

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

PLACE: Rogers County Courthouse, 219 South Missouri, Room 1-109, Claremore, Oklahoma

DATE & TIME: Monday, January 14, 2013, 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 Thacker 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 Thacker, Commissioner Dan DeLozier, and Commissioner Mike Helm 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 Helm said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: January 7, 2013 Commissioner Helm made a motion to approve minutes as presented with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 6: ANNOUNCEMENTS: Commissioner Helm stated that we're in the flu season, everyone is getting flu shots and we have hand sanitizers in the bathrooms. County Clerk Robin Anderson reminded elected officials and department heads of the necessity of turning in their inventory sheets.

ITEM 7: UNFINISHED BUSINESS:

1. Open & Award Bid #597 – Used Dump Truck – District #3 – (D#3 Thacker)

NOTEthis bid was opened on December 26, 2012, and tabled until January 2, 2013, and tabled until January 7, 2013.

Chairman Thacker made a motion to buy outright from Yoak Properties for \$55,000.00 with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Rural Economic Action Plan (REAP) Contract #036-ED-2013 (D#3-Thacker)

NOTEthis was tabled from January 2, 2013, and January 7, 2013.

Cary Jester, Claremore and Rogers County Industrial Authority, stated this grant is to assist with a road project to purchase materials in the Summerlin Industrial Park. Chairman Thacker made a motion to sign a letter of authorization with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 8: ZONING: None presented.

ITEM 9: PLATS:

1. Acceptance/Approval of the Final Plat of Twin Creek at Stone Canyon Phase III, part of Section 1, Township 20 North, Range 14 East, and Section 6, Township 20 North, Range 15 East, I.B. & M, Rogers County, Oklahoma.

Larry Curtis reported this passed the Planning Commission 6-0 on November 20, 2012. There was no opposition present and he recommends acceptance of final plat. Commissioner Helm asked Brian Kellogg with Kellogg Engineering if plat met all zoning requirements and he stated yes. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 10: ROADS & BRIDGES:

1. Acceptance/Approval of Roads in Twin Creek at Stone Canyon Phase III

Brian Kellogg with Kellogg Engineering said the roads are in the standards of the subdivision with 12 to 13 inch agg base. Bonds cover the roadway, drainage, infrastructure, and retention, basically anything, not just to the asphalt, to hold harmless Rogers County. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Acceptance/Approval of County Road South 4135 Road from East 470 Road to East 475 Road for County Maintenance-

Brian Kellogg stated this was not zoned. It did not go through the Planning Commission and there is no platting. We have a maintenance bond of \$37,500.00 for road improvements. Applicant was present and was satisfied with bonds. Commissioner Helm made a motion to approve with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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

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ITEM 12: TRANSFER OF FUNDS:

1. Transfer from Treasurer M & O to O.S.U. M & O - \$2500.00

Donna Patterson, OSU Director stated this was a correction on purchase order. Commissioner DeLozier made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Transfer from District 3 One Cent M & O to District 3 One Cent Capital Outlay-\$56,000.00,

Chairman Thacker referred back to awarding of bid in Item #7. Chairman Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Transfer from District 3 One Cent M & O to District 3 One Cent Capital Outlay-\$10,000.00

Chairman Thacker explained he is buying a cargo trailer and it was not bid because it was under \$10,000.00. Chairman Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 13: UTILITY PERMITS: None presented.

ITEM 14: CLAIMS: None presented.

