

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 29, 2010, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Kirt Thacker called the meeting to order at 9:03 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 let the salute and Pledge of Allegiance to the American Flag.

ITEM 4: PRAYER:

Commissioner Helm said a prayer.

ITEM 5: APPROVAL OF MINUTES: November 22, 2010

Commissioner Helm made a motion to approve the minutes from November 22, 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:

1. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-83 regarding Letter of Choice for County Bridge Inspection Contracts concerning bridge inspection responsibility by local government for compliance with National Bridge Inspection Standards on Bridge Inspection Contracts for April 2011 to March 2013 – (D#3) ***NOTE***this item was tabled from November 15, 2010, meeting***

District Attorney, Gene Haynes, stated the D.A.'s office determined the three years is pursuant to state law and contracts offered by ODOT; that is how it is done throughout Oklahoma.

Assistant District Attorney, Barry Farbro, stated what was presented was a resolution requiring the Board to make one of three choices; the Board is not actually entering into a contract; letter from ODOT reads: *"You are respectfully requested to make your choice before December 31, 2010, by Resolution stating your choice of 1, 2, or 3 above. The entire county should go with one (1) engineering firm or one (1) engineering circuit district. If we do not receive your selection by the due date, it may be necessary for this office to make an assignment based on the previous selection. Please note that, once you select your bridge inspection team, no changes can be made until the next contractual period"*.

John Blickensderfer with Guy Engineering Services, Inc., stated the bridge inspection contracts are with ODOT directly to the firms; the Board is just providing the selected firm for ODOT to enter into a contract with; ODOT takes the money out of BR and then bill you for your CBRI portion; also, when you do this selection, Option #1 is not an option, because our CED (Circuit Engineering District #1) does not have inspection in-house; Option #2 would be selecting from the list of inspection firms; you can review the data on ODOT website; you have to fill out those rating sheets, because ODOT will want the resolution and a copy of the rating sheets; and then they will prepare the contracts; and it is two years, because bridge inspections cycle is two years; prefer you do telephone interviews, but you may be able to review their packets that are on the website, no sure; some counties do telephone interviews.

Chairman Thacker made a motion to table this item for one more week (December 6th) with Commissioner DeLozier seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion with possible action regarding Approval/Disapproval of the county 5-year Plan – (Circuit Engineering District #1)

John Blickensderfer with Guy Engineering, Inc. and program manager for

CED #1, presented the Board with a list of bridges less than 23 tons; at the same time if you want one of these bridges to be BR Project, remember, BR Projects must be 15 tons or less to qualify; updated Rogers County 8-year plan; and CIRB projects for CED #1 ODOT Division 8, approved October 28, 2010; the yellow highlighted areas on the plans mean they are already on your 8-year plan; worked on the 8-year plan and took off the projects that have been finished or under construction and moved from year 2011 to year 2017; as with the agreement you have had in the past in Rogers County, I have rotated the BR and CBRI monies according to the schedule; for 2011 it will go to District #1; 2012 to District #2 and 2013 to District #3; that is where the BR and CBRI money is allocated for those years; what really is helping Rogers County out since you get very little of CBRI money, the CED #1 elected to provide CIRB funds to match your BR money up to a \$500,000.00 threshold; starting in 2012 you will be getting roughly \$225,000.00 extra a year; and I have matched that against whatever BR project in the appropriate year; recommended the Board review the presented list, so in the meantime they can be contacting him to discuss if they have any questions and place the item back on the agenda for approval at a later date.

Commissioner Helm made a motion to table this item for two (2) weeks (December 13th) 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:

1. *005 Use Tax - \$41,570.30
2. 006 – Rogers County Courthouse & E911 Facility – None presented.
3. *101 – Unrestricted Highway - \$252,386.97
4. *105 – County Bridge & Road Improvement Fund (CBRIF) - \$23,170.31
5. *141 – Cellular Phone Usage - \$24,269.81
6. *142 – E911 - \$17,598.45
7. 145 – Attendant Care – None presented.

