

**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, March 14, 2011, at 9:00 O'clock A.M.

**MINUTES**

ITEM 1: CALL TO ORDER:

Chairman Dan DeLozier called the meeting to order at 9:01 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: March 7, 2011

Commissioner Helm made a motion to approve the minutes from March 7, 2011, as presented. Commissioner Thacker pointed out the correction made under Item 17 Announcements, that the e-mail received was from Oklahoma Department of Commerce for payment of \$4,000.00 regarding CDBG grant for Rural Water District #8 13263 for payment #4 to INCOG for administrative dues; not from the Oklahoma Tax Commission for sales tax fees collected that have been going to Tulsa County.

Commissioner Helm noted that was his mistake and amended his motion for approval of March 7, 2011, minutes to include the correction 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. Discussion with possible action regarding the Re-Appointment of Brian Green to the Rogers County Planning Commission Board for another 4-year term from March 2011 through March 2015-District #1 appointment – (P.C./D#1 DeLozier)

Magan Green, Planning Commission Director, reported Brian Green has been an asset to the Planning Commission Board since 2005; is rarely absent. Chairman DeLozier made a motion to re-appoint Brian Green to the Rogers County Planning Commission Board with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action regarding Approval/Disapproval of County Bridge and Approach Plans for Bridge #79 Dog Creek; Federal Aid Project No. BRF-166C(219)CO; State Job No. 25744(04) in District #1 – (D#1 DeLozier)

Chairman DeLozier explained this is the cover sheet for Bridge Project #79 on Akin Road; has been working with Cherokee Nation on getting additional funding on this bridge and this document being presented today is a part of their requirement in getting that paperwork in place. 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:

None presented.

ITEM 11: TRANSFER OF FUNDS:

1. District #3 One Cent Sales Tax M&O to salaries - \$41,500.00
2. District #3 T-Highway M&O to travel - \$3,000.00

Commissioner Thacker made a motion to approve Items 1 & 2 under transfer of funds as presented with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. District #1 One Cent salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; capital outlay to FEMA capital outlay - \$1.00; and District #2 One Cent Salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; capital outlay to FEMA capital outlay - \$1.00; and District #3 salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; capital outlay to FEMA capital outlay - \$1.00 – (Clerk)

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

4. District #1 T-Highway salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; capital outlay to FEMA capital outlay - \$1.00; and District #2 salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; capital outlay to FEMA capital outlay - \$1.00; and District #3 salaries to FEMA salaries - \$1.00; M&O to FEMA M&O - \$1.00; and capital outlay to FEMA capital outlay - \$1.00 – (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 12: UTILITY PERMITS:

1. Rural Water District #5, Rogers County – boring NS/4106 Road approximately 1000 feet South of EW/530 Road in Section 3, Township 20 North, Range 15 East of the I.B.&M., Rogers County, in District #3 – (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.

2. Rural Water District #5, Rogers County – boring NS/4120 Road approximately 3,000 feet North of Highway 20, lying between Sections 10 & 11 of Township 21 North, Range 15 East of the I.B.&M., Rogers County, in District #2 – (D#2 Helm)

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

ITEM 13: CLAIMS:

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

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions – Assessor: Rogers County District #3 Warehouse, \$400.00; District #3: R & S Auto Parts, \$500.00 and Tri-Star Roll-Off, \$1,200.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as presented with Chairman DeLozier 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 Approval/Disapproval of Emergency Operation Procedures for Rogers County Courthouse – (E.M./D#3 Thacker)

Commissioner Thacker stated several months ago the Board asked Bob Anderson, Emergency Management Director to devise Emergency Operation Procedures for the Rogers County Courthouse; Anderson has completed this task and is presenting to the Board today for review and approval.

Anderson stated these procedures have been reviewed by Assistant District Attorney, David Iski; along with Chief Mike McElhaney and been presented to all three Commissioner's for review and comments; Anderson reminded these procedures are not for public view; if the Board approves today, will go to each office and set up meetings to go through the procedures with them and have each officer sign off that they received the book and the training and a master copy will be kept in the County Clerk's Office.

Commissioner Thacker stated that he doesn't know if you can prepare for every kind of emergency; but Anderson is to be commended for the work he has done. Chairman DeLozier agreed. Anderson continued, once we are in the new courthouse we can go back and update.

