

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, July 26, 2010, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Kirt Thacker 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 Kirt Thacker and Commissioner Mike Helm were present and quorum established. Commissioner Dan DeLozier arrived at 9:04 A.M.

ITEM 3: FLAG SALUTE:

Chairman Thacker led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: PRAYER:

Commissioner Helm said a prayer.

ITEM 5: APPROVAL OF MINUTES: July 19, 2010

Chairman Thacker made a motion to approve the minutes from July 19, 2010, as presented with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #537 – 2011 Truck Chassis & Cab – District #3 – (Clerk)

NOTEthis bid was opened on July 19, 2010***

Chairman Thacker stated all the bids were very close in price; the one bid that best meets the specifications is Jack Kisse Ford, Inc., in the amount of \$76,998.00; and the body that goes on it is a Caseco, which is also a local vendor just like Jack Kisse Ford. Chairman Thacker made a motion to accept the bid from Jack Kisse Ford, Inc., because of bid submitted meeting closest to bids specs in the amount of \$76,998.00 with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, Helm-aye. Motion carried.

ITEM 7: ZONING:

1. Discussion with possible action regarding Public Hearing on Application for a change of zoning by Debra Burchett from AG to RS-60 for lot split approval on a tract of land located in the NW/4 of the NE/4 of Section 14, Township 22 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma – address: 2508 East 430 Road, Oologah, OK 74053

Magan Green, Planning Commission Director, explained this application was approved by the Planning Commission on July 20, 2010, with a six to zero vote and all is in order with this application; recommendation of Green is to approve. No opposition was present at today's meeting; application was present. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, Helm-aye. Motion carried.

ITEM 8: PLATS: None presented.

NOTECommissioner Dan DeLozier arrived to the meeting at 9:04 A.M.***

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-67 for Rogers County to join and approval an Interlocal Cooperative Agreement with the Circuit Engineering District, pursuant to Title 69 O.S. § 687.1 – (Comm. Office)

Commissioner Helm explained this resolution is an interlocal agreement with the CED District that needs to be approved annually so the county may participate in funding and new requirements of the CBRI funding. Chairman Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:

1. 005 - Use Tax - \$14,226.74
2. 006 - Rogers County Courthouse & E911 Facility – None presented.
3. 101 - Unrestricted Highway - \$283,801.77
4. 102 - County Bridge & Road Improvement Fund - \$24,479.48

5. 141 - Cellular Phone Usage - \$24,509.84
6. 142 - E911- \$2,479.82
7. 145 - Attendant Care – None presented.

Chairman Thacker made a motion to approve Items 1, 3, 4, 5 & 6 under cash fund estimate of needs as presented with Commissioner DeLozier 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 – July 2010

Peggy Armstrong, Rogers County Clerk, reported Brenda Lairmore's last day of employment is July 15, 2010, with 52.5 hour of vacation time to be compensated for; Chelsea Sullivan's last day is July 15, 2010 with zero hours of vacation time; Jill Dodson has resigned her position effective July 31, 2010 and has 36.5 hours of vacation time to be compensated for. Seasonal summertime help employees at District #1 are Danny Bradshaw and Gage DeLozier, receiving their last pay check for the summer. Commissioner Helm made a motion to approve the July 2010, salaries as submitted 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; and Tri Star Roll-Off, \$2,400.00 – Chairman Thacker made a motion to approve the blanket purchase orders as presented with Commissioner Helm 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 request by Bill Scarth & Larry Rahmeier (Scarth & Rahmeier) for an extension of time to vacate current building located at 214 South Missouri (parts of Lots 5 & 6 in Block 129 of the City of Claremore) – (Comm. Office/DA)
Assistant District Attorney, Barry Farbro, explained the law firm of Scarth & Rahmeier has requested an extension of time; Larry Rahmeier was present at the meeting; Farbro recommended the Board grant the extension, which was discussed and included in the negotiations for the purchase of the Scarth & Rahmeier property. Rahmeier stated they are asking for ten days extension, until August 10, 2010. Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Open & Award Bid #538 – Treasurer's Office Software – (Clerk)