Commissioner DeLozier made a motion to approve the cash fund estimate of needs as presented with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 11: TRANSFER OF FUNDS:

1. District #3 Unrestricted Highway M&O to capital outlay - \$9,950.00

Chairman Thacker stated this transfer was to help insulate a building at the county warehouse and 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: None presented.

ITEM 13: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions – Sheriff: Medical Compliance Specialty, Inc., \$400.00; St. Francis Lab, \$1,200.00; PHS Mobile X-Ray, \$600.00; Diamond Medical Supply, \$500.00; Diamond Drugs, Inc., \$6,000.00; Correctional Dental Services, \$2,000.00; Warehouse Market, \$300.00; Sysco Foods, \$3,200.00; Sysco Foods, \$7,000.00; Farmers Bros. Coffee, \$400.00; Bimbo Bakeries, \$1,350.00; Comdata MasterCard, \$8,500.00; District #3 Warehouse, \$1,000.00; District #2 Warehouse, \$1,000.00; District #1 Warehouse, \$3,000.00; Speedy Lube, \$500.00; Froman Oil Company, \$500.00 and District #2: United Engines, \$4,550.73; and District #3: Tri Star Roll Offs, \$1,200.00; R & S Auto Parts, \$500.00; and Emergency Management: ComData MasterCard, \$200.00; Froman Oil Company, \$200.00 and E911 Addressing: Froman Oil Company, \$300.00 – Chairman Thacker made a motion to approve the blanket purchase orders as submitted 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 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) ***NOTE***this item was tabled from November 22, 2010, meeting***

Commissioner DeLozier reported he discussed this item with Gene Haynes, District Attorney, before the meeting started today; there is an issue involving water that needs to be addressed before the Board makes the decision on this property; did talk to water district last week, but with it being Thanksgiving holidays, did not get everything done that needed to be.

Chairman Thacker asked, what is the issue with the water? Commissioner

DeLozier explained a waterline would have to be ran; trying to find out the costs of the county's portion; there will be a cost for the upgrade of the waterline, it is too small; in order to have a sprinkler system in the building; gave me an estimate for the entire line; need this week for further review.

Commissioner DeLozier made a motion to table this item for another week (December 6th) with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion with possible action regarding Liberty National Life Insurance Company requesting permission from Board to present their plan to the county employees – (D#3)

Chairman Thacker stated this is an insurance supplement and they have asked to be present today; H. Frank Wilcox, agent for Liberty National Life Insurance Company was present at the meeting, along with Crystal Starr; presented the Board with a package; we are your current supplier for cancer coverage and group life term coverage for county employees; we have an enrollment that needs to be completed by the end of December, 2010; we are the best group term life in the country; Liberty National is an A+ rated company; our cancer coverage is as good as you can get at the prices we offer; is strictly volunteer, no commitments and no obligation on any employee to purchase it; once they do buy it, it is for one year; for every dollar the employee spends, the county saves about 10% in tax obligations; we have met with Chairman Thacker and it is our recommendation we be provided a time to come in to each facility to be able to sit down with the employees; if they want to continue what they have it will be automatic; any new employees will also receive an accidental death benefit coverage that we gave last year, at no cost to them and after the year is up if the employees chooses not to renew, they just do not remit the \$10.00 annual fee, that is not a payroll deduction; each employee will receive a notice for renewal at their home for \$10.00; but under the payroll deduction side, anything they sign up for will be good for twelve months, unless they leave employment or retire and the company will come in and ask them if they want to continue on a private basis; all the policies we provide under payroll deductions are owned by and controlled by the employee.

Chairman Thacker asked, why are you representing Liberty National now? Wilcox answered, all the agents that were here last year are no longer with the company; we are not a brokerage house; we are branch in charge of Oklahoma; basically agents come and go.

Chairman Thacker made a motion for Liberty National to present their policy coverage to the employees with Commissioner Helm seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Chairman Thacker recommended having Christine Day-Willhoite, Commissioner's office secretary, to coordinate setting up the meetings.