1. Salaries
2. Attendant Care

ITEM 15: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - District 3- American Waste Control, Claremore Warehouse - \$750.00
 - District 3 –R & S Auto Parts, Claremore -\$500.00
 - District 3- American Waste Control, Inola Yard- \$1000.00
 - District 1 – American Waste Control - \$750/00
 - District 1 –R & S Auto Parts, Chelsea - \$350.00
 - Assessor-District #3 fuel -\$400.00

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

2. Orders Exceeding Amount of Issuance – none presented.

ITEM 16: GRANTS:

1. Appoint a list of authorized officials to prepare documents and submit information to The Oklahoma Department of Commerce for use in Rogers County grant programs using OKGrants. (Andy Armstrong)

Andy Armstrong informed the board that with the new year and new administrations, an updated list of authorized officials was required. He recommends Robin Anderson, County Clerk, as Agency Administrator, Chairman Thacker as Authorized Official, Angela Owens (per recommendation by Robin Anderson) as Financial Officer, and Christine Day as Viewer. Andy Armstrong will stay on as Grant Writer. Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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

1. Flintco, LLC – Application #18 - \$1,070,338.09 –

Steve Rumsey, Flintco, stated this was the monthly invoice. Chairman Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 18: AGENDA ITEMS:

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – Steve Rumsey with Flintco said they are working on the map on the first floor lobby, installing carpet on 2nd and 3rd floor offices, along with installing doors and hardware. We have the E-911 drawings ready and bid packets will be sent by January 31st. Discussion only.

2. Resolution 2013-4 to allow Rogers County to buy or sell Machinery and/or Equipment at the Statewide County Equipment Auction in Elk City, Oklahoma on Friday, March 18, 2013 and Saturday, March 19, 2013. (D 2)-****Correct dates are March 8th and 9th as stated on original resolution. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Resolution 2013-5 to allow Rogers County to buy or sell Machinery and/or Equipment at the Statewide County Equipment Auction in Pittsburgh County, Oklahoma on Saturday, September 21st,2013(D2)-

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

4. Resolution 2013-6 for Employee Deductible Reimbursement for 2013 (D3)

Jennifer Bentley, Human Resources Director, requested this item be tabled for one week (January 22, 2013). Chairman Thacker made a motion to table with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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5. Resolution 2013-7 accepting beneficial interest in the Rogers County Enhanced 911 Trust Authority for and on behalf of Rogers County, Oklahoma. (A.D.A. Iski)

Mr. Iski was not present. Janet Hamilton, E911 Director, requested this be tabled for one week (January 22, 2013). Chairman Thacker made a motion to table with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

6. Resolution 2013-8 concerning bridge inspection responsibility by local government for compliance with National Bridge Inspection Standards through Guy Engineering. (Comm.)

Discussion was held regarding this is where we picked the bridge inspector. Commissioner DeLozier made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried

7. Resolution 2013-10 declaring and authorizing and directing the Executive Director of the Board of Director of GGEDTA to execute loan and grant documents when necessary is both prudent and advisable. (D1)

Ed Crone, Grand Gateway Executive Director, stated the trust authority has received a grant to maintain and expand facilities. They will need to borrow \$175,000. The trust authority is in agreement. The interest rate has gone down and the payment will be lowered. This resolution authorizes the trust authority to go in debt. Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

8. Appointment of Kory Hollister to the Rogers County Cemetery Board. (D3)

Commissioner DeLozier questioned whether there would be a conflict of interest.

Mr. Hollister thought his involvement with the local cemeteries would be beneficial. Mr. Hollister, Hollister Monument Company, is the first one nominated. Chairman Thacker stated he would be District 3's appointment. Chairman Thacker made a motion to approve with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

9. Transfer employee Shelly Epperson, 911 Addressing Administrative Assistant to be under the direct supervision of Janet Hamilton, E-911 Director. (D2)

Commissioner Helm asked Janet Hamilton, E-911 Director if she approved this recommendation. She agreed. Commissioner Helm made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

10. 2012 Annual Salaries pursuant to Title 19 O.S. §444 (Publication of Proceedings Mandatory-Appropriation to cover cost mandatory). (County Clerk)

County Clerk Robin Anderson stated this was a state statute to publish salaries yearly in February. Chairman Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

