

**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, October 3 2011, at 9:00 O'clock A.M.

**MINUTES**

**ITEM 1: CALL TO ORDER:**

Chairman Dan DeLozier called the meeting to order at 9:02 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: 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: September 26, 2011 and September 27, 2011 -**

Commissioner Thacker made a motion to approve the minutes from September 26, 2011 and September 27, 2011, as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 6: UNFINISHED BUSINESS:**

1. County fiscal year 2011-2012 Estimate of Needs (budget) and Financial Statement of fiscal year 2010-2011 – (D#1 DeLozier) \*\*\*NOTE\*\*\*this item was been tabled from September 6, 2011, meeting; September 12, 2011, meeting and September 26, 2011 meeting\*\*\*

Commissioners discussed the general government Building Fund; Sheriff's request for deputies and cars; Court Clerk's request for 4 deputies; Emergency Management shortfall; Election Board \$4,000.00 additional funds for redistricting purposes; Commissioner's travel; Cemetery accounts and carry-over from the different offices and departments. Each Commissioner expressed his concerns and discussions were held.

Chairman DeLozier made a motion to allow the offices and departments to keep their carry-over monies with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Thacker made a motion to reduce Wellness Fund (20-218) to \$30,000.00 with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Chairman DeLozier made a motion to lower general fund salaries by \$5,000.00 and lower general fund capital outlay by \$10,000.00 with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Helm made a motion to deny funding any new deputies for the Court Clerk's Office with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Helm made a motion to deny Emergency Management funding with employees now. Discussions held further. Commissioner Helm rescinded his motion.

Commissioner Helm made a motion to place up to \$500,000.00 into Building Improvement Fund with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Helm made a motion to deny for Emergency Management requested funds in the amount of \$13,341.00 to fund current employees with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Thacker made a motion to allow the Election Board \$4,000.00 of the requested amount for redistricting with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Chairman DeLozier made a motion for Commissioner's to reimburse general government for their fleet insurance coverage with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-nay, Thacker-nay. Motion carried.

Commissioner Helm made a motion to allow \$50,000.00 for the Human Resources Manager account with Commissioner Thacker seconding the motion. Discussions held regarding the correct amount. Commissioner Helm amended his motion to be \$56,000.00 with Commissioner Thacker amending his seconding of the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Thacker made a motion to allow Sheriff's Office funding for two (2) deputies and \$95,000.00 for capital outlay. Motion died for a lack of second.

Discussions held regarding funds not being available to fund Sheriff for two (2) new deputies and \$95,000.00 in capital outlay if the Board was going to put \$500,000.00 into the Courthouse Building Fund.

Commissioner Helm suggested Chairman of the Board contact each office and see if they would be willing to give up their carry-over monies in order to help possibly fund the deputies and capital outlay.

Commissioner Helm made a motion to deny (2) new deputies and \$95,000.00 in capital outlay for the Sheriff's Office with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioner Thacker made a motion to allow District #3 Commissioner a \$200.00 per month increase for in-county travel expenses with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Commissioners reminded the officers and department heads the county could possibly ask for a supplemental budget in the future.

**2. Posting of Human Resources job description/listing on Tulsa Area HUMAN RESOURCES Association (TAHRA) web site –**

Discussions held regarding posting of job descriptions on website; cost is \$100.00 per job listing for one month length.

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

**3. Award Bid #566 – New Dump Trucks – District #2 - \*\*\*NOTE\*\*\*this bid was opened on September 26, 2011, and tabled from awarding for one week\*\*\***

Discussions held regarding weight scale conducted by District #2 employees Benny King, road foreman; Brian Hickok, shop foreman and Ted Mardis, mechanic; weight scales from three employees recommends awarding bid to Bruckner's Truck Sales in Oklahoma City, which the bid price also includes options. Commissioner Helm reported District #2 was paid \$116,000.00 by insurance company for wrecked truck and the balance will be paid by District #2 funds.

Commissioner Helm made a motion to award bid to Bruckner's Truck Sales in Oklahoma City for \$189,562.00 with all options included with Commissioner Thacker 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. Rogers County 8-Year Plan for District #1; District #2 and District #3 – (D#1 DeLozier)**

Discussions held with John Blickensderfer with Guy Engineering Services Inc.; Blickensderfer gave an overview of plan for each district; discussed the year 2014 Pine Street widening project being changed from District #2 to District #3; now lies within District #3; discussions held on CIRB funds on Winganon Causeway.

Chairman DeLozier made a motion to approve the 8-Year Plan as presented with change of Pine Street widening project from District #2 to District #3 with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**2. Resolution #2011-84 participating in the County Road Machinery and Equipment Revolving Fund thru Oklahoma Department of Transportation on behalf of District #1 – (D#1 DeLozier)**

Chairman DeLozier reported District #1 needed a pneumatic roller and no one from Rogers County had applied for any machinery or equipment through the County Road Machinery and Equipment Revolving Fund through Oklahoma Department of Transportation.

Chairman DeLozier made a motion to approve 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:** None presented.

