combined effort of manpower, equipment, materials and funding – (D#3)

Assistant District Attorney, Barry Farbro, commented the agenda item listed was the same one used last week and it has those objectional terms such as partnership; a new resolution was drafted and submitted to the City of Claremore, and at the suggestion of Tim Miller, interim City Manager, a minor change was made and the newest form of the resolution was sent via e-mail to the County Clerk's Office so it could be presented for the Board's review.

Chairman Thacker asked, if a motion is made and seconded, we are approving the resolution as drafted in its present form, not the wording on the agenda? Farbro replied, very little of the wording in the agenda item is actually used in the resolution, which was drafted by the county's legal counsel.

Chairman Thacker made a motion to approve Resolution #2010-59 as written by Rogers County's legal counsel, Assistant District Attorney, Barry Farbro, with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Commissioner Helm asked Farbro, with the Board approving the resolution written by our legal counsel, the agenda item refers to "it is the direction of the Rogers County

Commissioners that this project be supported through a combined effort of manpower, equipment, materials and funding" is that struck from the resolution? Farbro replied, that is not used anywhere in the resolution.

2. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-56, whereas, Rogers County Board of County Commissioners have entered into a Contract Agreement(s) with the Oklahoma Cooperative Circuit Engineering Districts Board for certain road and bridge construction projects, and the expiration date of the Contract Agreement(s) is the 30th day of June, 2010, unless it is renewed in the manner provided in the said Contract Agreement(s), and it is the desire of the Board of County Commissioners to extend the Contract Agreement(s) until the 30th day of June, 2011 for the following described project(s) and reasons(s):

Project Number:

- a. ETRCR1-66-3(01)10
- b. ETRCB1-66-2(02)10
- c. ETRCB1-66-2(03)10
- d. ETRCB1-66-2(04)10

NOTEthis item was tabled from June 28, 2010, meeting***

Commissioner Helm reported last week we tabled this item because we were unsure of the four items listed, we could only remember three, but in checking with the CED District #1: item b is Honey Creek on Keetonville Road in District #2; item c is Boggy Creek on Keetonville Road in District #2 and item d is on overlay project in District #2; item a is an overlay project in District #3; they do not have to be paid back until July 2011, as the projects stand now, unless a project has not been started; you have 12 months to pay back after the project starts, not when the money was received. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-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. John Timmons, Ruby Estates – boring Buddy Avenue at the intersection of county road NS/4180 in Section 35, Township 20 North, Range 16 East of the I.B.&M., Rogers County, in District #3 – (D#3)

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

ITEM 13: CLAIMS:

1. Salaries – John Scace - \$830.00

County Clerk, Peggy Armstrong, explained this claim was missed last week when June payroll was done, this amount is actually owed to John Scace. Commissioner Helm made a motion to approve with Chairman Thacker 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 –

District #3: R & S Auto Parts, Claremore, \$500.00; Lowe's, \$300.00; District #1: County Building Center, \$100.00; R & S Auto Parts, Chelsea, \$600.00; Emergency Management: Froman Oil, \$400.00; and E-911 Addressing: Froman Oil, \$300.00 – 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 and possible action regarding adoption of a Resolution ratifying and affirming for the fiscal year 2010-2011 the Projects Agreement dated as of April 1, 2010, relating to indebtedness of The Rogers County Industrial Development Authority and the RCIDA Capital Improvement Revenue Bonds, Series 2010, issued to finance the county courthouse and 911 facility projects – (Bond Counsel/DA)

Farbro explained this resolution is the annual renewal of the commencement of the new fiscal year for this projects agreement, the Commissioner's only recently executed it for the first time, with respect to the courthouse project and E911 facility project; this is required to be done every year around this same time to renew annually this projects agreement for as long as it is required; Farbro recommended the Board execute. Chairman Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion with possible action regarding Form of Requisition for payment to Rogers County Abstract on invoice for Special Certificate in the amount of \$200.00 in connection with all of the property in that portion of Missouri Street lying between Block 129 and Block 130 of

the City of Claremore, Rogers County, Oklahoma, according to the U.S. Government Plat thereof and within 300 feet thereof; request to be sent to RCB Bank for payment – (DA/Clerk)

Farbro explained this special certificate was requested from Rogers County Abstract in connection with the proposed closing of Missouri Street; the City of Claremore ordinance requires that all owners of property within 100 feet of the proposed area within the street to be closed, be notified by registered mail; the Oklahoma Statutes with respect to permanently closing a street requires same notice to property owners within 300 feet; so we have requested this information and the information has already been used and recommends the Board approve the requisition; this is money that will be paid from the bond proceeds held by RCB Bank as trustee in connection with the courthouse project.

Chairman Thacker asked, was there a specific reason why we used Rogers County Abstract over Claremore Abstract? Farbro replied, Rogers County Abstract has done all the abstracting for Rogers County on several different projects and believes their published rates are somewhat less than the other abstract company; very comfortable with Rogers County Abstract Company. Chairman Thacker expressed he was comfortable with either one. Farbro stated he is very comfortable with Claremore Abstract Company, also, but believes their published rates are more.

