

AMENDED
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, December 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 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: December 10, 2012 and December 12, 2012

Commissioner DeLozier made a motion to approve the minutes from December 10th and December 12th as presented with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 6: ANNOUNCEMENTS: None presented.

ITEM 7: UNFINISHED BUSINESS:

1. Award Bid #593 – Cars – (Sheriff's Office) ***NOTE***this bid was opened on December 10, 2012***

Under-Sheriff Jon Sappington recommended the Board accept the low bid of Bob Hurley Ford to lease-purchase. Chairman Helm made a motion to award bid to Bob Hurley Ford, lowest bidder as lease-purchase with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. ***NOTE***see attached copy of bid for complete information***

2. Award Bid #595 – SUV's – (Sheriff's Office) ***NOTE***this bid was opened on December 10, 2012***

Under-Sheriff Jon Sappington recommended the Board accept the low bid of Bob Hurley Ford to lease-purchase. Chairman Helm made a motion to award bid to Bob Hurley ford, lowest bidder as lease-purchase with Commissioner DeLozier seconding the motion. Roll Call; Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. ***NOTE***see attached copy of bid for complete information***

3. Award Bid #25 – Fiber Reinforced Membrane – (District #3) - ***NOTE***this bid was opened on December 10, 2012***

Commissioner Thacker made a motion to award bid to low bidder Vance Brothers, Inc., with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried. ***NOTE***see attached copy of bid for complete information***

ITEM 8: ZONING:

1. Public Hearing for Notice of Appeal filed by Applicant – Timothy L. Johnson – present zoning AI with present use of property being home & personal shop – zoning request AR & C4 with intended use after zoning being home & outdoor power sales & services – Legal Description: The W/2 of the N/2 of the N/2 of Lot 1, less and except the East 100 feet thereof, all in Section 30, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof, within District #2 – Planning Commission Director, Larry Curtis, reported the Planning Commission met on November 20th and denied with a six to zero vote; filed an Appeal with the County Clerk's Office; Curtis recommending denying based upon staying consistent with the Comprehensive Plan.

Chairman Helm opened up the public hearing – Applicant Tim Johnson – 10006 East 459 Road – Claremore, Ok 74017, reported his reason for changing the zoning was so that he could sell small lawn mowers on a part-time basis and repair them also; shop would be approximately 50 x 50 on a 1 acre lot; applicant pointed out where his property was on a map to the Board and neighbors that were in support of the zoning change.

Discussions held regarding concerns of the Planning Commission Board that the area is not along a main thoroughfare; granting the zoning change would set a precedence for the area; possible lowering of classification. Curtis reported applicant could continue the sale of lawn mower equipment under a lower commercial classification, but could not do repair work; Curtis continued because the abutting property is zoned AI, the newly zoned C-4 would not be required to have a screening fence. Planning Commission also

expressed concerns that the uses for C-4 zoning might be too broad. Applicant was not willing to request a lower commercial classification.

No opposition was present at the Board of County Commissioner's meeting. Public hearing closed.

Chairman Helm made a motion to deny 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: None presented.

ITEM 11: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:
None presented.

ITEM 12: TRANSFER OF FUNDS:

1. District #3 – One Cent Sales Tax M&O to capital outlay - \$7,000.00

Commissioner Thacker reported the transfer was for the purchase of a compactor for bridge work at District #3. 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:

1. Rural Water District #2, Mayes County – boring beneath Old Highway 33 on East side of intersection with South Carpenter Lane located within the NW/4 of the NE/4 of Section 4, Township 19 North, Range 17 East of the I.B.&M., Rogers County – (D#3 Thacker)

2. Rural Water District #2, Mayes County – boring to cross Oak Drive in Carpenter Addition, immediately North of existing underground booster pump station located within the SW/4 of the SE/4 of Section 33, Township 20 North, Range 17 East of the I.B.&M., Rogers County – (D#3 Thacker)

