

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 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: July 23, 2012

Commissioner Thacker made a motion to approve the minutes from July 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. Resolution #2012-72 – Burn Ban

Emergency Management Director, Bob Anderson, reported to the Board the State E.O.C. (Emergency Operation Center) is putting everyone on standby regarding no rain in sight and 100+ degree weather expected for the next several weeks; Rogers County meets all the requirements to extend the burn ban; Rogers County had multiple fires last week and fire departments are being over-extended; requests the Commissioner's districts to be on stand-by in case they are needed; thanked Cherokee Nation for the donation of water; by donation of the water helped all agencies involved to save monies; Anderson recommends extension of the burn ban.

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

2. Revision of Sick & Vacation time policies – (D#3 Thacker) *NOTE***this item was tabled from July 23, 2012, meeting*****

Human Resources Director, Jenny Bentley, reported to the Board that she met with Elected Officials and Department Heads last week and went over the proposed personal leave policy and vacation leave policy; Bentley reported the policy is employee friendly; policies being presented today are for full time employees; discussions held regarding adopting the 10 hours per month vs. 8 hours per month; discussions held regarding enforcement of policy by officer or department head; if this revision is adopted personal leave will replace sick time; personal leave will be based on a monthly accrual, no more January 1st accrual date; personal leave full time employees receive 10 hours per month of sick leave; unused personal leave will continue to go towards your OPERS.

Discussions held regarding proposed vacation leave policy; met with Elected Officials and Department Heads last week and went over vacations hours per month; days are based upon an eight hour shift; 1st year employee would receive 120 hours vacation; with a vacation maximum accumulation (bank) of 240 hours; vacation leave must be earned before it is taken; vacation days would be in increments of full days; ½ day is considered personal leave; vacation leave would be accrued on a monthly basis and prorated, as appropriate, for less than full-time service; discussions held regarding upon separation employees are not entitled to payment of accumulated vacation leave and such accumulated leave shall be forfeited; retirees will be paid up to 120 hours of their vacation bank upon retirement; retirees must go through retirement process with OPERS to be considered retired.

Commissioner DeLozier expressed his concerns over employees being able to accrue five weeks of vacation; is all for the employee having benefits, but feels we are spending tax payer's dollars; compared to other counties; discussions held regarding government agency vs. private sector.

Chairman Helm discussed possibly changing contributions to OPERS by the employees; currently County is paying 16-1/2% and the employee is paying 4-1/2%.

Discussions held regarding part-time employees don't receive these benefits if they work under 32 hours or 4 days a week or less; concerns were expressed regarding if an employee was hired as part-time and received benefits and now benefits are being take away.

Commissioner Thacker made a motion to adopt personal leave policy draft as presented to become effective August 1, 2012, with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Commissioner Thacker made a motion to adopt vacation leave draft with provision stricken after Item L to become effective August 1, 2012, with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-nay. 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:

1. 101 – Unrestricted Highway - \$318,162.96
2. 105 – County Bridge & Road Improvement Fund (CBRIF) - \$26,400.94

Chairman Helm made a motion to approve with Commissioner DeLozier 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. A T & T – boring & trenching of fiber optic cable on the south side of East 523 Road going west to South 4180 Road and crossing East 523 Road with a bore, staying on the east side of South 4180 Road going north, then back to the east to feed new fiber optic cable to Justus Tiawah School District – (D#3 Thacker)

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

NOTEChairman Helm presented for public record Oklahoma Attorney General Opinions 2012 Ok AG 10 decided 07-23-2012. This opinion was admitted into the minutes***

ITEM 13: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – None presented.

ITEM 14: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
• Sheriff: Comdata MasterCard, \$17,000.00 Speedy Lube, \$500.00; District #1 Warehouse, \$3,000.00; District #2 Warehouse, \$1,000.00 –
• Assessor: District #3 Warehouse, \$400.00 –
• District #3: R & S Auto Parts, \$500.00 –
• Jail: Medical Compliance Specialty, Inc., \$400.00; Westwood Pharmacy, \$6,000.00; Froman Oil Company, \$1,000.00; St. Francis Lab, \$1,200.00; PHS Mobile X-Ray, \$600.00; Diamond Medical Supply, \$500.00; Correctional Dental Services, \$2,000.00; Diamond Drugs, Inc., \$8,000.00; Sysco Foods, \$3,200.00; Sysco Foods, \$7,000.00; Warehouse Market, \$290.00; Farmers Bros. Coffee, \$300.00; and Bimbo Bakeries, \$1,460.00 –

Commissioner DeLozier made a motion to approve the blanket purchase orders as submitted 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. Consider and adopt Resolution #2012-78 approving the incurring of indebtedness by the Rogers County Finance Authority; waiving competitive bidding thereon –

Attorney Paul Johanning explained this has been submitted to the rating service for a rating; we are here to get it formally authorized and to take care of the appropriations of the sales tax; and later meet with the Authority to get formal authorization as well; this process is to showing the rating people that we are serious; Resolution #2012-78 to approve the issue has a maximum amount of \$33,500,000.00, which the County will not get to that amount; and has a maximum interest rate of 5%, which the County will not get to that amount either; tax will start October 1st; 1st check should be expected by December 2012 or January 2013; what we are having to do to accommodate that is to capitalize interest until February 1, 2013; that covers the February 1st payment; and the next payment doesn't come around until August 1st; Johanning expressed that he feels this is set up to work for the County in a practical way; we also need to set up a system whereby the tail-end bonds will be automatically called-in when you have surplus sales tax revenue; we feels the sales tax will continue to go up; the County will not be able to use the money for anything else; it was voted on to cover this indebtedness only and nothing else; once tax pays off, it will go away.

