

## 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 18, 2011, at 9:00 O'clock A.M.

### MINUTES

ITEM 1: CALL TO ORDER:

Chairman DeLozier called the meeting to order @ 9:01a.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 Commissioners Kirt Thacker were present and quorum was established and Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Meeting Act; posted on Thursday, April 14<sup>th</sup>, 2011 @ 3:31pm

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: April 11, 2011

Commissioner Thacker made a motion to approve the minutes from April 11<sup>th</sup>, 2011 as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

ITEM 6: UNFINISHED BUSINESS:

1. Discussion with possible action regarding Approval/Disapproval of Resolution #2011-16 declaring BR #137 at old SH 33 and SH 88 as Priority Project to be added to the HB1176 2016 Program Year – (D#3 Thacker)\*\*\***Note**\*\*\*This item was tabled on April 11<sup>th</sup>, 2011 agenda.

Commissioner Thacker stated this was one the five (5) years bridge project plan. Chairman DeLozier asked if it was a CIRB project and Thacker replied yes. Commissioner Thacker made a motion to approve Resolution #2011-16 as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

2. Discussion with possible action on approval of Resolution #2011-19 regarding HB1176 (CIRB) which requires counties to set county priorities for projects, and these projects are currently funded by HB1176 are 2014 JP 25479 BR#102&106 - Realign Keetonville RD; 2014 JP25480 BR#107 & 108 Corridor; 2015 JP27811 BR#63 – Dog Creek (EW 410 RD); Therefore declare the following priority to be added to the HB1176 2016 program year: 2016 BR#14 – Winganon Roadway and Bridge Replacement. (Kellogg Engineering) \*\*\***Note**\*\*\* This item was tabled on April 11<sup>th</sup>, 2011 agenda.

Commissioner Helm asked that no action be taken on this item with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

3. Award Bid for Rogers County Sheriff's Office on 2004 Ford Crown Victoria, vin #2FAFP71W84X129862 – (Sheriff/Clerk)\*\*\***NOTE**\*\*\*This bid was opened on April 11<sup>th</sup>, 2011, but awarding of bid was tabled for one (1) week (April 18<sup>th</sup>, 2011) at the request of Chief Mike McElhaney for review.

Chief McElhaney said the Sheriff's Department would accept the bid of \$200.00 form Douglas Gibson. Commissioner Thacker made a motion to approve this bid with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

4. Discussion with possible action regarding Consideration of designating 1-hour parking spaces for public use only – (D#3 Thacker) \*\*\***Note**\*\*\*This item was tabled on April 11<sup>th</sup>, 2011 agenda.

Discussion was made concerning being in compliance with the ADA Compliance Officer, Bob Anderson. Mr. Anderson was unavailable for comment. However, Chairman DeLozier said he had spoken with Mr. Anderson and had also viewed the parking situation and felt Rogers County was still in compliance. Commissioner Helm made a motion to approve the designated 1 hour parking spaces for the public use only, with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

ITEM 7: ZONING: - None Presented

ITEM 8: PLATS:

1. Discussion with possible action regarding Approval/Disapproval of Preliminary Plat, Stone Canyon Pool, being located in Section 1, Township 20 North, Range 14 East – Developer C.A.B.O. Development Co., Inc. – Total area 2.12 acres – (D#2/Kellogg Engineering)

Magan Green, Planning Commission Director stated this item was approved on April 5<sup>th</sup>, with a vote of 5-0. Brian Kellogg said the plat meets all the sub-reg's. Commissioner Helm made a motion to approve the Preliminary Plat as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried

2. Discussion with possible action regarding Approval/Disapproval of Preliminary Plat, Villas At Patriot Camps, being located in Section 1, Township 20 North, Range 14 East - – Developer C.A.B.O. Development Co., Inc. – Total area 2.61 acres – (D#2/Kellogg Engineering)

Magan Green, Planning Commission Director stated this item was approved on April 5<sup>th</sup>, with a vote of 5-0. Brian Kellogg said this is a four (4) time share unit. It is multi-family residential housing. Commissioner Helm questioned if the hotel/motel tax would apply to these units. He also requested that ADA David Iski do research before final plat is approved. Commissioner Helm made a motion to approve the preliminary plat with Commissioner Thacker seconding the motion. . Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried

ITEM 9: ROADS AND BRIDGES:

1. Discussion with possible action on new Federal Standards for Street Name signs as per letter from the U. S. Department of Transportation, Federal Highway Administration – (D#1)

Chairman DeLozier stated that a letter received November 2, 2010 changes the Federal Standards for Street Name signs has changed. Currently, private drives/roads in Rogers County are Red signs and county roads are Green signs. Going forward all private drives/roads in Rogers County will be Blue signs with White letters. He also stated that any replacement signs for stolen or end of service signs will have to be Blue signs with White letters. Discussion only. No action taken.