3. Rural Water District #2, Mayes County – trench parallel to Oak Drive in Carpenter Addition on West side of road, beginning at a point approximately 360 feet South of intersection with South Park Place and extending 225 feet South in the County right-of-way located within the SW/4 of the SE/4 of Section 33, Township 20 North, Range 17 East of the I.B.&M., Rogers County – (D#3 Thacker)

4. Rural Water District #2, Mayes County – boring to cross Green Drive in Carpenter Addition immediately South of the intersection with South Park Place located within the NW/4 of the SE/4 of Section 33, Township 20 North, Range 17 East of the I.B.&M., Rogers County – (D#3 Thacker)

Commissioner Thacker made a motion to approve Items 1, 2, 3 & 4 under Utility Permits as presented with Commissioner DeLozier seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 14: CLAIMS:

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

ITEM 15: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - District #1: County Building Center, \$100.00; O'Reilly Auto Parts, \$350.00; & R & S Auto Parts, \$350.00 –
 - District #3: American Waste Control, Inc., \$1,000.00; R & S Auto Parts, \$500.00; Pixley Lumber Company, \$300.00 –

Commissioner DeLozier made a motion to approve the blanket purchase orders as presented 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 16: GRANTS:

1. Public Hearing for the purpose of receiving comments on CDBG Rural Water District #3 Highway 88 Waterline Project (14796 CDBG 11) and Closeout Documents for 14796 CDBG 11 (Rural Water District #3 State Highway 88 Waterline Project Phase I) and authorization of Chairman to submit the documents to Oklahoma Department of Commerce – (Andy Armstrong)

Consultant Andy Armstrong reported a public hearing needs to be conducted for public input for the performance of the County and Rural Water District #3 regarding the 16-inch water line project approximately 10,000 feet installed along Highway 88 (14796 CDBG 11); project was finished approximately month ½ ago; the grant from ODOC was for \$249,950.00; project in total is around \$650,000.00; Rural Water District #3 paid the difference.

Brian Kellogg with Kellogg Engineering and engineer for Rural Water District #3 reported all paperwork is complete and has been accepted by ODOC.

Chairman Helm opened the hearing up for public comments. Salesha Wilken with the Claremore Daily Progress asked if the waterline was installed to service the new 911 Center? Armstrong replied the waterline would contribute to that, the waterline is running north to south with a larger waterline diameter; and the 911 Center is south of this project; Kellogg is designing another project that the County just received a grant on to further extend the waterline.

Wilken asked a 2nd question, does the development, in any way, increase flow to the rest of the district including the Keetonville area? Kellogg answered, it is all inter-related. No further questions were asked from the public.

Chairman Helm reported the public hearing was closed and made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 17: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE: None presented.

ITEM 18: AGENDA ITEMS:

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

B. J. Fay with Flintco reported they are dropping ceiling tiles on 2nd floor this week; officially on permanent building power now; starting alley concrete work this week; continuing the terrazzo work on the stairs; planning on dropping tiles on the 3rd & 4th floors in the near future. Update and discussion only, no action taken.

2. Possible Endorsement of the OneVoice Legislative Agenda for 2013 for the Tulsa Region – (Comm. Office/Bob Portiss)

Bob Portiss with the Port of Catoosa reported after following months of task force meetings, around 350 business and community leaders and elected officials gathered at the 5th annual OneVoice Regional Legislative Summit to discuss state and federal legislative priorities for 2013. They have adopted an agenda, which has items that pertain to the need to 4-lane 46th Street North (state Highway 266) from the Creek Turnpike to Highway 169 and to maintaining and deepening the McClellan-Kerr Arkansas River Navigation System. By working together through these ongoing partnerships between our elected officials and the private sector, we can and will illustrate our willingness to present a well thought-out list of needed projects uniformly supported by our region. Portiss recommended Board approval.

Chairman Helm made a motion to endorse Bob Portiss' recommendation for OneVoice Legislative Agenda for 2013 for the Tulsa Region with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Update on Port and Waterway Development and Shipping Activities – (Comm. Office/Bob Portiss)

Bob Portiss with the Tulsa Port of Catoosa made a presentation and updated the Board regarding waterway development and shipping activities at the Port of Catoosa. Jeff Yowell with the Tulsa Port of Catoosa was also present at the meeting. Update and discussion only, no action taken.

