

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, October 22, 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.

Chairman Helm made a motion to recess the meeting and move to the 3rd floor Courtroom with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and the meeting recessed at 9:02 a.m.

Chairman Helm called the recessed meeting back to order at the 3rd floor Courtroom at 9:06 a.m. with Commissioner Thacker and Commissioner DeLozier present and quorum established.

ITEM 5: APPROVE/DISAPPROVE MINUTES: October 15, 2012

Commissioner Thacker made a motion to approve the minutes from October 15, 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: UPDATE BY KAREN KEIGHLEY WITH RCB BANK ON THE NEW COURTHOUSE CONSTRUCTION C.D. – (D#2 Helm)

Item stricken from the agenda until further notice.

ITEM 8: UNFINISHED BUSINESS:

1. Award Bid #587 – Used Water Truck - ***NOTE***this bid was opened at October 15, 2012, meeting***

Commissioner Thacker made a motion to table awarding of bid for one week (October 29th) to allow further time to review bids submitted with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 9: ZONING:

1. Public Hearing regarding request for change of zoning from AG (AI) to M that the intended use of the property, after rezoning, is for removal of earth and clay – Applicant: Greenhill Properties, LLC – Legal Description: the N/2 of SW/4 and SE/4 SW/4 lying South of State Highway 266 right-of-way in Section 10, Township 20 North, Range 14 East of the I.B.&M., Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof; AND the SE/4 lying South of the railroad right-of-way & North of the centerline of Bird Creek in Section 10, Township 20 North, Range 14 East of the I.B.&M., Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof, AND the NE/4 of NW/4 of Section 15, Township 20 North, Range 14 East of the I.B.&M., Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof – Address: (approximately) 19115 Oklahoma 266 Owasso, Ok 74055 –

Toney Foster, attorney, for applicant was present at the meeting and presented an aerial map of the zoning area being discussed.

Planning Commission Director, Larry Curtis, reported the Planning Commission held a public hearing on October 16, 2012, and approved by a five to zero vote; zoning area lies within District #3; the surrounding property is zoned AI, M, I and some AR, because of the limited amount of potential development, floodplain issues, surrounding zoning and Comprehensive Plan, staff recommends approval; no opposition present at the Commissioner's meeting or Planning Commission meeting.

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

ITEM 10: PLATS: None presented.

ITEM 11: ROADS & BRIDGES:

1. Oklahoma Department of Transportation – Letter of Choice for County Bridge Inspection Contracts and Resolution #2012-107 – (D#2 Helm)

Discussions held regarding the process. Commissioner DeLozier made a motion to call for a Special Meeting for this particular item with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 12: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:
None presented.

ITEM 13: TRANSFER OF FUNDS:

1. Health Department salaries to M&O - \$16,814.20

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

2. Sheriff's Jail Fund M&O to travel - \$5,000.00

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

3. District #1 T-Highway M&O to capital outlay - \$150,000.00

Commissioner DeLozier reported transfer was for the construction of new warehouse for District #1 and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. District #1; District #2 and District #3 One Cent Sales Tax Fund Corrections –

1ST Deputy County Clerk, Marilyn Gibson, explained to the Board these corrections recommended by Bill Turner, CPA; discussions held. Chairman Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 14: UTILITY PERMITS: None presented.

ITEM 15: CLAIMS:

1. Salaries – October 2012

- Resignation – Daniel Harper – Correctional Officer with Jail
- Termination – Waylon Weaver – 911 Telecommunicator
- Internal Transfers and changes in payroll for October as follows:
 - Joe Clark – Sheriff's Office
 - Elizabeth Kallenberger – Sheriff's Office
 - Jim Wallace – Sheriff's Office
 - John Scace – District #2
 - Rachael Cotton – E911
 - Korie Weaver – E911
 - Lois Heskett – Sheriff's Office custodian

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

2. Attendant Care – None presented.

3. Detention Transportation Claim – State of Oklahoma, Office of Juvenile Affairs – September 2012 - \$741.78 –

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

ITEM 16: BLANKET PURCHASE ORDERS:

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

- Sheriff – Comdata MasterCard - \$3,000.00
- District #3 – Lowe's - \$300.00

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 17: GRANTS: None presented.

ITEM 18: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE: None presented.

ITEM 19: AGENDA ITEMS:

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

Billy Knowles with BKL new Courthouse is moving along well; will be presenting signage at Construction meeting today; 911 Advisory Board meeting was held last week; continuing to review 911 Center needs & site work with 911 Administrator Janet Hamilton.

B. J. Fay with Flintco reported units are to be turned on this week; taking down scaffolding in grand stair well; continue work on curtain wall; painting 3rd & 4th floors and elevators in operation. Discussions & updates only, no action taken.

2. Trust Indenture Rogers County Enhanced 911 Trust Authority – (D#2

Helm/E911 Admn. Hamilton)

911 Administrator Janet Hamilton reported the Trust Indenture for the Rogers County Enhanced 911 Trust Authority was sent to all agencies and was created with input from all agencies; one major change was removal of physician and addition of 2 Mayors as trustees, (see pages 4 of 14 and 5 of 14); appointments are by own peers; not all agencies were in favor of indentures, but went with majority; recommends Board approval

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

3. Bylaws of The Rogers County Enhanced 911 Trust Authority – (D#2 Helm/E911 Admn. Hamilton)

Discussions held regarding bylaws as presented; question asked who makes changes to any future bylaws, trustees of Trust Indenture; Hamilton recommends Board approval.