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 - \$64,000.00

2. Sheriff's Jail Fund M & O to Part-time Salaries - \$15,000.00

Commissioner Thacker made a motion to approve the Transfers as presented with Commissioner Helm seconding the motion. . Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried

ITEM 12: UTILITY PERMITS: - None Presented

ITEM 13: CLAIMS:

1. Salaries – None Presented

2. Attendant Care – None Presented

3. Tort Claim Deductible in the amount of \$2593.69

Commissioner Helm made a motion to approve the Tort Claim Deductible as presented with Chairman DeLozier seconding the motion.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Materials, Supplies, Parts, Groceries & Prescriptions –

- District #1, Tri-Star Rolls Off, \$1050.00
- Sheriff's Jail, Froman Oil Company, \$500.00
- Sheriff, Speedy Lube, \$500.00
- District #2, Warren Cat, \$2500.00
- District #3, Tri-Star Rolls-Off \$1800.00
- District #3, Lowe's, \$300.00
- District #3, R & S Auto Parts, \$500.00

Commissioner Helm 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 –

Purchase Order #105907 to Comdata Master Card for fuel from Sheriff's Office exceeded the original blanket purchase order of \$3,000.00 in the amount of \$976.71.

Commissioner Helm made a motion to approve the purchase order in the amount of \$3976.71 for payment with Commissioner DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

ITEM 15: GRANTS: None Presented

ITEM 16: AGENDA ITEMS:

1. Discussion with possible action regarding Approval/Disapproval of Community Development Block Grant (CDBG) 2011 Water and Wastewater Construction Program Citizen Participation Plan; Resolution #2011-18 requesting assistance from Oklahoma Department of Commerce (ODOC) and authorizing the Chairman to sign related CDBG Application Documents – (Andy Armstrong/Clerk)

Andy Armstrong was present. He has been working with Rural Water District #3 on a Capital Improvements Project. They are currently working on Oowalla Road. He stated the current project is \$600,000.00. \$249,950.00 would come from the Oklahoma Department of Commerce. Rural Water District #3 Board will over match the remaining amount of approximately \$379,000.00. This project is approximately two (2) miles on New Highway #88, from Bellco Road to Canyon Oaks Sub-division. Plans are to replace existing line with a 12" line. Brian Kellogg stated this is Phase I. Chairman DeLozier made a motion to approve the resolution with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

2. Discussion with possible action regarding Approval/Disapproval of the appointment of Rogers County Court Clerk, Candi Czapansky as requisitioning officer for the Law Library Fund, Fund #131 – (Clerk)

Chairman DeLozier questioned if this would remove Dale Marlar as a requisitioning officer for the Law Library Fund. ADA David Iski answered that Mr. Marlar would remain and this action would be adding Rogers County Court Clerk Candi Czapansky as a requisitioning officer. Discussion was also made to request ADA David Iski to research the redirecting on the Law Library funds. Chairman DeLozier made a motion to approve the appointment of Rogers County Court Clerk, Candi Czapansky as requisitioning office for Law Library with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

3. Discussion with possible action regarding Approval/Disapproval of the issuance of Purchase Order for Continuing Legal Education conducted by the Oklahoma Bar Association on the topic of employee handbooks in the amount of \$150.00 for ADA David Iski – (ADA)

Chairman DeLozier made a motion the pay the registration fee from the General Fund 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 Reimbursement Form as per Resolution #2010-34 directing County Treasurer to deposit funds from Sheriff's Office for fuel reimbursement in the amount of \$418.14 into One Cent Sales Tax Fund for distribution for District #3 and rescinding the approval on same resolution from April 11<sup>th</sup>, 2011 which deposited the reimbursement into District #1 in error – (Comm. Office)