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

2. Consider and adopt Resolution #2012-79 appropriating certain sales and use tax proceeds to The Rogers County Finance Authority –

Attorney Paul Johanning continued to explained Resolution #2012-79 is appropriating the sales tax and use tax to the Finance Authority to pay this indebtedness; and with this appropriation this is a continuing direction to the Chairman, County Treasurer and County Clerk to take this 1/3 cent sales tax and put into the County general fund and immediately take it out and put into the authority's

sinking fund for these bonds; it cannot go anywhere else; the sinking fund is used to pay interest on these bonds to pay the bank for their services and to pay for the authority audit; an audit has to be done, it the law.

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

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

Projects –

B. J. Fay with Flintco reported the cooling tower is expected to be received this week; and the generator is expected next week; we are continuing to put the high low-sloping roof on; finishing up framing on the 4th floor.

Steve Rumsey with Flintco reported on behalf of BKL; BKL is working this week to get the drawings completed on the 911 Center and should have them before the end of the week.

Commissioner DeLozier reported the “driveway permit” for the 911 Center has been located and forwarded onto ODOT.

Discussions only, no action taken.

4. Sheriff's Office camera request – (D#2 Helm/Undersheriff Sappington)

Under-Sheriff Jon Sappington presented to the Board a quote from L-3 Mobile, regarding camera systems for their cars & body; Sappington spoke of the incident last week at Oologah Lake that was posted on Facebook and was covered by several different news stations; one particular deputy had a body camera on and recorded everything that happened; it possibly saved the County from a very expensive law suit; is requesting permission from the Board to continue to researching the possibility of purchasing and putting computer system into cars along with cameras and body cameras; the issues is funding, and the final budget will probably not be approved and finalized for another 3 months; approximate costs is \$7,995.00 per system for 25 units = approximately \$200,000.00; this is included in the Sheriff's budget request, but if budget is cut any would not be able to afford it.

Discussions held regarding applying for grants and looking for other funding solutions; discussions regarding purchasing vs. leasing; in order for the Sheriff's Office to make these purchases the monies requested in the budget needs to be fully funded; discussions on working with Andy Armstrong to look for grants; Sheriff Walton recommends to do as quickly as possible.

Discussion only, no action taken.

Chairman Helm made a motion to recess the meeting with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 10:06 a.m.

Chairman Helm called the recessed meeting back to order at 10:17 a.m. with Commissioner Kirt Thacker and Commissioner Dan DeLozier present and quorum established.

5. Appointment of a County Commissioner to serve as representative on the Grand Gateway Economic Development Trust Authority during the 2012 through 2014 terms – (Comm. Office)

Commissioner DeLozier expressed he was interested in serving on this authority. Chairman Helm made a motion to appoint Commissioner Dan DeLozier to serve as representative on the Grand Gateway Economic Development Trust Authority with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Open & Award Bid #584 – Metal Building – District #1

Commissioner DeLozier reported he is writing new specs for this bid and made a motion to strike this bid from the agenda and to re-bid with project with new specs with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Reimbursement form as per Resolution #2012-56 – District #1 Sheriff's fuel reimbursement in the amount of \$1,582.18 into One Cent Sales Tax Fund for distribution – (Comm. Office)

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

8. Reimbursement form as per Resolution #2012-57 – Election Board election expense reimbursement in the amount of \$14.00 – (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.

9. Rental Agreement on behalf of Rogers County Assessor with JD Young/Think Health Systems – July 1, 2012 to June 30, 2013 –

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

a.) E911 Administrator Janet Hamilton, reported the 911 Center ground-breaking ceremony was a great success and thanked all who helped; Tuesday is the 1st scheduled 911 Advisory Board meeting; Wednesday is a scheduled meeting with INCOG for an interoperable meeting on the phone system; Advisory Board consists of 3 members of the Board of County Commissioners, Brad Craig with Inola, Chief McKim with Catoosa, David Puckett with Northwest Fire Protection District, Mike Shaffer with Verdigris Fire Protection District, Kelly Deal with OTEMS, medical director, Dr. Matt Tucker and Hamilton, along with Sheriff Walton.

h.) Emergency Management Director, Bob Anderson reported Emergency Operation Center will be active all week and will be doing 7-day forecasting at-a-time; continuing to conduct safety meetings at the 3 warehouses this week; OTEMS is taking pro-active approach in the Oologah-Talala school

system area for residences to be checking on their neighbors regarding the excessive heat; informed the Board that Cherokee Nation donated several bottles of water to the fire departments last week during the recent fires in the area.

ITEM 19: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

1. Grand Gateway Economic Development Assoc. E911 service fees for May 2012 in the amount of \$24,427.06
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 –

John Wylie with the Oologah Lake Leader inquired if the Board would be adopting procedures in the future regarding FEMA monies; and the article written by the Claremore Progress on the Public Information Officer.

Commissioner Thacker reported he spoke earlier this morning with State Auditor Gary Jones and we would be sending the County a letter regarding the Sunday Claremore Progress article.

ITEM 21: ANNOUNCEMENTS:

Chairman Helm announced and thanked the Attorney General's Office regarding the opinion given to assist Commissioners on County right-of-way easements.

Commissioner Thacker requested a "thank you" letter be sent to the Cherokee Nation on behalf of the Board of County Commissioners regarding the donation of bottled water last week during the recent fires in Rogers County.

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 30, 2012***Commissioner DeLozier 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 11:17 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 26, 2012, at 1:14 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.*