

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 27, 2012, at 9:00 O'clock A.M.

MINUTES

*****CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO BE TAKEN ON THE FOLLOWING LISTED ITEMS ON THE AGENDA:**

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:

Pastor Michael Able from Verdigris Assembly of God said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: February 21, 2012

Commissioner DeLozier made a motion to approve the minutes as presented with a correction on Page 2 under Item 17 Agenda Items, paragraph #3 to read "used" instead of "sued" with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: PROCLAMATION HONORING TROOPER:

Trooper Scott Shropshire was honored by the Board and a Proclamation was presented to him.

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 9:05 a.m.

Chairman Helm called the recessed meeting back to order at 9:10 a.m. with Commissioner Kirt Thacker and Commissioner Dan DeLozier present and quorum established.

ITEM 7: UNFINISHED BUSINESS: None presented.

ITEM 8: ZONING: None presented.

ITEM 9: PLATS: None presented.

ITEM 10: ROADS & BRIDGES: None presented.

ITEM 11: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:

1. 101 – Unrestricted Highway - \$547,934.37
2. 105 – County Bridge & Road Improvement Fund (CBRIF) - \$24,886.76

Commissioner DeLozier made a motion to approve Items 1 & 2 under Cash Fund Estimate of Needs as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 12: TRANSFER OF FUNDS:

1. District #2 One-Cent Sales Tax M&O to capital outlay – \$500,000.00

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

2. District #3 One-Cent Sales Tax M&O to capital outlay - \$167,000.0)

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

ITEM 13: UTILITY PERMITS:

1. Cox Communications – directional bore – SW/4 within Section 4, Township 21 North, Range 16 East of the I.B.&M., replacing existing line 430 feet from North to South in easement along East side of SW Wolf Run Drive from pole to amp behind 2300 SW Wolf Run, under Elk Trail – (D#3 Thacker)

Commissioner Thacker reported this particular piece of property used to lie within the city limits of Claremore and was de-annexed; Cox Communications has an understanding they are to follow every portion of the utility permit.

Commissioner Thacker made a motion to approve with Chairman Helm seconding

the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 14: CLAIMS:

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

ITEM 15: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
Sheriff: Comdata MasterCard, \$500.00; Bimbo Bakeries, \$1,400.00; Farmers Bros. Coffee, \$300.00; Sysco Foods, \$7,000.00; Sysco Foods, \$3,300.00; Warehouse Market, \$250.00; Correctional Dental Services, \$2,000.00; Diamond Drugs, Inc., \$8,000.00; Diamond Medical Supply, \$500.00; PHS Mobile X-Ray, \$600.00; St. Francis Lab, \$1,200.00; 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 - Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.
2. Orders Exceeding Amount of Issuance – None presented.

ITEM 16: GRANTS: None presented.

ITEM 17: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE: None presented.

ITEM 18: AGENDA ITEMS:

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

It was reported Billy Knowles with BKL, Inc., was in ICU at St. Francis Hospital; Kim Reeve could not be present today for an update.

B. J. Fay with Flintco presented a Courthouse Tour slide show; reported approximately one week behind schedule; and under budget. Discussion only, no action taken.

2. Terracon Proposal No. P04120071 Proposal for Geotechnical Engineering Services on E911 Center – (D#1 DeLozier)

Commissioner DeLozier reported the building has been spotted where it is going to be along with the parking lots; now the geotechnical study needs to be done; Terracon is the same contractor used for the Courthouse.

Assistant District Attorney, David Iski, reported he looked over the contract; there is no place for the Board to sign off on; the contract is really between Terracon and BKL; document signature line is for BKL to sign not he BOCC; did not review the contract for content; if the Board chooses to sign the contract the parties will need to be changed. Discussions held regarding changing the contract, both parties have to agree to and initial that they have agreed to the changes; in order to proceed BKL would need to sign off on and could go through the reimbursement.

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

3. Trust Indenture Rogers County Enhanced 911 Trust Authority – (D#2 Helm/E911 Hamilton)

Janet Hamilton, E911 Administrator, presented a rough draft version of the Rogers County Enhanced 911 Trust Authority; Assistant District Attorney, David Iski, created; the members of the trust have been identified, the role and responsibility of the trustees.

Discussions held regarding the question being asked, has anybody been approached to be on this trust? Commissioner DeLozier reported, the main reason no one has approached is because they didn't know what entities would be involved. Kelly Deal with OTEMS has talked about it along with the City of Claremore Mayor; a lot of people have expressed an interest in being on the trust, but until it is decided how many people were going to be on the trust, feels that is the hold up.

