

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, January 9, 2012, at 9:00 O'clock A.M.

MINUTES

ITEM 1: CALL TO ORDER:

Chairman Mike Helm 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 Mike Helm, Commissioner Kirt Thacker and Commissioner Dan DeLozier 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 DeLozier led the salute and Pledge of Allegiance to the American Flag.

ITEM 4: INVOCATION:

Commissioner Thacker said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: January 2, 2012

Commissioner DeLozier made a motion to approve the minutes from January 2, 2012, as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: POSSIBLE EXECUTIVE SESSION:

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

1. 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: Human Resources Director – (Comm. Office)

Commissioner Thacker made a motion to adjourn Regular Session and enter Executive Session with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Regular Session and entered Executive Session at 9:04 a.m. with Assistant District Attorney, David Iski and County Clerk, Peggy Armstrong.

2. Motion and Vote to Adjourn Executive Session and Enter Regular Session – Commissioner DeLozier made a motion to adjourn Executive Session and enter Regular Session with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 9:29 a.m.

3. Discussion with possible action with respect to the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, as discussed in Executive Session, as authorized by Title 25 O.S. § 307 (B) (1), to-wit: Human Resources Director –

Chairman Helm reported a conditional offer was made to the successful candidate as Human Resources Director and public comment will be made at a later date. No action taken.

ITEM 6.A: UNFINISHED BUSINESS:

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

1. Award Bid #201 – Uniform Rental Services – Commissioners - ***NOTE*** this bid was opened on December 19, 2011, meeting and tabled from Awarding on January 2, 2012, meeting***

Commissioner DeLozier reported 3 bid responses were received and after reviewing all bids contained polyester shirts; discussions held regarding polyester shirts being worn in the summer; Commissioners did not want to order polyester shirts, too hot.

Commissioner Helm made a motion to throw out all bids as unacceptable with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Courthouse Maintenance – possible hiring a part-time employee (D#3 Thacker)

NOTEthis item was tabled from December 19, 2011, meeting and January 2, 2012, meeting***

Earl Hensley, Maintenance Department Director, reported to the Board the maintenance department has been short a full time employee for over a year; is requesting a part time person to help when staff is off sick; discussions held regarding drafting a job description, advertising for the position, who would interview, (Earl Hensley would interview and make recommendations to the Board), how long to advertise, where to advertise and post advertisement and when to close application process.

Commissioner Thacker made a motion for Earl Hensley, Maintenance Department Director to draft a job description and advertise for position for two (2) consecutive weeks in the Claremore Daily Progress and County web site and close application process at the close of business on Tuesday, January 31, 2012, with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Radios for Sheriff's Office – *NOTE***this item was discussed at December 27, 2011, meeting*****

Captain Jerry Smittle with the Sheriff's Office stated he had nothing to report yet; has a meeting scheduled with the vendor this week; still trying to gather information on cost and whether or not the radios can be lease-purchased; discussions held regarding when to place item back on the agenda; discussions held regarding when the purchase of these radios might take place.

Commissioner DeLozier made a motion to strike this item from the agenda at the request of Captain Jerry Smittle and pending application of Sheriff's Office when to place item back on the agenda with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Update on the cost and status of re-issuing voter registration cards to voters affected by re-districting and precinct changes – (Election Board/Dermody)

Election Board Secretary, Julie Dermody, reported staff had run into a few more issues, but problems have been resolved; issues with information received not being the same for the envelopes as it was with the labels, was suppose to be; feels will be still under costs; has filed for a non-profit status for bulk mailing, will take six to eight weeks for the post office to decide; may or may not receive status; post office may or may not give us the refund after; discussions held regarding how to pay for postage this Wednesday, January 11, 2012, deadline; a purchase order was issued to the United States Postal Service for \$5,883.50; approximately 14,000 mailings going out. Discussion only, no action taken.

