

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, March 12, 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 9:02 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: March 5, 2012

Commissioner Thacker made a motion to approve the minutes from March 5, 2012, as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS: None presented.

ITEM 7: ZONING:

1. Independent Contractor Agreement – Engineering Services Proposal to Amend and Update the Rogers County Subdivision Regulations and Development Standards – Kellogg Engineering, Inc. – (D#2 Helm)

Assistant District Attorney, David Iski, reported he has been working with Brian Kellogg and Attorney Mack Greever on a draft of an Independent Contractor Agreement for proposal to amend and update the Rogers County Subdivision regulations and development standards.

Discussions held on whether or not the amended and updated regulations and development standards would be in-line with the City of Claremore's subdivision regulations. Kellogg explained they have compared with the City of Claremore and several other municipalities.

Magan Green, Planning Commission Director, reported she has reviewed and feels is a very good idea for Rogers County; but reminded the Board there were no funds in the Planning Commission's budget to pay for the update.

Discussions held regarding each Commissioner paying for the expense out of their Unrestricted Highway funds.

Chairman Helm made a motion to approve the independent contractor agreement as presented and for each Commissioner to pay for the expense out of their T-Highway (Unrestricted) funds with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Public Hearing on the consideration and possible adoption of the Rogers County Flood Damage Prevention Ordinance that adopts the new "Flood Insurance Study for Rogers County and Incorporated Areas" dated April 3, 2012, and the accompany Flood Insurance Rate Map – (D#1 DeLozier)

Magan Green, Planning Commission Director, stated the new floodplain ordinance is a result of FEMA's map modernization, which began in 2008; all participating National Flood Insurance Program communities have been directed to adopt these new regulations by April 3, 2012, or risk being suspended from the National Flood Insurance Program. Our new flood maps, issued by FEMA will be effective on this date as well. If we are suspended, it would mean that residents who are currently paying for flood insurance would no longer be able to get flood insurance at an affordable rate.

Green continued, Oklahoma Water Resources Board wrote the new floodplain ordinance. It is basically the same as our current floodplain ordinance with the exception of a few new definitions, such as "recreational vehicle and accessory structure". The floodplain development procedures are the same as our current regulations dated June 8, 2000.

ADA Iski has reviewed and approved the proposed ordinance. The Planning Commission Board voted to approve the new ordinance on March 6, 2012, with a vote of five (5) to zero (0). The public notice was published on February 16, 2012.

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.

ITEM 8: PLATS: None presented.

ITEM 9: ROADS & BRIDGES:

1. Rogers County 8-year Plan – Guy Engineering Services, Inc. – (D#2 Helm)

John Blickensderfer with Guy Engineering Services, presented the 8-year plan for District #1; District #2 and District #3 to the Board for their review and approval. Discussions held regarding how a project is closed out and cleared off the plans; discussions held regarding how monies can be returned from ODOT on closed-out projects.

Commissioner DeLozier made a motion to approve the 8-year plan for Rogers County as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Resolution #2012-21 – Load Postings of Bridges during Bridge Inspections – (D#1 DeLozier)

Commissioner DeLozier explained this resolution is regarding what was talked about at the last CED meeting held; discussions held regarding which option to choose, Option #1, Option #2 or Option #3. Commissioner DeLozier reported his choice would be Option #1.

Commissioner DeLozier made a motion to approve Resolution #2012-21 as presented with Option #1 with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. 6 Month Inspection of County Road System Bridges in District #3 – Invoice #66-6-12 – \$1,201.55 – (D#3 Thacker)

Commissioner Thacker reported Guy Engineering has completed the field inspection of two (2) bridges in District #3, which required inspections at this time; the database has been updated and the documentation has been submitted to ODOT for review. Invoice #66-6-12, the bridge inspection cost summary form and the invoice bridge listing report for Guy Engineering in the amount of \$1,201.55 and a copy of the individual bridge inspection reports will be forwarded to ODOT, Division VIII, and be paid out of BR allocations.

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

4. Railroad Project STP-266D(005)RR – J/P #29270(04) at EW-61 near Inola, Rogers County with the Union Pacific Railroad Company’s Crossing AARDOT #434-053Y – 10% County share \$25,692.10 – (D#3 Thacker)

Commissioner Thacker reported this is a project District #3 has been working on for several months; estimation of complete project is \$328,914.00; 90% will be paid with federal-aid grade crossing funds and 10% county funds = \$25,692.10.

