

NOTICE OF EMERGENCY 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, February 8, 2011, at 1:00 P.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Dan DeLozier called the meeting to order at 1:17 P.M.

ITEM 2: ROLL CALL TO ESTABLISH QUORUM:

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

Chairman DeLozier explained, an emergency is defined as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for the public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss.

ITEM 3: DISCUSSION AND POSSIBLE ACTION REGARDING THE DECLARATION OF A LOCAL EMERGENCY AND TEMPORARY WAIVER OF COMPETITIVE BIDDING PROCEDURES TO PURCHASES THAT MAY EXPEDITE A RESPONSE TO THE EMERGENCY SITUATION, TOGETHER WITH THE POWER TO ENTER INTO CONTRACTS AND INCUR OBLIGATIONS NECESSARY TO COMBAT SUCH DISASTER, PROTECTING THE HEALTH AND SAFETY OF PERSONS AND PROPERTY, AND PROVIDING EMERGENCY ASSISTANCE TO THE VICTIMS OF SUCH DISASTER, PURSUANT TO TITLE 63 O.S. § 683.11 and TITLE 19 § 1501 (3) (g) –

Commissioner Thacker explained District #3 has had two road graders and one snow plow truck go down since the beginning of the snow storm; is in dire need of a snow plow truck; have been calling around all day to find a vendor who has a truck; vendor has one in Wisconsin, 6-wheel International truck with snow plow and tailgate spreader for \$135,021.89; can be here as early as tomorrow once a purchase order has been faxed over to Frontier International; this is why we are having an emergency meeting.

Commissioner Thacker made a motion to approve the emergency purchase an International dump truck with snow plow, model 7400 SFA 4x2.

Commissioner Helm asked, if we declared it an emergency on Tuesday, February 1, 2011, why are we having to come back again to declare another emergency in order for District #3 to buy a truck; competitive bidding was waived.

David Iski, Assistant District Attorney, explained an Commissioner cannot make a purchase on their own say; the Board as a whole must act together, so therefore, the Board must meet and act together.

Commissioner Helm continued, the county did this before in 2007; we bought track hoes, backhoes and ski steer loaders without competitive bidding and without having to have an emergency meeting in order to purchase; just asking legal what brought this about that the Board has to do it like this now?

Iski stated he feel it is always wise for a Commissioner or the Board to consult their attorney before you enter into any contract or agreement that you know is an extraordinary move on your part; anytime it is a large expenditure just double-check with legal counsel to make sure you are not violating any laws; statutes are amended on a regular basis and there have been many statutes since 2007 that have been amended.

Iski continued, the Board met and declared an emergency; and that is all good; this particular purchase is why we are meeting today; we are addressing a different issue that has risen since the declaration.

Commissioner Helm made seconded the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 4: TRANSFER OF FUNDS:

1. District #3 One Cent Sales Tax M&O to capital outlay - \$140,000.00

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

ITEM 5: RECESS OR ADJOURNMENT:

Chairman DeLozier made a motion to adjourn the meeting with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and meeting adjourned at 1:33 P.M.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

(SEAL)

By: _____
Peggy Armstrong, Rogers County Clerk

Notice of said meeting was filed in the Office of the County Clerk on Tuesday, February 8, 2011, at 11:17 A.M. and posted on the Courthouse Bulletin Board; Outside the Commissioners Meeting Room; on the Exterior Window at the Southeast Entrance and Front Door Entrances to the Courthouse; and on the Wheelchair Ramp Door and County web site.