

**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, February 6, 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:**

Dewayne Thompson, candidate for U.S. Congress, said a prayer.

**ITEM 5: APPROVE/DISAPPROVE MINUTES: January 30, 2012**

Commissioner Thacker made a motion to approve the minutes from January 30, 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. 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) \*\*\*NOTE\*\*\*this item was tabled from January 9, 2012, meeting\*\*\*

Discussions held regarding grant. Commissioner DeLozier 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. Memorandum of Understanding between Cherokee Nation and Rogers County, Oklahoma – (Comm. Office)

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

2. State of Inability to Participate (Federal-aid Financing Availability for Indian Reservation Roads) – (Comm. Office)

Discussions held. Commissioner Thacker made a motion to approve with Chairman Helm 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 One Cent Sales Tax M&O to capital outlay - \$88,000.00

Commissioner Thacker reported District #3 would be purchasing new pickups off the State Contract and 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:**

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

1. Rural Water District #3, Rogers County – boring 88<sup>th</sup> Place North located between 145<sup>th</sup> East Avenue and 161<sup>st</sup> East Avenue – Lot 7 Block 10 Preston Lakes – located within Section 22, Township 21 North, Range 14 East of the I.B.&M., Rogers County – (D#2 Helm)

Chairman Helm reported applicant was conforming to the County's policy of putting back the easement the way they found it and was a bore only and made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Chelsea Gas Authority – boring East Oakridge Drive approximately 370 feet East of NS/4220 Road within Section 33, Township 22 North, Range 17 East of the I.B.&M., Rogers County – (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.

**ITEM 13: CLAIMS:**

1. Salaries – None presented.
2. Attendant Care – None presented.

**ITEM 14: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –

District #3: Harley Hollan Companies, \$780.00; E911 Addressing: Froman Oil, \$200.00; Emergency Management: Comdata MasterCard, \$300.00 & Froman Oil, \$200.00 – 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 – 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:

\*\*\*NOTE\*\*\*Items 1 & 2 under Agenda Items were discussed and action taken 1<sup>st</sup> by the Board\*\*\*

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

Billy Knowles with BKL, Inc., spoke of the items not covered in construction costs from courtroom pew seating; jury box seating; litigation furniture; bench seating; courtroom projector; courts data system; and jury room furniture. Discussions held regarding whatever items can be moved, will be moved into the new Courthouse and courtrooms. Judge Post stated she would be willing to contact Supreme Court to ask them to pay for telephone system for court system.

B. J. Fay with Flintco gave Board update regarding completion of 2<sup>nd</sup> floor decking this week; iron workers worked over the weekend; presented schematic estimate of E911 Center; 7,929 square feet; ground-breaking projected for July 2012; needs approval of schematic design to prevent any delays; discussions held regarding Option #7 of schematic design; Janet Hamilton, E911 Administrator has reviewed and approved and recommends Board approval. BKL will send final schematic design electronically.

Commissioner Thacker made a motion to approve Option #7 schematic design of E911 Center with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Courthouse Security issues – (Judge Post)

Judge Dynda Post spoke of concerns for Courthouse security in regards to staffing issues; budget issues; County's responsibility to protect our County; spoke of needing to be a priority for the Courthouse; suggested organizing a Courthouse security committee to review the issue; Sheriff Walton should be in charge of making recommendations to the Board.

Sheriff Walton was open to suggestions regarding staffing levels; spoke of lack of funding issues. Discussions held regarding whether or not the Court Fund monies could be used for Courthouse security. Judge Post reported approximately \$5000 to \$6000 is being collected each month and deposited with the Sheriff; these are fees that are set by state statutes. Discussions held regarding how many deputies would it take for Sheriff to feel he could use to do his job adequately. Sheriff Walton expressed anywhere from eight to ten field deputies and three Courthouse security deputies. Commissioner Thacker suggested cutting one to three deputies from each elected officials offices and then the money could be given to the Sheriff for further staffing.

Discussions held regarding possibly using reserve deputies in Courthouse security; Homeland Security grants were suggested. Discussions held regarding Sheriff Walton setting up a Courthouse security committee and make recommendations back to the Board next Monday, February 13<sup>th</sup>.

Discussions only, no action taken.

Chairman Helm made a motion to recess the meeting with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 10:06 a.m.

Commissioner DeLozier made a motion to call the recessed meeting back to order with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and recessed meeting was call to order at 10:15 a.m. with quorum established.

\*\*\*NOTE\*\*\*The Board returned to order of the Agenda Item 6 Unfinished Business\*\*\*

**3. U.S. Fleet Tracking – (Capt. Smittle)**

Shaun Snovel, Account Executive for U.S. Fleet Tracking reported they are a GPS tracking manufacturer providing Internet-based access to LIVE vehicle tracking and asset management; presented a current clients/referrals list to the Board; benefits of U.S. Fleet Tracking's products and services: decrease fuel costs and business redundancies, increase efficiencies among fleet, increased service technician productivity, live weather radar and traffic data; empowering dispatchers to route technicians around trouble spots; vehicle maintenance alerts; \$29.95 each vehicle monthly service; would waive device and activation fees; no contract; mounting changes of \$100; feels their product is a "single source"; can provide a sole source letter; discussions held regarding help reduce insurance costs. Discussion only, no action taken.