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

5. Resolution #2012-23 – declaring priority projects to be added to the HB1176 2017 program year – (D#1 DeLozier)

Commissioner DeLozier explained District #1 was adding two (2) projects. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. ODOT Claim Form 324A – 2012 Caterpillar Pneumatic Compactor PS150C - \$75,000.00 – (D#1 DeLozier)

Commissioner DeLozier reported District #1 has signed a purchase contract on the Caterpillar Pneumatic Compactor PS150C through the County Road Machinery & Equipment Revolving Fund through ODOT. Commissioner DeLozier made a motion to approve with Commissioner Thacker 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 salaries - \$53,000.00**
- 2. District #3 -Unrestricted Highway employee salaries to capital outlay - \$62,000.00**
- 3. District #3 – One Cent Sales Tax M&O to employee salaries - \$62,000.00**

Commissioner Thacker made a motion to approve Items 1, 2 & 3 under Transfer of Funds as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 12: UTILITY PERMITS:

1. Oklahoma Natural Gas – Proposed ¾” Natural Gas Pipeline crossing Williams Road in the NE/4 of Section 3, Township 20 North, Range 15 East of the I.B.&M., Rogers County – (D#3 Thacker)

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

2. AT & T – starting West of North 170th East Avenue and East Pine Street intersection, north side of East Pine, continuing to North 170th East Avenue approximately 300 feet along west side of North 170th East Avenue for approximately 1000 feet; crossing North 170th East Avenue to the east side, then along North 170th East Avenue for approximately 300 feet before heading east to customer located @ 1807 North 170th East Avenue located within Section 26, Township 20 North, Range 14 East of the I.B.&M., Rogers County – (D#3 Thacker) - *NOTE*** see Item #3 for Board action*****

3. A T & T – starting at the Northeast corner of Section 26, Township 20 North, Range 14 East and place buried cooper cable north on east side of 161st East Avenue approximately 2000 feet to existing equipment site, then cross 161st East Avenue from the SW corner of Section 26, Township 20 North, Range 14 East and place buried cooper cable east on north side of East Pine Street; then extending from new equipment site at 170th East Avenue and East Pine Street approximately 1000 feet east on East Pine Street to 170th East Avenue and East Pine Street – (D#3 Thacker)

Commissioner Thacker made a motion to approve Items 2 & 3 under Utility Permits

as presented with Chairman Helm 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 #1 – County Building Center - \$100.00
 - District #3 – Lowe's - \$300.00

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

2. Orders Exceeding Amount of Issuance –

- District #1 – purchase order #204994 issued to ATC Freightliner for estimated repairs to truck #302-0168 encumbered for \$3,000.00; invoice is over by \$813.50; making total amount of purchase order to be paid \$3,813.50.

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 Twenty (20) - \$8,460.00 (overall payment request #52) (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.

ITEM 17: AGENDA ITEMS:

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

Kim Reeve with BKL gave an update to the Board, fire-proofing is going on; have had issued with the wind; working on E911 Center driveway application through ODOT; gave update on progress of Billy Knowles.

B. J. Fay with Flintco gave an update to the Board, lost four (4) days last week due to the winds; a couple of areas of concrete were poured last week; basement fire-proofing is complete; 80% duct work complete. Discussions and updates only, no action taken.

2. Turner & Associates, PLC – Engagement Letter – (D#2 Helm)

Assistant District Attorney, David Iski, reported he has been working with Bill Turner regarding the procedures the Board wants Mr. Turner to perform; engagement letter has cap amounts on page 2 along with proposed terms; if Board approves engagement letter today, an Independent Contractor's Agreement will be presented to the Board at a later date for approval.

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

3. Independent Contract Agreement – Engineering Services 911 Center Water Line Project – Kellogg Engineering, Inc. – (D#2 Helm)

Brian Kellogg explained this contract is to survey, engineering and secure all the easements for the waterline to the E911 Center; recommends the Board leave the bidding, project management, and construction of waterline to District #3 and with an inter-local agreement the County could reimburse the water district for their portion.

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

4. Public Hearing – Community Development Block Grant to consider Economic Development Infrastructure Financing Program (CDBG-EDIF) needs within Rogers County – (D#2 Helm/Andy Armstrong)

Andy Armstrong reported a Public Hearing Notices was posted on February 29, 2012, in order for the Board to conduct a public hearing regarding the Board considering applying to the Oklahoma Department of Commerce's Community Development Block Grant.

