

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, August 15, 2011, at 9:00 O'clock A.M.

**AMENDED
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 Kirt Thacker and Commissioner Mike Helm 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: PLEDGE OF ALLEGIANCE:

Commissioner Thacker led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: INVOCATION:

Commissioner Helm said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: August 8, 2011

Commissioner Thacker made a motion to approve the minutes from August 8, 2011, as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #21 – 30-yard roll-off Dumpsters - ***NOTE***bid was opened on August 8, 2011 and awarding of bid was tabled until August 15, 2011***

Discussions regarding all district warehouses frequently use Tri-Star Roll-Offs and they do a good job; discussions on whether or not the other vendors prices included setting fees, dumping fees, D.E.Q. fees and all taxes; Tri-Star Roll-Offs bid includes all these fees.

Commissioner Thacker made a motion to accept the bid of Tri-Star Roll-Offs, because their price included the necessary fees with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 7: ZONING: None presented.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS & BRIDGES:

1. Resolution #2011-74 Board providing Notice on the Cross Town Beams through Oklahoma Department of Transportation – (D#1 DeLozier) ***NOTE***replaces Resolution #2011-65 approved by Board on August 1, 2011***

Chairman DeLozier stated Resolution #2011-65 submitted for cross town beams needed to be corrected to show number of possible bridge sites and could not include the county 5-year bridge plan; District #1 = 5; District #2 = 4 District #3 = 5.

Chairman DeLozier made a motion to approve Resolution #2011-74 as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 10: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS: None presented.

ITEM 11: TRANSFER OF FUNDS:

1. District #1 One Cent Sales Tax M&O to capital outlay - \$200,000.00

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

2. District #3 Unrestricted Highway M&O to capital outlay - \$10,000.00

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

ITEM 12: UTILITY PERMITS:

1. Rural Water District #3, Rogers County – boring county road East/470 aka Lowry Road, located in a part of the NE/4 of the NW/4 of the NE/4 of Section 6, Township 21 North, Range 16 East of the I.B.&M., Rogers County, in District #1 – (D#1 DeLozier)

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

2. Rural Water District #3, Rogers County – boring East 76th Street within the E/2 of the E/2 of the NW/4 of the NE/4 of Section 34, Township 21 North, Range 14 East of the I.B.&M., Rogers County, in District #2 – (D#2 Helm) ***see Item #5***

3. Cox Communications – boring & trenching East 112th Street North, beginning in the NW/4 of Section 12, Township 21 North, Range 14 East of the I.B.&M., easterly 684 feet and then 41 feet south, Rogers County, Oklahoma – (D#2 Helm) ***see Item #5***

4. Oklahoma Natural Gas – boring/crossing Redbud Drive approximately 980 feet south and 1,795 feet west of the NE/corner of the NW/4 of Section 6, Township 20 North, Range 15 East of the I.B.&M., Rogers County – (D#2 Helm) ***see Item #5***

5. Oklahoma Natural Gas – trenching paralleling 5 feet south of the north county road right-of-way of East 66th Street North, aka East Chinquapin Lane, beginning 1,584 feet west of the SE/corner in Section 36, Township 21 North, Range 14 East of the I.B.&M., thence extending southwesterly 240 feet – (D#2 Helm)

Commissioner Helm made a motion to approve Items 2, 3, 4 & 5 under utility permits as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – Aaron Cummins – District #3 - \$400.00

Commissioner Thacker explained employee was seasonal and has gone back to college and made a motion to approve 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. Material, Supplies, Parts, Groceries & Prescriptions –

District #1: R & S Auto Parts in Chelsea, \$600.00 – Chairman DeLozier made a motion to approve the blanket purchase order as presented 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:

1. Resolution #2011-75 application for a REAP Grant thru Grand Gateway to upgrade a railroad crossing at EW-61, AARDOT #434-053Y in Inola, Oklahoma, as a high risk intersection and as being qualified for improvement – (D#3 Thacker)

Commissioner Thacker explained this grant is for improvements at the subject location and is to be funded under Oklahoma's At-grade Railroad Crossing Safety Program; estimated costs and proposed funding participation will be as follows: estimated total costs \$300,000.00 with 90% federal share = \$270,000.00 and 10% Railroad share = \$5,000.00 and 10% county share = \$25,000.00.

