

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

**MINUTES**

- ITEM 1: CALL TO ORDER:  
Chairman Kirt Thacker called the meeting to order at 9:01 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: November 15, 2010  
Commissioner Helm made a motion to approve the minutes from November 15, 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: 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:  
1. District #3 One Cent Sales Tax M&O to Lease-Rentals - \$24,189.46  
Chairman Thacker made a motion to approve the transfer of funds as presented with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
- ITEM 12: UTILITY PERMITS: None presented.
- ITEM 13: CLAIMS:  
1. Salaries – November 2010  
Chairman Thacker made a motion to approve the November 2010, salaries as presented with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.  
2. Attendant Care – None presented.  
3. Detention Transportation Claim to State of Oklahoma, Office of Juvenile Affairs for October 2010, in the amount of \$1,788.50 –  
Commissioner DeLozier made a motion to approve with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.  
4. Tort Claim – Mark Abshire - \$349,833.00 – for damages suffered in case that went to trial in December 2009 -  
Peggy Armstrong, Rogers County Clerk, reported Assistant District Attorney, Barry Farbro, had sent an e-mail that no action other than acknowledgement receipt of tort claim by the Board and take no action. Acknowledge receipt of only, no action taken.
- ITEM 14: BLANKET PURCHASE ORDERS:  
1. Materials, Supplies, Parts, Groceries & Prescriptions –  
District #1: Tri-Star Roll Off, \$1,050.00; County Building Center, \$100.00 and Comdata MasterCard, \$2,000.00 – Commissioner DeLozier 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 Agreement for Economic Development Services with Rogers County Industrial Development Authority (RCIDA) and the Board of County Commissioners - \*\*\*NOTE\*\*\*this item was discussed at the November 8, 2010, meeting\*\*\*

Mickey Thompson, RCIDA Director and Debi Ward, secretary, were present at the meeting. Peggy Armstrong, Rogers County Clerk, reported District Attorney, Gene Haynes, met with her on Thursday, November 18<sup>th</sup>, and explained he would not be able to attend Monday's meeting (November 22<sup>nd</sup>); brought a copy of the agreement to present to the Board for review; original had been signed by Haynes and presented to RCIDA's attorney, Larry Steidley, for RCIDA's board to approve if they choose to do so; if RCIDA chooses to approve the Original Agreement, they will return the original back to the D.A.'s office before the Commissioner's meeting on Monday; once agreement is approved, purchase order for \$143,716.80 will be included in in payment of purchase orders from all departments; Board reviewed the agreement during the meeting.

Chairman Thacker asked Thompson if he had reviewed the agreement and he replied, yes, sir and it reads just as we agreed. Commissioner Helm inquired about the payment process and Marilyn Gibson, 1<sup>st</sup> Deputy County Clerk explained the payments would be one month behind.

Thompson stated the reports they will be presenting will be different than before; agreement is pretty much the same as before; as far as he is concerned, this agreement is a legal document to take care of legal issues; would hate to think this agreement would ever stand between the three (3) County Commissioners and RCIDA; if there is something the Board sees that needs to be done, we need to hear about it; if you have questions, we need to answer them and if you need anything call us.

Commissioner DeLozier 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 an Update and Progress of E911 Trust and Inter-Local Agreements with participating entities on E911 services – (D#1) \*\*\*NOTE\*\*\*this item was discussed at the November 1, 2010, meeting and November 8, 2010, meeting and tabled for two (2) weeks (November 22, 2010)\*\*\*

Commissioner DeLozier reported District Attorney, Gene Haynes, was suppose to put this item back on the agenda and he is not here today; Peggy Armstrong, Rogers County Clerk, reported on November 8<sup>th</sup>, the Board approved tabling this item for two weeks (November 22<sup>nd</sup>) to allow time for anyone who wants to visit the other counties trying to do the same thing Rogers County is and compare the way they do it and discuss the advantages and disadvantages, that is why the item is on the agenda.

Commissioner DeLozier continued, there is a scheduled meeting with all the entities involved for December 8<sup>th</sup>; then the D.A.'s office will need to review and place the item back on the agenda at his discretion.