**ITEM 12: UTILITY PERMITS:**

**1. A T & T – beginning at southeast corner of Section 34, Township 21 North,**

Range 16 East of the I.B.&M., place one 25-foot Class 5 pole on North side of county road EW/530 (Peterson Road) at Crystal Lake Drive to raise existing aerial fiber cable in order to gain proper clearance located within 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. Material, Supplies, Parts, Groceries & Prescriptions –  
District #1: County Building Center, \$100.00; R & S Auto Parts, \$600.00; O'Reilly Auto Parts, \$350.00 – E911 Addressing: Froman Oil, \$200.00 – Emergency Management: Comdata MasterCard, \$300.00 and Froman Oil, \$200.00 – District #3: Tri Star Roll Off, \$1,200.00 – Sheriff: Froman Oil, \$1,000.00; Comdata MasterCard, \$14,000.00; District #2 Warehouse, \$1,000.00; District #1 Warehouse, \$3,000.00; Medical Compliance Specialty, Inc., \$400.00; St. Francis Lab, \$1,200.00; PHS Mobile X-Ray, \$600.00; Diamond Medical Supply, \$500.00; Diamond Drugs, Inc. \$6,000.00; Correctional Dental Services, \$2,000.00 – 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 – None presented.

**ITEM 15: GRANTS:**

1. Acceptance of Award of Oklahoma Department of Commerce CDBG Grant Contract # 14796 CDBG 11 for water systems improvements project thru Rural Water District #3 in the amount of \$249,950.00 and signing of necessary documentation, including as follows: **a.)** Contract Certification Regarding Lobbying ; **b.)** Community Development Block Grant Contract; **c.)** Community Development Block Grant Budget; **d.)** Authorization for Mailing Correspondence - Andy Armstrong with Andy Armstrong Consulting, LLC, reported the county had applied for an Oklahoma Department of Commerce Community Development Block Grant several months back on behalf of Rural Water District #3 for a 12 inch waterline project; the application has been approved for funding and if the Board accepts this award, all the documents associated with the grant will need to be signed by the Board.

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

**ITEM 16: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:** None presented.

**ITEM 17: AGENDA ITEMS:**

1. Consider, Discuss and take Appropriate Action on the following:  
A. Update by BKL, Inc. and Flintco regarding Courthouse and E911 Center Projects –

B. J. Fay with Flintco and Kim Reeve with BKL, Inc., gave an update on the budget for the new courthouse project; pending changes; exterior camera locations; transformer; capitol design; shear connections; terrazzo graphics and cooling tower base. Discussion only, no action taken.

B. Purchase of 1500 KVA Transformer from the City of Claremore for new Rogers County Courthouse Project – (D#3 Thacker)

Discussions held regarding purchasing a transformer from the City of Claremore for \$20,900.00; the City of Claremore has the customer (county) buy the first transformer from them and they will have a spare on hand to help in outage situations and the City will be responsible for the repairs of the transformer that went bad; if the transformer is purchased from the City, they will change out the transformers and help in outage situations and store the back-up.

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

C. Terrazzo Floor Graphic Alternates for new Rogers County Courthouse Project – (D#3 Thacker)

Commissioner Thacker presented a PowerPoint presentation regarding the terrazzo floor graphics to give everyone an idea of the scale; graphics are to include a map of the county on the first floor (alternate 2); state seal on the second floor of the courthouse (alternate 3); this was discussed at last week's meeting and should have shown a PowerPoint presentation then so everyone could have a sense of what was being presented; alternates 2 and 3 are within the owner's contingency's budget; discussions held regarding how big the graphics would be on each floor;

Commissioner Thacker made a motion to approve alternate 2 and alternate 3 for the terrazzo flooring graphics with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

- D. Agreement for Architectural Services between the Board of County

Commissioners and BKL, Inc., regarding Geothermal System Project for the new Rogers County Courthouse – (D#1 DeLozier/Iski)

Assistant District Attorney, David Iski, informed the Board he has been in conversation with the Department of Energy regarding geothermal grant; Board will have very large project from the demands that will be placed upon you; including time and paperwork requirements, such as weekly reporting; oversight and field interviews for Davis-Bacon Act compliance; submittal of paperwork needs to be updated; discussions whether or not the county had to come up with any matching funds; project was turned in as a cost-sharing project; is a dollar by dollar project; County has to pay funds up front and then grant will reimburse the county; discussions held regarding applying for grant being worth the time and paperwork involved and the unknowns of funding issues; Discussions held regarding \$3,400.00 already being paid out to a grant writer; discussions regarding termination of convenience; County does have an option to terminate.

Commissioner Helm made a motion to discontinue Energy Grant and pay back the \$3,400.00 out of general fund to reimburse for the payment already paid to grant writer and pay BKL, Inc., for the services in designing the system out of Owner's Contingency fund if any monies were owed to them with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Board requested Iski to draft letters to be sent to the geothermal vendors and Department of Energy terminating the grant.