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

5. 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 \$2,088.14 into One Cent Sales Tax Fund for distribution for District #1– (Comm. Office)

Chairman DeLozier made a motion to approve the resolution 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 Reimbursement Form as per Resolution #2011-20 directing County Treasurer to deposit funds from Ottawa County Clerk for CRS-2 Emulsion reimbursement in the amount of \$468.75 into One Cent Sales Tax Fund for distribution for District #1– (Comm. Office)

Chairman DeLozier made a motion to approve the resolution with Commissioner Helm 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 #2011-19 directing County Treasurer to deposit funds from Bruckner Truck Sales, Inc. for registration fees reimbursement in the amount of \$61.50 into One Cent Sales Tax Fund for distribution for District #2– (Comm. Office)

Commissioner Helm made a motion to approve the resolution 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 for fuel reimbursement in the amount of \$948.21 and Oologah Municipal Authority for fuel reimbursement in the amount of \$47.03 into One Cent Sales Tax Fund for distribution for District #2– (Comm. Office)

Commissioner Helm made a motion to approve the resolution 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 Guardian Security Systems, Inc. Alarm Monitoring Agreement with Rogers County Election Board – (ADA)

Commissioner Thacker questioned what alarms this covered. Roy Hancock, Election Board 1<sup>st</sup> Deputy, stated this only covers the burglar alarm system. Chairman DeLozier made a motion to approve the agreement with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

10. Open & Award Bid #545 – Bridge Piles – Bridge #18 @ E320 Road, Chelsea – (D#1)

12 Bid packets were mailed. 0 returned undeliverable, and 2 responses. Railroad Yard, Inc - \$28,296.00. Paradigm Construction and Engineering, Inc. - \$38,500.00. Chairman DeLozier made a motion to accept the low bidder, Railroad Yard, with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried. Note – Mark Downey with Railroad Yard was present @ meeting.

11. . Discussion with possible action regarding Resolution for Disposing of Equipment and signing of Certificate of Title where applicable and to be declared surplus, and sold at Statewide County Equipment Auction in McAlester, Oklahoma, on Saturday, May 7, 2011, for District #1 as follows – (D#1)

- Coats Super Star Tire Machine SN – N/A
- Craftsman Chainsaw with 16” bar SN – N/A
- Stihl Chainsaw MS 280 SN – 269707150
- Stihl Chainsaw MS170 SN – 269703598
- Stihl Chainsaw MS170 SN – 273503646
- Stihl Chainsaw MS170 SN – 268832213
- Stihl Chainsaw MS260 SN - 256906781
- Stihl Weed-eater Model FS110RX SN – N/A
- 2 Stihl Weed-eater Model FS85 SN – N/A
- Stihl Weed-eater Model FS100RX SN – N/A
- 1998 Ford ¾ Ton Pickup SN – 1FTRF276XWKC06113
- 2000 International 4900 Dump Truck SN – 1HTSHADRXHYH267212
- 10 Foot Dump Bed SN – N/A
- 1999 Ford 6610 Diesel Tractor SN – 261337M
- Hypac Smooth Drum Roller with Pad Foot Shell SN – 109B18802234
- Monroe Snow Plow SN – 01022568
- Henke Snow Plow SN – 2703
- Henke Snow Plow SN – 2241
- Stinger Steam Cleaner SN – 1097-109
- Rhino FL10 Mower SN – 14564

Chairman DeLozier made a motion to approve the resolutions as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

12. Discussion with possible action to enter Executive Session for the purpose of discussing the purchase or appraisal of real property, as authorized by Title 25 O.S. § 307 (D) – (D#3/ADA)

Commissioner Thacker made a motion to enter Executive Session with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried. Board entered into Executive Session @9:43a.m.

13. Motion and vote to adjourn Executive Session and enter Regular Session – Re-entered into regular session @ 10:10a.m.

14. Discussion with possible action regarding the purchase or appraisal of real property, as authorized by Title 25 O.S. § 307 (D) –

Commissioner Thacker made a motion to request the Board of County Commissioners permission for authorization to negotiate for the purchase of a piece of property in District #3 with Chairman DeLozier 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: - None Presented

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)

Chairman DeLozier made a motion to approve payment of all purchase orders as presented from all departments with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried

ITEM 21: 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 11:18 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, April 14, 2011**, at **3:31p.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.*