

**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, August 6, 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 9:01 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 30, 2012**

Commissioner Thacker made a motion to approve the minutes from July 30, 2012, as presented with Commissioner Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**ITEM 6: UNFINISHED BUSINESS: - None Presented**

**ITEM 7: ZONING: - None Presented**

**ITEM 8: PLATS: - None Presented**

**ITEM 9: ROADS & BRIDGES:**

**1. Keetonville Road Relocation Project, Rogers County District No. 2 – preliminary cost estimate 08-01-12 – (D#2 Helm)**

Chairman Helm stated that previous proposal was disallowed at the CED #1 Meeting and a new proposal was to be presented. He asked Brian Kellogg of Kellogg Engineering to explain the new route. Mr. Kellogg stated the new proposed alignment would tie into 86<sup>th</sup> Street North that is one (1) mile north of the failure. Meetings in 2007 with the Catoosa School District and Mayor requested proposed alignment being as close to SH266 as possible. Project would consist of approximately 2 miles of roadway. He also stated there is no straight corridor to align existing road. Cost estimate is very similar to original proposal. There will also be a bridge built on Honey Creek. This will be a CIRB Project with the CED #1. If approved by the BOCC and the CED #1, ODOT would be handling the NEPA portion with Rogers County handling the engineering and right of way acquisitions. Chairman Helm made a motion to approve the new proposal for re-submission to the CED #1 with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**2. Opening of West 660 feet of Section Line Road lying between Sections 10 and 15 of Township 20 North, Range 14 East, Rogers County, Oklahoma – (D#3 Thacker)**

F. Mack Greever, Attorney @ Law was present to represent landowner, Ms. Sharon Hollowell. The land in question is landlocked by Bird Creek. Ms. Hollowell is requesting 33' wide section line road over the west 660' lying between Sections 10 and 15, Township 20 North, Range 14 East. He further stated that Ms. Hollowell or her lessee would construct and maintain the road at their own expense. Discussion was made concerning road being private or serving the public at large. Commissioner Thacker made a motion to open the section line road with the stipulation that Rogers County would not build nor maintain the newly opened portion of road with Commissioner DeLozier 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. Free Fair Premiums & Awards to M&O - \$39,999.00**

Mr. Gephart was present as Fair Board Member. He stated this was not an increase in funding, only to move money to prepare for the upcoming Fall fair. He also stated money would be repaid to the premiums and awards account when final budget is approved. Assistant District Attorney, David Iski was in agreement with this transfer. Chairman Helm made a motion to approve the transfer as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**ITEM 12: UTILITY PERMITS: - None Presented**

**ITEM 13: CLAIMS:**

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

**ITEM 14: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –
  - Wireless Services: Froman Oil Company \$350.00
  - Emergency Management: Comdata \$300.00, Froman Oil Company \$250.00
  - Health Department: Claremore Physicians Immediate Care \$200.00
  - District #3: American Waste Control \$1000.00, Lowe's \$300.00

Commissioner Helm 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:**

1. Resolution #2012-81 Authorizing application for Financial Assistance from the Rural Economic Action Plan Fund on behalf of Sequoyah Public Schools – (D#1 DeLozier)

Commissioner DeLozier stated this is for the South Parking Lot completion. The project has been done in phases. This final phase includes security, safety fencing and brick pillars with an estimated cost of \$43,000.00. Commissioner DeLozier made a motion to approve the resolution for submission with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

**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 the roofing was complete. Cooling tower came in last week and generator is expected this week. Approximately 75% complete with framing on the 4<sup>th</sup> floor. Started sheet rock on the lower floors. Have started bid packages and bid book for the E-911 Center and it was advertised yesterday in newspaper and it is on track. Billy Knowles with BLK, Inc., stated the drawings are complete for the E-911 Center. The Board needed to sign the Bid Document cover sheet as part of the bid package. Commissioner DeLozier made a motion to sign the Bid Document with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Mr. Knowles also stated the sewer system issued has been resolved with DEQ. A septic tank system will be installed with lateral lines. Commissioner DeLozier made a motion to appoint Chairman Helm as the signatory with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Resolution #2012-72 – Burn Ban – (Emergency Mgmt./Anderson)

Bob Anderson, Emergency Management Director stated that Governor Mary Fallin has a statewide burn ban for all 77 Oklahoma counties due to extreme or exceptional drought conditions. After discussing the statewide burn ban, Commissioner DeLozier made a motion to continue the County burn ban on a week-to-week basis with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Rogers County Emergency Medical Services – Regional Budgeting and Systems Development Study prepared jointly by: Emergency Systems of the Oklahoma State Department of Health and the Oklahoma Cooperative Extension Service of Oklahoma State University completed June 2012 – (D#3 Thacker)

Kelly Deal, OTEMS Director, gave a brief overview on the General Service study by Cheryl St. Clair. Commissioner Thacker felt the County needs to be pro-active concerning the ambulance service since we are one of the fastest growing counties in the state. Commissioner Thacker made a motion to appoint Commissioner DeLozier to study need for County-wide ambulance services with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Maturity of CD 673202 – Authorization request from RCB Corporate Trust to renew or redeem certificate – (ADA Iski)

Discussion was held concerning the CD. Commissioner DeLozier felt that Chairman Helm should meet with Flintco, BKL and RCB to determine the best course of action. Commissioner DeLozier made a motion to table for one week with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Item Tabled for one (1) week.

