

**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: Tuesday, May 31, 2011, at 9:00 O'clock A.M.

**MINUTES**

- ITEM 1: CALL TO ORDER:  
Chairman Dan DeLozier called the meeting to order @ 9:02a.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 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: May 23, 2011  
Commissioner Helm made a motion to approve the minutes from May 23, 2011 as presented with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
- ITEM 6: UNFINISHED BUSINESS:  
1. Award Bid #350 – Janitorial Services – Health Dept. - \*\*\*NOTE\*\*\*Bid was opened May 23, 2011\*\*\*  
Upon recommendation from the Rogers County Health Department, Chairman DeLozier made a motion to re-bid the Janitorial Services with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.  
  
2. Signing of Independent Contractor Agreements by and between Board of County Commissioners of Rogers County and Kellogg Engineering, Inc., for engineering services of Country Club Road and State Highway 20 Intersection Improvement Project through 2010 REAP Grant #042-RP-10 **and** engineering services of roadway inventory/GIS Data Base, with contact being designated with Mike Helm, Commissioner District #2, Rogers County, Oklahoma – (D#2 Helm) \*\*\*NOTE\*\*\*These 2 Independent Contractor Agreements were originally approved by the Board on May 2, 2011; waiting for compliance of Item #4 and Item #6 before signing\*\*\*  
Item #4 and Item #6 are currently compliant. Board of County Commissioners signed the original Independent Contractor Agreements. No action taken.
- ITEM 7: ZONING: None Presented
- ITEM 8: PLATS: None Presented
- ITEM 9: ROADS AND BRIDGES: None Presented
- ITEM 10: CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:  
1. 005 Use Tax – None Presented  
2. 006 Rogers County Courthouse & E911 Facility – None Presented  
3. 101 Unrestricted Highway - \$264,258.01  
4. 105 County Bridge & Road Improvement Fund (CBRIF) - \$19,295.86  
5. 140 Wireless Pre-Pay (Jan. 2011) - \$2,960.45  
6. 141 Cellular Phone Usage - \$37,134.28  
7. 142 E-911 - \$27,080.35  
8. 145 Attendant Care – None Presented  
Commissioner Helm made a motion to approve #3, #4, #5, #6 and #7 as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
- ITEM 11: TRANSFER OF FUNDS: None Presented

ITEM 12: UTILITY PERMITS:

1. Rural Water District #3, Rogers County – boring East 209 feet of the West 289 feet of the NW/4 of the NE/4 lying North of the County Road, less and except the North 467 feet of Section 30, Township 23 North, Range 17 East of the I.B.&M., Rogers County, in District #1 –

Chairman DeLozier stated this was in his district and made a motion to approve the utility permit with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

2. TDS Telecom, 525 Junction Drive, Madison, WI 53717 – trenching, pushing, & boring parallel county road NS/4210 located within Sections 16, 21, 28 & 29 of Township 19 North, Range 17 East of the I.B.&M., Rogers County, in District #3 –

Commissioner Thacker stated some work had been started on this utility permit and he wanted to review before he approved the utility permit. He made a motion to table the utility permit with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

ITEM 13: CLAIMS: None Presented

1. Salaries
2. Attendant Care

ITEM 14: BLANKET PURCHASE ORDERS:

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

- E-911 Addressing – Froman Oil \$200.00
- Emergency Management – Comdata \$300.00
- Emergency Management – Froman Oil \$200.00
- Sheriff's Jail – Sysco Food \$7000.00
- Sheriff's Jail – Sysco Food \$3200.00
- Sheriff's Jail – Farmer's Bros Coffee \$300.00
- Sheriff's Jail – Warehouse Market \$350.00
- Sheriff's Jail – Bimbo Bakeries \$1400.00
- Sheriff's Jail – Correctional Dental Services \$2000.00
- Sheriff's Jail – Diamond Drugs, Inc. \$6000.00
- Sheriff's Jail – Diamond Medical Supply \$500.00
- Sheriff's Jail – PHS Mobile X-Rays \$600.00
- Sheriff's Jail – St. Francis Lab \$1200.00
- Sheriff's Jail – Medical Compliance Specialty, Inc. \$400.00
- Sheriff General – District #1 Warehouse \$3000.00
- Sheriff General – District #2 Warehouse \$1000.00
- Sheriff General – Comdata \$14000.00
- Sheriff General – Froman Oil \$1000.00
- Sheriff General – Speedy Lube \$500.00

Chairman DeLozier made a motion to approve the blanket purchase orders submitted with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

2. Orders Exceeding Amount of Issuance – Purchase Order #106451 to District #3 for fuel from Assessor exceeded encumbered amount by \$29.63 making total amount to be approved \$429.63. Commissioner Thacker made a motion to approve the total amount of \$429.63 with Commissioner Helm 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 Contract for Sale of Land between Claremore Land, LLC, an Oklahoma limited liability company, whose address is % John Williams, Managing Member, 25825 South Highway 66, Claremore, Ok 74019, seller, and the Board of County Commissioners for Rogers County, State of Oklahoma, on a tract of land containing four (4.0) acres of land, described as follows: “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., containing four (4.0) acres, Rogers County, Oklahoma – (D#1 DeLozier) -