**4. Oologah-Talala School District's request of Rogers County District #2 in the construction of an on-campus walking trail to be built with funds from the Cherokee Nation – (D#2 Helm)**

Letter of request was read out loud; discussions held. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**5. Purchase Oder and Maintenance /Service Agreement – Canon IRC2550 copier for Human Resources Department - \$9,695.00 – (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.

**6. Presentation of Fair Board Election candidate filings and possible Cancellation of 2012 Fair Board Elections – (Clerk)**

District #1: Mark McClurg

District #2: Richard Gebhart

District #2: Jim Bob Lynch

District #3: Ronald R. Burrows

Chairman Helm made a motion to accept the applications for 2012 Fair Board Election candidate filings as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Discussions held regarding District #1 and District #3 not needing to hold an election on February 18<sup>th</sup>; District #2 had two candidate's files and an election would be held.

Commissioner DeLozier made a motion to publish a Notice of Cancellation of Fair Board Elections for District #1 and District #3 with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**7. County Clerk's Cash Book & Summary Report for January 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.

**8. Correction to Resolution #2012-6 declaring surplus property – 1991 Freightliner Pull Truck Tractor, sn#1FUyDCXB7MP397258 – (D#3 Thacker)**

Commissioner Thacker reported this item was declared as surplus property at the January 17<sup>th</sup>, meeting; tractor was to be transferred to Circuit Engineering District Statewide County Equipment Auction in Elk City on March 9<sup>th</sup> & 10<sup>th</sup>. District #3 has decided to keep and re-build the engine.

Commissioner Thacker made a motion to remove this item from Resolution #2012-6 and not declare as surplus property with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**9. Resolutions for Disposing of Equipment for District #1 to be declared surplus as follows:**

**a.)** Monroe snow plow, sn#01022568; Monroe snow plow, sn#01022569; Do-All Spreader, sn#94673; Do-All Spreader, sn#87021; to be transferred to City of Claremore Street Department –

Commissioner DeLozier reported these snow plows were mounted on the trucks that have already been transferred to the City of Claremore and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye.

Motion carried.

**b.)** Henderson Sand Spreader, sn#WSH-21457, to be transferred to the City of Chelsea – (D #1 DeLozier)

Commissioner DeLozier reported this snow plow is mounted to the truck that has already been transferred to the City of Chelsea and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**10.** Resolution for Disposing of Equipment for District #4 Sign Account to be declared surplus:

**a.)** 2009 Ford Supercab F150 4-door pickup, vin#1FTPW14V79FA01567 – to be transferred to District #1 in Chelsea, Ok – (D#1 DeLozier)

Commissioner DeLozier reported District #1 will be transferring a truck with a lift-gate on it to the Maintenance Department in return for the pickup. Commissioner DeLozier made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**11.** 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: Maintenance Director, Earl Hensley – (D#3 Thacker)

Chairman Helm made a motion to adjourn Regular Session and enter Executive Session with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Regular Session and entered Executive Session at 10:39 a.m. with Assistant District Attorney, David Iski.

**12.** 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 Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 11:21 a.m.

**13.** 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), to-wit: Maintenance Director, Earl Hensley –

Commissioner Thacker made a motion to transfer Earl Hensley to District #3 retro to February 1, 2012, with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Chairman Helm made a motion to appoint Commissioner Dan DeLozier to supervise the Maintenance Department until a replacement Maintenance Supervisor has been found with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

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

1. 140 Wireless Prepay 911 Fee - \$2,886.27
2. 141 Wireless Services - \$24,010.85
3. 142 E911 Addressing - \$9,317.54 and \$10,019.28

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:**

Chairman Helm announced there will be an item added to the agenda next Monday, February 13<sup>th</sup>, regarding County events and status updates for comment and discussion from County Departments and Elected Officials. Drafting a job description for a Stationary Engineer and applications to be accepted by Human Resources Director and Board will be conducting interviews in conjunction with Human Resources. Helm continued he feels the County needs to hire a CPA to see where the County can make budget cuts and review all the departments funding. Helm spoke of County going out for a hotel/motel tax within the County to help secure funding for Sheriff's Office to be secured in a lock box.

**ITEM 21: NEW BUSINESS:**

**1.** Consideration and possible action with respect to any other matters not known about or which could not have been reasonably foreseen prior to posting the agenda -

**1.** Resolution #2012-13 and Reimbursement form directing County Treasurer to deposit funds from Cherokee Nation in the amount of \$1,000,000.00 into One Cent Sales Tax Fund for distribution for District #1 for maintenance and operations for Bridge #79 on check #354915.

Commissioner DeLozier explained District 1 received the check on Friday, February 3, 2012 and was too late for this week's agenda; Oklahoma Department of Transportation needs the funds now, because bid letting will be on March 15, 2012, so the funds need to be there as soon as possible.

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

**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, February 6, 2012\*\*\*Commissioner Thacker made a motion to approve payment of all  
purchase orders submitted from all departments with the exception of purchase order #205762 issued  
to Press Group Printing & Digital Imaging in the amount of \$4,169.00 to be sent to District Attorney  
for further review with Commissioner DeLozier 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 12:10 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, February 2, 2012, at 2:13 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.*