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

4. Open & Award Bid #588 – New 4x4 Truck for Sheriff's Office – (County Clerk)
28 bid packets were mailed with 2 being returned undeliverable and 4 responses received as follows: David Stanley – crew cab \$30,363.00 & extended cab \$28,343.00; Jack Kisse Ford, Inc., \$31,577.00; Joe Cooper Ford of Tulsa, Inc., - \$34,073.00; and Jim Glover Chevy, \$31,810.00. Commissioner Thacker made a motion to table awarding of bid for one week (October 29th) to allow Sheriff's Office time to review all bids submitted with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

NOTEAfter Agenda Item #24 Payment of Purchase Orders from all Departments – Undersheriff Jon Sappington requested the Board take action on the awarding of bid; Sheriff's Office had time to review all bids submitted before meeting was adjourned***

Commissioner Thacker rescinded his motion to table awarding of bid for one week (October 29th) with Commissioner DeLozier rescinded his second of the motion. Roll Call: Helm-aye, Thacker-aye- DeLozier-aye. Motion carried.

Commissioner Thacker made a motion to accept the 2nd lowest bid of Jack Kisse Ford based upon recommendation from Under-Sheriff Jon Sappington, because vendor is local and can receive the truck eight weeks faster than other bids and don't charge transport costs with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

5. Resolution #2012-106 and Reimbursement Form to deposit funds from reimbursement of travel and transports on behalf of Rogers County Sheriff, Scott Walton into the travel account as expended in the amounts of \$143.19 and \$41.07 – (Sheriff)

Pam Rue with the Sheriff's Office explained the reimbursement is from Bondsmen and needs to go back into the travel account; 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.

6. Removal of Robin Anderson and Kathy Banks as Receiving Agents for District #2 and appoint DeeAnn Cramer and Kim Lewis as Receiving Agents for District #2 – (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. Should the Board of County Commissioners of Rogers County assume full control of all financial matters involving District #2 – (D#3 Thacker)

Commissioner Thacker reported he placed this item on the agenda for discussion in order to restore public trust in Rogers County; need to get spending under control, Board of County Commissioners run Rogers County and feels the public has lost confidence in District #2 financial abilities; spoke of e-mails the Claremore Daily Progress obtained through Open Records requests and the possible violation of use of Public Information Office for Helm's campaign purpose.

Chairman Helm expressed the newspapers do not have investigative authority on behalf of the District Attorneys' office; he gets instructions from District Attorney, Janice Steidley and State Auditor Gary Jones; District Attorney has the power to call-in OSBI for investigative purposes, not any newspapers. Chairman Helm reported District #2 has always been able to run and govern their finances; spoke of issue of one Commission borrowing from another Commissioner when their budget was over-spent.

Commissioner Thacker made a motion to take control over District #2 finances until further notice with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Discussions held regarding how the County Clerk's Office was to implement the process.

**ITEM 20: 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 of a telecommunicators job posted on the County web site; has scheduled meeting with A T & T Friday, October 26th.

c.) Maintenance Director, Ryan Baze, reported he will be off the rest of the week for the birth of his child; beginning 2nd week of new scheduled for cleaning offices beginning at 6:00 a.m.; new lights in Election Board; currently helping offices move items to storage in anticipation to new Courthouse; County building toilets over-flowed over the weekend and no one knew who to contact regarding the matter; requested signage for contact information; hiring a new part-time position.

g.) Election Board Secretary, Julie Dermody, reported the office is gearing up for a huge election on November 6th; absentee ballots are due at the close of business 5:00 p.m on Wednesday, October 31st; have 189 precinct workers lined up for this election.

h.) Emergency Management Director, Bob Anderson, reported he is meeting with local hospitals to schedule a medium exercise with all agencies that would be involved in an emergency.

k.) Planning Commission Director, Larry Curtis, reported Board of Adjustment met last Tuesday, October 16th; six items were on the agenda, four passed; still needing two additional members for Board of Adjustment.

ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

1. Grand Gateway EDA E911 Service Fees for August 2012 in the amount of \$24,353.74 –

Acknowledged for public record only, no action taken.

ITEM 22: 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 with the Claremore Daily Progress inquired about Item 13 Transfer of Funds #4 and Item 19 Agenda Items #7.

Barbara Cole with the Inola Independent inquired about Item 19 Agenda Items #7.

ITEM 23: 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.

Chairman Helm made a motion to recess the meeting and go back to the Commissioner's Meeting Room 1-109 on the 1st floor with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting recessed at 9:59 a.m.

Chairman Helm called the recessed meeting back to order at 10:08 a.m. in the Commissioner's Meeting Room 1-109 with Commissioner Thacker and Commissioner DeLozier present and quorum established.

ITEM 24: 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, October 22, 2012***Commissioner Thacker made a motion to approve payment of all purchase orders submitted for all departments with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 25: RECESS OR ADJOURNMENT:

Chairman Helm made a motion to adjourn the meeting with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried and meeting adjourned at 10:48 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, October 18, 2012, at 2:52 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.