

**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, January 10, 2011, at 9:00 O'clock A.M.

**MINUTES**

ITEM 1: CALL TO ORDER:

Chairman Dan DeLozier 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 Dan DeLozier, Commissioner Mike Helm and Commissioner Kirt Thacker were present and quorum established.

ITEM 3: FLAG SALUTE:

Commissioner Helm led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: PRAYER:

Commissioner Thacker said a prayer.

ITEM 5: APPROVAL OF MINUTES: January 3, 2011

Commissioner Helm made a motion to approve the minutes from January 3, 2011, as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS: None presented.

ITEM 7: ZONING:

1. Public hearing with discussion and possible action regarding Application for a Change of Zoning by Terra Nitrogen-Subsidiary of CF Industries from AG to RS-40 to I-L (I-1) for correct zoning requirements for existing rail and construction of new rail – Legal descriptions as follows: all that part of the E/2 of the NW/4 lying south of the City of Tulsa-Spavinaw water line and north and west of St. Louis San Francisco Railroad, less a tract of land described in Book 1873 Page 257 to Public Service Company of Oklahoma; and less the North 325 feet thereof; and less the East 325 feet thereof; and the S/2 of the SW/4 of the NW/4 of Section 10, Township 20 North, Range 15 East and the N/2 of the SW/4 lying north and west of St. Louis San Francisco Railroad in Section 10, Township 20 North, Range 15 East of the I.B.&M., Rogers County – Address: 6606 East 540 Road, Claremore, Ok 74019 –

\*\*\*NOTE\*\*\*this item was tabled at the December 13, 2010, meeting\*\*\*

Commissioner Thacker stated this item was tabled so Terra could meet with the residences that had concerns; meeting took place on Monday, January 3<sup>rd</sup>.

Dallas Robinson, plant manager of the Verdigris Complex of Terra Nitrogen L.P., stated Terra is proposing to construct 7 additional rail storage tracks on property currently owned by Terra and currently zoned I-4; proposed project is consistent with the current zoning of this property and is consistent with zoning in the area; a replacement rail lead will also be constructed adjacent to the existing rail lead and connected to the 7 additional rail storage tracks; a re-zoning application has been submitted to correct the zoning for a portion of the property affected by the replacement rail lead in an effort to accurately reflect the current and historical use of that particular parcel of property; the re-zoning effort does not affect the feasibility or the proposed construction of the 7 additional storage tracks; additionally, the rezoning of the rail lead parcel and the construction of the 7 additional storage tracks are mutually exclusive, though, it is Terra's desire to construct the rail lead and the 7 additional storage track concurrently; not sure how to address sound issues; drainage next to Yonkipin is wetlands, flooding in area is being caused by beavers building dams, beavers have been running through the land since existence of the Terra plant; property being stopped-up by beavers is owned by railroad, not Terra; lighting issues have been addressed, but study report has not been transmitted down to us; it would be nice to get this corrected, but if we don't get it corrected, then we won't use that for storage and we won't be asking for the zoning.

Commissioner Thacker asked, to clarify what you just said, you don't have all the studies done as far as a berm the residents have asked for; and the lighting issues, has that been addressed? Robinson answered, we are suppose to be getting a printed study and we will be transmitting that to the residents as soon as we get it.

Commissioner Thacker continued, the flooding studies, do you have a hydrologist report on that? Robinson answered, that has been turned over to the county and that has already been approved. Commissioner Thacker asked for clarification, if Terra was going to store

only empty cars? Robinson replied, we are being forced to put the tracks in due to empty cars, but we plans to use that area to bring empty cars up and the cars would likely be full, typically within a 24-hour period to 48-hour period they would be gone and picked up by the train; the 7 tracks will be working tracks; it will take 2 months to finish the wetlands study; and then will probably take a month or 2 from the Corp of Engineers to review as well; would probably take 4 months or more before that study/document becomes public.

Gary Driver, President of Yonkipin Homeowners Association, stated we did meet with Terra on the 3<sup>rd</sup> of January; we discussed about what they want to do with the wetlands; in their studies they show they are not going to move water around, they want to restore the area to 1942; you can't restore the area to 1942 standards without removing the railroad track and the highway; which is going to maintain and hold water and it will just dump more water onto us; we were flooded last year, because they were not maintaining their property properly; concerns over negative impact of property values; also, in their map when they requested rezoning request they pulled back 325 feet from the housing addition north of Verdigris next to the tracks, so they didn't have to notify the residents that they wanted to use those tracks there as storage; they said they may use it for storage or they may not, they are very non-committal on that; Planning Commission met with their attorney later and were told if they were going to use it for storage, then it would have to be rezoned, the track they are using right now; all along they have said they don't need that rezoned to do the project; if that is true, what is the pressure of waiting and why not table this item until they get their studies to everybody and review them and then determine and make an intelligent decision on how this is going to affect everybody involved; too many unknowns.

