

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, August 2, 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, 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: July 26, 2010

Commissioner DeLozier reported the minutes reflect he voted in the roll call on the approval of the minutes from July 19, 2010; but he did not arrive at the meeting until 9:04 A.M.; and recommended the minutes be corrected to reflect removing his name from the roll call under approval of minutes for July 19, 2010. Commissioner Helm made a motion to approve the minutes from July 26, 2010, as presented with the correction noted by Commissioner DeLozier and Chairman Thacker seconded 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 regarding Approval/Disapproval of Final Plat of Greystone at Stone Canyon Phase I, being located in the S2/ 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

NOTEthis item was tabled from 7-6-10 and 7-19-10 meetings***

Magan Green, Planning Commission Director, reported Planning Commission approved this plat at their October 6, 2009, meeting with a seven to zero vote; and the file is in order. James Stanford with Kellogg Engineering, Inc., presented the Board with the compaction tests; letter to Planning Commission stating final inspection was completed and certify the roadway and drainage improvements have been constructed as per the construction plans and can be forwarded to District #2 road foreman requesting they send the Planning Commission a release letter regarding their final inspection; along with a maintenance bond and stated everything has been completed to Rogers County's specifications. Allen Carter, District #2 road foreman, reported upon final inspection hereby approve of roads and drainage system in Greystone at Stone Canyon Phase I, to be accepted into Rogers County road maintenance system (see letter).

Commissioner Helm stated since there is no opposition and everything meets the subdivision requirements as set for by the Planning Commission, made a motion to approve the plat with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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:

1. District #3 One Cent Sales Tax M&O to capital outlay - \$76,998.00

Chairman Thacker reported this transfer is for the service truck District #3 is purchasing from Jack Kisse Ford, Inc.; and made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Court Clerk Revolving Fund M&O to salaries - \$100,000.00

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

ITEM 12: UTILITY PERMITS:

1. Rural Water District #8, Rogers County – boring county road EW/550 lying between county roads NS/4170 and NS/4180 between Sections 11 and 14 of Township 20 North, Range 16 East of the I.B.&M., Rogers County in District #3 –

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

ITEM 13: CLAIMS:

1. Salaries – Teresa J. Hardesty – Election Board = \$50.25 for last fiscal year 2009-2010 –

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

2. Attendant Care – None presented.

3. Tort Claim – James G. Snyder – date of loss June 22, 2010 -

Assistant District Attorney, Barry Farbros, informed the Board he has seen the tort claim; it has been referred to Traveler's Insurance; an adjuster with Traveler's Insurance called Friday afternoon requesting additional information; Traveler's has all the information the county has and I referred the adjuster to the attorney for the claimant; Farbros recommended the Board take no action other than forward the claim to the county's insurance company. Discussion only, no action taken.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –

District #3: Lowe's, \$300.00; Emergency Management: Froman Oil, \$400.00; E911 Addressing: Froman Oil, \$300.00; Sheriff's Office: Sysco Foods, \$3200.00; Sysco Foods, \$7000.00; Farmers Bros. Coffee, \$400.00; Bimbo Bakeries, \$1350.00; Diamond Medical Supply, \$500.00; Diamond Drugs, Inc., \$6000.00; Correctional Dental Services, \$2000.00; Warehouse Market, \$300.00; Brooks Grease Services, Inc., \$400.00; Medical Compliance Specialty, Inc., \$400.00; St. Francis Lab, \$1200.00; PHS Mobile X-Ray, \$600.00; District #3 Warehouse, \$6500.00; A & G Auto, \$500.00; Speedy Lube, \$500.00; Froman Oil, \$1000.00; District #1 Warehouse, \$5000.00; District #2 Warehouse, \$3000.00; and Comdata MasterCard, \$6500.00 –

Chairman Thacker commented two weeks ago, we approved the credit card for fuel with Comdata and it was stated the credit card was only to be used for transports; Commissioner DeLozier stated he remembered they would try to use the county warehouses first. Chairman Thacker showed Commissioner DeLozier and Commissioner Helm a picture of a deputy getting fuel at Quick Trip in the middle of the day on Friday, July 30th; and District #3 warehouse was open on Friday, with the gate also being open, no heavy gate to open; he was not transporting prisoners, there was no one in the car.