Chairman DeLozier made a motion to approve with Commissioner Helm seconding the motion. Commissioner Thacker asked, Anderson stated this is not for public to review, how is that possible in regards to public records? Iski replied, its internal security and by its definition, making it public put the courthouse and personnel at risk. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion with possible action regarding request of Reserve Deputy Joseph Smith to donate a 2003 Ford Crown Victoria Police vehicle, vin# 2FAFP71W03X206464, to the Rogers County Sheriff's Office vehicle fleet – (Chief McElhaney)

Chief McElhaney reported Joe Smith has been with the Sheriff's office for about ten to twelve years; and he has asked if he can donate his vehicle to the Rogers County Sheriff's fleet; we have checked with Tulsa County and they do it; have also consulted Iski concerning it; McElhaney reminded the Board several years ago, Lt. Mark Pease donated a brand new care to the fleet; has been done before.

Commissioner Helm asked, is the title of the car free and clear of liens and any other issues? Iski answered that he has not seen the title. McElhaney stated that was his fault;

told Smith not to worry about the title until the Board made their decision; if the Board chooses to postpone and give time to acquire the title. Iski continued, procedurally does the Board want to allow the donation of the car, which is fine and acceptable for someone to donate to the Sheriff's Office; secondly the Board could establish conditions to make sure the title is clear.

McElhaney stated we are also talking about additional \$3,800.00 worth of emergency equipment that would have to be added to the car, and it is already there; only thing we will have to do is stripe it and that would cost around \$275.00.

Chairman DeLozier made a motion to approve with the condition that the title be free and clear of any liens with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

\*\*\*NOTE\*\*\*Iski reviewed the title of the car after the meeting and reported the title was free and clear of any liens and we could proceed with the donation\*\*\*

3. Discussion with possible action regarding Approval/Disapproval of Independent Contractor Agreement by and between the Board of County Commissioners and Morrow Mechanical, Inc. – (Clerk)

Earl Hensley, Maintenance Department Director, presented the Board with the Independent Contractor's Agreement signed and completed by Morrow Mechanical in regards to proposal presented before the Board on February 28, 2011, for cleaning fan coil units. Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

4. Discussion with possible action regarding Approval/Disapproval of Monthly Reports of County Officers for February, 2011 – (Treas/Clerk)

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

5. Discussion with possible action regarding Resolutions for Disposing of Equipment for Rogers County Sheriff's Department to be declared surplus as follows: 1.) 1985 Chevy Diesel 4x4 pickup with military ambulance box, vin #1GCHD34J1FF355793, to be sold at Sapulpa Auto Pool Total Resource Auction; and 2.) 2004 Ford Crown Victoria, vin #2FAFP71W84X129862, to be sold by sealed bid – (Chief McElhaney)

McElhaney reported Sheriff Walton has decided to sell the 1985 pickup at the Sapulpa Auto Pool total Resource Auction and the 2004 Crown Victoria by sealed bid. Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

6. 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 \$829.60 and Oologah Municipal Authority in the amount of \$68.18 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.

7. Discussion with possible action regarding Approval/Disapproval of Reimbursement Form as per Resolution #2010-37 directing County Treasurer to deposit funds from Town of Talala for fuel reimbursement in the amount of \$450.36 and \$317.93 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.

8. Discussion with 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 officer or employee, to wit: Michaela Privett, Maintenance Department employee, as authorized by Title 25 O.S. § 307 (B) (1) – (D#1 DeLozier)

Commissioner Helm made a motion for the Board to enter into Executive Session with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the Board adjourned Regular Session and entered Executive Session at 9:27 A.M. with Assistant District Attorney, David Iski; Maintenance Director, Earl Hensley and Peggy Armstrong, Rogers County Clerk.

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

Chairman DeLozier made a motion to adjourn Executive Session and enter Regular Session with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 9:45 A.M.

10. Discussion with possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, to wit: Michaela Privett, Maintenance Department employee –

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 on Monday, March 14, 2011\*\*\*Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with Commissioner Helm seconding 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 Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the meeting adjourned at 10:55 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, March 10, 2011, at 3:49 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.*