

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 13, 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: August 6, 2012

Commissioner Thacker made a motion to approve the minutes from August 6, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: UNFINISHED BUSINESS:

1. Maturity of CD 673202 – Authorization request from RCB Corporate Trust to renew or redeem certificate – (ADA Iski) ***NOTE – This item was tabled at August 6th, 2012 meeting***

Karen Keighley with RCB Corporate Trust presented the Board with “statement of assets” as of August 9, 2012; information was provided by Flintco and BKL concerning time line of payments through the end of calendar year; discussions held regarding options for reinvestment of CD; discussions held regarding pros & cons of which options would be best for the County and what if a draw had to be made on the CD.

Chairman Helm made a motion to leave the \$6 million in a CD to receive .30% and have Karen Keighley come back before the Board if any draws were taken and changed the principal with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. 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 –***NOTE – This item was tabled at August 6th, 2012 meeting***

Commissioner DeLozier stated the difference in the payment prices included document fees and made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 7: ZONING:

1. Resolution for applicant Glen Miller – change of zoning from RS-40 to C-4 – on a property described as follows: LEGAL DESCRIPTION: Lot 14 in Block 8, of Rolling Meadows Park, less a tract Beginning at the Southwest corner of Lot 14: thence North 00°57'09"W 20.01feet: thence N88° 13'22"E 306.64 feet: thence South 00° 54' 29" East 20 feet: thence South 88° 13' 18" West 306.63 feet to the Point of Beginning. ADDRESS: 19908 South Elm Road, Claremore, OK 74019 – (PC-Curtis)

Planning Commission Director, Larry Curtis, reported the Planning Commission met on August 7, 2012, and approved by a five to zero vote; his recommendation was to approve and opposition was present.

Dustin Mitchell – 18500 South Elm Road – Claremore, Oklahoma 74017 – is the future expected property owner; intended use is for a plumbing shop; Mitchell lives within one mile of property; does not feel a plumbing shop would affect property values; applicant stated it would be the south 2.5 acres of the 5 acre lot; Curtis replied a lot-split would have to be done on the property if Board approves today; already 2 commercial properties zoned C-2 & C-4.

Jack Freeman – 19813 South Elm Road – Claremore, Ok 74017

Baine Cagle – 19847 South Elm Road – Claremore, Ok 74017

Rose Kinsey – 4655 East Highway 20 – Claremore, Ok 74017

Neva Adams – 19856 South Elm Road – Claremore, Ok 74017

all spoke in opposition to the zoning and expressed their concerns.

Further discussions held regarding history of commercial properties that were grandfathered in within the residential properties; discussions on C-4 zoning of property and what other kind of business could come in if the property was every sold. Discussions held regarding the applicant applying for a Planned Unit Development "PUD"; a PUD allows citizens to work with the applicant through the Planning Commission and work together to solve all concerns and issues of the surrounding neighbors.

Chairman Helm made a motion to take this zoning application back before the Planning Commission and have applicant re-apply as a Planned Unit Development with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

2. Resolution for applicant Ray and Judith Martin – change of zoning from C-5 to RS-60 – on a property described as follows: LEGAL DESCRIPTION: The West 305feet Less the South 396 feet of the W1/2 of Lot 2 in Section 2, Township 19 North, 16 East of the I.B.&M. Rogers County Oklahoma according to the U.S. Government Survey thereof. ADDRESS: 14522 East 590 Road, Inola, OK 74036 – (PC-Curtis)

Planning Commission Director, Larry Curtis, reported the Planning Commission met on August 7, 2012, and approved with a five to zero vote; intended use of property after zoning is for a residential home; currently is zoned C-5; years ago a number of commercial items used to run along Old Highway 33 and since then the area has turned into residential; Curtis recommends approval. No opposition was present at the Commissioners meeting.

