

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, September 17, 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 9:02 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: September 10, 2012

Commissioner Thacker made a motion to approve the minutes from September 10, 2012, as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: ANNOUNCEMENTS: None presented.

ITEM 7: UNFINISHED BUSINESS:

1. Discussion with possible action regarding update from Bill Turner, C.P.A. with Turner & Associates, regarding 2012-2013 proposed budget – (D#2 Helm) ***NOTE***this item has been discussed at the August 20, 2012, meeting; September 4, 2012, meeting and September 10, 2012, meeting***

Bill Turner, CPA, reported the figures he was presenting today included the changes as discussed at last week's meeting; \$220,000 for Sheriff's cars and increase ad valorem tax reserves to 95% instead of 90% generating approximately \$328,000.

Discussions held regarding the Commissioner's not being able to lease the Sheriff's cars out of T-highway funds and that amount had to be added back into the budget.

Commissioner DeLozier expressed his concerns over the carry-over funds being added back into their year's budget; next year's budget will be short almost 1.2 million dollars.

Chairman Helm spoke of public safety being first priority and if the Sheriff's office is allotted 20 new cars this year, they should last anywhere from 2 to 5 years. Under-Sheriff Jon Sappington reported Sheriff's office plans on leasing cars for 3-years.

Commissioner Thacker expressed that some offices are willing to make the necessary cuts, but some offices are not; the County has to always think of next year and the next year.

Chairman Helm made a motion to approve the budget as presented by Mr. Turner. Motion died for a lack of second.

Further discussions were held. Turner reported for next year would need in misc. revenue \$2 million dollars and \$1 million in carry-over without any cuts. Commissioner DeLozier stated he felt ½ of the cuts needed to be made this year; is in support of offices keeping their carry-over monies, but offices will feel now they will need to spend any carry-over monies next year to avoid having it taken away.

Chairman Helm stated the only place in the budget to cut is the Sheriff's office and is not willing to do because of public safety. Under-Sheriff Sappington expressed concerns over the cars being too old and the possible liability it could cause for the County. Chairman Helm reminded there is moving expenses and new phone systems in this year's budget that won't be an expense next year. Brett Williston, I.T. also reminded with the new phone in the new Courthouse, phone bills should be cut in half.

Assessor Scott Marsh informed the Board that a vote is coming up to reduce the 5% cap to 3% and that could possibly have an impact on next year's budget. Discussions held regarding general government having ½ million more in this year's budget that last year; Maintenance Dept. has \$280,649 that could be taken out of general fund. Commissioner Thacker reminded the Building Improvement Fund does not need to be reduced due to the expense of demolishing the present Courthouse; putting in the new parking lots and drain system.

Chairman Helm made a motion to approve the 2012-2013 budget as presented by Mr. Turner with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 8: ZONING:

1. Public Hearing on Application for a Change of Zoning by Elizabeth Lamberson &

MaLinda Milikin from AG to C-4 on a tract of land located in Section 33, Township 23 North, Range 15 East of the I.B.&M., Rogers County, in District #2 – Address: 12194 South Highway 169, Oologah, Ok 74053

NOTEthis item was tabled from September 10, 2012, meeting***

Planning Commission Director, Larry Curtis, reported the Planning Commission met on September 5, 2012, and approved by a five to zero vote and staff's recommendation was to deny; staff reviewed what could be put in under C-4 zoning and expressed concerns over approximately 70% of property lying within the current floodplain map.

Application Elizabeth Lamberson – P.O. Box 2004 – Branson West, MO 65737
Lamberson spoke of no flooding has happened to the property since the Oologah dam was installed; Lamberson explained her mother had passed away and no one was living on the property; a number of real estate agents have stated the property would be worth more if it were zoned commercial and that was the only reason she was requesting the change in zoning.

No opposition was present at the Commissioner's meeting. Further discussions held. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 9: PLATS: None presented.