16 bid packets were mailed with 2 being returned undeliverable and 1 response received from TM Consulting, Inc. 2701 Wildwood Drive, Enid, Ok 73703 – Rogers County Treasurer, Cathy Pinkerton-Baker, explained the Treasurer's Office has been wanting to go a different direction from the current software we use; we are trying to be compatible with the County Clerk's Office in registering the warrants; we have decided it is in the best interest of the Treasurer's Office to go out for bid to see if we can get software for the tax side and the existing bookkeeping side and leave Terra Scan; Terra Scan was going to do an upgrade; visited with Scott Marsh, Rogers County Assessor, and he is not real happy with the existing software they have either; unfortunately, he is not able to bid for new software at this time; this new software will be paid for by the Treasurer's Office and the funds will not come out of the county budget; Baker recommended the Board accept the only bid received today. Chairman Thacker made a motion to accept the only bid received on the County Treasurer's Office software of TM Consulting, Inc., of Treasurer's Accounting and Tax Management Software = \$150,000.00; installation/training included; maintenance/support = \$1,665.00 monthly; customization and programming and travel time as requested by Rogers County = \$75.00/hour; for a total of \$150,000.00 and \$1,665.00 monthly with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Discussion with possible action regarding Approval/Disapproval of Landmark Business Systems Customer Service Maintenance Agreement on Ricoh Aficio 350 copier, sn#2B18840453 on behalf of Rogers County Emergency Management – (EM)

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

4. Discussion with possible action regarding Approval/Disapproval of Resolution for Disposing of Equipment by the Rogers County Sheriff's Office as follows: Nobilis hard drive, sn#00045694957469; Dell hard drive, Sn#00019052960404; A-Open hard drive, sn#sam000211281; Dell hard drive, sn#00019013679216; Dell hard drive, sn#00019013679209; Dell hard drive, sn#000190113679211; A-Open hard drive, sn#sam000211282; Dell hard drive, sn#00019013679220; Asi hard drive, sn#00003880121090; Dell hard drive, sn#00019013679214; Dell hard drive,

sn#00019013679213; Dell hard drive, sn#00019013679207; Enpower hard drive, sn#80043157277365; Enpower hard drive, sn#0004363475484; Enpower hard drive, sn#00045673651988; Dell hard drive, sn#00019013679208; Dell hard drive, sn#00019013679206; Hard drive, sn#p389100102g; Dell hard drive, sn#00019013679205; Dell hard drive, sn#00019013679218; Enpower hard drive, sn#00043634754583; Key Voice hard drive, sn#ne00050075; Enpower hard drive, sn#x007982; Dell hard drive, sn#000190136792215; Dell hard drive, sn#00019052960463; Dell hard drive, sn#000190136792212; Dell hard drive, sn#000190136792219; Dell hard drive, sn#000190136792217; 4 each Dell laptop/stations model #prx; Dell external disk drive, sn#my009yxe4457212hgbmt; Dell external disk drive, sn#tw071pxh1280016g0528; Smith Corona typewriter, sn#y105k00410; Panasonic typewriter, model #kxe7000; A-open monitor, sn#910150233162708972nn01; Scentre monitor, sn#8081k002I00715; Dell monitor, sn#mx06271r4774513520eq; Dell monitor, sn#0957vu47801050b050; Sampo monitor, sn#901h0627; Dell monitor, sn#mx06271r4774518240c8; Dell monitor, sn#mx0957vu478105nb015; Dell monitor, sn#mx0957vu4780105nb010; Dell monitor, sn#mx0957vu4780105nb01c; Dell monitor, sn#mx0957vu4780107jh13n; Argon monitor, sn#915650177; Dell monitor, sn#mx0957vu4780105nb018; Dell monitor, sn#mx06271r4774112j10km; Reli Sys monitor, sn#e100250537; Dell monitor, sn#mx0957vu47801050b054; Dell monitor, sn#mx0957vu4780105nb019; Dell monitor, sn#mx06271r4774512c40mw; KDS monitor, sn#wzqd04a015565u; Eld monitor, sn# s5a9pe044j00158; Arm monitor, sn#0209004400; Arm monitor, sn#030101447; HP printer, sn#me07p1d0rv; HP printer, sn#cn3c83f1c5; Microline 320 printer, sn#ae72032807f0; HP printer, sn#cnwbb39315; HP printer, sn#my0bd1106q; Brother fax machine, sn#u56583m7k003266; Brother fax machine, sn#u56583m4k844756; Hp scanner, sn#sw979130td; HP scanner, sg6u240st; HP scanner, sn#sg979160kj; Dell server, sn#ghvs10b; Sanyo television, sn#v0170142662836; Pelco television, sn#40827659; Phillips television, sn#6L1a054101951; Memorex keyboard; sn#bh43602556; Dell keyboard, sn#0463cd371720663036; Dell keyboard, sn#0463cd371720664544; Dell keyboard, sn#0463cd371720663019; Dell keyboard, sn#0463cd3717204q4326; Dell keyboard, sn#0463cd3717204q4319; Dell keyboard, sn#035kkw; Dell keyboard, sn#0463cd371720667694; Dell keyboard, sn#0463cd3717204q4325; Dell keyboard, sn#0463cd3717204q4244; Mitsumi keyboard, sn#kpqea4za60r7577; Tech-support keyboard, sn#060700024981; Memorex keyboard, sn#bh34808346; Compaw keyboard, sn#bob930b6zfl054; Compaq keyboard, sn#bob930b39f1jy; Super talent keyboard, sn#0510003756; Key tronic keyboard, sn#q991918806; Hewlett Packard keyboard, sn#101635733d; Hewlett Packard keyboard, sn#101635738d; Logitech keyboard, sn#bt628d95121; Dell keyboard, sn#th025pgg3717121k6137; all to be junked – (Sheriff)

