

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, April 30, 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 9:00 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: April 23, 2012

Commissioner Thacker made a motion to approve the minutes from April 23, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Proposal by representative of Rogers County Fire Chiefs to E911 Trust – (D#1 DeLozier/J Hamilton) ***NOTE***this item was tabled from April 23, 2012, meeting***

Janet Hamilton, E911 Director, reviewed the recommended changes by the Fire Chiefs to the bylaws along with Northwest Fire Protection District Fire Chief, David Puckett. Discussions held on whether or not the Fire Chiefs are ready to take over and run the E911 Center; discussions held regarding the Fire Chiefs only wanting a saying in the running of the E911 Center, no actually running it. Discussions held regarding whether or not all fire departments are ok with having only one representative on the trust; not all fire chiefs would be on the trust.

Discussions held regarding Rogers County Emergency Management being involved with the E911 Center versus City of Claremore Emergency Management; is there going to be two different Emergency Management agencies to work with; discussions held regarding being NIMS compliant.

Discussions held regarding the trust being a stand-alone trust run by the members of the trust; County would pay their portion, but Commissioner's would not serve on the trust; County would build the building only and equipment the E911 Center. Another option is for the three Commissioners along with the Sheriff, whom are all elected, be members of the trust.

Chairman Helm made a motion to table this item for two (2) weeks (May 14th) and requested David Puckett with Northwest Fire Protection District take back these recommendations that were presented today and have author including NIMS compliance and also remove Board of County Commissioners out as members of the trust with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Proposal by representative of Rogers County Chiefs of Police to E911 Trust – (D#1 DeLozier/J Hamilton) ***NOTE***this item was tabled from April 23, 2012, meeting***

Janet Hamilton, E911 Director, reviewed the law enforcement change recommendations for the trust indenture; discussions held regarding removing all the Mayor's and replacing with agency public safety representative; Mayors are the funding sources for their towns, not public safety representative; discussions held regarding police department representation outside of the Sheriff's Sheriff is an elected official that is controlled by the Board of County Commissioners;

Chairman Helm made a motion to table this item for two weeks (May 14th) with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Brooks-Jeffrey Marketing, Inc. – Sheriff's Office purchase order for adding Facebook to web site - \$647.50 - ***NOTE***this purchase order was tabled from approval at the April 16, 2012 meeting and April 23, 2012, meeting***

Jerry Smittle with the Sheriff's Office contacted the vendor, Brooks-Jeffrey Marketing, Inc., to make sure they were not owed any funds regarding this matter; Smittle reported vendor is not owed any funds and made a recommendation the purchase order be cancelled.

Discussion only, no action taken.

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:

1. 101 – Unrestricted Highway - \$520,934.20
2. 105 – County Bridge & Road Improvement Fund (CBRIF) - \$25,931.18

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 11: TRANSFER OF FUNDS: None presented.

ITEM 12: UTILITY PERMITS:

1. Oklahoma Natural Gas – proposed 2” natural gas pipeline crossing Old Highway 169 approximately 1,500 feet north and 630 feet west of the SW/corner of Section 33, Township 23 North, Range 15 East of the I.B.&M., Rogers County – (D#2 Helm) ***NOTE***See Item #5 for Board action***
2. A T & T – starting at Southeast corner of Section 32, Township 25 North, Range 18 East, place buried copper east on north side of EW290 Road approximately 1,400 feet, then north on east side of South 4270 Road approximately 1178 feet then cross South 4270 Road westbound, then cable will be buried northbound on the west side of South 4270 Road 4,139 feet to EW 280 Road – (D#1 DeLozier)

NOTEsee Item #5 for Board action***

3. Oklahoma Communications Systems, Inc., dba TDS Tele-Comm. – boring, trenching & plowing – 620 Road & 4250 Road; C Street from 2nd Street to Southeast Blvd.; 4220 Road & East 595 Road; 4230 Road & East 600 Road; 4240 Road & East 600 Road; 4240 Road & East 590 Road – (D#3 Thacker)

NOTESee Item #5 for Board action***

4. A T & T – starting at Southeast corner of Section 10, Township 21 North, Range 17 East, please buried fiber North along South 4230 Road to the existing cell tower located at 4200 N.E Harmony Star Road; this project will run through Sections 2 & 3 of Township 21 North, Range 17 East and Sections 26, 27, 34 & 35 of Township 22 North, Range 17 East of the I.B.&M., - (D#3 Thacker corrected to read D#1 DeLozier) ***NOTE***See Item #5 for Board action***

5. Chelsea Gas Authority – boring 15920 South Canyon Oaks Lane in Section 18, Township 22 North, Range 16 East of the I.B.&M., - (D#1 DeLozier)

Chairman Helm made a motion to approve Items 1, 2, 3, 4 & 5 under Utility Permits as presented 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.
3. Detention Transportation Claim State of Oklahoma, Office of Juvenile Affairs – March 2012 - \$1,509.99 -

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

ITEM 14: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - Emergency Management: ComData Mastercard, \$300.00 and Froman Oil, \$250.00 -
 - District #3: Lowe's, \$300.00 and Harley Hollan Companies, \$1,040.00 –
 - E911: Froman Oil, \$350.00 –
 - Sheriff's Office: 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; Froman Oil, \$1,000.00; Speedy Lube, \$500.00; ComData MasterCard, \$14,000.00; and District #1 Warehouse, \$3,000.00 –

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

2. Orders Exceeding Amount of Issuance -

Sheriff's jail purchase order #206340 issued to Diamond Drugs, Inc., encumbered for \$8,000.00; because of number of inmates for March and price increase in medications the blanket purchase order went over the encumbered amount by \$398.71 for a total of \$8,398.71.