Commissioner Thacker asked Magan Green, Planning Commission Director, if, Terra had to have the rezoning to make the project happen? Green replied, from the research she has conducted, they would not have to have the zoning to build the railroad, because the railroad is federally regulated; if Terra wants to use this existing rail spur as a rail car storage, yes, they would need industrial zoning; in order to build the railroad, no, they do not need rezoning; Green added Terra did submit a floodplain study and it was approved by the county's consulting engineer; and as far as I know, Terra has submitted that study to FEMA and Corp of Engineers; flood study has been completed, submitted and approved by the county.

Commissioner Thacker continued and asked Robinson, what would the time constraints be if this item was tabled, because time is money, until all the other issues have been addressed? Robinson replied, we are moving forward with the construction frame and breaking ground, probably around April or May; this zoning request is for the existing spur, whether we are going to do storage out there. Robinson continued, there were 2 other notices to those residences out there due to an error by the abstract company, that received notices when they did not have to, so notices did go out in error about Terra's plans and the project; it was not until we backed up and said we would leave them an additional buffer there for anyone that has concerns, for that storage area; we are going ahead with construction, because we have some studies that will expire sometime in May, that we have already done quite a bit of work on and the railroad company is really coming down on us to get started; the area that is getting stopped up is owned by the railroad, Terra's property is clean, we have a subcontractor that picks up any wood ; we are not going to be adding to the water, that is what we are being told by our engineering firm and we have to trust them, we have spent a lot of money with them; if we do not approve this today, we are going to ask for the item to be removed from the agenda and we will stop our consider of storage on that spur, but the rest of the project will move forward; either way we will be building a new rail yard; the area in question is a pass-through, no-storage at this point in time; if the county zones it for storage, we would like consideration of storing on the old spur, but it is not zoned for that.

Michael Binder stated he does believe they don't need this zoning change to create the 7 spurs; do believe they need the zoning change in order to bring in heavier cars and create a whole new spur and bring the track in; the residents have not been given a lighting study; FEMA study, and a study on the wetlands being moved; (presented pictures of area that they plan to move the wetlands to) flooded in 2008; 2009, which damaged property; the question is, how much wetter does it need to get; is there other sights they could move the project to; approximately 250 cars will be stored with 60% being full. Robinson corrected, 60 cars per day, not 60% and they will be moved within 12 to 24 hours and studies they have requested have not been submitted to us yet, but once they are we plan on sharing with them.

Commissioner Thacker commented, this is a very big deal and would like to see the studies first on the wetlands and lighting issues. \

Bob Portiss, Director of the Port of Catoosa, submitted a letter of support for the CF Industries zoning change request (see letter made a matter of public record within the minutes).

Toney Foster, attorney for Terra Nitrogen, asked for clarification from Commissioner Thacker, are you refusing Terra the right to withdraw this zoning request from the agenda? Commissioner Thacker replied, no, not if that is what they want to do.

Steve Mellott of 27405 Highway 66, stated he has no desire to live next to a train yard; discussed potential for accidents and urged Board not to approve.

Commissioner Thacker continued, am trying to put myself in the position of the homeowner and I would want some kind of sound barrier; if it is approved today, there is nothing that forces you to put up a sound barrier; what would it take, if approved today, to cause Terra to put up a sound barrier?

David Iski, Assistant District Attorney, commented it is possible that you could condition your zoning upon the ultimate addition of a sound barrier; once the zoning change is done, how could the county go back and enforce that; assume the Planning Commission has addressed this and made any recommendations necessary, and if there is no provision in the zoning code to make a conditional zoning approval, then that would be an issue you could consider.

Green replied, there is no provisions in the ordinance book to allow for any kind of sound control when it comes to a railroad; but in going back to the Planning Commission's recommendation, this zoning was approved by the Planning Commission Board with a vote of 6 to 0 on December 7, 2010, and my recommendation to the Planning Commission was to approve and there was no conditional approval at the Planning Commission meeting. Commissioner Thacker again stated, there really needs to be a sound barrier.

