

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 10, 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: PLEDGE OF ALLEGIANCE:

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

ITEM 4: INVOCATION:

Commissioner Thacker said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: October 3, 2011

Commissioner Helm made a motion to approve the minutes from October 3, 2011, as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #567 – New or Used Asphalt Paver – District #2 - ***NOTE***the Awarding of bid was tabled from September 26, 2011, meeting***

A weight scale was presented by District #2 road foreman, Benny King; Shop foreman, Brian Hickok and mechanic, Ted Mardis, regarding bid #567 on the asphalt paver. Commissioner Helm stated no county funds would be expensed in the purchase of this asphalt paver; money will come from FEMA for Keetonville Road. After reviewing all bids submitted and weight scale with recommendation from District #2 employees to accept the bid from Boxcer Equipment on new RoadTec RP175 rubber track paver price delivered to Rogers County for \$346,403.00 because met all bid spec requirements and all options needed; paver options including hydraulic screed boost package, \$2,210.00; road light package = \$1,563.00; Lincoln auto lube system, \$7,982.00; release agency spray down system = \$2,241.00; Moba sonic averaging ski w/hardware = \$12,133.00; pair of 12 inch bolt-on screed ext. L&R = \$2,078.00; pair of heated end gates = \$4,081.00; vibratory notched beveled edger, L&R = \$8,602.00; Five year 5,000 hour Power Train Warranty = \$7,800.00 for a total of \$395,093.00.

Discussions held regarding whether or not awarding of bid required funds to be available; Commissioner Helm reminded he was going out for bids, first per direction of Oklahoma Office of Emergency Management and then funds would be received from FEMA accordingly.

Assistant District Attorney, David Iski, reminded the Board, per the Oklahoma Constitution, funds are to be available before awarding of any bid; if District #2 has the funds to cover the bid, District #2 funds could be used and then reimbursed by FEMA. Commissioner Helm stated District #2 has the funds.

Commissioner Helm made a motion to accept the bid from Boxcer Equipment as per recommendation from District #2 employees and their weight scale with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Set 2012 Holidays - ***NOTE***this item was tabled from October 3, 2011, meeting***

Discussions held regarding January 2nd vs. October 8th; how many days for Christmas and New Year's.

Chairman DeLozier made a motion to set 2012 Holidays as follows: Martin Luther King Day-January 16, 2012; President's Day-February 20, 2012; Good Friday-April 6, 2012; Memorial Day-May 28, 2012; Independence Day-July 4, 2012; Labor Day-September 3, 2012; Columbus Day-October 8, 2012; Veteran's Day-November 12, 2012; Thanksgiving Day-November 22 and 23, 2012; Christmas-December 24 and 25, 2012; New Year's –December 31, 2012, 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. Bi-Annual Bridge Inspections Report for District #2, Rogers County – Invoice #66-BI-2-11 – (D#2 Helm)

Discussions held regarding bi-annual bridge inspections in District #2.

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

2. Bi-Annual Bridge Inspections Report for District #3, Rogers County – Invoice #66-BI-3-11 – (D#3 Thacker)

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

3. Memorandum of Agreement between Cherokee Nation and Board of County Commissioners, Rogers County, on Road/Bridge Construction Projects – (Iski)

Commissioner Helm made a motion to approve with Commissioner Thacker 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 #3 Unrestricted Highway M&O to employee travel - \$1,000.00

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 – Property Address: 17596 East 405 Road, Claremore, Oklahoma, 74017 – ½ mile south of Stimson Office around curve on South side of road located in Section 32, Township 23 North, Range 17 East of the I.B.&M., Rogers County, in District #1 – (D#1 DeLozier)

Chairman DeLozier reported he had reviewed the permit and was a bore only. Chairman DeLozier made a motion to approve with Commissioner Helm seconding the motion.
Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 13: CLAIMS:

1. Salaries – Vicki Atchley – E911 Addressing - \$480.76

Board reviewed claim as presented. Chairman DeLozier 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 –

Assessor's Office: District #1 Warehouse, \$200.00; and District #3 Warehouse, \$400.00; District #3: Lowe's, \$300.00; and Tri Star Roll-Offs, \$1,040.00 –
Commissioner Thacker made a motion to approve the blanket purchase orders as presented with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye.
Motion carried.

2. Orders Exceeding Amount of Issuance -

Sheriff's Jail account: purchase order #201570 issued to Correctional Dental Services and encumbered for \$2,000.00; payment request is for \$2,020.92; purchase order is over by \$20.92.

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

ITEM 15: GRANTS: None presented.

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

1. City of Claremore, Electric Department - \$20,900.00 – 1500 KVA Transformer (New Courthouse Project) – (D#3 Thacker) (overall payment request #38)

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

2. Flintco, Inc. – Application and Certificate for Payment No. 00003 – AIA

Document G702- \$582,834.08 – (D#3 Thacker) – (overall payment request #39)

Commissioner Thacker made a motion to approve with Commissioner Helm 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 by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects –

B. J. Fay with Flintco updated the Board on the installation of concrete piers was completed last week; started excavation on elevator pit #4 and installation of beams; installing primary electric conduits on east side of sight and utilities on the north and west sides; we are on schedule. Kim Reeve with BKL, Inc. updated the Board.

