

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: Tuesday, January 18, 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 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: January 10, 2011
Commissioner Helm made a motion to approve the minutes from January 10, 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: 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 Thacker)
NOTEthis item has been tabled from November 15; November 29; December 6; December 13; December 20 and December 27, 2010, meetings and January 3, 2011, meeting***
Chairman DeLozier stated we had picked 3 engineering firms of Guy Engineering Services, Inc.; EST, Inc.; and Cobb Engineering Company; and last week we needed to complete the interview process; have completed interview process for District #1 and weighted scale process Guy Engineering Services, Inc., was selected.
Commissioner Helm stated he conducted District #2's interview process, also, last week and with the weighted scale Guy Engineering Services, Inc., was also his selection.
Commissioner Helm made a motion to select Guy Engineering Services, Inc., as the engineering/consulting firm with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
Commissioner Helm requested Peggy Armstrong, Rogers County Clerk, to notify Guy Engineering Services, Inc., they had been selected by the Board as their engineering firm for county bridge inspections.
2. Discussion, consideration and possible action regarding Approval/Disapproval of Purchase Contract with Oklahoma Department of Transportation for Rogers County District #1 to Lease/Purchase New Holland tractor Model #T6020 and Alamo 25 foot Samurai side boom mower through the County Road Machinery and Equipment Revolving Fund – (D#1 DeLozier)
Chairman DeLozier stated he applied for a grant through the County Road Machinery and Equipment Revolving Fund, Oklahoma Department of Transportation and was awarded the grant for a New Holland tractor and side boom mower. Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:
None presented.
- ITEM 11: TRANSFER OF FUNDS:
1. General Government M&O to Wellness Project - \$55,000.00

2. General Government Wellness Project to Legal Counsel - \$55,000.00
3. District #3 One Cent Sales Tax M&O to capital outlay - \$21,760.56
4. Sheriff's Courthouse Security capital outlay to M&O - \$9,500.00

Commissioner Helm made a motion to approve Items 1, 2, 3 & 4 under Transfer of Funds as presented with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-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 –
Health Department: Claremore Physicians Immediate Care, \$400.00; and District #3: Tri Star Roll-Off, \$1,200.00 & Lowe's, \$300.00 – Chairman DeLozier made a motion to approve the blanket purchase orders as presented with Commissioner Helm 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, 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) ***NOTE***this item was tabled from January 10, 2011, meeting***

Earl Hensley, Maintenance Supervisor, introduced Mike Gulizio with Certified; Gulizio explained Certified's program is designed to assure that the water in the county's heating/cooling system will permit the system to have the useful life for which it was designed; present equipment is over 25 years old; Certified will conduct a survey of the county's equipment prior to start-up and recommend the correct chemicals; will provide product safety information on all Certified products used in your system; will provide a guide to monitoring the system; will collect samples of system water for analysis; the proposed service agreement will be \$275.00 monthly; Certified can diagnose any problems you might be having over the internet, we will receive an a-mail if there is a problem and can diagnose and fix the problem via the internet.

Assistant District Attorney, David Iski, requested the proposed agreement by sent to him by e-mail in Word so he can make any of the necessary changes; then he can send it back to the Board for their review and approval.

Commissioner Thacker asked, Hensley, maintenance supervisor, if he recommended the Board approve and Hensley, replied, yes, good for the county.

Commissioner Helm made a motion to table this item until further notice and allow legal counsel to review the agreement and place the item back on the agenda at his discretion with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. 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) ***NOTE***this item was tabled from January 10, 2011, meeting***

Commissioner Thacker reported he met last week with Mayor Flo Guthrie and City Manager Daryl Golbek with the City of Claremore and discussed the storm water issue; City of Claremore is all in favor of getting the courthouse project up and running; the issue we were discussing is the storm water/sewer line running in the under the property where the plans are to build the new courthouse; who will pay for the costs; and is it legal for the county to do some of the work itself on city property and are we establishing a precedence using county funds for the storm water/sewer line project in a municipality, whereas, other municipalities could petition the county in the future; needs approval by the City Council to allow the county to do work on the line anyway; are waiting legal counsel to tell us, the county, if this is legal for us to do; city officials do not plan have any plans to do any of the storm water/sewer line work themselves, because they do not have the funds to do and has not been included in their long-term engineering plans. Chairman DeLozier stated he felt it was a special situation involving the storm water/sewer line, because it would be related to a county project.

Commissioner Thacker continued, someone has to make the first move and if we keep waiting for the city to make the first move and the city keeps waiting for the county to make the first move, nothing will ever get done; want to show the City of Claremore the county is showing good faith in making the first move; replacing or moving the storm water/sewer line will cost an estimated \$200,000.00 using county crews and doing as much of the work as we can.

Assistant District Attorney, David Iski, reported storm water is statutorily under the city's jurisdiction; recommends having a meeting with City of Claremore's attorney, Matt Ballard, in order to discuss these issues.

