

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 3, 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: November 26, 2012

Commissioner Thacker made a motion to approve the minutes from November 26, 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. Order to Organize Fair Oaks Fire Protection District - *NOTE***this item was tabled from November 19, 2012, meeting*****

Commissioner Thacker reported he met with Fire Chief Dicus Benton regarding appointees for the fire district board; recommends Randy Shoefstall – Rick Bruder & Walter Sunny.

Commissioner Thacker made a motion to appoint Randy Shoefstall, Rick Bruder and Walter Sunny as appointees for the Fair Oaks Fire Protection District pursuant to O.S. Title 19 § 901.4.B with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

Commissioner Thacker made a motion to file the Order to Organize Fair Oaks Fire Protection District as presented in the Office of the County Clerk pursuant to O.S. Title 19 § 901.4.B with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

ITEM 8: ZONING:

1. Public Hearing with discussion and possible action on the Request for Change of Zoning from AG to AR that the intended use of the property, after rezoning, is for agricultural residential for lot split approval of two (2.5) acre tracts of land – Applicant: Karen Sanchez – Current Zoning: AG – Legal description: the N/2 of the SE/4 of the SE/4 of the NE/4 of Section 29, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof – Address: 11909 East Tanner Drive, Claremore, Ok 74019 –

Larry Curtis, Planning Commission Director, reported the Planning Commission met on November 20, 2012, and approved by a six to zero vote; request for change of zoning lies with District #3; applicant Karen Sanchez, 11909 East Tanner Drive, Claremore, Ok 74017, was present at the meeting and stated that her purpose for the zoning change was for splitting of the property; no opposition was present at the Planning Commission meeting, nor the County Commissioner's meeting; Curtis recommended approval.

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

2. Public Hearing with discussion and possible action on the Request for Change of Zoning from AG to AR & RS-40 that the intended use of the property, after rezoning, is for: AG to AR to meet agricultural residential requirements and AG to RS-40 for residential lot split approval for one (1) acre of land – Applicant: Karl Engel – Current Zoning: AG – Legal Description: a tract of land located within the N/2 of the SE/4 of the NE/4 and the S/2 of the NE/4 of the NE/4 of Section 15, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma – address: 21366 South 4170 Road, Claremore, Ok 74019 –

Planning Commission Director, Larry Curtis, reported the Planning Commission met on November 20, 2012, and approved by a six to zero vote; request for change of zoning lies within District #3; Applicant Karl Engel was not present; applicant plans on building a home on the property, resulting in lot size being approximately one acre after the lot split; no opposition was present at the Planning Commission meeting, nor the County Commissioner's meeting; Curtis recommended approval.

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

3. Set Hearing for Notice of Appeal – 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 –

Planning Commission Director, Larry Curtis, reported the Planning Commission met on November 20, 2012, and denied by a six to zero vote; a Notice of Appeal was filed by the applicant with the County Clerk’s Office; normal procedure is to set a hearing for two weeks; Curtis reported that the uses that are granted for C-4 zoning is too broad and felt this area is in a gray area of the Comprehensive Plan; the property is on the border between agricultural, residential and a section line road; those were the reasons for the Planning Commission Board denying.

Chairman Helm made a motion to set the hearing in two weeks (December 17th) 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. Offer Letter to BP America Production Company – a roadway and drainage improvement project – project requires Rogers County, Oklahoma, to acquire right-of-way – Drainage Easement right-of-way to be purchased: The East 30.00 feet of the North 660.00 feet of the West 21.49 acres of Government Lot 3 in Section 31, Township 21 North, Range 15 East of the I.B.&M, Rogers County, Oklahoma, containing 0.45 acres more or less and Easement for public highway right-of-way to be purchased: The East 43.50 feet of the West 60.00 feet of the West 21.49 acres of Government Lot 3 in Section 31, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, containing 1.32 acres more less – (D#2 Helm)

Chairman Helm stated a lawsuit has been filed against the County regarding the flooding of a house in Oakridge at Cooper Ranch; the County needs to do a drainage project to help prevent further flooding.

Brian Kellogg stated negotiations have been going on for eight months regarding the County’s officer to acquire right-of-way to be purchased; BP American Production Company is the land owner; purchase price is \$10,620.00 to acquire the right-of-way; offer letter has been drafted and will be mailed to BP America Production Company, if the Board approves today; a purchase order will need to be encumbered for this offer from District #2 funds.

Chairman Helm made a motion to approve the Offer Letter as presented to start the drainage project with Commissioner Thacker 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: None presented.

