

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 21, 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 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: March 14, 2011
Commissioner Thacker made a motion to approve the minutes from March 14, 2011, as presented with Commissioner Helm seconding the motion. Roll C all: 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 Brent Foster from AR to RS-40 for residential lot split on the West 448.72 feet of the North 348.43 feet of the NW/4 of the NW/4 of the NE/4 of Section 10, Township 21 North, Range 16 East; less and except the Westerly 208 feet of the Easterly 416.71 feet of the Northerly 208 feet of the NW/4 of the NW/4 of the NE/4 in Section 10, Township 21 North, Range 16 East of the I.B.&M., Rogers County – ADDRESS: 13502 East 480 Road, Unit "A", Claremore, Ok 74017
Magan Green, Planning Commission Director, reported the Planning Commission approved this zoning request on March 15, 2011, by a five to zero vote; no opposition was present at their meeting.
Sue Walton represented the applicant; no opposition was present at the Commissioner's meeting.
Chairman DeLozier made a motion to approve 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: None presented.
- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:
None presented.
- ITEM 11: TRANSFER OF FUNDS:
1. Amendment – District #1 One Cent Sales Tax salaries, to read **M&O** into District #1 FEMA salaries - \$1.00 –
NOTEthis transfer was originally approved on March 14, 2011***
Commissioner DeLozier made a motion to approve with Commissioner Thacker 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 county road EW/500 approximately 2,000 feet East of county road NS/4120 at 9400 East 500 Road being located between Sections 13 and 24 of Township 21 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.
- ITEM 13: CLAIMS:
1. Salaries – None presented.

2. Attendant Care – None presented.
3. State of Oklahoma, Office of Juvenile Affairs, Detention Transportation Claim for February , 2011, in the amount of \$639.99 –

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

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –
Assessor's Office: Imperial Coffee, \$250.00 – Commissioner Thacker made a motion to approve the blanket purchase order as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Orders Exceeding Amount of Issuance –
District #3: Lowe's opened for \$300.00; requesting to be paid for \$305.48;
District #2: Warren Cat opened for \$7,500.00 requesting to be paid for \$11,762.67; and Bruckner Truck Sales, Inc., opened for \$2,900.00 requesting to be paid for \$2,997.03
Commissioner Helm made a motion to approve the three blanket purchase orders exceeding amount of issuance as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 15: AGENDA ITEMS:

1. Discussion and possible action regarding Approval/Disapproval of request by BKL, Inc., to bid the Courthouse Project and signing of Cover Sheet of Contract Documents – (D#1)
Kim Reeve with BKL, Inc. reported they are ready to put the construction documents out; documents are ready and the intent is to put them out on the street; Flintco will be handling the bid process; hopes are to open the bids on April 15th; we ask the Board to sign a cover sheet for the contract documents with the Clerk attesting and it will be included in each bid.

Commissioner Thacker stated a concerned citizen contacted him and sent him a recent newspaper article regarding another courthouse that was recently built about all the problems that were having with leaking windows, etc.; don't believe BKL was the architect and Flintco the construction manager for this courthouse, but my question is, what if this happens to our Courthouse, how do we go about getting the problem addressed and fixed?

Reeve answered, one advantage Rogers County has is you chose to go with a construction management process; and instead of selecting low bidder on bid award day of the general contractor, you interviewed five of the top general contractors in the state and were able to select one based upon qualifications and has a history of not having those kinds of issues.

Evan Anderson, preconstruction manager of Flintco, Inc. stated the design BKL has done is a very sound and secure design, especially when it comes to exterior design; doesn't feel there should be issues with it at all; but one of the things we do for all of our clients is, we have a #1-800 number for each and every one of you to call 24/7 and within an hour somebody will be calling you back and to take care of your problem.

Commissioner Helm asked if the new Assistant District Attorney had looked over the construction documents? Reeve answered, the previous District Attorney looked at the contract documents and general conditions are the same; would be beneficial to let the new District Attorney review, but that can be done at a later date, still can proceed with the bidding process.

Commissioner Helm reported the opening of the bids should be done by the Purchasing Agent per state statutes; Anderson stated Flintco will assist in the process and all bids will be submitted to the County Clerk's Office with a deadline; Flintco will be sending out all the bids; will be forwarding a publication to the County Clerk's Office sometime in the next few hours to be published in the Claremore Progress.