5. 2 each Lease Purchase Agreements for Equipment on behalf of District #1 –
  - 2012 Freightliner M2016 dump truck with bed – vin #1FVHCYBS5DHFB9949 – Unit Price \$104,814.00 – Lease Purchase Price \$104,814.00 – monthly payment = \$1,867.17 –
  - 2012 Freightliner M2016 dump truck with bed – vin #1FVHCYBS1DHFB9950 – Unit Price \$104,814.00 – Lease Purchase Price \$104,814.00 – monthly payment = \$1,870.73 –

Commissioner DeLozier made a motion to table for one (1) week due to monthly payment amounts being different with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Item Tabled for one (1) week.

6. Fiscal Year 2013 INCOG Dues - \$29,236.00 – (Comm. Office)

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

7. Rural Water District No. 4, Rogers County, Oklahoma – Application for Water Service and Water User's Agreement – (D#2 Helm)

Chairman Helm made a motion to approve the Application for water service/agreement with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Independent Contractor Agreement – Pest Off Exterminators – (D#2 Helm)

Chairman Helm made a motion to approve Independent Contractors Agreement from Pest Off Exterminators with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

9. Resolution #2012-82 – to deposit funds from reimbursement of Transport of Juveniles from Rogers County Sheriff, Scott Walton into the General Fund (001) for distribution into the Travel Account (04-130) as expended – (County Clerk)

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

10. Resolution #2012-83 and Reimbursement form – funds from Creek County in the amount of \$40,000.00 to be deposited into the One Cent Sales Tax fund capital outlay for distribution for District #2 – (Comm. Office)

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

11. Resolution #2012-84 and Reimbursement form – funds from Traveler's Insurance in the amount of \$1,175.44 to be deposited into One Cent Sales Tax fund for capital outlay for distribution for District #2 – (Comm. Office)

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

12. Reimbursement Forms for deposits – (Comm. Office)

- District #2 – Assessor's fuel reimbursement - \$41.58 – deposit into One Cent Sales Tax Fund
- Sheriff's Office – State of Oklahoma Office of Juvenile Affairs - \$1,507.92 – deposit into Sheriff's general fund travel expenses –

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

13. County Clerk's Cash Book & Summary Report to the Board of County Commissioners for July 2012 – (County Clerk)

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

14. Resolution/Order #2012-85 – Authorizing the calling and holding of an election to be held on 6<sup>th</sup> day of November, 2012 – Formation of Fair Oaks Fire Protection District – (ADA Iski)

Assistant District Attorney David Iski stated the document was ready for the Election Board to put on ballot for November election. Election Board Secretary, Julie Dermody said that Precinct # 128 should be the only precinct affected. Commissioner Thacker made a motion to approve the resolution with Chairman Helm 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.) Janet Hamilton reported there is an INCOG meeting Wednesday in Tulsa. Almost completed Standard Operating Procedures for the dispatchers. Did demo last week for a product, Crita-Call that is a pre-testing/hiring for tele-communicators that I am interested in.

c.) Ryan Baze stated keeping the rooftop units on during this heat is a struggle. Chiller and cooling tower are operating at max capacity. Courthouse generator had mechanical problem this morning. Battery exploded. Would be repaired in-house. Felt it would be wise to upgrade to a marine grade battery. Replacing sheetrock on 3<sup>rd</sup> floor.

g.) Julie Dermody stated August 22<sup>nd</sup> is last day to put items on November ballot.

i.) Jennifer Bentley announced that Water Wars was over. 62 perfect scores/23% of participants. Starting quarterly newsletter for employees only. Open enrollment for insurance is scheduled for November 7<sup>th</sup> and 8<sup>th</sup>. Will have free health assessments at that time along with free flu shot for county employees only. Orientation is scheduled for August 22<sup>nd</sup>, 9:00a.m. to 11:30a.m.

k.) Larry Curtis has Planning Commission meeting tomorrow @ 4:00p.m. and then a special Board of Adjustment meeting @ 6:30p.m. Building progress report for Northeast Oklahoma stated Rogers County was the leading county for building construction permits for the month of June. July permits were down due to heat across the area.

**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 –  
Salesha Wilken, Claremore Daily Progress reporter asked for a clarification on the new proposed alignment in Item #9-1.  
Russell Guilfoyle, questioned why existing road could not be repaired.  
Maxine Chamberlain, questioned what funds were being used for the new alignment and also the road/easement widths for new alignment.  
Chairman Helm responded to the questions.

**ITEM 21: ANNOUNCEMENTS:**

Commissioner Thacker announced the e-mail address to District #3 Warehouse is [district#3@rogerscounty.org](mailto:district#3@rogerscounty.org). State he wants to be more accessible to the constituents especially since the re-districting.

**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 –  
Assistant District Attorney, David Iski informed the Board that after the Agenda was posted, the County was contacted by Standard and Poor's requesting more information for the rating concerning the indebtedness. A designated signatory is needed from the County for the process to proceed. Commissioner Thacker made a motion to appoint Chairman Helm as designated signatory for Rogers County with Commissioner DeLozier 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, August 6, 2012\*\*\* Commissioner Thacker made a motion to approve all purchase orders submitted with the exception of Purchase Order #300061 and Purchase Order #300963 for further review 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 Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting adjourned at 11:07 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, August 2, 2012, at 12:52p.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.*