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. Resolution #2012-88 – Preliminary Engineering, bridge and approaches over Dog Creek, EW 410 - 1.2 mile east of U.S. 66 – NBI No. 11926 – Circle No. 63 – Location ID 66E0410N4200009 – Contract J2-5488(005)RB authorizing ODOT to proceed (D#1 DeLozier)

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. Emergency Management Capital Outlay to M & O - \$1,829.48

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

ITEM 12: UTILITY PERMITS:

1. Oklahoma Natural Gas Company – boring – ¾ pipeline - Crossing South 4130 Road 645' South of NE/Corner of Section 1, Township 21 North, Range 15 East (D#2-Helm)

2. Oklahoma Communications Systems, Inc., dba TDS Telecom – plowing – copper cable – TDS Telecom proposes to place approximately 1060' of buried copper cable and 1.25" interdict in Inola, along the North side of East 600 Road in Sections 2 and 11, Township 19 North, Range 17 East due to aerial cable being stolen (D#3-Thacker)

3. Rural Water District #2, Mayes County – boring – 1" polyethelene water service line – Crossing SE/4 of Section 33, Township 20 North, Range 17 East and the NE/4 of Section 4, Township 19 North, Range 17 East, 1100 feet West of the intersection of NS422 and EW59(aka Old 33 Highway) (D#3-Thacker)

4. Rural Water District #2, Mayes County – boring – 1" polyethelene water service line – Crossing SW/4 of Section 34, Township 20 North, Range 17 East and the NW/4 of Section 3, Township 19 North, Range 17 East, 1800 feet East of the intersection of NS422 and EW59(aka Old 33 Highway) (D#3-Thacker)

5. Rural Water District #2, Mayes County – boring – 1" polyethelene water service line – Crossing SW/4 of Section 34, Township 20 North, Range 17 East and the NW/4 of Section 4, Township 19 North, Range 17 East, 1300 feet East of the intersection of NS422 and EW59(aka Old 33 Highway) (D#3-Thacker)

6. Rural Water District #2, Mayes County – boring – 1" polyethelene water service line – Crossing SE/4 of Section 34, Township 20 North, Range 17 East and the NE/4 of Section 3, Township 19 North, Range 17 East, 4300 feet East of the intersection of NS422 and EW59(aka Old 33 Highway) (D#3-Thacker)

7. Rural Water District #2, Mayes County – boring – 1" polyethelene water service line – Crossing SW/4 of Section 34, Township 20 North, Range 17 East and the NW/4 of Section 3, Township 19 North, Range 17 East, 2800 feet East of the intersection of NS422 and EW59(aka Old 33 Highway) (D#3-Thacker)

Commissioner Thacker made a motion to approve Items 1 thru 7 of Utility Permits as presented with Chairman Helm 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: Lowe's - \$300.00 –

Commissioner Thacker made a motion to approve the blanket purchase order 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:

1. Resolution #2012-86 Authorizing application for Financial Assistance from the Rural Economic Action Plan Fund on behalf of Rural Water District #16 – (D#1-DeLozier)

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

2. Resolution #2012-90 Authorizing application for Financial Assistance from the Rural Economic Action Plan Fund of behalf of RCIDA Industrial Park Development, Summerlin Industrial Park – (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.

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

1. BKL, Inc., - Invoice #25 - \$21,190.00

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

2. Flintco, Inc. – Application #13 - \$945,926.64

B. J. Fay with Flintco reported the project is 59.33% complete. Commissioner DeLozier made a motion to approve with Chairman Helm 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 –

B. J. Fay with Flintco reported new generator for the new Courthouse came in this morning and is expected to be installed this week; new Courthouse is on schedule; discussed a non-mandatory pre-bid meeting will be held on Friday, August 17th at 1:00 p.m. on the 3rd floor of the Courthouse; sealed bid proposals for Rogers County 911/EOC will be received by the Rogers County Clerk until 1:00 p.m. CST on Monday, August 27th; bid proposals will be opened and read aloud at the County Building located at 416 South Brady, Claremore, Ok 74017 at 1:30 p.m. CST on Monday, August 27th.

Discussion and update only, no action taken.