Commissioner Thacker made a motion to sign the Cover Sheet of the Contract Documents and permission to let the bid of the Courthouse Project with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Open & Award Bid #204 – Laid Asphalt
9 bid packets were mailed with 0 being returned and 6 bids responses received as follows: Dunham's Asphalt Services, Inc., \$60.00 per ton laid; Blaco Construction, LLC price per ton laid B-\$71.50 and C-\$75.60; A & A Asphalt, Inc., \$59.15 per ton laid; Apac-Central, Inc., \$53.00 per ton laid for Type B or C for all three districts; Tulsa Asphalt, LLC, price per ton for District #1 \$51.28; District #2 \$50.03 and District #3 \$49.73; Paragon Contractors, LLC, \$69.00 price per ton laid. Commissioner Thacker made a motion to accept all bids submitted based upon first available and closest to work region with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

3. Open & Award Bid #543 – Road/Traffic Striping
7 bid packets were mailed with 0 being returned undeliverable and 4 responses received as follows: Time Striping, Inc. \$.07; Direct Traffic Control, Inc. \$.11; Arkansas Sign & Barricade, Inc. \$.0725; and Advanced Workzone Services, LLC, \$.09 – Commissioner Helm made a motion to award the bid to the lowest bidder of Time Striping, Inc. for \$.07 and the additional item quoted 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 TulsaConnect Co-Location Service Agreement for hosting of e-mails for Rogers County Courthouse - (IT/ADA)

NOTE Proposal was discussed at the March 7, 2011, meeting***

Brett Williston with I.T. stated the original service agreement has been reviewed and approved by Assistant District Attorney, David Iski; will also be saving the county approximately \$600 per year than compared to the way we are doing it now, we are spending approximately \$1500 per year on e-mail; with the service agreement will cost around \$900 per year.

Commissioner Helm 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 regarding Approval/Disapproval of Independent Contractor Agreement by and between Board of County Commissioners for Rogers County and Red Bud Service – (Maint Dept)

Chairman DeLozier made a motion to approve 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 Resolution #2011-11 allowing Rogers County to buy or sell machinery and/or equipment at the Statewide County Equipment Auction – Pittsburgh County Fairgrounds – McAlester, Oklahoma, on Friday, May 7, 2011- (Clerk)

Chairman DeLozier reported May 7th is on a Saturday; not a Friday as reflected in the resolution. Commissioner Helm made a motion to approve the resolution with the noted change from Friday to Saturday with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

7. Discussion with possible action regarding Approval/Disapproval of Resolution #2011-12 and Reimbursement Form directing County Treasurer to deposit funds from The Travelers Indemnity Company of America in the amount of \$323.92 into the Sheriff's General Fund, Vehicle Maintenance Account for payment of collision damage on 2007 Ford Crown Victoria, vin #2FAHP71W47X152844 – (Sheriff)

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 Resolution #2011-13 and Reimbursement form directing County Treasurer to deposit funds from Rural Water District #4, Rogers County, in the amount of \$553.57 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 Reimbursement Form as per Resolution #2010-34 directing County Treasurer to deposit funds from Sheriff's Office for fuel reimbursement in the amount of \$1,393.43 for District #1 and \$188.25 for District #2 into One Cent Sales Tax Fund for distribution for District #1 and 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.

10. 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) - ***NOTE***this item was discussed at the March 14, 2011, meeting***

Commissioner Helm made a motion to adjourn Regular Session and enter 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 9:32 A.M. with Earl Hensley, Maintenance Director; Marilyn Gibson, 1st Deputy County Clerk and Peggy Armstrong, Rogers County Clerk.

11. 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 9:46 A.M.

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

Commissioner Thacker made a motion to give Michaela Privett a raise from \$8.00 per hour to \$12.00 per hour to become effective March 1, 2011, 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 -

Commissioner Helm commented in regards to Item 13 Claims #3; in the Criminal Justice Meeting we saw it was 77 hours; we are giving up \$20.24 every time we do this; the county is losing \$1,556.48; which the State of Oklahoma is not making up; but yet the county is sending \$1.3 million dollars back to the Supreme Court from the Court Fund, as we saw in the monthly reports from the offices last week. Chairman DeLozier agreed.

ITEM 17: ANNOUNCEMENTS:

Chairman DeLozier reported he received an e-mail from Tonya Innis, Regional Director of Victims' Impact Panel of Oklahoma, Inc., requesting the use of a courtroom once a month for scheduled 2011 Claremore Panel Dates; this item will be on the agenda for next Monday, March 28th.

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 21, 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:

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 10:50 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 17, 2011, at 3:50 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.