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

3. Discussion with possible action regarding Approval/Disapproval of KellPro Software License and Maintenance Agreement by and between Board of County Commissioners of Rogers County on behalf of Rogers County Clerk, (customer) and KellPro, Inc., for use of KellPro software and/or imaging from July 1, 2010 thru June 30, 2011, in the amount of \$24,931.00 – (Clerk)

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

4. Discussion with possible action regarding Approval/Disapproval of State of Oklahoma Office of Juvenile Affairs FY2011 Contract for Detention Transportation and the Board of County Commissioners of Rogers County, beginning July 1, 2010 and ending June 30, 2011 – (Clerk)

Judge Erin O'Quinn was present at the meeting; Commissioner Helm stated the court system in Rogers County handles a lot of juveniles, is there no way to keep some of the court fund money in the Court Clerk's Office, here in Rogers County, instead of sending back to the Oklahoma Supreme Court, has anybody every challenged that?

Judge O'Quinn stated that would be something for the district to challenge, she would not be at liberty. Commissioner Helm continued that it seems like it is easy to make the cut to counties, like we seen last year when the deputy Court Clerk's were not funded and now here they go again, cutting into one of the most important things in our county, is our juveniles; we could say we are not going to provide funding back to the state, is the option to place the juveniles in detention somewhere and not try to help them.

Judge O'Quinn stated the courts are utilizing other sources, in the last two to three months the claims should be down as far as transportation costs; we have gone three weeks without having any juvenile in detention; we are up to two or three right now; the Board approving the contract with Tulsa County has helped alleviate some of those transportation costs, because we can utilize those beds in Tulsa County, rather than sending them far off; utilizes Calm Center in Tulsa, which helps get the juvenile away from the parents for a cooling off period for both parties.

Commissioner Helm inquired if it would be unforeseen to ask legal counsel to draft a letter to the Oklahoma Supreme Court, stating that Rogers County does not want to participate in this reduction of funds and services? Judge O'Quinn replied, feels those efforts would be futile at this point; has expressed great concerns to Gene Christianson regarding the closing of Thunderbird Academy in Pryor; that feel on deaf ears; in doing research, there are especially in southwestern Oklahoma, all the money seems to be being pumped there; when Thunderbird Academy was closed it cost \$1.3 million dollars to run, and I was able to fine \$1.5 million dollars in various expenditures that they were using for facilities that ground hadn't even been broken for or facilities they couldn't even staff yet.

Commissioner Helm stated it is uncharted waters, no one has ever tried to do before, but it is an election year, especially on the state level; Rogers County sits here and they are the easiest target to hit, we will make the counties do it, eventually, even though we are at the same millage we were in 1907, we continue to see the money escape from us and we are suppose to absorb it all; have you ever know anyone as a Board to go against and keep our money and make the state demand the money back from us? Judge O'Quinn replied, no, and this is not the first time this topic has ever been brought up; you can look at the monthly statistics on our credit card transactions, Rogers County is consistently in the 6th, 7th or 8th range as far as counties, since they have been keeping track of it, in what we remit back to the state on credit card transactions; if you use that as an example and apply it across the board to all the other funds that we collect in the Court Clerk's Office, we are probably in the top 10 across the state. Commissioner Helm stated, Rogers County is funding some other county or counties and if we keep the money home, since no one has ever tried it, it maybe something we need to look at and demand the state to ask for the money back. Judge O'Quinn commented, she felt it was a double-edge sword and they could make it harder or worse for Rogers County next time around. Commissioner Helm stated it could not get any worse, and Judge O'Quinn replied, it could get worse.

Judge O'Quinn continued, if you notice the contract, it also talks about attendant care services, we have not used those in the last couple of years.

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

5. Discussion with possible action regarding Approval/Disapproval of Detention Services Agreement by and between Sequoyah Enterprises, Inc., and the Board of County Commissioners of Rogers County, Oklahoma, said agreement shall be effective July 1, 2010, and end June 30, 2011 – (Clerk)

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

6. Discussion with possible action regarding Approval/Disapproval of Detention Services Contract by and between Western Plains Youth & Family Services, Inc. (Beckham County Regional Juvenile Detention Center) and the Board of County Commissioners of Rogers County, said contract effective July 1, 2010 thru June 30, 2011 – (Clerk)

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 regarding Approval/Disapproval of Detention Services Agreement by and between Eastern Oklahoma Youth Services for services at Woodward County Regional Juvenile Detention Center; and Pittsburgh County Regional Juvenile Detention Center and Board of County Commissioners of Rogers County, said contracts effective July 1, 2010 thru June 30 2011 – (Clerk)

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 regarding Approval/Disapproval of Detention Services Agreement by and between Oklahoma Juvenile Justice Services, Inc. (Garfield County Regional Juvenile Detention Center) and the Board of County Commissioners for Rogers County, said agreement effective July 1, 2010 thru June 30, 2011 – (Clerk)

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

9. Discussion with possible action regarding Approval/Disapproval of County Clerk's Cash Book & Summary Report to the Board of County Commissioners for June 2010 – (Clerk)

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

10. Acknowledge for public record receipt of check #28451 from Association of County Commissioners of Oklahoma in the amount of \$6,300.00 to District #1 – (D#1)

Commissioner DeLozier stated these funds are from a dumpster grant through ACCO – Association of County Commissioners – acknowledged for public record only.

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 -

Commissioner Helm commented under public comments since announcements was inadvertently left off the agenda, about Item 15 Agenda Items #4: inquired from Assistant District Attorney, Barry Farbro, about drafting a letter in response to the state budget cuts and the reductions Rogers County has had to take in the past two years; Farbro stated he would not draft or sign such a letter.

ITEM 17: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: (Materials, Supplies, Parts, Groceries & Prescriptions) None presented, beginning of fiscal year.

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.

ITEM 19: RECESS OR ADJOURNMENT:

Commissioner Helm made a motion to adjourn the meeting with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried and the meeting adjourned at 9:35 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, July 1, 2010, 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.