Commissioner Helm inquired of Captain Mike McElhaney to make sure all the hard drives are erased completely before junking and Captain McElhaney stated he would forward the information on to make sure the hard drives were completely erased before junking. 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 County Officers Monthly Reports for June 2010 – (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 Authorization and Certificate of Authorized Representative of Authority and Form of Requisition to be sent to RCB Bank for payment to BKL, Inc., for payment of Invoice #4 Professional Services in connection with the Rogers County Courthouse and E911 Facility, Claremore, Oklahoma, in accordance with agreement dated January 19, 2010, BKL Project No. 533 in the amount of \$44,460.00 – (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 Resolution #2010-66 and Reimbursement Form directing County Treasurer to deposit funds from Cherokee Nation in the amount of \$135.61 into General Fund for distribution into Sheriff's Office capital outlay for donation on printer purchased on June 25, 2010 – (Clerk)

Commissioner DeLozier asked 1st Deputy County Clerk, Marilynn Gibson, if this money was last year's money and would be included in the carry-over monies or is this new? Gibson replied this is new money. Chairman Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

8. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-68, whereas, Rogers County hourly employees are not eligible for holiday pay benefits in accordance with the published list of Rogers County designated holidays for the given year, said resolution will become effective August 1, 2010; an addendum will also be added to the official Rogers County Employee Personnel Policy Handbook – (Comm. Office)

Chairman Thacker explained he placed this item on the agenda, because he has been asked by some of District #3 employees, whether they get paid for holidays and I told them no, but later discovered Rogers County does not have a policy adopted on the matter; could not find in current personnel policy handbook. Assistant District Attorney, Barry Farbro, expressed concerns of federal wage and hour laws. Chairman Thacker asked, is it against the law to pay a part-time employee holiday pay when they do not have any benefits, within Rogers County? Farbro replied,

the agenda item mentions hourly employees, you can have a full time hourly employee. Chairman Thacker continued, if the applications reads full time, part-time, part-time with benefits; his statements is he doesn't feel the county should pay employees that are not eligible for benefits. Farbro recommended the Board table this item until he has time to review. Chairman Thacker made a motion to table this item for one week (August 2nd) with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

9. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-69 and Reimbursement form directing County Treasurer to deposit funds from Rural Water District No. 4, Rogers County, in the amount of \$570.99 into District #2 one-cent sales tax fund for distribution – (Comm. Office)

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

10. Discussion with possible action regarding Approval/Disapproval of Reimbursement Forms as per Resolution #2010-34 directing County Treasurer to deposit funds from Sheriff's Office for fuel reimbursement to District #1 in the amount of \$3167.25; District #2 in the amount of \$922.30; District #3 in the amount of \$532.39 into the one-cent sales tax fund for distribution – (Comm. Office)

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

11. Discussion with possible action regarding Approval/Disapproval of Reimbursement Form as per Resolution #2010-36 directing County Treasurer to deposit funds from Town of Oologah in the amount of \$859.13 and Oologah Municipal Authority in the amount of \$55.28 for fuel reimbursement into the one-cent sales tax fund for distribution for District #2 – (Comm. Office)

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

12. Discussion with possible action regarding Approval/Disapproval of Reimbursement Form as per Resolution #2010-37 directing County Treasurer to deposit funds from Town of Talala for fuel reimbursement in the amount of \$562.42 into the one-cent sales tax fund for distribution for District #2 – (Comm. Office)

Commissioner Helm made a motion to approve with Chairman Thacker 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 – None presented.

ITEM 17: ANNOUNCEMENTS: None presented.

ITEM 18: 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 19: 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, July 26, 2010***Commissioner DeLozier made a motion to approve payment of all purchase orders presented from all departments, including purchase order #100331 issued to Radio Shack for \$324.87 by the Election Board, because they supplied the Board with a written explanation of purchase as requested last week. Commissioner Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 20: RECESS OR ADJOURNMENT:

Chairman Thacker made a motion to adjourn the meeting with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried and the meeting adjourned at 10:19 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 22, 2010, at 3:18 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.