5. Notice of Energy Efficiency and Conservation Block Grant Closeout Completion, Grant SC-0004068 – (Iski)

Assistant District Attorney, David Iski, reported this is the final closeout of the energy grant for the ground source system; recommends Board approve.

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

6. Correction Cooperation & Payment in Lieu of Tax Agreement between Chief of the Delaware Tribe of Indians on behalf of the Delaware Tribe of Indians and Rogers County Board of County Commissioners – (D#1 DeLozier/Iski) *NOTE***this item was tabled from 10-31-11 meeting and approved at 12-19-11 meeting*****

Commissioner DeLozier reported he was contacted by the Delaware Tribe regarding the agreement that was approved by the Board originally on December 19, 2011; legal descriptions provided on the original document were wrong; have sent a corrected list of legal descriptions; Board needs to take action on the corrected list of legal descriptions.

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

ITEM 7: ZONING: None presented.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS & BRIDGES: None presented.

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 capital outlay - \$3,000.00

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

ITEM 12: UTILITY PERMITS: None presented.

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: Harley Hollan Companies, \$780.00 & Frontier International Trucks, Inc., \$3,000.00; District #3: R & S Auto Parts, \$500.00; Harley Hollan Companies, \$1040.00 & Harley Hollan Companies, \$1040.00 – Commissioner Thacker made a motion to approve the blanket purchase orders as submitted with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
2. Orders Exceeding Amount of Issuance –
Purchase order #204030 issued to Correctional Dental Services by Sheriff's Jail Account originally opened for \$2,000.00; invoiced for \$2,891.10 for December 2011 dental services for inmates. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 15: GRANTS: None presented.

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

1. BKL, Inc. – Invoice #18 – Construction Phase - \$8,460.00 ***NOTE***overall payment #47***
Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

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 the 1st phase of panels will be completed this week; structural steel is scheduled for Monday, January 16th; a pre-construction meeting is scheduled for tomorrow with steel vendor; 130 days without any accidents.
Billy Knowles with BKL, Inc., reported they are continuing shop drawings; a meeting is scheduled on January 19, 2012, at noon with Judges on audio visual for all courtrooms; citizens have been calling us saying they like the looks of the panels and the progress the Courthouse is taking. The E911 topographical survey was received last week; meeting last week in Sapulpa to look at their E911 Center; a meeting is scheduled for Friday, January 13th to visit Tulsa County's E911 Center.
Discussions held regarding who is responsible for developing trust documents for the E911 Center, County or users? Discussions about either party generating documents and presenting to the Board for their review; discussions regarding abstract of E911 Center land being ready for Attorney Tom Williams' review.
Discussion and update only, no action taken.
 2. Right of Entry Agreement between Verizon Wireless Telecom, Inc., dba Verizon Wireless – (E911 Admn. Hamilton/D#1 DeLozier)
Commissioner DeLozier reported Verizon is requesting to put a tower on the Courthouse overflow parking lot down south on Missouri Street; discussions held regarding Verizon being responsible for getting any required permits or licenses from the City of Claremore; discussions held regarding Verizon coordinating efforts of the use site with Flintco, as they are currently using site as a staging area.
Janet Hamilton, E911 Administrator, reported 911 has no interest in Verizon; will not help in any way with 911; County does not need an antenna.
Commissioner DeLozier made a motion to approve the Right of Entry Agreement as presented and allow Verizon to coordinate with Flintco when they will need to be in/out of parking lot, because Flintco is currently using as a staging area with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
 3. Oklahoma Wireless Information Network (Oklahoma Statewide 800 MHz Radio System) Memorandum of Understanding between City of Tulsa, a municipal corporation (City), the Department of Public Safety, a public safety agency of the State of Oklahoma (State) and Board of County Commissioners of Rogers County (User) – (Iski)
Janet Hamilton, E911 Administrator, reported City of Tulsa and Department of Public Safety each have a trunked 800 Megahertz Radio System (TRS) and are duly licensed by the Federal Communications Commission (FCC) for the operation of same; Rogers County desires to utilize TRS for Public Safety inter-operability emergency purposes; costs are unknown at this time; meeting is scheduled this week for further discussions; Hamilton recommends Board approval.
Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
 4. Appointment of INCOG Board Member for Rogers County to represent

those cities and towns of less than 3,500 population in Rogers County – (D#1 DeLozier)