Commissioner DeLozier made a motion to table this item until the District Attorney's Office placing the item back on the agenda with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Discussion with possible action regarding authorizing the signing of environmental review letters for Community Development Block Grant 14322 CDBG 10 through Rogers County Rural Water District #3 (Owalla Road Waterline Extension) – (Clerk)

Andy Armstrong Consulting, LLC, stated to the Board this is a grant the county was awarded a couple of months ago; the county has an inter-local agreement with Rural Water District #3 to do the project; they have hired me to do the administrative work on that; in talking with Oklahoma Department of Commerce (ODOC), they have changed their policy about review letters; before the district would sign and mail out the review letters; but because the county is going to make the finding eventually when all the comments come back, ODOC wants the county to sign the letters and mail them out; ten (10) letters have been prepared for the project and Armstrong is listed as the contact person as the CDBG Project Administrator and will monitor over the next thirty days as comments come back in; Armstrong recommended the Board sign the letters and mail out.

Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. \*\*\*NOTE\*\*\*see copies of the letters attached in the minutes\*\*\*

4. Discussion and possible action regarding the Contract for Sale/Purchase of Real Property between the Board of County Commissioners and Claremore Land, LLC, John Williams, Managing Member, for a tract of land generally described as four (4) acres located in the E/2 of the SE/4 of the SE/4 of Section 31, Township 22 North, Range 16 East of the I.B.&M., Rogers County, subject to survey – (DA/D#1)

Chairman Thacker reported the contract is not ready. Peggy Armstrong, Rogers County Clerk, reported she received an e-mail from Assistant District Attorney, Barry Farbro, at 8:17 A.M. today, November 22<sup>nd</sup>, requesting the Board pass this item for one week (November 29<sup>th</sup>) to allow him time to finish the contract.

Chairman Thacker made a motion to table this item for one week (November

29<sup>th</sup>) with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

5. Discussion with possible action regarding establishing a county-wide contract with U.S. Cellular where all county phones would be under one contract for better plan rate – (Comm. Office)

Chairman Thacker stated he placed this item on the agenda in order to discuss; feels the county could get a much better plan rate. Commissioner Helm stated he felt it was a good idea; we have the three Commissioner's districts, Sheriff, Emergency Management, Planning Commission, Assessor and Treasurer's Office, all using county phones under different plans; recommends bidding.

Commissioner DeLozier stated it should be discussed with each county officer to let them know what we are planning to do and get their input; felt it was also a good idea; also, let the offices know not to start any new plans in the near future, because we are considering establishing a county-wide cellular phone plan.

Commissioner Helm made a motion for Chairman Thacker to handle this item and bring back before the Board when ready, 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 Reimbursement forms directing County Treasurer to deposit funds from Sheriff's Office for fuel reimbursement in the amount of \$520.42 and Town of Talala for fuel reimbursement in the amount of \$384.46 and repairs to North Walnut street signs in the amount of \$765.66 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.

7. (6). Discussion with possible action regarding Approval/Disapproval of County Officers Monthly Reports for October 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.

8 (7). Discussion with possible action regarding Approval/Disapproval of Resolutions for Disposing of Equipment for Rogers County Sheriff's Office, as follows: 2007 Brunwic/180GD Boat 18 foot 2 inches, sn#WCG00281D707 and 2007 Boatmaster trailer, model #BC18GST-50, Sn#42XBK182X7F112274, to be transferred to Oklahoma Department of Safety (Oklahoma Highway Patrol) and signing of State of Oklahoma Office of Homeland Security (Revised) Sub-Grantee Award Letter – (Sheriff)

Undersheriff Tom Harrison and Sheriff's Office deputy, Pam Rue, were present at the meeting; letter was presented by Johnny O'Mara, Administrative Deputy with the Sheriff's Office explaining the request; a decision was reached that the boat, a Boston Whaler, was an unnecessary piece of equipment for the Rogers County Sheriff's Office and that the boat could be better used in the service to the public with another law enforcement or emergency response agency; following that decision the Oklahoma Highway Patrol, which is the law enforcement agency with primary jurisdiction on waterways throughout Rogers County, made a request for the boat to be transferred to their possession; one of Oklahoma Highway Patrols' boat has gone down.

Commissioner Helm made a motion to approve with Commissioner DeLozier 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 -

Commissioner Helm informed the Board that Andy Armstrong has retired with INCOG and has gone out on his own consulting firm; this will allow the county to use him in the future for any grants we may apply for, for consulting purposes as professional services with an independent contractor's agreement.

Armstrong explained his future plans are to continue to maintain a relationship with Bob Portiss at the Port of Catoosa.

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, November 22, 2010\*\*\*Commissioner Helm made a motion to approve payment of all purchase orders from all departments as presented with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 20: RECESS OR ADJOURNMENT:

Commissioner DeLozier made a motion to adjourn the meeting with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried and 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, November 18, 2010, at 3:47 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.*