

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 23, 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 16, 2012

Commissioner Thacker made a motion to approve the minutes from July 16, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS: None presented.

ITEM 7: ZONING:

1. Resolution for applicant Valmont Industries, Inc. – to adopt the following Declaration of Covenants and Restrictions under Planned Unit Development No. 4 by waiver of platting requirement on a property described as follows: Lots 1, 2 & 3 Block 2 of Riverview Business Park, in Section 4, Township 20 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma, according to the recorded Plat thereof address: 6475, 6485 & 6495 Tower Lane, Claremore, Ok 74019 – (Planning Comm./Curtis)

Planning Commission Director, Larry Curtis, reported the Planning Commission met on July 17, 2012, and approved by a vote of 7 to 0; waving of a platting requirement is permitted by the subdivision regulations; because the Riverview Business Park has been platted and meets the requirements of Section 108 of the Rogers County Subdivision Regulations, staff recommends approval; no opposition was present at the Planning Commission meeting or the Board of County Commissioner's meeting.

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

2. Resolution for applicant Valmont Industries, Inc. – to adopt the following vacation of part of the 17.4 foot wide utility easement in Lot 2 Block 2 of the Plat of Riverview Business Park, on a property described as follows: Lots 2 Block 2 of Riverview Business Park, in Section 4, Township 20 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma, according to the recorded Plat thereof – Address: 6485 Tower Lane, Claremore, Ok 74019 – (Planning Comm./Curtis)

Planning Commission Director, Larry Curtis, reported the Planning Commission met on July 17, 2012, and approved by a vote of 7 to 0; no opposition was present at the Planning Commission meeting or the Board of County Commissioner's meeting; applicant has gained all required signatures to be in compliance with Title 11, Chapter 1, Article 12, Section 42-106 of the Oklahoma State Statutes; applicant was worked with the only utility in the easement (PSO) who has agreed to relocate its facilities to a substitute easement to the west in Lot 2; applicant has also provided required legal description as required under Title 11, Chapter 1, Article 12, Section 42-107 of the Oklahoma State Statutes; staff recommends approval.

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

ITEM 8: PLATS: None presented.

ITEM 9: ROADS & BRIDGES:

1. State of Oklahoma Department of Transportation – Railroad Project STP-266E(010)RR, J/P #29419(04) at CR-EW-340 (Spencer Creek Road) near Chelsea, Rogers County with the BNSF Railway Company's Crossing AARDOT #668-518F Project Agreement and Resolution #2012-76 – (D#1 DeLozier)

Commissioner DeLozier reported this project is for installation of pedestal mounted flashing light signals with gate arms at County Road EW340 (Spencer Creek Road), AARDOT #668-518F near Chelsea; it is agreed that 90% Federal-Aid Grade Crossing Funds and 10% County funds for signal installation costs will be utilized to fund this project; total cost of project is \$185,669.00; County agrees that County funds will be used to provide their obligation of \$18,566.90; purchase order will be encumbered from CBRI funds for

\$18,566.90. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. State of Oklahoma Department of Transportation – Railroad Project STP-266E(011)RR, J/P #29439(04) at NS-424 near Chelsea, Rogers County with the BNSF Railway Company's Crossing AARDOT #668-525R Project Agreement and Resolution #2012-77 – (D#1 DeLozier)

Commissioner DeLozier reported this project is for installation of pedestal mounted flashing light signals with gate arms at County Road NS-424, AARDOT #668-525R near Chelsea; it is agreed that 90% Federal-Aid Grade Crossing Funds and 10% County funds for signal installation costs will be utilized to fund this project; total cost of project is \$339,238.00; County agrees that County funds will be used to provide their obligation of \$33,923,80; purchase order will be encumbered from CBRI funds for \$33,923,80. 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. Sheriff's Commissary capital outlay to M&O - \$10,000.00

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

ITEM 12: UTILITY PERMITS:

1. Oklahoma Natural Gas Company – proposed ¾" natural gas pipeline crossing East 77th Place North located within SW/4 of Section 26, Township 21 North, Range 14 East of the I.B.&M., Rogers County – 021.052.2624.005100.13800 – (D#2 Helm)