Commissioner Helm made a motion to approve all the blanket purchase orders submitted, except the one to Comdata MasterCard for \$6500.00 and request someone from the Sheriff's Office to come and explain this to the Chairman. Farbros stated he believed the written policy that was submitted said they would attempt to use the gasoline pumps at the county warehouses, unless it was not convenient to the location of the deputy and the patrol car and the same thing for out of town transport; their first choice would be the county warehouses, and then the Comdata card. Chairman Thacker stated it is only ½ mile down the road to the county warehouse and we can buy the gasoline cheaper than they can buy at Quick Trip; and the gate was wide open, they didn't have to open the heavy gate they were complaining about. Chairman Thacker stated he wanted to bring that to the Board's attention, because he assumed this was going to happen. Chairman Thacker seconded 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 leasing or otherwise acquiring office space for the District Attorney's Bogus Check and Investigators Office – (DA)

Gene Haynes, District Attorney, commented the last time this was discussed on the agenda was over a month ago and at that time I was instructed to go and look for different locations around town that could possibly be rented for the Bogus Check office; about three weeks ago I was informed we would move downstairs in the basement in the former snack bar area; we measured the area to see if we could fit down there and the measurements came up to approximately 602 square feet, which our file cabinets alone would take up 2/3rds of the space; we were hoping we could move down there, because it would be better for us to be located in the courthouse because of the hooking up to the county phone system, etc., does not feel it is possible to fit everything they have in there; have checked several places around town and have three prospects for office space; 1.) would be a turn-key (ready to move in) owned by Robert Vardeman, 1400 square feet at \$1300/month; 2.) Surrey Center owned by Don Brown with 1440 square feet at \$825.00/month, they have plenty of parking, but some construction would be required; 3.) former dentist office located

across the street North of Walgreen's, would need quite a bit of work done, because it has the remains of where all the dental equipment was at \$1400.00/month; 4.) property owned by Paul Neely located at 103 North Cherokee Street, 960 square feet at \$550.00/month.

Chairman Thacker stated you are looking at being there approximately two years; Haynes continued, wherever we move there will be some costs in moving the phone system and setting up our computers. Chairman Thacker stated we are looking at approximately \$31,200.00 for two years on the rental property at \$1300.00/month; are you proposing the county pay the rent? Haynes replied, the statutes say the county will provide us office space. Chairman Thacker replied, the county will be happy to provide you with 602 square feet in the basement; there was discussions about whether the investigators could be placed somewhere different.

Commissioner DeLozier stated he would like to look around the courthouse more to see if there is any additional storerooms available first. Commissioner Helm made a motion for Commissioner DeLozier and Haynes to get together on the issue and come back with a plan before the Board with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion with possible action regarding Approval/Disapproval of Request #3 for Payment of Contract Funds on #13263 CDBG 08 for Rural Water District #8, Rogers County, in the amount of \$33,200.00 – (Clerk)

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

3. 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 to become effective August 1, 2010; and an Addendum will also be added to the official Rogers County Employee Personnel Policy Handbook – (Comm. Office)

NOTEthis item was tabled from July 26, 2010, meeting***

Farbro stated he did not have a chance to research this item from last week, and requested the Board table this item until he can do the research and give a written opinion back to the Board. Chairman Thacker stated his original intent was to address part-time seasonal employees or temporary contract employees. Chairman Thacker made a motion to table this item until the District Attorney's office is ready to place back on the agenda 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 and Payne Surveying Service, P.C. – (Clerk)

Farbro commented the scope-of-work was not attached and as long as the scope-of-work conforms to what has been discussed and agreed to previously is okay; Commissioner DeLozier stated when we approved on July 19, 2010, of hiring a surveying company, the scope-of-work was provided on Payne's quote. Farbro recommended that be attached to the independent contractor's agreement. Chairman Thacker made a motion to approve and attach the scope-of-work 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 County Clerk's Cash Book & Summary Report for July 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 Dan DeLozier, Rogers County District #1 Commissioner, to serve as a Local Elected Official to the Job Training Northeast Board of Directors for fiscal year 2010-2011 – (D#1)

Commissioner DeLozier explained this is a Board he has set on since he came into office in January 2007 and at that time he replaced former Commissioner Gerry Payne on the Job Training Northeast Board of Directors, serving as a Local Elected Official, designated to govern their Board; and to ensure proper procedures are followed, his appointment is being brought back before the Board of County Commissioners today and recommends this appointment take place every year. Commissioner DeLozier made a motion to approve the appointment 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 – None presented.

ITEM 17: ANNOUNCEMENTS:

Commissioner DeLozier announced we will be getting ready to start doing some work over in the new courthouse area, hopefully in a couple of weeks. Farbro inquired if there was any notifications or permits that need to be obtained before we move forward? Commissioner DeLozier replied, yes, we will have to make sure all the utilities are cut and completely out of the area; Wilhoite turned in his keys Friday, (July 30th) to the building and everyone is completely out of the building at this time; Planning Commission has moved their offices back into the courthouse in their old location on the 1st floor, Room 1-102 (former conference room) and they still have some furniture to move out.

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, August 2, 2010***Commissioner DeLozier made a motion to approve payment of all purchase orders from all departments as presented with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 20: RECESS OR ADJOURNMENT:

Commissioner Helm 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 adjourned at 10:17 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 29, 2010, at 3:24 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.