

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 31, 2011, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Dan DeLozier called the meeting to order at 9:02 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 Kirt 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 24, 2011

Commissioner Helm made a motion to approve the minutes from January 24, 2011, as presented with Chairman DeLozier 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:

1. Discussion with possible action regarding Approval/Disapproval of Final Plat of Greystone at Stone Canyon Phase II, being located in Section 36, Township 21 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma, containing 9.78 acres; zoned RS-20; 9 Lots, 3 Blocks – Developer: C.A.B.O. Development Co., LLC – in District #2 (Kellogg)

Magan Green, Planning Commission Director, stated this was approved by the Planning Commission on November 16, 2010, by a vote of five to zero; has met all subdivision regulations and requirements.

Brian Kellogg with Kellogg Engineering, Inc., stated the subdivision has met all the engineering requirements, provided letter from Kellogg Engineering firm; along with 2-year maintenance bond that includes grading, drainage, roadway and paving improvements (including but not limited to sub-grade, sub-base, base, surface material, barrow ditches, culverts and end treatments) detention and drainage facilities. (**note**letter and maintenance bond were submitted for public record). The files in the Planning Commission has as-builts, utility release letters, certificate of ownership, CD's of the final plat and drawings to the County Assessor's in electronic form.

Commissioner Helm explained one of the biggest problems we have been having with these new subdivisions, is, if they meet all the E911 codes and requirements as far as addressing goes; Commissioner Helm asked Vicki Atchley, E911 Addressing, if all the requirements were met and Atchley replied, yes, on this particular subdivision.

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

ITEM 9: ROADS AND BRIDGES:

Discussion with possible action on Approval/Disapproval of Resolution #2011-5 regarding closure of Bridge #18 over Pryor Creek on East 320 Road on December 22, 2010, declaring an emergency exists and Guy Engineering Services, Inc. has been selected to design the replacement for Bridge #18 over Pryor Creek – (D#1 DeLozier)

Chairman DeLozier explained ODOT closed this bridge on the 22nd of December, 2010, on a fracture critical inspection; have selected Guy Engineering to be the engineering firm on the project and will be paid out of the force account; legal counsel has reviewed the resolution. Chairman DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:
1. 005 – Use Tax - \$8,064.72 & \$22,898.79
 2. 006 – Rogers County Courthouse & E911 Facility – None presented.
 3. 101 – Unrestricted Highway - \$323,871.51
 4. 105 – County Bridge & Road Improvement Fund (CBRIF-2010) - \$27,698.58
 5. 140 – Wireless Pre-Pay (January 2011) – None presented.
 6. 141 – Cellular Phone Usage - \$24,736.46
 7. 142 – E911 - \$26,871.06
 8. 145 – Attendant Care – None presented.

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

ITEM 11: TRANSFER OF FUNDS: None presented.

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 –
District #3: Lowes, \$300.00; Emergency Management: ComData Mastercard, \$200.00; Froman Oil Company, \$200.00; E911 Addressing: Froman Oil Company, \$200.00; Sheriff: Bimbo Bakeries, \$1,350.00; Farmers Bros. Coffee, \$400.00; Sysco Foods, \$7,000.00; Sysco Foods, \$3,200.00; Warehouse Market, \$300.00; Correctional Dental Services, \$2,000.00; Diamond Drugs, Inc., \$6,000.00; Diamond Medical Supply, \$500.00; PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$1,200.00; Medical Compliance Specialty, Inc., \$400.00; Froman Oil Company, \$500.00; Speedy Lube, \$500.00; District #1 Warehouse, \$2,000.00; District #2 Warehouse, \$1,000.00; ComData Mastercard, \$9,000.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as submitted with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 2. Orders Exceeding Amount of Issuance –
District #3 has purchase order #104529 exceeding in the original amount of \$500.00 to R & S Auto Parts, over by .35 cents. Commissioner Thacker made a motion to approve R & S Auto Parts, over by .35 cents. Commissioner Thacker made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

- ITEM 15: AGENDA ITEMS:
1. Open & Award Bid #541 – Rubber-Tired 4 Wheel Drive Backhoe Loader – District #1 –
14 bid packets were mailed with 0 being returned undeliverable and 8 responses received as follows: “No Bid” from Frontier Equipment Sales, LLC; Boxcer Construction Equipment Company; C.L. Boyd Company, Inc.; 5 bid responses as follows: Central New Holland, Inc., Yellowhouse Machinery Co. of Oklahoma; OCT Equipment; G W. Van Keppel Company; Warren Power & Machinery, LP, dba Warren Cat.
Chairman DeLozier made a motion to table awarding of this bid for one week (February 7, 2011) to allow time to review bids that were submitted with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 2. Open & Award Bid #542 – Wheel Loader – District #1
14 bid packets were mailed with 0 being returned undeliverable and 8 responses received as follows: “No Bid” from Frontier Equipment Sales, LLC; C. L. Boyd Company Inc., and Boxcer Construction Equipment Company; 5 bid responses as follows: Central New Holland, Inc.; OCT Equipment; Kirby-Smith Machinery, Inc.; Yellowhouse Machinery Co. of Oklahoma; and Warren Power & Machinery, LP, dba Warren Cat.
Chairman DeLozier made a motion to table awarding of this bid for one week (February 7, 2011) to allow time to review bids that were submitted with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 3. Discussion with possible action regarding Re-Appointment of Trustee B. J. Kincade to another 5-year term to Rogers County Industrial Development Authority – (D#1 DeLozier)
Commissioner Helm made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 4. Discussion with possible action on Approval/Disapproval of request for the Board to authorize David T. Iski, Assistant District Attorney, to open a PACER account on behalf of the county; Public Access to Court Electronic Records (PACER) is the electronic public access

service that allows users to obtain case and docket information from federal appellate, district and bankruptcy courts, as well as the PACER Case Locator via the internet – (ADA Iski)