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

2. Rural Water District #5 – boring/crossing South Keetonville Road approximately 65 feet North of East Keetonville Road and boring/crossing East Keetonville Road approximately 2400 feet West of South Keetonville Road located within Section 21, Township 21 North, Range 15 East of the I.B.&M., Rogers County – (D#2 Helm)

Chairman Helm 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 – July 2012

- Resignations from Sheriff's Office: Greg Evans & Noel Crow
- District #1 – Barney Howard - \$761.00

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

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
- Sheriff – Speedy Lube - \$500.00

Commissioner Thacker made a motion to approve the blanket purchase orders as presented with Chairman Helm 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. Presidio – Data telephone system for new Courthouse - \$152,434.50

Executive Administrative Assistant to the Commissioner's, Christine Day, reported this requisition is to pay for the voice & network proposal for the data telephone system for the new Courthouse; will be paid for by the F.F&E. (furniture, fixtures & equipment) funds; currently the F.F.&E. funds have approximately \$335,000.00. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. \

ITEM 17: AGENDA ITEMS:

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

Projects –

Kim Reeve with BKL reported he is extremely pleased with how things are going on the new Courthouse; preparing bid documents for the 911 Center; still working with DEQ regarding sewer systems for 911 Center. B. J. Fay with Flintco reported poured concrete and completed on Saturday; beginning to work on bid packages for 911 Center; plumbers worked all weekend. Fay asked if the County would be receiving a grant to help with the 911 Center and Commissioner DeLozier replied not at this time, no monies for the grant due to lack of funding. Discussions and updates only, no action taken.

2. Lease Purchase Agreement for Equipment for District #3: 2011 Wirtgen W150 Milling Machine, sn#0513.0208 – unit price \$396,726.00; lease-purchase price \$451,153.92; monthly payment = \$4,699.52 – by and between Board of County Commissioners, lessee and Kirby-Smith Machinery, Inc., lessor; financed through Welch State Bank – (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.

3. Renewal Agreement between CERTIFIED Water and Energy Program and Board of County Commissioners for fiscal year 2012-2013 – (Maint./Baze)

Maintenance Director, Ryan Baze, reported this agreement is for cooling tower treatment for this Courthouse only; will not be needed in new Courthouse; Baze gave an update of cost savings for the County and recommended approval by the Board.

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

4. Revision of Sick and Vacation time policies – (H.R. Bentley)***corrected to read (D#3 Thacker)

Human Resources Director, Jenny Bentley, presented a draft policy of personal leave (sick leave) and vacation leave for the Board to review; Commissioner Thacker requested Bentley look into this matter; Bentley submitted comparisons from Tulsa County and ACCO; discussions held. Wednesday, July 25th at 1:30 p.m. Human Resources will have an open meeting in the Commissioner's Meeting Room with County officers and departments heads to discuss the policies and to get feedback.

Commissioner Thacker made a motion to table this item for one week (July 30, 2012) with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Independent Contractor Agreement – Kristen Bergman for fiscal year 2012-2013 (Iski)

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

6. Resolution for Disposing of Equipment for District #2: John Deere 6615 Tractor, sn#LO6615A479539 – to be sold to Creek County District #3 – (D#2 Helm)

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

7. Revocation of award of Rogers County Bid #569, New Dump Trucks with snowplows, sand spreaders and dump beds – Issue date 10-21-2011 – Board of County Commissioners accepted the offer of Frontier International on November 21, 2011, and Frontier International has failed to timely fulfill the terms – (D#3 Thacker/Iski)

Commissioner Thacker reported the Board accepted the bid back in November 21, 2011, and District #3 still has not received the equipment; Frontier International reported they were having issues with the beds on the trucks; Commissioner Thacker contacted Frontier International last week and requested that at least 2 of the trucks with beds be delivered to District #3 by Friday or Frontier International take possession of 2 trucks with beds by Friday; Commissioner Thacker reported Frontier International has 2 dump trucks with beds sitting on their parking lot today. Discussions held. No action taken.

