

**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, December 27, 2011, at 9:00 O'clock A.M.

**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 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: December 19, 2011**

Commissioner Helm made a motion to approve the minutes from December 19, 2011, as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 6: UNFINISHED BUSINESS:**

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

**1. Correction of Awarding of Bid #573 – Microphones – (Sheriff's Office)**

Captain Jerry Smittle explained to the Board that the radios and microphones were bid separately; the bid accepted for radios with Wireless Technologies included microphones with their bid package; discussions held regarding whether or not microphones are included on the State Contract; discussions held regarding vendors not following bid specifications as indicated on bid; discussions held on withdrawing vote on December 19, 2011.

Commissioner Helm made a motion to rescind motion made on December 19, 2011, to award Bid #573 microphones to Wireless Technologies with Commissioner Thacker seconding to rescind motion of second made on December 19, 2011. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Chairman DeLozier made a motion to throw out all bids related to Bid #573 Microphones and re-evaluate bids to see what options there are 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. Federal-Aid Project Agreement – Project No. BRF-166D(219)CO – State Job NO. 25744(04) – Dog Creek on EW 45 approximately 1.9 miles East of State Highway 66 in District #1 – (D#1 DeLozier)**

Chairman DeLozier reported this agreement is for Bridge #79 over Dog Creek; estimated project costs is \$1,440,572.00; BR funds not to exceed 80% = \$182,000.00; Cherokee Nation will be paying estimated balance of \$1,258,572.00.

Chairman DeLozier 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:**

**1. 005 – Use Tax – None presented.**

**2. 101 – Unrestricted Highway - \$255,995.06**

**3. 105 – County Bridge & road Improvement Fund (CBRIF) - \$44,751.93**

Chairman DeLozier made a motion to approve Items 2 & 3 under cash fund estimate of needs as presented with Commissioner Helm 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. Oklahoma Natural Gas Company, a division of ONEOK, Inc. – proposed ¾” natural gas pipeline – boring 270<sup>th</sup> East Avenue (East Timber Road) 1,041 feet West and 2,371 feet South of the Northeast corner of Section 35, Township 20 North, Range 15 East of the I.B.&M., Rogers County, in District #3 –

2. Oklahoma Natural Gas Company, a division of ONEOK, Inc. – proposed 4” natural gas pipeline – boring West Country Club Road approximately 530 feet East of the Southwest corner of the NW/4 of Section 13, Township 21 North, Range 15 East of the I.B.&M., Rogers County, in District #3 –

Commissioner Thacker made a motion to approve Items 1 & 2 under Utility Permits as presented with Chairman DeLozier seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 13: CLAIMS:**

1. Salaries – December 2011

Discussions held regarding resignations of Correctional Officer Jennifer Harris from the Sheriff’s Office and Maintenance Director Earl Hensley; Commissioners reviewed all claims submitted. Commissioner Thacker made a motion to approve the December 2011 salary claims as presented 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 –

Sheriff’s Office: Farmers Bros. Coffee, \$300.00; Diamond Medical Supply, \$500.00; /PHS Mobile X-Ray, \$600.00; Medical Compliance Specialty, Inc., \$400.00; Froman Oil Company, \$1,000.00; Speedy Lube, \$500.00; Comdata MasterCard, \$14,000.00; District #1 Warehouse, \$3,000.00; District #2 Warehouse, \$1,000.00; Diamond Drugs, Inc., \$6,000.00; Correctional Dental Services, \$2,000.00; Warehouse Market, \$250.00; Sysco Foods, \$7,000.00; Sysco Foods, \$3,300.00; Bimbo Bakeries, \$1,400.00; District #3: Lowe’s, \$300.00 and District #2: Kirby-Smith Machinery, Inc., \$10,500.00 – 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 – None presented.

**ITEM 15: GRANTS:** None presented.

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

**ITEM 17: AGENDA ITEMS:**

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

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects –

B. J. Fay with Flintco reported panels are being set on the west side today; scheduling the sequencing of the steel with Shawnee Steel; expect delivery in approximately three (3) weeks.

Billy Knowles with BKL, Inc., reported BKL is working on normal submittal process on various materials; went to Muskogee last week and reviewed their E911 Center; a meeting is scheduled next Tuesday to review the Sapulpa E911 Center; have received the survey from Kellogg Engineering and forwarded onto our surveyor and is in the process of completing survey. Update only, no action taken.

2. Contract for Donation of Land – between Claremore Land, LLC, and Board of County Commissioners – (Iski)

Iski presented a final form of the document on Contract for Donation of Land; two (2) changes were made; 1<sup>st</sup> change is on page 3 at the end of paragraph eight (8) “County will provide Owner a letter containing the Contract Price (appraised value) as defined herein; 2<sup>nd</sup> change is on page 4 under Paragraph 17 Item D, “County will make application to Rural Water District #3 for an extension of a water line to run to the property along Lowry Road”; closing date shall be held on or before February 15, 2012; Contract has been signed off on by Mr. John Williams, Sr., Managing Member.