Assistant District Attorney, David Iski, addressed the issue; the question being asked by Chairman Helm, has anybody approached the Board or anyone associated with the Board to form the trust to be the initial trustees.

Discussions held regarding asking entities that are involved and ask who wants to be on the trust. Hamilton pointed out the document specifies who shall be on the trust, there shall be nine (9) trustees: three (3) of whom shall be same person, ex officio, who currently shall be the acting members of the legally constituted governing body of Rogers County, Oklahoma, without distinction as to the office; one (1) shall be, as a representative of fire protection services operating within Rogers County; one (1) shall be an executive officer of board member of emergency medical services operating within Rogers County; one (1) shall be, ex officio, the Rogers County Sheriff; one (1) shall be, ex officio, the Mayor of the City of Claremore; Two (2) shall be, ex officio, Mayors of a municipality located within Rogers County. Iski advised before the documents be circulated, that the documents be approved in their current form; the Board needs to be clear in what they are asking people to do. Discussions held regarding, if the documents are circulated and amendments and/or changes are suggested, isn't that what the Memorandum of Understanding (MOU) between the Board of County Commissioners and the entities was asking for.

Hamilton commented, the MOU was asking the leaders out there to come together and talk about 911; it was not asking them to commit themselves; there has been very little participation on the MOU. The trust indenture is basically governing the 911 business. Currently there are five (5) entities who have signed the MOU.

Discussions held regarding placing a time-line on the trust documents to be returned by the entities; the County is in the process of building a building and funding the equipment; discussions held regarding what the voters voted on and approved on the 911 Center.

Chairman Helm made a motion to approve the Trust Indenture for Rogers County Enhanced 911 Trust Authority (Item 3) and Bylaws (Item 4) and the entities have until the end of business on May 1, 2012, to return and is written the way it will stand with no changes with Commissioner

Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Bylaws of Rogers County Enhanced 911 Trust Authority – (D#2 Helm/E911 Hamilton)

NOTEAction was taken under Item #3***

5. Resolution #2012-18 accepting beneficial interest in the Rogers County Educational Facilities Authority for and on behalf of the County of Rogers, Oklahoma – (D#2 Helm)
Rogers County Educational Facilities Authority, Attorney James Orbison, reported the Rogers County Educational Facilities Authority is a public trust; the County is a beneficiary of that trust; the Commissioners are the Trustees of the trust; an Amendment has been approved for that trust to allow the trust to be involved in encouraging retail development within the County; that has to be approved by the Board of County Commissioners as governing body of Rogers County; the agenda item is for acceptance of the beneficial interest in trust as now amended.

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

6. Lease Purchase Agreement for Equipment between Board of County Commissioners, lessee and Boxcer Equipment, lessor, on 2011 International 7500 SBA Class Truck, vin# 1HTWNAZTOCJ113284 with Mauldin PS3500 Oil Distributor, sn#641-L-P3C-5-02641 in the amount of \$174,165.00 with Welch State Bank – (Bid #555) (Comm. Office)

Commissioner Thacker explained how the purchase came about and made a motion to approve with Commissioner DeLozier seconding the motion. Discussions held regarding the originals not being presented to Iski in time for his review. Commissioner Thacker rescinded his motion with Commissioner DeLozier rescinding the seconding of the motion.

Commissioner Thacker made a motion to table this item for one week (March 5, 2012) with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Lease Purchase Agreement for Equipment between Board of County Commissioners, lessee and Boxcer Equipment, lessor, on Casa Grande Rig with 15” and 36” Augers in the amount of \$580,910.04 less down payment of \$250,000.00 with Welch State Bank –(Bid #554) (Comm. Office)

Chairman Helm made a motion to table this item for one week (March 5, 2012) with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Assistant District Attorney, David Iski, reported he needs at least a week to review all original signed contracts before they are to be presented to the Board for discussion or approval.

8. Human Resources Policy & Procedures on Job Posting; Hiring Procedures and Employment Status – (Comm. Office)

Jennifer Bentley, Human Resources Director, drafted procedures to follow for job postings; hiring procedures and employment status. Discussions held. Commissioner DeLozier made a motion to approve as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

9. Facilities Manager position description – (Human Resources)

Jennifer Bentley, Human Resources Director, presented the Board with a position description for a Facilities Manager; discussions held and Board reviewed. Bentley recommended posting today on County web site. Chairman Helm made a motion to approve as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

10. Memorandum of Agreement between Cherokee Nation Emergency Management and Rogers County Emergency Management – (Emergency Mgmt.)

Bob Anderson, Emergency Management Director, explained the Cherokee Nation is asking all fourteen counties to sign MOU’s; each has a number of capabilities which would be mutually beneficial in the event of an emergency or disaster.