8. Resolutions & Reimbursement Forms for District #1 and District #2 as follows:

- Resolution #2012-73 – District #2 for Sheriff's vehicle maintenance reimbursement – \$7,117.09 – into One Cent Sales Tax for distribution –
- Resolution #2012-74 – District #2 for O.T.E.M.S. vehicle maintenance reimbursement – \$108.72 – into One Cent Sales Tax for distribution –
- Resolution #2012-75 – District #1 for cemetery restitution - \$200.00 – into Cemetery Restitution for District #1 –
- Reimbursement as per Resolution #2012-56 – District #1 for Sheriff's fuel reimbursement – ***corrected to read Assessor's fuel reimbursement***\$123.27 – into One Cent Sales Tax –
- Reimbursement as per Resolution #2012-57 – District #2 for fuel reimbursement from Town of Oologah for \$1,132.27 and Oologah Municipal Authority for \$59.84 into One Cent Sales Tax –
- Reimbursement as per Resolution #2012-60 – District #2 for fuel reimbursement from Town of Talala for \$534.22 into One Cent Sales Tax –
- Reimbursement as per Resolution #2012-61 – District #2 for fuel reimbursement from Rural Water District No. 4 for \$1,015.52 into One Cent Sales Tax –
- Reimbursement as per Resolution #2012-56 – District #3 for Assessor fuel reimbursement for \$228.09 into One Cent Sales Tax –

Chairman Helm made a motion to approve with Commissioner Thacker 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 final preparations are being made today for the 911 Center Ground-Breaking ceremony; gave an update on City of Claremore vote not to participate in the Rogers County 911 Center.

c.) Maintenance Director, Ryan Baze, reported roof-top unit went down last week, but has now been repaired; air conditioning went down in I.T. room, but has not been repaired; installed monitor for Courthouse Security officers to view; assisting Janet Hamilton with Ground-Breaking ceremonies for 911 Center.

d.) County Clerk 1st Deputy, Marilyn Gibson, reported State Auditor's & Inspector Office sent a letter serving as a reminder to complete and submit the Annual Financial Statement and Schedule of

Expenditures of Federal Awards (SEFA) to their office by August 1, 2012.

f.) Assistant District Attorney, David Iski, reported the District Attorney's Council summer conference is scheduled in Tulsa this year; is a mandatory continuing educational conference; employees from the District Attorney's office will be attending, but can be reached by phone in case of an emergency.

h.) Emergency Management Director, Bob Anderson, reported safety training classes are scheduled for July 30th & 31st and August 1st at District #1, District #2 and District #3 county warehouses.

j.) Brett Williston, I.T. Director, reported he worked on KellPro computer for District #3 last week; currently working to get an accurate count on cable drops for new Courthouse.

k.) Planning Commission Director, Larry Curtis, reported the Planning Commission met last week and all 4 items listed on the agenda were approved; scheduled Board of Adjustment meeting failed due to lack of quorum; Board of Adjustment has 5 board members and takes 4 to have quorum; informed Board 2 Board of Adjustment members, including Chairman, are expected to resign their position; Chairman is expected to be at the scheduled Special Meeting on August 7th.

p.) Public Information Officer, Kristen Bergman, spoke of an out-reach with the Port of Catoosa; gathering information this week for County newsletter expected to go out Friday; spoke of work on 911 Center Ground-Breaking ceremony flyer.

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 -

1. Extension Burn Ban as per Resolution #2012-72

Emergency Management Director, Bob Anderson, reported last week in District #2 approximately 2500 acres were burnt; in District #1 approximately 700 acres were burnt and in District #3 is still gathering the information; fire departments are being over-burdened; 22 homes in Rogers County were threatened by last week's fires; Rogers County still meets the burn ban criteria.

Commissioner DeLozier made a motion to extend the Burn Ban for Rogers County for another 7 days 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, July 23, 2012***Commissioner Thacker made a motion to approve payment of all purchase orders submitted 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:

Chairman Helm 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 11:27 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, July 19, 2012, at 12:22 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.*