Commissioner Helm made a motion to recess the meeting for approximately ten minutes with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried and the meeting recessed at 9:31 A.M.

Chairman Thacker called the recessed meeting back to order at 9:40 A.M. with Commissioner DeLozier and Commissioner Helm present and quorum established.

3. Discussion with possible action regarding Approval/Disapproval of Resolution #2010-84 and Reimbursement form directing County Treasurer to deposit funds from Acme Brick Company in the amount of \$6,000.00 into District #2 one cent sales tax fund for distribution – (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.

4. Discussion with possible action regarding Approval/Disapproval of Resolutions for Disposing of Equipment for District #2 as follows:

- a.) T-120 10 foot Bush Whacker rotary mower, sn#06T120-0622-39015 to be donated to Nowata County District #2 –
- b.) T-120 10 foot Bush Whacker rotary mower, sn#06T120-0622-39016 to be donated to Nowata County District #3 –
- c.) John Deere 997 2 Trac 60 inch mower, sn#3031-D309199 to be sold to Nowata County for \$7,000.00 –
- d.) 2002 Mack Pull Truck, sn#1M1AA12Y82W141697 to be sold to Nowata County for \$28,000.00 –

Commissioner Helm reported District #3 warehouse has had problems with the Bush Whacker mowers in the past, we will be donating those to Nowata County. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

5. Discussion with possible action regarding Approval/Disapproval of Reimbursement form directing County Treasurer to deposit funds from Sheriff's Office for fuel reimbursement in the amount of \$1,775.25 into District #1 one cent sales tax fund for distribution – (Comm. Office)

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

6. Discussion with possible action regarding Approval/Disapproval of Reimbursement form directing County Treasurer to deposit funds from Sheriff's Office in the amount of \$30.88 and from Assessor's Office in the amount of \$346.21 into District #3 one cent sales tax fund for distribution – (Comm. Office)

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

7. Acknowledgement for public record receipt of Rogers County Industrial Development Authority's Activity Reports for October 2010 and November 2010 – (Clerk)

Commissioner Helm asked, in the October and November reports, RCIDA talks about the payments to INCOG, but the items were tabled; does that mean INCOG has not been paid. Peggy Armstrong, Rogers County Clerk, reported the county has paid one quarterly payment and RCIDA has been a quarterly payment, but is not sure how the other two quarterly payments will be paid.

Commissioner Helm also asked, would we deduct the amount of the two quarterly payments to INCOG from RCIDA's monthly payment for use tax or see if they are going to pay it? Gene Haynes, District Attorney, stated the contract did not address this particular item; Board can ask them to pay remaining payments, but there is no obligation on RCIDA's part to pay for the county.

Chairman Thacker commented he would ask RCIDA if they were going to pay the last two quarterly payments to INCOG on behalf of Rogers County.

Discussion only; acknowledged for public record.

8. Acknowledgement for public record receipt of check #1407 from Grand Gateway Economic Development Assoc. E911 for September 2010 E911 service fees collected in the amount of \$24,269.81 – (Clerk)

Acknowledged for public record only, no action taken.

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 Helm announced on Wednesday, December 15, 2010, from 8:00 A.M. to 4:00 P.M. the 2nd annual D.A. and County Commissioner Law Conference will be held at ACCO's offices on 429 N.E. 50th Street in Oklahoma City; several counties have nominated their D.A. and Assistant D.A. to a Blue Ribbon Award which will be presented at this meeting; Gene Haynes and Barry Farbro have been nominated by all three Rogers County Commissioner's as District Attorney and Assistant District Attorney, of the year; nominees are invited to attend.

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 29, 2010***Chairman Thacker made a motion to approve payment of all purchase orders from all departments as submitted with the exception of purchase order #103861 issued to Oklahoma Public Employees Retirement System (OPERS) in the amount of \$1,658.28 for unused sick leave for G.C. Bohl and send to the D.A.'s office for review with Commissioner DeLozier 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 10:35 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 Tuesday, November 23, 2010, at 3:37 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.