Commissioner DeLozier made a motion to approve with Chairman Helm 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: None presented.

ITEM 17: AGENDA ITEMS:

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

Projects –

Billy Knowles with BKL, Inc., reported everything is looking good for the new Courthouse; is running smoothly; the schedule on the E911 Center the drawings will be finished in June 2012 and we will go through the bid process; construction will start in July 2012; expected to be completed by April 2013.

B. J. Fay with Flintco reported after today all the pre-cast panels set; steel contractor will be out next week and set the remaining roof decking.

2. Re-appointment of Ms. Clarice Doyle to serve as Commissioner's appointment to Community Action Resource & Development, Inc., Board of Directors – (D#2 Helm)

Karol May, Executive Director of Community Action Resource & Development, Inc., (C.A.R.D.) and Clarice Doyle were present at the meeting; May explained Ms. Doyle was appointed three years ago and has served as a representative of public officials since that time and is willing to continue in her capacity at the pleasure of the Board.

May continued CARD has been in operation since 1996, and operates programming to address both the causes and effects of poverty in Rogers County, as well as parts of Tulsa, Nowata, Mayes, Wagoner and Washington counties; May recommends the Board re-appoint Doyle.

Commissioner DeLozier made a motion to re-appoint Clarice Doyle to serve as Commissioner's appointment to Community Action Resource & Development, Inc., Board of Directors with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Open & Award Bid #577 – Reinforced Concrete Bridge Structure – (County Clerk)

6 bid packets were mailed with 0 being returned and 1 response received as follows: Apex Pre-Cast Products, LLC - \$48,444.00 – Commissioner DeLozier made a motion to accept the only bid submitted from Apex Pre-Cast Products, LLC, with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Open & Award Bid #578 – New Tandem Axle Dump Truck – (County Clerk)

15 bid packets were mailed with 1 being returned undeliverable and 7 responses received as follows: "No Bid" Frontier Equipment; Mack Truck Sales Tulsa; Rush Truck Center; 2 each from Roberts; Bruckner's and Tulsa Freightliner.

Commissioner Thacker made a motion to table awarding of bid for one week (May 7th) to allow time to review all bids submitted with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Oklahoma Uniform Contract of Sale of Real Estate – all that part of E/2 of SW/4 SE/4 lying West of Highway 88 and 590 Road in Section 32, Township 20 North, Range 17 East – (D#3 Thacker) ***NOTE***see Item #6 for Board action***

6. Oklahoma Uniform Contract of Sale of Real Estate – North 258.71 feet of East 274.10 feet of Lot 1 in Section 6, Township 19 North, Range 17 East – (D#3 Thacker)

Commissioner Thacker reported the Board authorized him several months ago to negotiate for the purchase of some land in Inola up to \$60,000.00; is buying two pieces of property, one piece for \$60,000 and the other piece for \$65,000; a total of approximately seven acres; seller has agreed to pay up to \$2,100 towards the closing cost (see page 4 Item 13); sellers is to supply the buyer with a letter from the State Department, stating that the tanks have been removed and property has been cleaned up of contaminants; 2012 ad valorem taxes shall be prorated at the time of closing; seller to pay any delinquent taxes due along with any penalties and interest at the time of closing; building to remain as they are real property; commitment for issuance of a Title Insurance Policy based on an Attorney's Title Opinion which is rendered for Title Insurance purposes for the Owner's and Lender's Title Insurance Policy: 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.

7. Reimbursement form as per Resolution #2011-40 – election reimbursements - \$3,146.08 – (County Clerk)

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

8. Brett Williston, I.T. Director, status will change from non-exempt to exempt as of April 1, 2012 – (D#2 Helm/ J Bentley)

Human Resources Director, Jenny Bentley, reported Brett Williston, I.T. Director, status will change from non-exempt to exempt as of April 1, 2012; Williston will no longer be eligible for compensatory time; 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.

9. Human Resources – Resignation Form; Termination Form & Separation Form – (D#3 Thacker/ J Bentley)

Jenny Bentley, Human Resources Director, requested the Board approve new forms to be completed by the officer or department heads regarding separation policy; resignation form and separation form; Officers and/or department heads would work in conjunction with Human Resources; Human Resources will be reviewing all terminations prior to the actual termination for consistency and legality reasons; Exit interviews will be conducted by Human Resources; discussions held regarding the returning of County property before separation.

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

10. Resolution #2012-42 & Reimbursement Form – deposit \$15,000.00 from Cherokee Nations into One Cent Sales Tax M&O for District #3 – (Comm. Office)

Commissioner Thacker made a motion to approve with Commissioner DeLozier 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 p.) Public Information Officer -

a.) Janet Hamilton, E911 Administrator, reported E911 Committee meeting is scheduled for tomorrow; an EMS meeting is scheduled for Thursday at the County Building on Brady.

c.) Ryan Baze, Maintenance Director, reported fixed air handler in mechanical room last week; Maintenance will be working on offices air handlers, so air will go off for approximately ten minutes; Maintenance has a part-time position open, will be hiring the position soon; working on conjunction with Human Resources.

j.) Brett Williston, I.T., reported had meetings with Presidio and offices last week, all went very well; expect quote from Presidio by end of next week and contract should be ready for agenda in two weeks.

ITEM 19: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

1. Check #1528 from Grand Gateway Economic Development Assoc. E911 for February 2012 E911 Services Fees - \$22,563.64
Acknowledged for public record only, no action taken.

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 – None presented.

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, April 30, 2012***Commissioner Thacker made a motion to approve purchase orders from all departments as presented 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 11:23 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, April 26, 2012, at 1:27 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.