Robinson continued, we really don't know how to design a sound barrier, until you have a sound issue; until we know how much sound is there and when it is there; we are asking engineers to come out and make some studies on; cannot make a decision until we know exactly what it entails; we are looking at those options, and right now don't know which way to go; we would consider putting in a sound barrier; we will try to do something with a sound barrier, in good faith to the residents; we would like to know what we would be putting in first, before we can say for sure; consider right now putting a minimum of trees in.

Commissioner Thacker stated with all progress there is always a little heart ache. Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Public hearing with discussion and possible action regarding Application for a Change of Zoning by D. Adam Ramsey from AR to RS-20 for residential subdivision development: Legal Description: E/2 of the SE/4 of the SW/4 of the SW/4 in Section 26, Township 21 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma – address: 16349 East 76<sup>th</sup> Street North, Owasso, Ok 74055

Magan Green, Planning Commission Director, stated the Planning Commissioner held a public hearing on Tuesday, January 4, 2011, and approved by a 8 to 0 vote; no opposition was present at the Planning Commission hearing.

Commissioner Helm asked Green if RS-20 zoning was still in the subdivision regulations? Green replied, yes, we do; the aerobic system does require a minimum of 21,780 square feet of area in order to have an aerobic system, providing that each lot contained that amount of square footage.

Commissioner Helm asked Brian Kellogg with Kellogg Engineering, does these lots for this subdivision development meets the subdivision requirements of 21,780 square feet? Kellogg answered, these lots were scheduled to be 4 or 5 lots on 5 acres; these are ¾ acre lots and RS-20 zoning is going to give them flexibility on the front building line, because it is 5 acres with 60 foot right-of-way going up through the middle of it.

Commissioner Helm inquired as to what was the zoning around the proposed subdivision development and Kellogg answered, AR to the west; RS-20 to the north; RS-40 to the north and east. Commissioner Helm continued, where is the water going to go on these small of lots? Kellogg answered, there is a ridge on the property and almost splits it down the middle and half will be going to the east and half to the west; will not flow into another housing subdivision, will flow into the county bar ditches, it will be the county's problem.

No one was present in opposition at the Planning Commission hearing, nor the County Commissioners meeting today; Kellogg was representing the applicant.

Commissioner Helm made a motion to approve since there was no opposition with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 8: PLATS:

1. Discussion with possible action regarding the Preliminary Plat of The Woodlands at Westin Park, located in the S/2 of the SW/4 of Section 13, Township 21 North, Range 15 East of the I.B.&M., Rogers County – zoned RS-30 = 26.25 acres – Developer: Brett D Knapp Properties, LLC – (D#3 Thacker)

Magan Green, Planning Commission Director, reported this item was approved at the Planning Commission hearing held on January 4, 2011, by an 8 to 0 vote; the preliminary plat had been reviewed and approved by consulting engineer, Brian Kellogg, but that construction plans had not yet been submitted or reviewed; no opposition was present. No opposition was present at the Commissioner's meeting today.

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

ITEM 9: ROADS AND BRIDGES: None presented.

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

1. 005 Use Tax - \$8,064.72

Chairman DeLozier made a motion to approve the cash fund estimate of need as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. \*\*\*NOTE\*\*\*this cash fund estimate of need was for December, 2010, use tax fund amount\*\*\*

ITEM 11: TRANSFER OF FUNDS:

1. District #3 Unrestricted Highway M&O to travel - \$4,000.00  
Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Sheriff's general fund travel to vehicle maintenance - \$20,000.00  
Commissioner Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. District #3 One Cent Sales Tax M&O to salaries - \$20,000.00  
Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
4. Assessor part-time salaries to Visual Inspection salaries - \$700.00  
Commissioner Helm made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 12: UTILITY PERMITS:

1. A T & T – trenching & boring – this project relocates buried copper and fiber optic cables in vicinity of U.S. Highway 412 and South 305<sup>th</sup> East Avenue, all within limits of ODOT Project #JP19983, U.S. Highway 412 & S.H. 412P Interchange Phase 2 – ODOT has given authority to proceed – A T & T Project 7683003, WPI-16 – in District #2 – (#2 Helm)  
Commissioner Helm stated this is A T & T conforming to the county's utility permit requirements and made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Matthews Excavating Company, P.O. Box 905 – Coweta, Ok 74429 – boring county road East 600 at the intersection of county road NS/4250 being located in a part of South 330.93 feet of the SE/4 of the SE/4 of the SE/4 in Section 1, Township 19 North, Range 17 East of the I.B.&M., Rogers County, for Eden Mennonite Church, 21905 East 600 Road, Inola, Ok 74036 – (D#3 Thacker)  
Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – a.) Debra Mitchell - \$675.28 January wage claim & \$1,857.02 for 80.5 hours vacation –  
b.) Dusty Maddox - \$349.20 January wage claim & \$201.63 for 11.75 hours comp time & \$1,372.80 for 80 hours vacation –  
Commissioner Thacker made a motion to approve the salary claims as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
  2. Attendant Care – None presented.
  3. Tort Claim – Blake Lewis, 2750 South 4240 Road, Chelsea, Ok 74016 – \
- In excess of \$10,000.00 – (Clerk)  
Assistant District Attorney, David Iski, recommended the Board taken no action on.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –  
District #3: R & S Auto Parts, \$500.00 and Assessor Visual Inspection: Speedy Lube, \$150.00 – Chairman DeLozier made a motion to approve the blanket purchase orders as submitted with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Orders Exceeding Amount of Issuance – None presented.

ITEM 15: AGENDA ITEMS:

1. Discussion with possible action regarding request by Janice Steidley, District Attorney, to continue arrangement whereas the Board of County Commissioners give an appropriation in the county budget to be paid to the District Attorney with said appropriation being given to the District Attorney in exchange for the District Attorney providing a full time Assistant District Attorney devoted exclusively to providing civil representation and advice to Rogers County – (D#1 DeLozier/DA Steidley)  
Peggy Armstrong, Rogers County Clerk, reported that during some research it was discovered that only \$55,000.00 was reflected on the county budget for fiscal year 2010-2011; because that was how the figures were published in the newspaper, you cannot give more than you ask for; Marilynn Gibson, 1<sup>st</sup> Deputy County Clerk, researched minutes from August 30, 2010, and September 13, 2010, and stated it was the intention of the Board of County Commissioner's all along was to budget \$110,000.00 into legal counsel for the District Attorney; Gibson suggested transferring money for the Wellness Project (20-218) into Legal Counsel (20-118).  
Commissioner Helm suggested using use tax surplus money within general fund and Gibson explained she thought that money was obligated through the courthouse/E911 facility project monies. Commissioner Thacker stated, for the record, I do not want to touch the use tax money in surplus in anyway.

District Attorney, Janice Steidley, addressed the Board and stated if she did not need the money, she certainly would not be asking for it; is down 2 prosecutors as it is; does not have the finances to replace 2 prosecutors that have left; I actually am waiting for one to retire in March to even replace him; maybe if things being restructured and we get the money in the future, is more than willing not to have to use this money; feels it is an imperative benefit to Rogers County with as much growth as we have and as much business as the Board has, to have a dedicated civil attorney available.

Commissioner Thacker suggested using the Wellness Project monies (20-218), but not the surplus use tax monies. Chairman DeLozier commented, the county has the money, just need to figure out and transfer the monies to cover.

Commissioner Helm made a motion to move Wellness Project (20-218) to Legal Counsel (20-118) in the amount of \$55,000.00 with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

At 10:00 A.M., a "Moment of Silence" was held in honor of the victims in Arizona –

2. Discussion, consideration and presentation of a water and energy program being presented by Certified, Building 5 North, P.O. Box 152170, Irving, TX 75015 – (D#1 DeLozier)

Earl Hensley, Maintenance Supervisor, reported the gentleman with Certified was not going to be able to make the meeting due to the weather and requested to be heard next week. This item was passed until next Tuesday, January 18, 2011.

3. Discussion with possible action regarding evaluation of options for Storm Water replacement on All of Block 130 and the W/2 of Block 129 of the City of Claremore, Rogers County, Oklahoma, for new Rogers County Courthouse Project – (D#3 Thacker)

Kim Reeve, BKL, Inc., presented before the Board 3 options addressing the storm sewer issue involving the construction of the new courthouse for discussion. Commissioner Thacker stated the prices you are presenting are too high; have discussed this matter with the Mayor of City of Claremore, Flu Guthrie and are currently checking prices; will have another meeting tomorrow with the City and feels the City will recommend the county do themselves; City is in favor of project though.

Iski commented he feels ongoing meetings with the City of Claremore is a step in the right direction; more information needs to be gathered in order to be informed as much as possible. Commissioner Thacker stated he would have more information at next week's meeting to bring back before the Board.