ITEM 10: ROADS & BRIDGES:

1. Annual Inspection of County Road System Bridges in Rogers County, Districts 1, 2 & 3 and signing of Invoice #66-AN-12 for \$5,608.54 – (D#2 Helm)

Chairman Helm reported Guy Engineering has completed field inspections of 12 bridges in Districts 1, 2 & 3, which required inspections at this time; Guy Engineering has submitted an invoice for these services in the amount of \$5,608.54 which will be paid from CIRB funds through ODOT.

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

2. Independent Contractor Agreement – by and between Board of County Commissioners of Rogers County and Guy Engineering Services, Inc. – to reconstruct the bridge and approaches on NS4150 over Sweetwater Creek, 1/8 miles North of EW/46 (Bridge Location No. 66N4150E043002 – NBI No. 02978 – Circle Number 71) – (D#1 DeLozier)

Commissioner DeLozier reported Guy Engineering will be the engineering firm on this bridge project; will be paid from force account funds; District #1 will build themselves and hopes to have built by the end of the year. Commissioner Thacker made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. CED #1 Materials Request Form – Bridge No. 71 – structural steel, reinforcing steel, concrete, special equipment and asphalt, materials requested – (D#1 DeLozier)

Commissioner DeLozier reported these materials being requested for use is for Sweetwater Creek and made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 11: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:

None presented.

ITEM 12: TRANSFER OF FUNDS:

1. District #3 T-Highway M&O to capital outlay - \$5,000.00

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

ITEM 13: UTILITY PERMITS: None presented.

ITEM 14: CLAIMS:

1. Salaries – None presented.

2. Attendant Care – None presented.

ITEM 15: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –

- Sheriff – Robertson Tire Co., Inc., #08 - \$2,600.00

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

2. Orders Exceeding Amount of Issuance –

- Emergency Management – issued to Froman Oil – for \$250.00 – over by \$5.86 –

Over by \$40.00 –

- District #3 – issued to American Waste Control, Inc. – for \$1,000.00 –

Letters of explanation are attached to each purchase order. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 16: GRANTS: None presented.

ITEM 17: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:

1. Kellogg Engineering, Inc. – Project K11-066 – Rogers County 911 Center Water Line Project - \$3,699.79 –

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: AGENDA ITEMS:

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

Billy Knowles with BKL reported all is going well on the new Courthouse; are continuing to work with sub-contractors on the 911 Center to help reduce costs.

B. J. Fay with Flintco reported shingles for slope roof are arriving; started circulating water for cooling towers, no leaks; air conditioning to be turned on this week; continuing to paint on 2nd floor; and drywall on 3rd floor; tracking on schedule and under budget. Updates only, no action taken.

2. Resolution #2012-72 – Burn Ban – (Emergency Mgmt./Anderson)
Emergency Management Director, Bob Anderson, requested this item be removed from the agenda; state-wide burn ban is still in effect as of this time.

Commissioner DeLozier made a motion to not extend burn ban this week with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Publication Sheet, Rogers County, Financial Statement of the various funds for the fiscal year ending June 30, 2012, and Estimate of Needs for fiscal year ending June 30, 2013, of the Governing Board of Rogers County, Oklahoma – (D#2 Helm)

Chairman Helm made a motion to approve for publication in the Claremore Daily Progress with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Agreements by and between Oklahoma Tax Commission and Rogers County, Oklahoma, for Administration of the Use Tax Resolution and Sales Tax Resolution for collecting new sales and use tax rate of 1.833%, effective October 1, 2012 – (County Clerk)

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

5. Standard Maintenance Agreement (No. 00009437) by and between Business Imaging Systems, Inc. and Rogers County, Oklahoma, on behalf of the County Clerk's Office on scanners – contract period 9-12-12 to 6-30-12 ***corrected to read 6-30-2013*** for \$2,665.64 – (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.