Iski reported this web site allows him to review federal court cases the county is involved in; see letter for complete information; nothing to sign; is on-line registration. Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Discussion with possible action on Resolution #2011-6 authorizing Application for Financial Assistance from the Rural Economic Action Plan Fund by Justus-Tiawah Public Schools for a lagoon pond (at south campus) in the amount of \$24,000.00 and Acceptance/Decline of grant approval - (Clerk)

Commissioner Helm questioned if this area was in the Planning Commission's jurisdiction, if so, has DEQ been informed of this grant application request and is the Director of the Planning Commission aware of this.

Magan Green, Planning Commission Director, stated she was not aware of the request for the REAP Grant; and yes, DEQ would also need to approve first before Board could consider approving the grant application.

Commissioner Thacker made a motion to table this item until further notice with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

6. Discussion with possible action regarding Approval/Disapproval of Addendum, effective January 1, 2011, by and between Rogers County and Delta Dental Plan of Oklahoma with our recent dependent age change – (Clerk)

Commissioner Helm made a motion to approve 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 Resolution #2011-4 and Reimbursement form directing County Treasurer to deposit funds from Rural Water District #4 in the amount of \$751.66 into one cent sales tax fund for distribution for District #2 – (Comm. Office)

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

8. Discussion with possible action regarding Approval/Disapproval of Reimbursement Form as per Resolution #2010-36 directing County Treasurer to deposit funds from Town of Oologah in the amount of \$761.00 and Oologah Municipal Authority in the amount of \$70.55 for fuel reimbursement into the one cent sales tax fund for distribution for District #2 – (Comm. Office)

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

9. Discussion with possible action regarding Approval/Disapproval of Request #4 for payment of contract funds in the amount of \$4,000.00 for INCOG Administrative Funds from Oklahoma Department of Commerce on Contract #13263 CDBG 08 (Rural Water District #8) and CDBG Monthly Expenditure Report (Clerk)

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

10. Discussion with possible action regarding Report of Income and Expenses for Rogers County Sheriff's Commissary Account 127 for calendar year 2010 – (Sheriff)

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

11. Discussion with possible action regarding Approval/Disapproval of Resolution for Disposing of Equipment for District #2 as follows: Taskmaster Code Reader, sn#ASM09812021W to be upgraded – (D#2 Helm)

Commissioner Helm explained Taskmaster Code Reader is what they use to read their heavy trucks and pickups, which only goes up to 2007 year; the 2010 version has just come out and we are upgrading to allow our 2010 trucks to be read. Commissioner Helm made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

12. Discussion with possible action regarding Re-Appointment of Casey Reed to the Rogers County Excise/Equalization Board pursuant to Title 68 O.S. § 2861 – (Clerk)

Commissioner Helm made a motion to appoint Casey Reed to serve on the Rogers County Excise/Equalization Board as the representative for the Commissioners with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

13. Acknowledgement by Board of County Commissioners of statutory requirement of Title 19 O.S. § 178.1 – Biennial Inventory Summary for the following offices: General Government Account – (Clerk)

Acknowledged for public record, will be kept in the 2011 biennial inventory file in the County Clerk's Office.

14. Discussion with possible regarding Approval/Disapproval of Resolutions for Disposing of Equipment for OSU Extension Office as follows: HP Laser Jet IV Printer, model #C2001A, sn#USBB157656; Gateway E4200 computer, sn#0019453911; HPC2527A Scan Jet III C computer scanner, sn#SU00116866; 1820 Pitney Bowes Electronic Folder, sn#0406064; RC-4000

Risograph Duplicator w/stand, sn#94414235; RC Green Drum for RC-4000 Risograph Duplicator, sn#61433897; Konica 7033 copier, sn#55QE07938; Gateway Professional 1300se Intel Computer, sn#0023762867; E-1400-C Gateway Computer system, sn#0032873233; Dell Optiplex GX620 MT Desktop Computer, sn#H1QB5B1 – (OSU Ext.)

Vernon Scogin, Director of OSU Extension, stated since OSU is a state agency, any equipment bought with county funds has to come back before the county; equipment listed is old and non-repairable; requests the Board to allow OSU to junk items.

Commissioner Helm made a motion to approve the resolutions for disposing of equipment by junking with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

15. Acknowledgement for public record, receipt of Rogers County Industrial Development Authority's Monthly Activity Report for January, 2011 –

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 Vice-President of Welch State Bank, Sherri Mount, will present a lease-purchase agreement to be on the agenda for next week, Monday, February 7, 2011, on 2012 Mack CHU613 semi-tractor.

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, January 31, 2011***Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with the exception of purchase order #1052210 issued by Emergency Management to A & G Auto in the amount of \$181.95 until the Chairman of the Board discusses the purchase with Emergency Management Director, Bob Anderson, and Commissioner Helm seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 20: RECESS OR ADJOURNMENT:

Chairman DeLozier 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 10:40 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 27, 2011, at 3:16 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.