

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, June 4, 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: May 29, 2012

Commissioner Thacker made a motion to approve the minutes from May 29, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Award Bid #580 – New 2011 or Newer Milling Machine (Cold Planner) – District #3 purchase and/or lease-purchase one or more - *NOTE***this bid was opened on May 29, 2012, meeting*****

Commissioner Thacker explained District #3 used a weight scale to determine the best bid; District #3 road foreman, Terry Hughes and shop foreman David Trude reviewed all bids submitted and each determined that the bid from Kirby-Smith best met their needs because of more horse power, larger engine and weigh matches low-boy trailer District #3 already has, plus operating weight.

Commissioner Thacker made a motion to accept the bid from Kirby-Smith Machinery for \$406,065.00 as a lease-purchase with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Award Bid #10 – Micro-Surfacing - *NOTE***this bid was opened on May 29, 2012, meeting*****

Bids were received from Ballou Pavement Solutions, Inc.; Donelson Construction Company, LLC; Vance Brothers, Inc. and J & J Agri-Services – Chairman Helm made a motion to accept all bids submitted based upon 1st available and closest to work region with Commissioner DeLozier seconding the motion. Roll Call; Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Award Bid #200 – Election Ballots - *NOTE***this bid was opened on May 29, 2012, meeting*****

Bids were received from Administrative Services, Tulsa County; Royal Printing Company, Inc. and Mid-West Printing – Julie Dermody, Election Board Secretary, recommends approval of bid from Mid-West Printing Company because they can print different colors of ballots and they were the best bid submitted based upon the Election Board's office needs. Chairman Helm made a motion to accept the bid from Mid-West Printing Company as per recommendation of Election Board Secretary, Julie Dermody, with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Award Bid #201 – Janitorial Services for Health Department - *NOTE***this bid was opened on May 29, 2012, meeting*****

Bids were received from City Wide Janitorial Service, LLC and ServiceMaster Elite Janitorial – Health Department reviewed bids and submitted a letter requesting approval of ServiceMaster Elite Janitorial because of low bid. Commissioner Thacker made a motion to accept the low bid of ServiceMaster Elite Janitorial for \$1,095.00 per month with Chairman Helm 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: None presented.

ITEM 10: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:
None presented.

ITEM 11: TRANSFER OF FUNDS:

1. Treasurer's Office – general fund travel to capital outlay - \$8,200.00 and general fund part-time salaries to M&O - \$5,216.07 –

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

ITEM 12: UTILITY PERMITS:

1. MBO Video, LLC – P.O. Drawer 575 – Mannford, Ok 74044 – trenching, plowing & boring beginning at the Verizon tower approximately 2300 feet North of the U.S. Highway 412 on county road 4160; bore to the East side of 4160 Road; then trench South on the East side of 4160 Road crossing U.S. Highway 412, then continuing South on the East side of 4160 Road approximately 700 feet, lying between Sections 33 & 34 of Township 20 North, Range 16 East of the I.B.&M., Rogers County – (D#3 Thacker)

Randall Monks, representative from MBO Corporation was present at the meeting; discussions held regarding MBO being a private company vs. public utilities; County right-of-way is a County easement for public use; discussions held regarding MBO having to contact landowners and acquire easements from them.

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

ITEM 13: CLAIMS:

1. Salaries –

County Clerk, Peggy Armstrong, cited Terry Barnes' from District #2 pay claim, this was in error; Terry Barnes pay claim was paid on May 31st, did not need Board approval today.

- Magan Green, Planning Commission Director, submitted her formal resignation letter for public record; is owed \$194.32 for June 1st and \$1,698.48 for 72 hours vacation – Commissioner Thacker made a motion to approve the claim for Magan Green as presented with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-abstain. Motion carried. Commissioner DeLozier explained the reason he abstained from voting is because Magan Green is his niece and it would be unethical for him to approve or disapprove any matters regarding the her position as Planning Commission Director.

2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

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

- District #3: R & S Auto Parts, \$500.00 & Lowe's, \$300.00
- Emergency Management: Comdata MasterCard, \$300.00 & Froman Oil, \$250.00 – Commissioner DeLozier made a motion to approve the blanket purchase orders as presented 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 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 –

B. J. Fay with Flintco reported they will be pouring pads for generators this week; putting roof decking on; 2 elevators should be coming in this week; basement is shaping up; will pour 4 low roofs next Monday, currently under budget.

Billy Knowles with BKL, reported administrative paperwork is flowing back & forth; currently working with offices on their needs for new Courthouse regarding furniture; on 911 Center double-checking right-of-way ingress and egress and continue to work on site plans.

Update and discussion only, no action taken.