Commissioner Thacker stated he wanted to thank Mr. Williams for donating the land and helping the County save money, is a very noble move on his part.

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

3. VIDMIC (Video in the shoulder mic) and APX 700 Multiband Portable Radio – (Sheriff)

Captain Jerry Smittle with the Sheriff's Office presented the Board with information regarding VIDMIC and APX 7000 multiband portable radios; discussions held regarding bidding or looking on State Contract for this items; Central Purchasing in Oklahoma City can assist you with this matter; discussions held regarding whether or not rental agreements can be done for both items; needs to be further reviewed and explored and look at all options available. Discussion only, no action taken.

4. Service Agreement – AmericanChecked, Inc. – (Iski)

Iski reported documents presented to the Board included information on an agency that conduct comprehensive background checks; agency is used by Tulsa Public Schools; City of Tulsa; Town of Bixby; Cherokee Nation; City of Owasso; Bama Pie; options are included in packet and costs is based upon what searches are requested; (pricing list included) discussions held regarding information provided; Iski made an addendum to the agreement regarding multiple years the contract would be good for; addendum limits number of years.

Commissioner Helm made a motion to approve the contract as presented and authorize Chairman of the Board and Assistant District Attorney, David Iski, to determine what type of background checks will be conducted with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

5. Request for Carryover of Unused Vacation Days for Teresa Hardesty with the Rogers County Election Board to Calendar Year 2012 – (Dermody)

Julie Dermody, Election Board Secretary, requested the Board allow Teresa Hardesty to be allowed to carry-over 44 hours of unused vacation to 2012; (letter provided) discussions held regarding Hardesty being a part-time employee who was hired with full benefits; Iski reminded that the Board needs to be consistent and what applies to one applies to everybody.

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

6. Pafford EMS of OK, Inc. – Agreement dated September 4, 2007 – (D#1 DeLozier)

Discussions held regarding last signed agreement was in 2007; the County needs to have a signed agreement year to year. Commissioner Thacker expressed his disagreement with how and why is County government subsidizing a private business; Chairman DeLozier expressed he feels the County needs an ambulance service provider for all of the County that is not covered by OTEMS (Oologah-Talala Emergency Medical Service District); Commissioner Helm expressed his concerns regarding the Board being fair and consistent, and this service is provided to Pafford EMS of OK, Inc., why wouldn't OTEMS be included to ask for the same; everyone knows that are in a financial bind; discussions held regarding regional dispatching will help alleviate this issue; discussions held regarding whether or not there is a current interlocal agreement between City of Claremore and Pafford; Iski reminded, the Board can determine and make a finding of public purpose; discussions held.

Chairman DeLozier made a motion to table this item for three (3) weeks (January 17, 2012) with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

7. Resolution #2011-101 & Reimbursement Form – Rural Water District #4 - \$793.86 for November 2011 fuel reimbursement – D#2 – (Comm. Office) **\*\*NOTE\*\***See item #9 for Board action**\*\***

8. Resolution #2011-102 & Reimbursement Form – Town of Talala – \$1,293.20 – repairs/maintenance street signs – South Locust Street – D#2 – (Comm. Office) **\*\*NOTE\*\***See Item #9 for Board action**\*\***

9. Reimbursement Form as per Resolution #2011-39 – Town of Talala – fuel reimbursement – \$379.39 -District #2 – (Comm. Office)

Commissioner Helm made a motion to approve Items 7, 8 & 9 under Agenda Items as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

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

1. Grand Gateway EDA E911 Service Fees for October 2011, in the amount of \$23,949.74 –

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 -

Discussions held regarding request from Julie Dermody, Election Board Secretary, for the Board to consider and take possible action on Independent Contractor's Agreement involving Press Group as discussed last Monday, December 19<sup>th</sup>. Iski explained the document does not fit under New Business because the matter was discussed in a previous meeting, so is not unforeseen; Dermody explained the ICA was received by the Election Board Office on Thursday, December 22<sup>nd</sup>. County Clerk, Peggy Armstrong, explained the agenda had to be posted before 9:00 a.m. on Thursday, because of the Courthouse being closed on Friday. Discussions held regarding whether or not to call for a special meeting on Thursday, December 29<sup>th</sup>. Discussions only, no action taken.

**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 Tuesday, December 27, 2011\*\*\* Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with the exception of purchase order #202172 issued to Claremore Physicians Immediate Care for \$436.00 to be sent to Worker's Comp with Commissioner Helm seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 23: RECESS OR ADJOURNMENT:**  
Commissioner Helm made a motion to adjourn the meeting with Commissioner Thacker seconding the motion. Roll Call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried and meting adjourned at 11:04 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 **Wednesday, December 21, 2011, at 3:37 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.*