

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, July 16, 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: July 9, 2012

Commissioner Thacker made a motion to approve the minutes from July 9, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Chairman Helm made a motion to recess the meeting to move to the 3rd floor Courtroom to hold all of the audience in attendance for the Keetonville Road Project and Commissioner DeLozier seconded the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 9:01 a.m.

Chairman Helm called the recessed meeting back to order at 9:08 a.m. with Commissioner Kirt Thacker and Commissioner Dan DeLozier present and quorum established.

ITEM 6: UNFINISHED BUSINESS:

1. Independent Contractor Agreement – by and between Board of County Commissioners, Rogers County and Kellogg Engineering, Inc., for engineering services on Bridge #83 in District #1 – (D#1 DeLozier) ***N OTE***this item was tabled from July 9, 2012, meeting***

Commissioner DeLozier reported this is a BR bridge funding project and 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:

1. Keetonville Road Project – (D#3 Thacker)

Commissioner Thacker reported he has had several phone calls concerning the Keetonville Road Project and the building of a bridge over the Verdigris River and the egress into District #3; Commissioner Thacker requested Chairman Helm to remove the project from funding through the CED District; Chairman Helm replied it was approved by the CED District and will have to be un-approved by the CED District. Discussions held.

Commissioner Thacker made a motion for Rogers County to dis-approve the Keetonville Road Project and take the matter to the next CED District meeting to be removed from funding through the CED District.

Commissioner DeLozier reported he has also received several phone calls pertaining to this matter and all persons calling were in against this project, no one called him in favor of the project. Commissioner DeLozier seconded the motion. Roll Call: Helm-nay, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 10: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:

None presented.

ITEM 11: TRANSFER OF FUNDS:

1. Court Clerk Revolving Fund M&O to salaries - \$70,000.00

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

2. District #3 Unrestricted Highway M&O to employee travel - \$1,000.00

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

3. District #3 **corrected to read District #2** One Cent Sales Tax Lease Rentals to capital outlay - \$77,844.00 –

Chairman Helm made a motion to approve with the noted correction of District #2 instead of District #3 as reflected on the agenda with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Chairman Helm made a motion to recess the meeting and reconvene in the Commissioner's meeting room 1-109, on the 1st floor with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 9:15 a.m.

Chairman Helm called the recessed meeting back to order at 9:25 a.m. with Commissioner Kirt Thacker and Commissioner Dan DeLozier present and quorum established.

ITEM 12: UTILITY PERMITS:

1. Public Service Company of Oklahoma – boring – electric line will cross 145th East Avenue (NS4040 Road) just North of East 99th Street North and just South of 96th Street North (EW500 Road); Electric line will cross 96th Street North (EW500 Road) just East of 145th East Avenue (NS4040 Road) within Sections 10 & 15 of Township 21 North, Range 14 East of the I.B.&M., Rogers County, and electric line will cross 145th East Avenue (NS4040 Road) just South of East 106th Street North (EW490 Road); electric line will cross 106th Street North (EW490 Road) just East of 145th East Avenue (NS4040 Road) within Sections 15 & 22 of Township 21 North, Range 14 East of the I.B.&M., Rogers County– (D#2 Helm)

2. Cox Communications (Mark Holt) – boring 26515 South 4110 Road located between Sections 10 & 11 of Township 20 North, Range 15 East of the I.B.&M., Rogers County – (D#3 Thacker)

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

3. Chelsea Gas Authority – boring just south of 9840 South 4180 Road located between Sections 13 & 14 of Township 23 North, Range 16 East of the I.B.&M., Rogers County – (D#1 DeLozier)

Donna Williams of 14200 South 4180 Road, Chelsea, Ok 74016, discussed whether or not this permit was in her area.

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: American Waste Control, Inc., \$1,000.00 and Lowe's, \$300.00
Sheriff's jail: Westwood Pharmacy - \$6,000.00

Commissioner Thacker 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 – None presented.

ITEM 15: GRANTS: None presented.

ITEM 16: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:

1. BKL, Inc. – Invoice #24 - \$8,460.00 –

Billy Knowles with BKL reported the invoice was for normal Courthouse construction services and recommended the Board approve for payment. Commissioner Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Kellogg Engineering, Inc. – Invoice No. 2012102 - \$7,017.00 – Rogers County 911 Center Water Line Project – Discussions with possible action regarding which funds to pay from –

Discussions held regarding what funds to pay for this invoice from. Brian Kellogg reported this invoice was for engineering services on the waterline for the 911 Center.

Billy Knowles with BKL reminded there was no money in the 911 Center budget for off-site utilities; budget was for construction purposes only; does not include engineering services for water line. Discussions held regarding what funds could pay for this expense; 2 contingencies, (1.) Owner's contingency was approximately \$74,000.00 in it. (2.) Contractor's contingency, amount is unknown until the end of job and all bids have been done and complete.

Commissioner DeLozier made a motion to pay from the Owner's contingency on the Courthouse 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 –

Billy Knowles with BKL reported all is going smooth on the new Courthouse and having good weather helps; all materials are coming and very few stored materials on the job based upon last pay request. On the Judicial status, they have obtained money for jury box seating, litigation area, bench equipment and additional monies for miscellaneous furniture such as jury room and office furniture; pretty

much covers everything except gallery seating; they are continuing to look for monies for gallery seating; keep in mind we are looking at six courtrooms for jury seating; we are preparing the offices for eight courtrooms; there is some money in there for the offices, nothing for the other two courtrooms and nothing for the six courtrooms that we are building for gallery seating. There will be eight courtrooms, but we are not finishing out two of the courtrooms.

