

**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, April 4, 2011, at 9:00 O'clock A.M.

**MINUTES**

ITEM 1: CALL TO ORDER:

Chairman DeLozier called the meeting to order @ 9:04a.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 and Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Meeting Act; posted on Thursday, March 31<sup>st</sup>, 2011 @ 3:08p.m.

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 28, 2011

Commissioner Helm made a motion to approve the minutes from March 28<sup>th</sup>, 2011 as presented with /Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Acknowledgement for public record receipt of documents Commissioner Kirt Thacker had settlement authority to sign documents to secure the deal in the purchase of only one parcel of land in regards to BRO-166D(139)CO; J/P 24190(04) Parcel 3 for bridge reconstruction involving property owners Sidney A. and Danette D. Morrison, approved by Board on March 7, 2011, as follows: Dedication Deed Public Highway; Quit Claim Deed; Easement for Public Highway; Temporary Construction Easement; Unattainable Lien Waiver and Donation Certificate in District #3 – (Clerk)

Acknowledged for public record only, no action taken.

ITEM 7: ZONING: None presented.

ITEM 8: PLATS:

1. Discussion with possible action regarding Approval/Disapproval of Partial Vacation of Plat requested by owners of lots within Ranch View Lake Estates, Rogers County, Oklahoma, being a part of the NW/4 of Section 1, Township 21 North, Range 14 East of the I.B.&M., with said plat recorded in Book 373 Page 359, in the record of the County Clerk of Rogers County, State of Oklahoma – (ADA Iski)

Toney Foster, Attorney was present. ADA David Iski gave an update and recommended Board approval. There were no objections per the Planning Commission. Commissioner Helm made a motion to approve the Partial Vacation of Plat as requested with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

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: None presented.

ITEM 12: UTILITY PERMITS: None presented.

ITEM 13: CLAIMS:

1. Salaries

One termination for the Sheriff's Office: Shane Reynolds, terminated March 31<sup>st</sup>, 2011; 104 hours vacation time and ¼ comp-time hour. Chairman DeLozier made a motion to

approve salary claim for Shane Reynolds as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –
  - 911 Addressing, Froman Oil Company \$200.00
  - Emergency Management, Froman Oil Company \$200.00
  - Emergency Management, Comdata Fuel Card \$300.00
  - District #1, R & S Auto Parts-Chelsea, \$ 600.00
  - District #1, Tri-Star Roll-Offs, \$1050.00

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

2. Orders Exceeding Amount of Issuance – None presented.

ITEM 15: GRANTS: None presented.

ITEM 16: AGENDA ITEMS:

1. Open & Award Bid #544 – 4-Wheel Drive Cab Tractor – (D#3 Thacker)  
25 bid packets were mailed, with 0 returned undeliverable, and 6 responses.
  - C. L. Boyd Company, Inc., - no bid
  - Kirby-Smith Machinery, Inc., - no bid
  - Yellowhouse Machinery Co., - no bid
  - Williams Tractor, Inc., - \$59,700.00
  - P & K Equipment, Inc., - \$87,613.72
  - Central New Holland, Inc., - \$60742.00

Commissioner Thacker made a motion to table the awarding of the bid for one (1) week for review (April 11, 2011) with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion with possible action regarding Approval/Disapproval of Resolution #2011-15 Proclaiming April as Fair Housing Month – (Clerk/INCOG)

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

3. Discussion with possible action regarding Claim against the Ad Valorem Reimbursement Fund, per Title 62 O.S., Supplement 1993, Section 193, for loss of revenue due to exemption of new or expanded manufacturing facilities in 2009 for 2010 tax year – (Assessor)

Assessor Scott Marsh explained this was the standard reimbursement claims for loss of revenue in the amount of \$1,021,526.00. He also stated Rogers County does not ever get the full amount reimbursed. Commissioner Helm made a motion to approve reimbursement claim with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

4. Discussion with possible action regarding Approval/Disapproval of Lease Agreement and Addendum to Agreement by and between Board of County Commissioners on behalf of Rogers County Treasurer and Mail-Finance, Inc. – (Treasurer)

ADA David Iski stated he had reviewed the Lease Agreement and Addendum and recommended the Board to approve. Commissioner Helm made a motion to approve Lease Agreement and Addendum as presented 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 Authorization and Certificate of Authorized Representative Authority and Form of Requisition to be sent to RCB Bank for payment request of \$5,000.00 earnest money deposit to Land Title Closing Services, Inc., (Escrow Agent) on account of purchase price regarding Contract for Sale of Land on the South 270.69 feet of the North 765.69 feet of the E/2 of the SE/4 of the SE/4 of Section 31, Township 22 North, Range 16 East of the I.B.&M., Rogers County, containing four (4.0) acres –

**And**

Invoice No. Eleven (11) from BKL, Inc., for professional services in connection with the Rogers County Courthouse and E911 Facility, Claremore, Oklahoma, in accordance with Agreement dated January 19, 2010, BKL Project No. 533, in the amount of \$28,200.00 – (Comm. Office)

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

6. Withdrawal of Request of Cremation Permit Application from Add'Vantage Funeral and Cremation Service, by Gary Kelley - \*\*\*NOTE\*\*\*this item was discussed at March 28, 2011, meeting and inadvertently reflected Musgrove-Merriott-Smith Funeral Service & Crematory, Claremore, Ok\*\*\*

Acknowledged for public record Request for withdrawal, no action taken.

7. Discussion with possible action regarding signing of Title on 1997 Ford F-80, vin#1FDXF80C4VVA29240 that was sold at Statewide County Equipment Auction in Elk City on

March 12, 2011, for District #3 – (D#3)

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

8. Discussion with possible action regarding Resolution for Disposing of Equipment and signing of Certificate of Title on 2002 Dodge Durango, vin# 1B4HS38N72F176779, to be declared surplus and sold at Statewide County Equipment Auction in McAlester, Oklahoma, on Saturday, May 7, 2011, for County Assessor's Office – (Assessor)

Chairman DeLozier made a motion to approve the vehicle being sold at the McAlester auction on May 7, 2011, with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

9. Discussion with possible action regarding Resolution for Disposing of Equipment and signing of Certificate of Title on 2000 International 4700 Truck, vin# 1HTSCAAN3YH237503, to be declared surplus and transferred to Ottawa County – (D#3 Thacker)

Commissioner Thacker stated this is an older truck that is outdated for District #3, but would be considered a new truck for Ottawa County. Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

10. Acknowledgement for public record, receipt of Rogers County Industrial Development Authority's Activity Report for March 2011 – (Clerk)

Acknowledged for public record only, no action taken.

11. Discussion with possible action regarding Approval/Disapproval of County Clerk's Cash Book and Summary Report to the Board of County Commissioners for March, 2011 – (Clerk)

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

ITEM 17: 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 18: ANNOUNCEMENTS:

Commissioner Helm announced April is National Government Week and is being recognized by the National Association of Counties (NACO) and Association of County Commissioners (ACCO) and re-affirming what the pharmacy card does for National Association for Counties.

Commissioner Helm continued, he is asking the citizens to call their respective Senator of their area regarding HB 1992, which is a part of the sinking fund, which generates \$68,000,000.00 through taxes, plus it would go into effect with 25% addition to that, which would give a substantial tax increase to the citizens of the State of Oklahoma and Rogers County, requesting citizens to contact their Senator and ask him/her to vote no on HB 1992.

ITEM 19: 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 20: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions)\*\*\*NOTE\*\*\*see attached list of claims that were approved for payment on Monday, April 4, 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 21: 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 10:22 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 31, 2011, at 3:08 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.*