

**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 23, 2012, at 9:00 O'clock A.M.

**MINUTES**

**ITEM 1: CALL TO ORDER:**

Chairman Mike Helm 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 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 17, 2012**

Commissioner Thacker made a motion to approve the minutes from January 17, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**ITEM 6: UNFINISHED BUSINESS:**

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

1. Investments with RCB Bank on RCIDA Series 2011 Revenue Bond Indenture – Dated 10-1-2011 - \$3,325,000.00 – \*\*\*NOTE\*\*\*discussed at January 17, 2012, meeting\*\*\*

Karen Keigley with RCB Bank presented copies of statement of assets regarding investing \$6,000,000.00 of Courthouse construction funds into RCB Bank Certificate of Deposit at .40% with a maturity of 182 days; \$2,000,000.00 from E911 construction funds into RCB Bank Repo agreement at .25% with a maturity date open; \$225,660.00 reserve funds into RCB Bank Certificate of Deposit at 1.85% with a maturity of 60 months; discussions held regarding investments. Discussions held regarding original bond proceeds reserve (for principal & interest on Bond itself) of \$49,502.90 being invested in RCB Bank Repo Agreement and other options.

Commissioner Thacker made a motion to approve the original bond proceeds reserve of \$49,502.90 to be invested in RCB Bank Repo Agreement with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Commissioner DeLozier made a motion to approve the investments of \$6,000,000.00 of Courthouse construction funds into RCB Bank Certificate of Deposit at .40% with a maturity of 182 days and \$2,000,000.00 from E911 construction funds into RCB Bank Report agreement at .25% with a open maturity date and \$225,660.00 reserve funds into RCB Bank Certificate of Deposit at 1.85% with a maturity of 60 months with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Resolution #2012-9 regarding Employee Deductible Reimbursement – \*\*\*NOTE\*\*\*this item was approved on January 17, 2012 meeting\*\*\*

Resolution #2012-9 was drafted as a result of action the Board took last week in their meeting; discussions held for clarity regarding whether to allow partial deductible reimbursement payments or the full amount of \$250.00.

Chairman Helm made a motion to approve with Commissioner Thacker 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:**

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

1. Independent Contractor's Agreement – Kellogg Engineering, Inc. –

research existing right-of-way and prepare an exhibit for the County's use of East 96<sup>th</sup> Street North from North 177<sup>th</sup> East Avenue to North 1934d East Avenue – propose to stake the centerline of the section and stake right-of-way easements at increments of every 250 feet – (D#2 Helm)

Chairman Helm reported there was an accident that happened on East 96<sup>th</sup> Street North that took out a bridge and the County is proposing to stake the centerline of the section and stake right-of-way easements at increments of every 250 feet.

Assistant District Attorney, David Iski, discussed the form on general content of the Independent Contractor's Agreement and recommended the Board not sign off on until he and Kellogg had time to visit regarding it.

Chairman Helm made a motion to table this item until Assistant District Attorney, David Iski, places it back on the agenda with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-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 - \$2,000.00

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

**ITEM 12: UTILITY PERMITS:** None presented.

**ITEM 13: CLAIMS:**

1. Salaries – January 2012

County Clerk, Peggy Armstrong, presented the January 2012 payroll claims to the Board; no terminations or resignations to report.

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

2. Attendant Care – None presented.

**ITEM 14: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions – None presented.
2. Orders Exceeding Amount of Issuance – None presented.

**ITEM 15: GRANTS:**

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

1. Resolution #2012-10 authorizing Application for Rural Economic Action Plan Grant from the Indian Nations Council of Governments (INCOG) for asphalt overlay within Harbor Creek Village in Oologah, Ok - \$60,000.00 amount of grant request – (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.

2. Request for Change in Scope on REAP Grant #042-RP-10 – (D#2 Helm)

Brian Kellogg explained the grant was originally submitted and approved for right-of-way acquisition for the Clubhouse Road and State Highway 20 Intersection improvement project located on the west side of Claremore; ODOT has plans to improve State Highway 20 and said intersection; request approval to transfer said REAP Grant to an alternate project, the Rogers County 911 Center Water Line Project.