Commissioner Thacker made a motion for Assistant District Attorney, David Iski, to set up a meeting with City of Claremore's attorney, Matt Ballard, and place this item back on

the agenda when he is ready with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. Discussion with possible action regarding Approval/Disapproval of Authorization and Certificate of Authorized Representative Authority and Form of Requisition to be sent to RCB Bank for payment of Invoice #9 from BKL, Inc., in the amount of \$141,000.00 for 75% completion of construction document phase – (Clerk)

Kim Reeve with BLK, explained they are proceeding rapidly toward the completion of the documents of the courthouse; we are about 90% complete on the courthouse, we have had some changes in floor plans; we are holding money back in both schematic design and design development and construction documents for the E911 Center; the 75% listed is of the total fee, we have set aside somewhere between 5% and 10% for the E911 Center. Commissioner DeLozier commented he is hopeful we will have an answer about the E911 Center very soon.

Commissioner Thacker asked Reeve to explain exactly what we are waiting on, so the public will know we are not just sitting here, there is a lot of underlying work going on that cannot be seen. Reeve answered, we could design the E911 Center, but we need to know the shape, lay of the land and the exact size. Chairman DeLozier stated legal counsel is determining whether the county can purchase the site, install the waterline with county personnel/funds in a rural water district; a lot of legalities that have to be looked into; want to make sure what we, the county, does is legal.

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

4. Discussion with possible action regarding withdrawal of bid price on Bid #292 “Galvanized Posts with anchor” by bidder Custom Products Corporation, P.O. Box 54091, Jackson, MS 39288-4091, **and** discussion, consideration and possible action regarding acceptance of another qualified bidder on 6-month Bid #292 on “Galvanized Posts with anchor” – (Clerk)

Chairman DeLozier reported the county received a letter from Custom Products Corporation stating they made a mistake on their bid; the bid price submitted of \$562.50 has been found to be below their costs; for this reason Custom Products Corporation has asked their bid be withdrawn without penalties and the bid be awarded to the next lowest bidder.

Commissioner Thacker expressed he felt Custom Products Corporation should honor their bid as submitted, because it was signed and notarized by the company; if he was doing business, he would be expected to honor his bid price; recommended removing Custom Products Corporation from the bidders list, since they gave a bid and then later come back and want to withdraw it.

Iski stated since this is the first time for this company to request to have their bid withdrawn due to a mistake, no, you cannot remove them from the bidders list, because it was an honest mistake.

Commissioner Thacker made a motion to allow Custom Products Corporation to withdraw their bid with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Chairman DeLozier made a motion to accept the 2nd lowest bid of Xcessories Squared Development & Mfg., Inc., in Auburn, Illinois, for \$584.25 price per bundle of 25 with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Acknowledgement by Board of County Commissioners of statutory requirement of Title 19 O.S. § Section 178.1 – Biennial Inventory Summary for the following offices: Sheriff’s Office & Jail; Planning Commission –

Acknowledged for public record – see 2011 Biennial Inventory File for complete list of inventory in County Clerk’s Office - ***NOTE***Commissioner Helm reported District #2 does have their list completed, but not in time to have on today’s agenda, will be next Monday, January 24th***

6. Discussion with possible action regarding publication of county employees annual salaries paid in calendar year 2010, pursuant to Title 19 O.S. § 444 – to be published annually in the month of February for the preceding calendar year – (Clerk)

Commissioner Helm made a motion to approve publication of the 2010 annual wages in the newspaper within Rogers County with the largest circulation only, with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

7. Discussion with possible action regarding Approval/Disapproval of Reimbursement form directing County Treasurer to deposit funds from Sheriff’s Office for fuel reimbursement to District #1 in the amount of \$1,733.95 into one cent sales tax fund for distribution – (Comm. Office)

Chairman DeLozier 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 Appointment or Reappointment of representatives from the Board of County Commissioners to the Grand Gateway Board of Directors for 2011 – (Comm. Office)

Commissioner Helm made a motion to appoint Commissioner District #1 Dan DeLozier and Commissioner District #2 Mike Helm to the Grand Gateway Board of Directors for 2011 with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

9. Discussion with possible action regarding Approval/Disapproval of County Officers Monthly Reports for December 2010 – (Clerk)

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

Zac Stoycoff with the Claremore Daily Progress inquired about Item 15 Agenda Items #1 and asked who the water and energy program was for and Chairman DeLozier replied, the courthouse only.

ITEM 17: ANNOUNCEMENTS:

Commissioner Helm announced Senator Rick Brinkley will be at the next Commissioners meeting on Monday, January 24th, to discuss the county's 8-year road plan and any other issues the county might deem necessary; will be bringing him up to date on the county's long-term plans and needs.

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 24, 2011***Commissioner Helm made a motion to approve payment of all purchase orders submitted from all departments with Commissioner Thacker 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 10:54 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, January 13, 2011, at 3:33 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.