Chairman Helm made a motion to enter a Public Hearing with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board entered a Public Hearing at 9:41 a.m.

Andy Armstrong explained economic development has been identified as a community priority need and a tentative decision has been made to seek funding the Oklahoma Department of Commerce for approximately \$250,000 to extend the Port's Rail System to support a facilities expansion construction site leased by IPSCO Tubulars (Oklahoma) within the Tulsa Port of Catoosa; IPSCO Tubulars intends to construction an expansion of its Port facility to increase processing capacity of oil field tubular goods; according the Oklahoma Department of Commerce's income guidelines, the project will benefit at least 51% of low and moderate income residents; the purpose of the Public Hearing is to enable comments on the specific project activities that are proposed and to provide a clear explanation of the probable impacts on the community and residents should the project be funded.

Armstrong continued currently the Port of Catoosa has approximately thirty (30) industries; Board if beneficiary of Port authority; funding for capital financing has to come through the Board of County Commissioners.

No opposition was present at the hearing.

Chairman Helm made a motion to close the Public Hearing with Commissioner

Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Public Hearing was closed at 9:44 a.m.

5. Lease Purchase Agreement for Equipment – Board of County Commissioners, lessee and Boxcer Equipment, lessor through Welch State Bank – Roadtec RP175 Paver w EZ-4 screed, sn#142-EZ4-8X16480212 – Unit Price \$395,093.00 – Lease Purchase Price \$257,484.24 – (Bid #567) (D#2 Helm)

Chairman Helm reported District #2 would be paying \$150,000.00 towards the purchase and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Resolution #2012-22 and Reimbursement Form – from District #1 into One Cent Sales Tax Fund for distribution for District #2 – \$55,000.00 – (D#2 Helm)

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

7. Equipment & Supplies Order Form; Annual Maintenance Agreement and Purchase Order and Maintenance/Service Agreement - Copy World Business Solutions, LLC – Canon-IRC 5030 color MFP copier, cabinet & fax option included – Human Resources – (Comm. Office)

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

8. Facilities Manager's job requirements and request to advertise in the Tulsa World – (D#3 Thacker)

Human Resources Director, Jennifer Bentley, recommended the job requirements for the Facilities Manager needed to be changed; have not received qualified applicants with the way job description is written now; need to re-evaluate job requirements; high school diploma/GED preferred; must have at least three (3) years or more of industry specific work experience; specialized training in HVAC and low pressure systems preferred; requires Third Class Engineer's license and valid Oklahoma Driver's license; boiler & chiller experience would be ok. Discussions held.

Commissioner DeLozier made a motion to re-advertise as Third Class Engineer's license in the Tulsa World, Claremore Daily Progress and County Web site with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 18: 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/Planning Commission – l.) Judicial – m.) OSU Extension – n.) Sheriff
- o.) Treasurer

Emergency Management Director, Bob Anderson, thanked the Commissioner's for their effort in the fire north of Chelsea last week; District #1 and District #3 provided manpower.

Human Resources Director, Jennifer Bentley, will be visiting District #2 warehouse this week.

Brett Williston, I.T., reported he visited with the County Clerk's Office and Treasurer's Office regarding the need to be on same network; County Clerk's Office agreed, but the Treasurer's Office has not agreed; explained if not on same network would have to buy their own hardware. Discussions were held with Kim Reeve, BKL, Inc., and the benefits for all offices to be on the same system, not alone the cost effectiveness; Judges all want to be on same telephone system, they will contact Supreme Court regarding the matter. Commissioner DeLozier offered his services in discussing the matter further with the Treasurer's Office.

All other elected officials and departments had nothing to report.

ITEM 19: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

None presented.

ITEM 20: 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 21: ANNOUNCEMENTS: None presented.

ITEM 22: 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 -

Chairman Helm reported since the shooting incidents in Tulsa County and the State of Washington last week, discussions would be held regarding the matter; discussions on locking the East doors; West ramp door would be un-locked and the public entering would pass through an x-ray machine; only one way in for the public.

ADA Iski reported he would contact and inform the Sheriff and Under-Sheriff if the Board approved today.

Emergency Management Director, Bob Anderson, spoke in favor of.

Chairman Helm made a motion to restrict public access limited to Handicap Ramp Door entrance only on the West side of the Courthouse with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 23: 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, March

12, 2012***Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 24: 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 11:10 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, March 8, 2012, at 1:44 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.*