Commissioner DeLozier reported he received a letter from INCOG stating there is currently a vacancy on the INCOG Board in this position, and the Board of County Commissioners are requested to make an appointment to fill this vacancy. Discussions held regarding Magan Green, Planning Commission Director, being the appointment a few years back and recommending her for appointment in 2012.

Commissioner Thacker made a motion to appoint Magan Green, Planning Commission Director, to represent those cities and towns within Rogers County of less than 3,500 population with Commissioner Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-abstain. Motion carried.

5. Request from Rogers State University for Board of County Commissioners to enter into an inter-local government agreement and intent of this agreement would be for Rogers County to assist Rogers State University with construction, repair and maintenance of mutually agreed to projects on university property located in Rogers County – (D#2 Helm)

Chairman Helm reported Rogers State University (RSU) has requested consideration by the Board to enter into a Memorandum of Understanding (MOU) government agreement with RSU; intent of the agreement would be for Rogers County to assist RSU with construction, repair and maintenance of mutually agreed to projects on university property located in Rogers County; if this request is considered to be favorable, RSU will seek further approval through its governing board; discussions held regarding Iski drafting a legal document.

Chairman Helm made a motion to direct Assistant District Attorney, David Iski, to draft a legal document in order for Rogers County to work with Rogers State University with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Application for Emergency Management Performance Grant (EMPG) funding has been approved in the amount of \$26,751.00 for Federal Fiscal year 2012 – (Emergency Management Director/Bob Anderson)

This item stricken from agenda.

7. Removal of Tom Harrison as Requisitioning Officer for Sheriff's Office and appointment of Undersheriff Jon Sappington and Removal of Jon Sappington as Receiving Agent for Rogers County Jail and appointment of Ronnie Batt – (Sheriff)

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

8. County Clerk's Cash Book & Summary Report of December 2012 – (Clerk)

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

9. Resolution #2012-02 & Reimbursement Form directing County Treasurer to deposit funds from Rogers County Sheriff's Office into general fund for distribution in the amount of \$7,937.00 and \$4,196.00; monies received from Traveler's Insurance Agency for vehicle loss – (Sheriff's Office)

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

10. Resolution #2012-3 to allow Rogers County to buy or sell Machinery and/or Equipment at Statewide County Equipment Auction – Elk City- Conference Center – I-40 Business (across from Airport) – Elk City, Oklahoma – Friday March 9, 2012 and Saturday March 10, 2012 – (Clerk)

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

11. Resolution #2012-4 to allow Rogers County to buy or sell Machinery and/or Equipment state Statewide County Equipment Auction – Pittsburgh County Fairgrounds – Off of US270 (SH1) near the Indian Nations Turnpike – McAlester, Oklahoma – Saturday, May 5, 2012 – (Clerk)

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

12. Reimbursement Form as per Resolution #2011-37 directing County Treasurer to deposit funds from FEMA reimbursement on warrant #101549088 (PA-1985 PW272 B28(27) #2178 – Invoice date 12-5-2011 in the amount of \$14,923.50 – (D#2 Helm)

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

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 -

ITEM 20: ANNOUNCEMENTS:

Commissioner Thacker announced District #3 is going back to 5-day work week today; will be split crews on Monday and Friday; employees will still be working 10 hours in 4 days.

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.

NOTECommissioner DeLozier left the meeting at 11:00 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 for payment by the Board on Monday, January 9, 2012***Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with Chairman Helm 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 Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye. Motion carried and meeting adjourned at 11:27 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, January 5, 2012, at 3:06 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.*