4. Open Dialog with the City of Claremore concerning Consolidating/Integrating the Rogers County E911 Center with the City of Claremore's 911 Center – (D#3 Thacker)

Commissioner Thacker reported he wants to make sure the County keeps dialog open with the City of Claremore regarding consolidating/integrating the 911 Center. Commissioner DeLozier reported the County does have an open dialog with the City of Claremore; with the new City Manager coming in, we are waiting for him to get on his feet.

Discussions held regarding needing a new building for 911 purposes; public wants a consolidated center. Discussions only, no action taken.

5. Open & Award Bid #26 – Non-Woven Geotextile – (6 months bid)
6 bid packets were mailed with 0 being returned undeliverable and 1 response received as follows: Maxwell Supply of Tulsa - ***NOTE***see attached copy of bid for complete information***Chairman Helm made a motion to accept the only bid submitted from Maxwell Supply Company with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

6. Web Site & E-Mail Hosting thru Tulsa Connect – (Brett Williston, IT)
Brett Williston, I.T., reported the County has reached the 75 mail box limit with Tulsa Connect; received quote from Tulsa Connect for premium web hosting from January 2013 thru June 2013 (including 25 e-mail boxes) for \$179.70 = \$29.98/month; Williston recommends Board approval.

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

7. Builder's Risk Coverage Declarations BR71591541 and authorization to sign Endorsement Changes Policy for District #1 – (D#1 DeLozier)

Commissioner DeLozier reported the builder's risk coverage declaration BR71591541 was for the new warehouse District #1 is currently building and made a motion to approve with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

8. Resolutions for Disposing of Equipment for Rogers County Election Board, as follows:

- OKIDATA computer printer – sn#808B2240243 – junked
- Swintec typewriter 2640 – no serial # found – junked
- 2- - 6 foot fold-a-ramp – no serial # - junked
- 65" wide poll path – no serial # - junked
- 2 - - 2 foot threshold ramp – no serial # - junked

Discussions held regarding contacting other Election Board offices to see if they could possibly use the ramps; Commissioner's warehouses might be able to use ramps during bridge projects. Chairman Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

9. Monthly Report of Officers – November 2012 – (County Clerk)
Commissioner DeLozier 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 Trust board has a meeting scheduled for Thursday, December 20th at 10:00 a.m. and has a meeting scheduled today at 3:00 p.m. with Kim Reeve from BKL.

c.) Maintenance Director, Ryan Baze, passed the monthly elevator inspection last month, but currently elevators are randomly going up & down on their own; still have part-time opening for maintenance; would like assistance in finding snow-melt for the sidewalks and is looking into purchasing a snow blower in the near future.

d.) Peggy Armstrong, County Clerk, reminded that December 24th & December 25th the Courthouse will be Closed for Christmas holidays; Commissioner's meeting would be held on Wednesday, December 26th at 9:00 a.m. The Rogers County Educational Facilities Authority is holding a Special Meeting today, at 11:30 a.m. in the Commissioner's Meeting Room.

g.) Julie Dermody, Election Board Secretary, reported that currently 500 short of having 50,000 active registered voters in Rogers County.

j.) Brett Williston, I.T., reported all systems are secure and operational.

k.) Planning Commission Director, Larry Curtis, reported the Planning Commission has no other items for their agenda for this year; Assistant District Attorney, David Iski, is currently working on opinion for the Planning Commission to handle utility permits in the future; working on draft of zoning regulations.

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 –

Salesha Wilken with the Claremore Daily Progress had questions and comments regarding Item 18 Agenda Items #5 and #4.

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, December 17, 2012***Commissioner DeLozier made a motion to approve payment of all purchase orders submitted from all departments with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT:

Chairman Helm 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 10:55 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, December 13, 2012, at 8:25 a.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.*