Knowles continued regarding 911 Center, in working in conjunction with DEQ, have found a sewer system that will comply with DEQ; project is to be handed over to Flintco in two weeks; readying drawings for ground-breaking ceremony on July 24th. Brian Kellogg reported water is 120 days away for 911 Center.

Steve Rumsey with Flintco gave an update on the plumber for the new Courthouse. Discussions and updates only, no action taken.

2. Flintco – Recommendation of 2D Site Concrete Bid – (Flintco)

B. J. Fay with Flintco presented bid package 2D for site concrete to the Board as they were requested to do by the Board; recommended vendor is Green Country Concrete, Inc., for \$123,027.00; and installation of sidewalk along Highway 20 for \$3,466.00; this is work that was originally to be done by the County. Need to have discussions on where the money is to come from to pay for the concrete; could come from the Owner's Contingency along with The Plaza and parking lot.

Discussions held regarding whether to pay funds from the Building Improvement Fund or the Site Work Allowance funds (Plaza funds).

Commissioner Thacker made a motion to accept the bid for site concrete from Green Country Concrete, Inc., and pay funds from the \$500,000.00 Site Work Allowance (Plaza funds) with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Resolution #2012-72 – Rogers County Burn Ban Resolution – (D#1 DeLozier)

Commissioner DeLozier presented the list of Rogers County Fire Chief's or their designee that support the implementation of county-wide burn ban for a 30-day period or until the County received substantial rainfall; Board reviewed and followed the check list to comply with the state law when placing a ban on outdoor burning within their county. Discussions held.

Commissioner Thacker made a motion to approve Resolution #2012-72 with the exception of outdoor gas grilling and welding shall not be considered an act in violation of with Commissioner DeLozier seconding the motion. Discussions held regarding Public Information Officer, Kristen Bergman, notifying entities of this action that is required along Under-Sheriff Jon Sappington. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Consider and take action to provide for an additional one-third of one percent (a%) use tax within Rogers County, Oklahoma, making the total use tax 1.833 percent – (ADA Iski)

Assistant District Attorney, David Iski, reported Bond Counsel Attorney, Paul Johanning, advised the Board that the Oklahoma Tax Commission asks that the Commissioner's vote to increase the use tax by 1/3 of 1%. 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.

5. Groundbreaking Ceremony for Rogers County E911 Center will be held on July 24, 2012, at 11:00 a.m. (E911 Admn. Hamilton)

Acknowledged for public record only, no action taken.

6. Landmark Business Systems – Customer Service Maintenance Agreements – on behalf Emergency Management – Ricoh Aficio 350 copier, sn#2B18840453 and Gestetner GDSC525SPF color copier, sn#L3665901665 – (Emergency Mgmt.)

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

7. Resolutions for Disposing of Equipment for District #1 to be sold as follows:

- John Deere diesel tractor, sn#L06605H324895 –
- Diamond side-boom rotary mower, sn#1355
- Diamond side-boom mower head, sn#4C87

Commissioner DeLozier reported the tractor has a lot of hours on it and the mowers are in need of repairs and Ottawa County is willing to purchase all 3 pieces of equipment for \$15,000.00. Commissioner DeLozier made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Independent Contractor Agreement – Craig's Roofing, Inc. – (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.

9. Monthly Report of Officers – June 2012 – (County Clerk)

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

10. Independent Contractor Agreements on behalf of the Rogers County Health Department as follows:

- Charles McCaskey (C & M Landscape)
- Robyn Harris
- Fran Hrdlicka
- Darryl Reed
- Lynn Robinson
- Celene Windle

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

11. Discussion and possible action 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: Janet Hamilton –

Chairman Helm made a motion to adjourn Regular Session and enter Executive Session with Commissioner Thacker seconding the motion. Commissioner Thacker referred to Assistant District Attorney, David Iski, and inquired if it was necessary for the Board to enter Executive Session. Iski recommended the Board enter Executive Session to discuss personnel. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the Board entered Executive Session with Assistant District Attorney, David Iski and Human Resources Director, Jenny Bentley at 10:30 a.m.

12. 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 11:07 a.m.

13. Discussion and possible action with respect to the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Janet Hamilton –
No action taken.

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 she and staff would be attending orientation tomorrow with Human Resources; gave an update to the Board regarding the touring of 911 equipment sites in Denver and Reno.

f.) Assistant District Attorney, David Iski, introduced Legal Assistant, Kim Donelson.

i.) Human Resources Director, Jenny Bentley, reminded of the orientation meeting scheduled for tomorrow, July 17th.

k.) Planning Commission Director, Larry Curtis, reported interactive GIS flood maps have been posted on County web site; a Planning Commission meeting and Board of Adjustment meeting is scheduled for Tuesday afternoon, July 17th; having trouble making quorum. Kristen Bergman, Public Information Officer reported she would work on a press release regarding the flood maps.

n.) Under-Sheriff Jon Sappington, reported a transmission went out in a pickup last week; Sheriff's Office conducted a manhunt this morning; need to visit with BKL & Flintco regarding north side of sally port.

p.) Public Information Officer, Kristen Bergman, reported she is currently working with 911 Administrator, Janet Hamilton, on flyer for 911 ground-breaking ceremony; will do a media advisory; discussed C.G.I. Communications providing to counties for a video program offered through N.A.C.O.

ITEM 19: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

1. 140 Wireless Prepay 911 Fee - \$2,947.97 for June 2012 -
2. 141 Wireless Services - \$24,271.07 for June 2012 –
3. 142 E911 Addressing - \$2,725.48 – for June 2012 –

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, July 16, 2012***Chairman Helm made a motion to approve payment of all purchase orders submitted from all departments as presented with Commissioner Thacker 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 12:07 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, July 12, 2012, at 12:18 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.*