Chairman DeLozier feels we should leave the new courthouse the way it has been designed and not move it back; Commissioner Helm disagrees and wants to move it; the storm sewer is within the city limits of Claremore, if the county does the work themselves, what is to prevent any other city or municipality coming in and requesting the county provide the same service for them; we are setting a precedence. Iski stated Commissioner Helm raised a good point, feels the county should continue to have meetings with the City of Claremore, is very vital to project.

Discussion only, no action taken.

4. Discussion with possible action regarding Approval/Disapproval of Interlocal Agreement between Rogers County on behalf of Rogers County Sheriff and the City of Vinita for deputizing officers – (ADA Iski/Chief McElhaney)

Iski stated these entities would be providing assistance to Rogers County on an as-needed basis; have reviewed the agreements and signed off on. Chairman DeLozier made a motion to approve Item #4 and Item #5 under agenda items as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Discussion with possible action regarding Approval/Disapproval of Interlocal Agreement between Rogers County on behalf of Rogers County Sheriff and the City of Pryor for deputizing officers – (ADA Iski/Chief McElhaney) - \*\*\*see Item #4 for Board action\*\*\*

6. Discussion with possible action regarding Approval/Disapproval of Resolution #2011-2 to allow Rogers County to buy or sell machinery and/or equipment at the Statewide County Equipment Auction, Elk City Conference Center, I-40 Business District across from airport in Elk City, Oklahoma, on Friday, March 11<sup>th</sup> and Saturday, March 12<sup>th</sup>, 2011 – (Clerk)

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

7. Discussion with possible action regarding Approval/Disapproval of County Clerk's Cash Book & Summary Report for December, 2010 – (Clerk)

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

8. Discussion with possible action regarding Approval/Disapproval of Resolutions for Disposing of Equipment for the Rogers County Election Board with the following items to be donated to Nowata County Election Board: 2 beige chairs; putty color 2-drawer file cabinet; gray color 2-drawer file cabinet; computer station, quad level; wine colored chair with chocolate base; 2 each burgundy task chairs with black frame; globe secretary chair **and** the following items to be junked: printer, sn#MY54J110P9; monitor (#5340023502) keyboard (#30511306) mouse (#LNA10954943) CPU (#0023502543) and monitor (#CN0J92356418074131GV) keyboard (#CN0RH659357174002WF) mouse (#G0M00EUE) CPU (#0028929800) keyboard

(#CN0GM9524475174000FC) and desk L/secretary, loaned to Tri-District Fire Department, has been shown on inventory 2009 and 2010 as loaned to Tri-District Fire Department, but still being carried on inventory, doing this resolution to take off inventory sheet – (EB)

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

9. Acknowledgement by Board of County Commissioners of statutory requirement of Title 19 O.S. § Section 178.1 – Biennial Inventory Summary for offices as follows: Treasurer; County Clerk; OSU Extension; Court Clerk; Election Board; Judge Terrell S. Crosson; Associate District Judge Sheila A. Condren; District Judge Dwayne Steidley; District Judge Dynda Post; Judge Stephen R. Pazzo, Jr.; Special District Judge Erin L. Oquin; District #1; District #3 and Emergency Management – (Clerk)

Acknowledged for public record – see 2011 Biennial Inventory File for complete list of inventory in County Clerk's Office –

10. Discussion and possible action to enter Executive Session for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public offers or employee, to wit: Christine Day, Executive Administrative Assistant to Rogers County Commissioners, as authorized by Title 25 O.S. § 307 (B) (1) – (D#3 Thacker)

Commissioner Thacker made a motion to adjourn regular session and enter Executive Session with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the Board adjourned regular session and entered Executive Session at 10:25 A.M. with Assistant District Attorney, David Iski and Peggy Armstrong, Rogers County Clerk.

11. Motion and vote to adjourn Executive Session and enter Regular Session –

Commissioner Helm made a motion to adjourn Executive Session and enter regular session with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the Board adjourned Executive Session and entered regular session at 11:23 A.M.

12. Discussion and possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Christine Day, Executive Administrative Assistant to Rogers County Commissioners – Discussion 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: 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 by the Board on Monday, January 10, 2011\*\*\* Commissioner Helm made a motion to approve payments of purchase orders from all departments as submitted with the exception of purchase order #104145 encumbered by the Sheriff's Office, to be sent to the District Attorney for review to see if it is a legal expenditure with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 20: RECESS OR ADJOURNMENT:

Commissioner Helm made a motion to adjourn the meeting with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and meeting adjourned at 12:14 P.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, January 6, 2011, at 3:39 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.*