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

ITEM 16: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:

1. Flintco's Application for Payment #1 in the amount of \$421,928.23 – ***overall payment request #28***

Letter of recommendation of approval by PMg presented and submitted Flintco's application for Payment #1 for consideration and approval by the Board; attached application is certified by Flintco, Inc., and has been reviewed and certified by the Architect, BKL, Inc.; PMg has also reviewed the application and supporting documentation and found it to be appropriately documented and consistent with the status of work; discussions on balance of funds available in the bond indenture.

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: AGENDA ITEMS:

1. Consider, Discuss and take Appropriate Action on the following:

A. Update on Management Services proposed by Program Management Group, LLC (PMg) for Courthouse and E911 Center Projects –

Vernon Hawkins with PMg gave an update of the weekly project report; gravel sub-grade for basement slab completed; rough plumbing below basement slab completed; site

utilities 80% complete; City's water main repaired; will be tapped next week; reinforcing steel and wall forms received; edge forms for basement slab commenced; pour basement floor on August 17, 2011; form and pour basements walls August 12th thru September 2nd; heavy rains last week caused some delays. Discussion only, no action taken.

B. Value Analysis Summary on Courthouse Building Project – (D#1 DeLozier)

Vernon Hawkins with PMg stated the dollars have not been reviewed, but recommended acceptance of the Value Analysis Summary to the Board. BKL, Inc., has reviewed possible costs savings for this project; subcontractors have provided options for reducing costs of the project; provided a document that lists the items that will provide cost savings, but not impact the quality and long term durability of the building; PMg in agreement with the changes and recommends approval; discussions held regarding sub-contractors listed and the amount of costs savings and who originated the costs savings.

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

C. Authorization of advertisement of documents for bidding of geothermal system for the new courthouse – (D#2 Helm)

Billy Knowles with BKL, Inc., reported BKL is going out for bids for the geothermal system for the new courthouse; requesting authorization of advertisement of documents for bidding of geothermal system; first day of advertisement to be August 30, 2011; Flintco will be in charge of advertising; discussions held regarding geothermal system project schedule.

Wes Smith with Ward, Smith & Associates located at 4817 East 34th Street in Tulsa, Ok 74135; discussions held regarding where wells would be going; issues with being located within current parking lot; wells will be going around the new building location on Missouri Street; discussions held regarding scenarios if the system would perhaps not work properly; mentioned other adjacent county having issues with their geothermal system.

Smith continued has done this type of work **from 1,000 to over 10,000** times; county would have a 1-year guaranteed warranty; additional warranties could be issued for a fee; system will cost **several** million dollars; will provide training with manuals; feels system is simpler to use than the current system courthouse is on; savings from anywhere from 10% to 20%; inspections for pressure testing are done; standard warranty is for one year; Rogers County is looking at a different system than other counties have used in the past; discussions held regarding who does the inspections; Smith presented drawing of holes drilled to the Board. Discussions held regarding grant coming from federal government.

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

D. Proposal from AECOM on consultant services for E911 Center Project – (Iski)

Discussions held regarding Consolidation Feasibility Study issued by AECOM; discussions held on moving forward with project and whom does BKL have experience working with. Commissioner Thacker made a motion to thank AECOM for their time and deny their proposal with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

E. Appointment of a Commissioner to oversee new Rogers County Courthouse Project for duration of project – (D#3 Thacker)

Discussions held regarding Chairman being the overseer of the Courthouse project; policy in Rogers County is for the Chairman of the Board to change every year by rotation; Commissioner Thacker feels one Commissioner should stay through the end of the project and the annual Chairman should not oversee the project; Commissioner Thacker would like to be Commissioner overseeing the courthouse project since he started on it and see it through to the end.