Assistant District Attorney, David Iski, reviewed the MOU and reported it is a statutory authority granted to the Emergency Management Director.

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

11. Disbursements of Human Resources Fund into proper accounts for accounting purposes – (Comm. Office)

Discussions held regarding funding for a Human Resources Director was approved in the 2011-2012 budget; and now needs to be moved into salary, M&O & travel accounts; discussions held. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

12. Resolutions for Disposing of Equipment for Sheriff’s Office:

a. – 2001 Dodge Durango – vin#1B4HS2BN51F623750 -

b. –1997 Ford Crown Victoria – vin#2FALP71W5VX191014

c. – 1997 Ford Crown Victoria – vin #2FALP71W8VX177124

Undersheriff Jon Sappington reported the vehicles would be sold at the surplus auction being held at Elk City; District #2 has offered us a warehouse lot and the use of their mechanic to service Sheriff’s vehicles; saves between \$14,000.00 and \$16,000.00; District #2 performs the maintenance and keeps records of the maintenance. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

13. Resolution for Disposing of Equipment for District #1: 2000 Chevrolet ½ ton pickup with Tommy Lift-gate, sn#00524396, vin#1GCE14V6YE379755 – to be transferred to Maintenance Department – (D#1 DeLozier)

Commissioner DeLozier reported District #1 is transferring pickup to the Maintenance Department at the Courthouse for use and made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

14. Procedure to be followed to place items on the Board of County Commissioner meeting agenda – (Iski)

Assistant District Attorney, David Iski, advised the Board to review how

items are being placed on the agenda; recommends approval by at least one Commissioner before an item is placed on the agenda for clarification; discussions on past practices; recommends starting with Chairman first.

Chairman Helm made a motion to approve for the Board of County Commissioners agenda it would have to have the ok of one Commissioner before an item is placed on the agenda with the exception of the statutorily required items with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 19: ANNOUNCEMENTS REGARDING COUNTY EVENTS AND STATUS UPDATES FOR COMMENTS AND DISCUSSION FROM COUNTY DEPARTMENTS AND ELECTED OFFICIALS, AS FOLLOWS:

- a.) 911 Administrator – b.) Assessor – c.) Building Operations/Maintenance -
- d.) County Clerk – e.) Court Clerk – f.) District Attorney – g.) Election Board
- h.) Emergency Management – i.) Human Resources – j.) Information Technology
- k.) Inspections – l.) Judicial – m.) OSU Extension – n.) Planning Commission –
- o.) Sheriff – p.) Treasurer –

Bob Anderson, Emergency Management Director, reported is a work in progress regarding communications for the new Courthouse.

Brett Williston, I.T., met with a vendor last week concerning the data and voice networks for the new Courthouse; needs to meet with all departments to find out what their most critical needs are going to be regarding data and voice networking; working to get an accurate estimate for how much is going to cost; still a work in progress.

B. J. Fay with Flintco reported on the courtroom pews were discussed in the Courthouse Committee meeting last Thursday; Commissioner Thacker reported at the meeting it was discussed and everyone was on the same page that the County is not providing for items that are not fixed, including pews, litigation tables, podiums, etc.

Under-sheriff Jon Sappington reported the Courthouse security committee meeting is scheduled for Tuesday, February 28, 2012, at 4:00 p.m.

Discussions only, no action taken.

ITEM 20: ANNOUNCEMENTS OF COUNTY EVENTS AND STATUS UPDATES FOR COMMENT AND DISCUSSION FROM COUNTY DEPARTMENTS:

- A.) 911 Administrator – B.) Building Operations/Maintenance
- C.) Emergency Management – D.) Human Resources – E.) Information Technology
- F.) Inspections/Planning Commission

911 Administrator, Janet Hamilton, reported is still a work in progress on CAD vendor for records management and Harris Corp. on radios.

Emergency Management Director, Bob Anderson, is currently working with Andy Armstrong to find grants on behalf of the County; State-wide EOC on disasters will be held Tuesday, February 28, 2012; 9:00 a.m. to 3:00 p.m.

All other departments listed had nothing to report.

ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

None presented.

ITEM 22: 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 23: ANNOUNCEMENTS: None presented.

ITEM 24: 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 – None presented.

ITEM 25: 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 27, 2012***Commissioner DeLozier made a motion to approve payment of all purchase orders submitted from all departments with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 26: RECESS OR ADJOURNMENT:

Commissioner Thacker made a motion to adjourn the meeting with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting adjourned at 11:41 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, February 23, 2012, at 1:43 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.