Discussion only, no action taken.

B. Flintco, Inc. – Proposed Change Order No. 00009 – Lightning Protection- \$1,211.14 is wrong – correct price is \$35,815.14 – (D#3 Thacker)

Commissioner Thacker reported the lightning protection was bid as an add alternate; at the time of bid and alternate acceptance, the budget for the Courthouse was tight and the lightning protection alternate was not accepted; now with the value estimate item savings and the savings on the Terrazzo bid, BKL and Flintco recommend that the Board consider adding lightning protection for the new Rogers County Courthouse Project; the current price of this Lightning Protection package did increase by \$944.00 due to an increase in copper pricing and other commodity costs from the add alternate #003 price on bid day; the correct amount to be pulled from Owner's Contingency is \$35,815.14 (see Proposed Change Order No. 00009 for complete information). Commissioner Thacker recommends the Board accept change order.

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

C. Contract #14322 CDBG 10 Request for Payment of Contracts #2 in the amount of \$97,990.00 for Rural Water District #3 – (Andy Armstrong)

Andy Armstrong, independent grant consultant, informed the Board this request was the Owalla Road waterline construction project for Rural Water District #3, which is approximately 60% complete now; 2nd pay request is \$97,990.00; water district will have approximately 50% matching funds; Armstrong recommends Board consideration and approval.

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

D. Rogers County Schedule of Federal Expenditures (SEFA) for years ending June 30, 2008; June 30, 2009 and June 30, 2010 – (Clerk)

Discussions regarding reports; Marilyn Gibson, 1st Deputy County Clerk comprised reports in conjunction with State Auditor's Office and assistance; Gibson recommends approval by the Board.

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

E. NACo (National Association of Counties) Rogers County Membership Dues for January 1, 2012 thru December 31, 2012, in the amount of \$1,309.00 – (Comm. Office)

Discussions on participation and membership benefits reports including prescription discount card program (total saved by residents \$10,188.11); at federal level, NACo works to increase, maintain or create funding for programs that benefit county governments and their residents; education and training through free webinars which allow any county staff member to attend a session without leaving their office; offers publications for free exclusively to their members; offers County News, eNews, conferences, grants information, research, etc.

Commissioner Helm made a motion to approve payment of NACo membership dues for January 1, 2012 thru December 31, 2012, in the amount of \$1,309.00 from general fund with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

F. VSP Vision Care – (Clerk)

Chairman DeLozier made a motion to table this item until further notice with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

G. County Clerk's Cash Book & Summary Report for September 2011 – (Clerk)

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

H. Resolution for Disposing of Equipment for District #1: Relm mobile radio, sn#634-CO6227 – to be junked – (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.

I. Parking issues on County owned property by Courthouse employees – (D#1 DeLozier)

Chairman DeLozier spoke of the parking issues employees having been having; discussions on 1-hour parking along the back of the present Courthouse will soon be in place;

back parking lot will be re-surfaced and new parking lines will be painted within the next couple of weeks; need clarification on where county employees are allowed to park; not on private property or businesses parking lots; will be 30-35 parking spaces behind Attorney Bill Higgins office once engineer has completed study, began lay-out last week for striping and surveying complete; discussions on whether the four (4) parking spaces in front of the Election Board are for the employees and/or public to park; discussions on who actually owns the spaces, state, county or city; recommended having engineer review and report back to the Board.
Discussion only, no action taken.

ITEM 18: ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

1. Effective Sunday, October 30, 2011, Go Scout Homes (Channels' 22 and 122) will cease operation and will no longer be carried on the Cox Communications channel line-up – (Clerk)

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 -

Commissioner Helm reminded the parking lot issues at the Election Board offices needs to be resolved soon.

ITEM 20: ANNOUNCEMENTS:

Commissioner Helm spoke of how ashamed he is of the State of Oklahoma, when in the last two (2) years the Court Clerk's Office in Rogers County has had twelve (12) employee's salaries cut from the state budget; but yet the State of Oklahoma choose to give a 6% increase to Judges across the state; juvenile justice system is under-funded also.

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 -

Board took action at the recessed meeting on Tuesday, October 11, 2011, at the Special Meeting with the Rogers County Excise Board. ***NOTE***see minutes from recessed meeting on Tuesday, October 11, 2011***

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 10, 2011***Chairman DeLozier made a motion to approve payment of all purchase orders submitted for all departments with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 23: The Board of County Commissioners will be attending the Rogers County Excise Board's Special Meeting regarding presentation of Estimate of Needs (budget) for 2011-2012 and Financial Statement of fiscal year 2010-2011 for Excise Board approval on Tuesday, October 11, 2011 at 10:00 a.m. in the Commissioner's Meeting Room 1-109, located on the 1st floor of the Rogers County Courthouse, 219 South Missouri, Claremore, Ok 74017 –

ITEM 23: RECESS OR ADJOURNMENT:

Commissioner Helm made a motion to recess the meeting until Tuesday, October 11, 2011, at 10:00 a.m. with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and meeting recessed at 11:11 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, October 6, 2011, at 4:40 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.*