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

**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 the cross beams on the 2<sup>nd</sup> floor have been completed; started 2<sup>nd</sup> phase of 180 panels. Billy Knowles with BKL, Inc., reported held a meeting last week with curtain wall & glass vendors; met with Judges on audio visual; staff met with Janet Hamilton, E911 Administrator, and reviewed plans, still working on finalizing E911 Center plans; reminded Commissioners the Plaza in front of the new Courthouse still needs to be completed after construction; approximately ½ million allocated for items such as lighting, concrete, asphalt, storm sewer work; County would use own personnel to help complete project. Update and discussion only, no action taken.

2. Community Care Life & Health Insurance Company and CommunityCare HMO – (D#2 Helm)

Chairman Helm requested information from CommunityCare regarding discussions last week of the requirement if the County pay 100% of the employees premium, CommunityCare requires 100% participation regardless whether an employee has other coverage available to them; Section 32 of the Group Application between CommunityCare and Rogers County recites; CommunityCare also proved the signed application from December 5, 2005, signed by then Chairman, Gerry Payne and recorded in the Commissioner's minutes Book 61 Page 95-98; discussions held regarding seven (7) current employees not participating in County insurance coverage; discussions held regarding four (4) current employees participating in CommunityCare PPO, whereas , the County only pays coverage equal to the HMO; the employee has to pay the difference; discussions held regarding employees choosing not to take County insurance and how it saves the County money; discussions held regarding the County needing a guarantee from employee when they sign up for insurance with the County and they choose to opt out, that they are covered by some other insurance coverage.

Commissioner DeLozier made a motion to leave as it is currently, unless the Broker brings it back for the Board for further discussions with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Resolution for Disposing of Equipment for District #1: 1988 International Sand Truck, sn#1HTLCZWP6JH610374 – to be transferred to the City of Chelsea – and signing of Certificate of Title – (D#1 DeLozier)

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

4. Request for John Scace, District #2 employee who was unable to use all the 80 hours of vacation time given to him in December 2011, to carryover 64 hours vacation to 2012-(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.

5. Resolutions for Disposing of Equipment for District #1 as follows:

- a.) 1987 Chevrolet Buck Truck – sn#1GBS7D4E6HV103850 -
- b.) 1998 International Mechanic Truck - sn#1HTSCABMBWH501415 –
- c.) 1983 International Dump Truck –sn# 1HTAA17E2DHB13180 –
- d.) 2004 Freightliner FL80 Dump Truck – sn#1FVHBXAK74DM55047 –
- e.) Vermeer Chipper Shredder, not Spreader – sn#1VRY1119761006948 –
- f.) HY Pac Pneumatic Roller – sn#901A22202046 –
- g.) Caterpillar 924 Wheel Loader – sn#DFZ0377 –
- h.) Caterpillar 924 Wheel Loader – sn#DFZ0488
- i.) 16 foot Pull Type Trailer – sn#1Z9KD3329X0058187 –
- j.) Henderson Sand Spreader – sn#WSH-21500 -
- k.) Henderson Sand Spreader – sn#WSH-21501 –
- l.) Dump Bed off Truck 302-0156 –
- m.) Dump Bed off Truck D1-302-0160

Commissioner DeLozier reported these items are to be declared surplus to be sold at the CED equipment auction being held on March 9<sup>th</sup> & 10<sup>th</sup> in Elk City. Commissioner DeLozier made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Resolution 2012-11 and Reimbursement Form directing County Treasurer to deposit funds from Rural Water District No. 4 in the amount of \$807.32 into One Cent Sales Tax Fund for distribution for District #2 – (Comm. Office)

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

7. Reimbursement Forms per Resolutions 2011-37; 2011-38 and 2011-39 directing County Treasurer to deposit funds from the following:

- a.) FEMA reimbursement - \$8,709.92 – District #2 –
- b.) Town of Oologah - \$768.23 and Oologah Municipal Authority - \$39.60 - District #2
- c.) Town of Talala - \$332.44 – District #2

Chairman Helm made a motion to approve Items 7a thru 7c as presented 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 - 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, January 23, 2012\*\*\*Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with the exception of purchase order #205277 issued to Brown & Hartman Engraving by the Election Board Office for \$296.25, to be sent back for further review and discussion with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**ITEM 23: RECESS OR ADJOURNMENT:**  
Commissioner DeLozier made a motion to adjourn the meeting with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting adjourned at 11:25 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 19, 2012, at 2:32 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.*