**E.** AIA Document A133-2009 Standard Form of Agreement between Owner and Construction Manager as Constructor and AIA Document A201-2007 General Conditions of the Contract for Construction for "Project" that consists of the construction for a Ground Source Heat Pump Piping System for the Rogers County Courthouse to be located on Blocks 129 and 130 of the City of Claremore, Oklahoma, according to the U.S. Government Plat thereof – (Iski)

No action taken.

**F.** AIA Document A133-2009 Guaranteed Maximum Price Amendment for the Rogers County Courthouse Ground Source Heat Pump Piping Project – (Iski)

No action taken.

**G.** Maintenance Agreement (No. 00008707) between Rogers County and Business Imaging Systems, Inc., on behalf of Rogers County Clerk's Office regarding Annual Software Support for Primary Application Software (APPLICATIONXTENDER 01-USER) in the amount of \$2,619.54, contract period from September 15, 2011 to June 30, 2012 – (Clerk)

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

**H.** Maintenance Agreement (No. 00008704) between Rogers county and Business Imaging Systems, Inc., on behalf of Rogers County Clerk's Office regarding Annual Hardware and Peripheral Device Maintenance on the following scanners: **a.)** Canon DR-9080C scanner, serial #CZ302956 at \$1,296.75; **b.)** Canon DR-9080C scanner, serial #CZ302756 at \$1,296.75; **c.)** DR-3010C scanner, serial #EG310412 at \$250.00; **d.)** DR-3010C scanner, serial #EG311128 at \$250.00; and **e.)** DR-3010C scanner, sn#EG311119 at \$250.00 for a total annual maintenance of \$3,343.50, contract period September 12, 2011 to June 30, 2012 – (Clerk)

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

**I.** Removal of Susie Jones as Receiving Agent for the Rogers County Sheriff's Office and appointment of Noel Crow as new Receiving Agent – (Sheriff)

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

**J.** 2012 Holidays – (Clerk)

Discussions held regarding how many and what holidays to set for 2012. Commissioner Helm made a motion to table this item for one week (October 10, 2011) with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**K.** Resolution for Disposing of Equipment for District #2 as follows: ET3011ACZ Taskmaster Code Reader, sn#ASM28017271, to be updated – (D#2 Helm)

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

**L.** Resolution #2011-85 and Reimbursement Form directing County Treasurer to deposit funds for restitution in the amount of \$201.00 and \$50.00 into District #1 General Fund Cemetery Account Salaries for distribution – (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.

**M.** Resolution #2011-86 and Reimbursement Form directing County Treasurer to deposit funds from Department of Emergency Management in the amount of \$5,000.00 into District #3 General Fund Cemetery Account Salaries for distribution – (Comm. Office)

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

**N.** Resolution #2011-87 and Reimbursement Form directing County Treasurer to deposit funds from County of Ottawa in the amount of \$970.00 into District #1 One Cent Sales Tax M&O account for distribution – (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.

**O.** Reimbursement Form as per Resolution #2011-36 directing County Treasurer to deposit funds from Assessor's Office for fuel reimbursement in the amount of \$186.98 into District #3 One Cent Sales Tax Fund for distribution – (Comm. Office)

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

**P.** Motion and Vote to enter Executive Session for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee as authorized by Title 25 O.S. § 307 (B) (1), to wit: Vicki Atchley, E911 Addressing employee – (D#3 Thacker)

Commissioner Thacker made a motion to adjourn Regular Session and enter Executive Session with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and Board adjourned Regular Session and entered Executive Session at 10:50 a.m. with Assistant District Attorney, David Iski and County Clerk, Peggy Armstrong.

**Q.** Motion and Vote to adjourn Executive Session and enter Regular Session –

Commissioner Thacker made a motion to adjourn Executive Session and enter Regular Session with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 11:36 a.m.

**R.** Possible action regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee as authorized by Title 25 O.S. § 307 (B) (1) as discussed in Executive Session, to wit: Vicki Atchley, E911 Addressing employee

Commissioner Helm made a motion regarding employment of Vicki Atchley with Rogers County, that her job and tasks of E911 addressing have been completed, therefore, her services are no longer needed for the good of the County and ask Bob Anderson, Emergency Management Director and Jeanne Heidlage, District #1 Commissioner Administrative Assistant escort her to her office to retrieve her personal items and Brett Williston, I.T. Director, escort her also to remove all county information from her personal laptop with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 18: ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

**1.** Warrant #101511611 from Department of Civil Emergency Management regarding PA-1985 PW214 B20(19) #2108 in the amount of \$35,588.01 -  
Acknowledged for public record only, no action taken.

**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:** None presented.

**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.

**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 for payment by the Board on Monday, October 3, 2011\*\*\*Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with the exception of purchase order #202352 issued to Wal-Mart by the Assessor's Office for \$7.00 with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 23: RECESS OR ADJOURNMENT:**

Chairman DeLozier made a motion to adjourn the meeting with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and meeting adjourned at 12:36 p.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, September 29, 2011, at 4:34 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.*