6. Independent Contractor Agreement by and between Board of County Commissioners and Jim Robbins (Jimsound) on behalf of Rogers County Fair Board – (Fair Board)

Ron Burrows with the Rogers County Fair Board reported this contract is for sound work being done on behalf of the fair; reported the Premium Sale to be held tonight and invited everyone to attend; gave a review and update on progress of this year's fair. Commissioner Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

7. Open & Award Bid #585 – Track Type Dozer – (D#3 Thacker)
20 bid packets were mailed with 1 being returned undeliverable and 8 responses received as follows: “No Bids” from Boxcer Equipment, Yellowhouse Enid, C. L. Boyd Company, and Frontier Equipment. Bids were received from Yellowhouse Tulsa on John Deere/750 K - \$234,463.00; Warren Cat on Cat/D6N - \$259,694.00; Kirby-Smith Machinery on Komatsu/D61EX-23 for \$256,870.00 and OCT Equipment on Case/165OL for \$207,353.23 – Commissioner Thacker made a motion to table awarding of this bid for one week (September 24th) to allow time to review all bids submitted with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Open & Award Bid #2012-1 – Mobark Woodhog – (D#3 Thacker)
27 bid packets were mailed with 1 being returned undeliverable and 6 responses received as follows: “No Bids” from Frontier Equipment, C. L. Boyd Company, Boxcer Equipment, Yellowhouse Enid and OCT Equipment. One bid was received from Vermeer for \$101,000.00. Commissioner Thacker made a motion to accept the only bid submitted from Vermeer for \$101,000 with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

9. Resolution #2012-96 and Reimbursement form – from District #2 in the amount of \$2,300.00 to be deposited into general fund for Cemetery M&O for District #3 – (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.

10. Resolution #2012-97 and Reimbursement form – from Cherokee Nation in the amount of \$4,430.36 to be deposited into general fund for Sheriff's Office – (Sheriff)

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

11. Reimbursement Form as per Resolution #2012-56 as follows:
• Assessor's fuel reimbursement - \$47.97 – District #3 One Cent Sales Tax –
• Sheriff's fuel reimbursement - \$77.76 – District #2 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.

12. Resolution for Disposing of Equipment for District Attorney's Office – 13 each brown office chairs – transfer back to County – (D.A.)

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

**ITEM 19: 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.) 911 Administrator Janet Hamilton reported the 911 Advisory Board has a scheduled meeting tomorrow; Wednesday will have a conference call.

c.) Ryan Baze, Maintenance Director, reported he has been reviewing the cleaning vendors; looking at ways to reduce the use of toilet paper and paper towels, possibly buying in bulk along with the County warehouses; reported what offices the maintenance department currently cleans in the Courthouse; will be doing yard work this week, be trimming small trees; will be firing boiler up this week with cooler temps in the mornings.

g.) Election Board Secretary, Julie Dermody, reported they are in the process of finishing up school drives for voter registration in conjunction with "Constitution Day".

j.) Brett Williston, I.T., reported rolled out last week a new search record on the Assessor's information; forms that are on County web site can be completed on computer now without having to print them off first, then complete; reminded the new phone systems in the Courthouse will reduce telephone expenses next year.

k.) Planning Commission Director, Larry Curtis, reported Planning Commission has a regular scheduled meeting tomorrow; Board of Adjustment also has a scheduled meeting tomorrow, but is not expecting to have a quorum due to not enough board members at this time; will be speaking to the Rogers County Homebuilders Association at their monthly meeting.

m.) OSU Extension Director, Donna Patterson, reported the fair was very successful this year.

ITEM 20: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:
None presented.

ITEM 21: 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 –

Claremore Daily Progress reporter, Salesha Wilken, commented and asked questions regarding Item 18 Agenda Items #8; Item 7 Unfinished Business regarding 2012-2013 County budget.

Andrea Feedback – 7046 East Courtney Lane – Claremore, Ok 74019 – commented and asked questions regarding Item #7 Unfinished Business regarding 2012-2013 County budget.

Alger Flood – 738 Christmas Lane – Claremore, OK 74019 – commented on Board not responding to a question the reporter from the Claremore Daily Progress wanted to ask last week (September 10, 2012) meeting.

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, September 17, 2012***

Commissioner Thacker made a motion to approve payment of all purchase orders submitted from all departments 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 Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting adjourned at 11:50 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, September 13, 2012, at 12:37 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.*