2. Open & Award Bid #579 – Next Generation 911 System Integration & Cloud Based Call Handling – (Janet Hamilton/E911 Administrator)

6 bid packets were mailed with 0 being returned undeliverable and 1 response received as follows: Intrado, Inc. – Commissioner DeLozier made a motion to table awarding of bid for one month (July 2nd); discussions held regarding acceptance of bid before end of fiscal year and budgeting; Commissioner DeLozier amended his motion to table awarding of bid for three weeks (June 25th) to allow time to review the bid with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Open & Award Bid #581 – New Tandem Axle Dump Truck – (D#1 DeLozier)
15 bid packets were mailed with 0 being returned undeliverable and 9 responses received as follows: “No bids” from Frontier Equipment and Custom Products Corp.; Mack Truck Sales, Rush Truck Center, 3 bids from Roberts Truck Center and 2 bids from Tulsa Freightliner – Commissioner DeLozier made a motion to table awarding of bid for one week (June 11th) to allow time to review all bids submitted with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Presentation by Todd Edmonds, d/b/a Red's Coney Island and Famous Burger, LLC – (D#3 Thacker)

Todd Edmonds, dba Red's Coney Island & Famous Burgers made a presentation to the Board and requested setting up a hot dog cart south of existing Courthouse through the summer with set-up being approximately 2 to 3 hours each day; no utilities are required; is licensed and bonded; would be

temporary use; have City of Claremore "Peddler's license". 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.

5. Resolution #2012-49 – The Association of County Commissioners of Oklahoma Self-Insurance Fund (Worker's Compensation Program) – (Comm. Office)

Discussions held regarding which option to choose for payment; Option #1 for \$290,404 due on or before July 31, 2012; Option #2 \$149,558 due on or before July 31, 2012 and \$149,558 due on or before January 31, 2013 with a total payment option #2 of \$299,116 – Chairman Helm made a motion to choose Option #1 for \$290,404 due on or before July 31, 2012, with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Contract – Canadian County Juvenile Detention Center for fiscal year 2012-2013 fiscal year – (County Clerk)

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

7. Request for Requisitioning Officer for Sheriff's Jail – Amanda McLemore and removal of Pam Rue as Requisitioning Officer for Sheriff's Jail – (Undersheriff Sappington)

Undersheriff Jon Sappington explained McLemore was made purchasing agent for the jail in preparation for the move to the new Courthouse. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. County Clerk's Cash Boon & Summary Report for May 2012 – (County Clerk)

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

9. Motion and Vote to enter Executive Session pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (1) for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, to-wit: Planning Commission Director – (D#3 Thacker/Bentley)

Commissioner Thacker made a motion to adjourn Regular Session and enter Executive Session with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and Board adjourned Regular Session and entered Executive Session at 10:09 a.m.

10. Motion and Vote to Adjourn Executive Session and enter Regular Session –

Commissioner DeLozier made a motion to adjourn Executive Session and enter Regular Session with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board adjourned Executive Session and entered Regular Session at 11:47 a.m.

11. Discussions with possible action regarding Executive Session pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (1) for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, to-wit: Planning Commission Director –

Chairman Helm made a conditional offer to Larry Curtis upon passing drug testing and background testing 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.) 911 Administrator, Janet Hamilton, reported she will be reviewing bids; met with law enforcement officials last week regarding Advisory Board; E911 state-wide advisory board meeting on Thursday, June 7th; dispatchers are continuing testing.

g.) Julie Dermody, Election Board Secretary, installation of software on machines in complete; no jamming should occur at June 26th election; tests are always done for accuracy; State testing has been 100% accurate; Election Board is still needing precinct workers.

h.) Bob Anderson, Emergency Management Director, reported his office in the basement had water in it this morning; Maintenance Department is cleaning now; Anderson along with Janet Hamilton, E911 Administrator, are reviewing incidents from the last 3 years.

i.) Jenny Bentley, Human Resources Director, reported Water Wars started last Friday, June 1st; Claremore Progress covered the story very well; orientation for existing county employees will be held June 19th.

j.) Brett Williston, I.T., reported he is currently working with the Assessor's Office on new software installation.

k.) Chairman Helm reported the Board would be interviewing 3 candidates for Planning Commission Director; Magan Green resigned her position.

n.) Undersheriff Jon Sappington, reported there is a Courthouse security meeting scheduled for Tuesday, June 5, 2012, at 4:00 p.m.

p.) Kristen Bergman, Public Information Officer, reported a draft of the newsletter is ready, being reviewed by legal counsel; suggests an "about section" for Rogers County on the web site.

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 -

Commissioner Thacker for District #3 made a Declaration of Emergency regarding the flooding issues and washing out of roads that happened over night; is a public safety issue and health issue.

Bob Anderson, Emergency Management Director, reported he will send Proclamation into the State to see if Rogers County meets the threshold of \$251,000.00; flood warnings have been issued until 7:00 a.m. Tuesday, June 5, 2012.

Discussions were held regarding whether or not ETR funds through the Circuit Engineering District could be used; District #3 has these funds available.

Discussions held regarding O.S. Title 19§ 1505, waiving of competitive bidding; see also Title 61 § 130 A.1; B; F & G.

Commissioner Thacker made a motion to declare an Emergency beginning June 3rd and have Emergency Management Director, Bob Anderson, execute the Proclamation and authorize I.T. to post on the County web site and Public Information Officer to inform citizens with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Commissioner Thacker made a motion to recess the meeting for lunch until 1:15 p.m. with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 11:51 a.m.

Chairman Helm called the recessed meeting back to order at 1:43 p.m. with Commissioner Kirt Thacker and Commissioner Dan DeLozier present and quorum established.

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, June 4, 2012***Commissioner Thacker made a motion to approve payment of all purchase orders issued from all departments as presented with Chairman Helm 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 2:16 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, May 31, 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.*