

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

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Dan DeLozier called the meeting to order at 9:00 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 and determined that Notice of Meeting and Agenda were properly posted in accordance with the Oklahoma Open Meeting Act.

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: April 28, 2011; May 2, 2011 and May 4, 2011

Commissioner Helm made a motion to approve the minutes from April 28; May 2 and May 4, 2011, as presented 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. Public Hearing with Discussion and Possible Action regarding Application for a Change of Zoning by Judy L. Miller from AR to RST-60 for a mobile home on the S/2 of the W/2 of the SW/4 of the NW/4 of the SW/4 of Section 14, Township 21 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof – Address: 9878 North 161st East Avenue, Owasso, Ok 74055 –

Magan Green, Planning Commission Director, reported this item was presented to the Planning Commission on May 3, 2011, and approved by a four to one vote; Green's recommendation was to approve the zoning; the Miller's purchased the property from a Sheriff's auction and they understood there were no restrictions; have received their water and electric permits; knew nothing about a building permit until building inspector drove by property and informed them they needed a permit; mobile home was already on property at this time; plan on bricking around the exterior and building a nice deck; a creek runs through the property, so a portion of the property is in flood zone; Miller's installed the mobile home 2.5 feet off the ground; is on a septic system; opposition was present at the Planning Commission meeting; there are three other mobile homes within a ¼ mile of this particular mobile home; while it doesn't have ten acres, they are applying for the mobile home zoning, which does meet the zoning requirement.

No opposition was present at the Commissioners meeting; applicants were present. Commissioner Helm 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:

1. Discussion with possible action regarding Approval/Disapproval of ODOT Claim Form 324a in the amount of \$676.80 for payment for completion of six month inspection of one County Road System Bridge in Rogers County, District #3, per Contract #1232E; Project #BR-NBIS(070)CO; State Job #12996(12), Invoice #66-SP-10 – (D#3)

Commissioner Thacker reported Items 1 and 2 are a couple of bridge projects District #3 has been working on; necessary paperwork to complete and send into ODOT; needs Board approval before we can submit to ODOT.

Chairman DeLozier asked, where does the money come from so ODOT can pay these claims; our CBRI funds are no longer paid through claim form 324a? Commissioner Thacker replied, ODOT is paying for it; it's a BR project. Commissioner Thacker made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion with possible action regarding Approval/Disapproval of Bridge Inspection Invoice in the amount of \$514.55 for payment of completion of six month inspection of one County Road System Bridge in Rogers County, District #3, per Contract #1232E; BR-NBIS (070) CO; J/P 12996(12), Invoice #66-SP-3-11 – (D#3)

Commissioner Thacker made a motion to approve with Chairman DeLozier 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 capital outlay - \$59,700.00
2. District #3 One Cent Sales Tax Lease-Purchase Equipment to salaries - \$24,500.00 –

3. District #3 One Cent Sales Tax M&O to capital outlay - \$2,100.00 –
Commissioner Thacker made a motion to approve Items 1, 2 & 3 under Transfer of Funds as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 12: UTILITY PERMITS:

1. Oklahoma Natural Gas Company, a Division of ONEOK, Inc. – boring and crossing East 400 Road approximately 740 feet West of the NE/corner of the NW/4 of Section 33, Township 23 North, Range 15 East of the I.B.& M., Rogers County, Oklahoma, in District #2 –

Commissioner Helm stated since ONG plans on following the county's requirements for boring under the roads only, made a motion to approve with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. A T & T – trenching & boring starting at the Northeast corner of Section 14, Township 21 North, Range 15 East, thence South on West side of N 4120 Road approximately 370 feet to the A T & T Easement, in District #3 –

Commissioner Thacker made a motion to approve with Chairman DeLozier 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: District #3 Warehouse, \$400.00 – Commissioner Thacker made a motion to approve the blanket purchase order as submitted with Commissioner Helm 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. Discussion with possible action regarding Removal of Rebecca Dealy as Requisitioning Officer for the Rogers County Election Board – (Clerk/E.B.)

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

2. Discussion with possible action regarding Appointment of Julie Dermody and Roy E Hancock as Requisitioning Officers for the Rogers County Election Board – (Clerk/E.B.)

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

3. Discussion with possible action regarding Appointment of Katie Theall and Karen Flowers as Receiving Agents for the Rogers County Election Board – (Clerk/E.B.)

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 County Clerk's Cash Book and Summary Report to the Board of County Commissioners for April, 2011 – (Clerk)

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

5. Acknowledgement for public record receipt of Rogers County Industrial Development Authority's monthly report for April 2011 – (Clerk)

Acknowledged for public record only, no action taken.

6. Discussion with possible action regarding Approval/Disapproval of Independent Contractor Agreement by and between the Board of County Commissioners and Claremore Abstract & Guaranty Company – (D#3)

Commissioner Thacker made a motion to approve 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 Reimbursement Form as per Resolution #2010-47 directing County Treasurer to deposit funds from elections held on July 24, 2010; August 24, 2010 and February 8, 2011 to reimburse Election Board general fund for expenses – (E.B.)

Chairman DeLozier 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 regarding Commercial Lease Agreement by and between William and Cheryl Higgins, husband and wife and the Board of County Commissioners of Rogers County – (D#1 DeLozier/ADA Iski)

Chairman DeLozier reported he has been working with Assistant District Attorney, David Iski, to find additional parking due to the construction of the new courthouse getting ready to begin; the land located behind the Election Board, the county owns a portion of it and will be turning it into a parking lot; have discussed the matter with Bill Higgins, attorney, who owns the building next to the Election Board and has a small piece the county could also use for additional parking and we are currently looking for more parking, we are open to suggestions.

Iski reported Higgins picked up the rough draft copy of the commercial lease agreement on Friday, May 6th; he has not had time to review; this contract/agreement will be fiscal year controlled, so we will need to enter into a contract for this fiscal year; next fiscal year and the option to renew would expire June 30, 2013; recommends giving Chairman DeLozier authorization to sign off on at this point in time and if there should be any significant changes to the contract, it would be brought back before the Board.

Commissioner Helm made a motion to give Chairman DeLozier the authority to sign off on as per recommendation of Assistant District Attorney, David Iski, 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 #2010-36 directing County Treasurer to deposit funds from Town of Oologah in the amount of \$957.70; Oologah Municipal Authority in the amount of \$53.48 for fuel reimbursement and Town of Oologah in the amount of \$12,000.00 for street repairs into 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.

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 -

Zack Stoycoff with the Claremore Daily Progress, inquired about Item 15
Agenda Item #8.

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)***NOTE***see attached list of all claims that were approved for payment on Monday, May 9, 2011*** Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with the exception of purchase order #105794 issued to Johnson Controls by Sheriff's jail account for further review by Assistant District Attorney, David Iski, with Commissioner Helm 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 10:08 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, May 5, 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.