2. Removing Noel Crow as Receiving Agent and naming Lora Upton Receiving Agent for Sheriff General Fund Accounts and Sheriff Fee Accounts. (Clerk)

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

3. Discussion and possible on the Rogers County Policy – No Solicitation/No Distribution Policy (D#2-Helm)

Discussions held regarding a flyer circulating around the Courthouse by a non-employee regarding water and Gatorade for City and County employees; Commissioners were not aware of this flyer and discussed before any postings go on the bulletin board or flyers circulate the Courthouse they should have Board approval first; discussions held regarding the personal policy handbook is written for employees only, would need to be updated to include a County building use policy.

Commissioner Thacker made a motion to instruct Human Resources Director, Jenny Bentley, to update the employee policy on no solicitation/no distribution policy and a County building use policy with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Resignation from Rogers County Board of Adjustments Chairman/Member, Eric Braly (D#2 – Helm)

Discussions held regarding finding a replacement for Eric Braly, discussions held regarding how many members are on the Board of Adjustment and from what jurisdiction do they represent. Chairman Helm made a motion to accept the resignation as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Approval of Public Sale from June 15, 2012 – Treasurer’s June Resale – to John Ricketts, Lot 18, Block 1, Bonds Addition, Chelsea (Treasurer)

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

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

Emergency Management Director, Bob Anderson, reported the County still meets the criteria for extending the burn ban and recommends the Board to do so.

Commissioner DeLozier made a motion to extend the County burn ban for one more week with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Resolution #2012-87 – Offices of the Rogers County Courthouse to be deposited in the General Fund for distribution into General Government Account – (Comm. Office)

Commissioner’s Administrative Assistant, Christine Day, reported the new telephone system company, Presidio, is having licensing issues with Cisco and will need one check to pay for the new telephone system instead of all separate ones from each individual office. This resolution will help resolve the issue and recommends Board approval. Commissioner DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Resolution #2012-89 and Reimbursement Form – Town of Oologah in the amount of \$5,000.00 deposited into General Fund Cemeteries Salaries for District #2 – (Comm. Office)

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.) Janet Hamilton, E911 Administrator, reported will be attending a staff meeting tomorrow with Telecommunicators; Thursday at 10:00 a.m. a Special Advisory Board Meeting at County building is scheduled; Friday will be in attendance at the pre-bid conference meeting with Flintco.

Hamilton discussed further financial needs to send dispatchers for training; did not request any monies in budget request for training; does not feel training should be paid from 911 funds; discussions of possibly hosting a fundraiser to help off-set the costs of training for dispatchers. Discussions held regarding amending budget request to include travel for training purposes. Chairman Helm spoke of training for dispatchers being a public safety issue.

c.) Maintenance Director, Ryan Baze, reported training was held last week for properly cleaning bath rooms; County building has settling issues, some repairs have been made and some future repairs will be needed; had emergency situation regarding 3rd floor Courtroom air conditioning went down last week; no mold findings on 3rd floor, but 2nd floor had mold findings behind a toilet, will need to be fixed.

g.) Election Board Secretary, Julie Dermody, reported will be hosting “Celebrating HOME” on Thursday, August 16th; all proceeds will be used for door prizes for Precinct workers at our annual Christmas Open House on December 6, 2012; commented on “Letter to the Editor” in Sunday’s newspaper.

i.) Human Resources Director, Jenny Bentley, reported next Wednesday, August 22nd at 9:00 a.m. is Orientation.

k.) Planning Commission Director, Larry Curtis, gave an update on the Board of Adjustment meeting held last week; building permits for construction is approximately \$2 million this month.

Chairman Helm discussed with each elected official and department head in attendance at the meeting regarding the proper procedure for offers of employment and directed Human Resources Director, Jenny Bentley, to send an e-mail to those who were not in attendance.

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 –

Neva Adams inquired further regarding Item 7 Zoning #1 and when would there be a meeting to discuss the P.U.D.

Salesha Wilkens with the Claremore Daily Progress inquired further on Item 17 Agenda Items #3; were all the Board members aware of this issue and was the Sheriff’s office contacted; inquired of 2nd floor mold issues.

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 by payment by the Board on Monday, August 13, 2012***Commissioner Thacker made a motion to approve all purchase orders submitted for payment from all departments with Commissioner DeLozier 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 11:55 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 9, 2012, at 1:35p.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.