\*\*\*NOTE\*\*\*item discussed at March 28, 2011, meeting; and tabled from May 23, 2011, meeting\*\*\*

Chairman DeLozier made a motion to table for lack of information with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

2. Discussion with possible action regarding Rogers County Courthouse and the use as a storm shelter – (D#1/E.M.)

- Emergency Management Director Bob Anderson had pictures of the basement being occupied on Tuesday night (May 24).
- EMD Anderson was concerned with the lack of Personnel to monitor the Public in the building if Emergency Management was called out.
- Chairman DeLozier questioned what the issues were with the basement being used as a storm shelter.
- EMD Anderson stated people were bringing their pet dogs and letting them run amuck. Feces and urine were a problem from the animals. People were leaving soiled disposable diapers in the hallways, and fast food containers were being discarded on the floor.
- Chairman DeLozier stated that in the past the basement had been a designated 'fall-out shelter'.
- EMD Anderson stated that after the remodeling of the basement in 1981, it is no longer considered a shelter, with the addition of windows, etc.
- EMD Anderson also said there was a concern for safety with the number of people coming into the basement.
- ADA Iski said the question is whether to designate the Courthouse basement as a public shelter. Room is not available and space is not equipped to accommodate large crowds.
- Commissioner Helm stated the space is not adequate and could be putting the public in danger.

Chairman DeLozier made a motion to table until further notice for time to study alternatives to the with present situation with Commissioner Thacker seconding the motion.

Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

3. Discussion with possible action regarding Rogers County Election Board's roof repairs – (Maint.)

Maintenance Director, Earl Hensley presented three (3) quotes to the board from S & S Steel Constructors, Inc., Ogden Steel General Contractors, and Dale Porter. Scope of work to include removal and installation of guttering and down spouts, caulking, hauling off of debris and general clean-up. Mr. Hensley's recommendation was S & S Steel Constructors, Inc. Commissioner Helm made a motion to accept the bid from S & S with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

Additional discussion was made after roll call with Commissioner Thacker questioning if everyone was on the same page with the repairs. If the quality of products were the same, and the scope was work was the same. Recommendation from ADA David Iski was to rescind the motion and vote and table the decision until further review. Commissioner Helm rescinded his motion, with Chairman DeLozier rescinding his second. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried to rescind previous vote.

Commissioner Helm made a motion to table decision on the Election Board Roof until further review with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

4. Discussion with possible action regarding air conditioner repairs in Rogers County Courthouse – (Maint.)

Maintenance Director, Earl Hensley stated that for the past three week the chillier has been malfunctioning. Morrow Mechanical found a problem with a 'worn-out' temperature control. Their recommendation was to replace with an electronic Temperature Controller, Relay Pack and temperature sensor. Total price for the repairs would be \$1,697.00. Commissioner Helm made a motion to approve the repair with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

5. Discussion with possible action regarding removal of Tom Howse as Receiving Agent for the Rogers County Jail and appointing Maxine Scoggins and Jon Sappington as Receiving Agents for Rogers County Jail – (Sheriff)

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

6. Discussion with possible action regarding appointment of Susie Jones as Receiving Agent for Rogers County Sheriff's Office – (Sheriff)

Chairman DeLozier made a motion to approve Susie Jones as Receiving Agent for the Sheriff's Office 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 Resolution #2011-32 and Reimbursement Form directing Rogers County Treasurer to deposit funds in the amount of \$3,000.00 from Acme Brick Company into One Cent Sales Tax Fund for District #2 for distribution – (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 regarding Approval/Disapproval of Reimbursement Form as per Resolution #2010-73 directing Rogers County Treasurer to deposit funds from Court Clerk Revolving Fund into General Fund in the amount of \$11,000.00 for distribution – (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 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 –

- Commissioner Helm referred back to Item #6 Unfinished Business, #1 Bid #350 Health Department Janitorial Services. Currently do not have a contract with the Health Department.
- ADA David Iski stated he would look at the contract to see what the Board's authority is.
- Zack Stoycoff with Claremore Daily Progress questioned Item # 16 Agenda Item, #1 Contract for Sale of Land.

ITEM 18: ANNOUNCEMENTS:

- Commissioner Helm thanked the Sheriff's Office for the security services during the Patriot's Cup Golf Tournament.
- Mike McElhaney stated he was terminated from the Sheriff's Office on Friday, May 27<sup>th</sup>. Enjoyed working with the Board.

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 Tuesday, May 31, 2011\*\*\*Commissioner Thacker made a motion to approve payment of all purchase orders submitted for payment from all departments 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 11:15 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 26, 2011, at 3:39 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.*