Chairman DeLozier made a motion for Commissioner Thacker oversee the Rogers County Courthouse Project for duration of project with Commissioner Thacker seconding the motion. Discussions held regarding action Board took several weeks ago appointing Chairman DeLozier authority on go, no-go issues. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

F. Appointment of a Commissioner to oversee new E911 Center Construction Project for duration of project – (D#3 Thacker)

Discussions regarding architects waiting on someone to work with and administer E911 Center; county needs to quit waiting around, has drug on for a 1-1/2 years waiting on entities to come on board with idea; public voted to build a E911 Center, equip it and get it operational; need to move forward now and quit waiting around. Discussions held regarding sub-committee recommendations to Board and possibly dis-banding committee; discussed Trust Authority for E911 Center.

Chairman DeLozier expressed his disagreement, and Bill Higgins, chairperson to committee expressed his concerns and feels the major apprehension is entities involved want to know what the cost is for them; participation and a voice in the Trust can be worked out if we can get passed this one issue.

Discussions continued and Item G & H were brought into the conversation. Commissioner Helm stated the only one he knows who is dispatching right now is the Sheriff.

Commissioner Helm made a motion to turn all 911 funds and the E911 building over to the Sheriff and Sheriff work with BKL, Inc., in getting the building built. Discussions held with Jerry Smittle, Administrative Assistant Deputy to Sheriff, expressing Sheriff Walton would be willing to take over with the assistance of an E911 Administrator. Commissioner Thacker seconded the motion.

Discussions were held regarding the issue of Sheriff overseeing the E911 Center was not on the agenda; Item F referred to a Commissioner and Item H was discussion only. Commissioner Helm rescinded his motion and Commissioner Thacker rescinded his seconding of the motion.

NOTEItem F was re-visited again after Agenda Item L was approved by Board***

Commissioner Helm requested Item F be discussed again; suggested appointing a Commissioner to work with Sheriff to help oversee the E911 Project. Iski reminded as long as the Board understands what they are appointing to oversee and is understood by all members.

Commissioner Helm made a motion to appoint Chairman to oversee the E911 Project and work with Sheriff on with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

G. Discussion only on rescinding vote on Courthouse and E911 Committee- (D#2 Helm)

Item G was discussed only in duration under Agenda Item F. No action taken.

H. Discussion only on giving operation duty of E911 Center to Rogers County Sheriff – (D#2 Helm)

Item H was discussed only in duration under Agenda Item F. No action taken.

I. Advertise position of Human Resources Director for Rogers County – (D#3 Thacker)

Commissioner Thacker reported Traveler's Insurance has recommended to the County several times the county needs a Human Resources Director.

Iski sent drafts last week to the members of the Board on a job description for their review; all three (3) Board members need to determine a job description before it can be advertised. Discussions held regarding whether to hire an individual or firm.

Commissioner Thacker made a motion to approve advertising for a position of Human Resources Director for Rogers County either as an individual or firm with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

J. Publication Sheet, Rogers County, Oklahoma, Financial Statement of the various funds for the fiscal year ending June 30, 2011, and Estimate of Needs for fiscal year ending June 30, 2012, of the Governing Board of Rogers County, Oklahoma – (D#1 DeLozier)

Commissioner Thacker made a motion to table this item for one week (August 22, 2011) with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

K. Independent Contractor Agreement with KONE, Inc. – (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.

L. July 2011 Monthly Report of Officers – (Clerk/Treas.) Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

NOTEItem F was re-visited again***

ITEM 18: ACKNOWLEDGE RECEIPT OF THE FOLLOWING: None presented.

ITEM 19: 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 20: ANNOUNCEMENTS:

Commissioner Helm requested the Claremore Daily Progress do a story to inform the public about the NACo (National Association of Counties) prescription drug discount card program.

ITEM 21: 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.

NOTEChairman DeLozier left the meeting at 10:30 a.m. ***

ITEM 22: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: (Materials, Supplies, Parts, Groceries & Prescriptions)***NOTE***see attached list

of all claims submitted for payment from all departments and approved by Board on Monday, August 15, 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: Helm-aye, Thacker-aye. Motion carried.

ITEM 23: RECESS OR ADJOURNMENT:

Commissioner Thacker made a motion to adjourn the meeting with Commissioner Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried and meeting adjourned at 11:55 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, August 11, 2011, at 3:01 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.