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 –
 - Assessor – District #3 Warehouse - \$400.00
 - E911 – Froman Oil Company - \$400.00
 - Emergency Management – ComData Mastercard, \$350.00 & Froman Oil - \$350.00
 - District #3: R & S Auto Parts - \$500.00 – Lowe’s - \$300.00 – American Waste C Control, Inc. - \$1,000.00
 - District #2 – Yellowhouse Machinery Company - \$4,500.00

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 16: GRANTS:

1. Environmental Review Record for 15308 CDBG 07 State Highway 88 Road Water Line Infrastructure Phase II –

a.) Designate the County’s Chief Executive Officer, the Chairman as the certifying officer under the National Environmental Policy Act of 1969 to assume overall responsibility for the environmental review process –

b.) Make a Finding of No Significant Effect on the Environment for the 15308 CDBG 07 State Highway 88 Phase II Water Line Infrastructure Program –

c.) Authorize the Chairman to sign the CDBG Certification of Leverage, Environmental Certification and Request for Release of Funds –

d.) Approve an Anti-displacement Plan for the CDBG State Highway 88 Phase II Water Line Infrastructure Program –

Andy Armstrong, grant consultant, reported these documents are for environmental review records as a result of receiving a grant for this project; letters were sent out to the various state and federal agencies, responses have come back; now we have to do an environmental review record; this project is

a 1 ½ mile of waterline south of the current waterline project that has just been completed in Highway 88; recommends approval.

Commissioner DeLozier 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 365 wood doors arrived today; last week the terrazzo map for the 1st floor came in; installed the Sate seal on the 2nd floor; finishing up miscellaneous; 911 Center drawings are on track; currently tracking under budget. Discussions and update only, no action taken.

2. County Employee Handbook – (D#2 Helm/HR Bentley)
Human Resources Director, Jenny Bentley, reported the major changes made to the handbook; added recruitment and job posting and hiring procedures, orientation and policies that have already been implemented; added Performance Appraisals and will be reviewing with offices so we can implement in January 2013; expanded Military leave; updated FMLA; added new vacation & personal leave policy to handbook; added a personal appearance for the Courthouse; more expanded for use of communication systems with a social networking portion; expanded drug & alcohol testing policy; other portions are being slightly updated.

Commissioner DeLozier asked if the elected officials had to approve the handbook? Assistant District Attorney, David Iski, reported, yes they do; a signature page will be provided for the elected officials signature; recommended the Board approve the “as is” preliminary handbook today; and then after elected officials review and sign off on, the final approval be completed by the Board.

Commissioner Thacker made a motion to approve preliminary approval of the County Employee Handbook with Chairman Helm seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

3. Appointment of Representative to INCOG Board of Directors and General Assembly – (D#2 Helm)

Discussions held regarding how often the General Assembly typically meets each year and if a Board of Directors member currently serving on the INCOG Board could serve on the General Assembly Board.

Chairman Helm made a motion to appoint Planning Commission Director, Larry Curtis to the General Assembly for INCOG with Commissioner Thacker seconding the motion. Roll Call: Helm-aye, Thacker-aye, DeLozier-aye. Motion carried.

4. Resolution for Disposing of Equipment for Assessor’s Office: Gateway Laptop (H249.2) sn#0029862540 – to be junked – (Assessor’s Office)

Brett Williston, I.T., reported the laptop is over ten years old and is not worth repairing and recommends being junked.

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

5. Reimbursement Form as per Resolution #2012-103 – Election expense for Fair Oaks Fire Protection District - \$193.80 (Election Board)

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

6. Reimbursement Forms as per Resolution #2012-56 –
- Sheriff’s fuel reimbursement – District #1 - \$2,201.38
 - Assessor’s fuel reimbursement – District #3 - \$392.48

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 Thursday, December 6th is a Special Meeting of the 911 Advisory Trust Authority and the Mayor of Catoosa has agreed to serve on the 911 Advisory Trust Authority Board.

c.) Maintenance Director, Ryan Baze, reported Maintenance has done some touch-up painting; hosted a retirement party for Veta Underwood last Friday, November 30th; cleaning out flower beds this week; cleaned carpets in Commissioner’s Meeting Room 1-109, last Friday, November 30th; reported on the trash detail for the Judges.

d.) County Clerk, Peggy Armstrong, announced a Memo would be going out to all the offices regarding biennial inventory being presented to the Commissioners in January 2013.

g.) Election Board Secretary, Julie Dermody, announced school board filings started today and ends at 5:00 p.m. on Wednesday, December 5th; Thursday, December 6th, will be hosting an Open House for all the precinct workers, everyone is invited.

i.) Human Resources Director, Jenny Bentley, announced Rogers County Employee Newsletter is ready to go out, will deliver to the offices; Human Resources will be conducting new hire orientation monthly for new hires; will be conducting orientation at District #1 warehouse on Friday, December

7th; will also be sending out a training calendar for various trainings, such as: FMLA FAQ's; Progressive Discipline and Interviewing Skills.

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

k.) Planning Commission Director, Larry Curtis, announced 17 new construction permits were issued in November totaling \$4,875.200; hired a new part-time Administrative Assistant; Planning Commission meeting scheduled for Tuesday, December 4th with two items on it; one regarding application for change of zoning and the other is amend/update Appendix G of the Building Codes & Licensing for the City of Claremore.

m.) CED Director, Donna Patterson, announced a new 4-H Extension Educator has been hired.

ITEM

20: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:

1. Effective January 1, 2013, the Internal Revenue Service in IR 2012-95 has set the mileage reimbursement rate at 56.5 cents per mile –

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, inquired to the announcement made by Larry Curtis, Planning Commission Director, on 17 new construction permits being issued for November; where are those homes located within the County.

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 3, 2012***Chairman Helm 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:

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 10:14 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 **Friday, November 30, 2012, at 8:14 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.*