11. Reimbursement form to One Cent Sales Tax, District #2, Resolution 2012-61, from Rural Water District #4 \$1002.29.

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

12. Reimbursement form to One Cent Sales Tax, Resolution # 2012-104 as follows:

- District # 3 – Assessor fuel reimbursement \$ 387.92****
- District # 2 – Assessor fuel reimbursement \$56.24
- District # 2 – Sheriff fuel reimbursement \$61.10
- District # 1 – Sheriff fuel reimbursement \$2,148.55

****Assessor fuel reimbursement was a duplicate and was not needed.

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

13. Resolution #2013-09 and reimbursement form to One Cent Sales Tax District # 3 from Planning Commission \$277.58

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

14. Discussion only concerning moving procedures into new courthouse. (County Clerk)
Discussion only on scenarios and possibilities of moving into new courthouse.

15. Discussion and possible action on entering into a MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF ROGERS COUNTY, OKLAHOMA AND THE OOLOGAH-TALALA EMERGENCY MEDICAL SERVICES DISTRICT for the purpose of appointing Kelly Deal-Director of Operations and Brandi Pond, MPH-Assistant Director to act, on an interim basis as the Emergency Management Director and Assistant Director for Rogers County until the BOCC has selected a permanent qualified Emergency Management Director.(D3)

Jennifer Bentley, HR Director, stated this is posted on the county website and advertised in the Tulsa World. Commissioner DeLozier made a motion to approve with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

16. Discussion and possible action to enter Executive Session pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (4), for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, to-wit: The Traveler's Claim # ESE 7222: Outside Plant Damage Recovery on behalf of Cox Communication; date of incident 2/10/2012; Location between 2261 & 2300 Wolf Run, Claremore. – (ADA Iski)

Commissioner DeLozier made a motion to enter executive session at 12:24 p.m. with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

17. Motion and Vote to Adjourn Executive Session and enter Regular Session –

Chairman Thacker made a motion to adjourn executive session and enter regular session at 12:45 p.m. with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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18. Discussion with possible action pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (4) regarding The Traveler's Claim # ESE 7222: Outside Plant Damage Recovery on behalf of Cox Communication; date of incident 2/10/2012; Location between 2261 & 2300 Wolf Run, Claremore.

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

19. Discussion and possible action to enter Executive Session pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (4), for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest, to-wit: The Traveler's Claim #ESE7082, Claimant: Southwestern Bell Telephone; Date of Incident: 10/25/2012; Location: HWY 20 and 4110 Rd. 1000 feet south on East side, Claremore, OK. (ADA Iski)

Chairman Thacker made a motion to enter Executive Session at 12:48 p.m. with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

20. Motion and Vote to Adjourn Executive Session and enter Regular Session —
Chairman Thacker made a motion to adjourn executive session and enter regular session at 12:53 p.m. with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

21. Discussion with possible action pursuant to Oklahoma State Statutes Annotated Title 25 § 307 (B) (4) regarding The Traveler's Claim # ESE7082, Claimant: Southwestern Bell Telephone; Date of Incident: 10/25/2012; Location: HWY 20 and 4110 Rd. 1000 feet south on East side, Claremore, OK.

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

******Note****the following items were discussed first before the Executive Session due to A.D.A. Iski being unavailable:**

**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-Maintenance
Director Ryan Baze did training on the generator for the new courthouse and spent 3 days to prepare stones to use on new courthouse and took out 5 trees for access.

d.) County Clerk – **e.)** Court Clerk – Court Clerk Kim Henry announced they are now locking the door that goes back to the office to be accessible to courthouse employees only. **f.)** District Attorney – **g.)** Election Board **h.)** Emergency Management – **i.)** Human Resources – **j.)** Information Technology

k.) Inspections/Planning Commission – Planning Commission Director Larry Curtis stated that he had completed the FEMA E273 floodplain training. **l.)** Judicial – **m.)** OSU Extension – **n.)** Sheriff **o.)** Treasurer

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 – 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)
Commissioner Helm made a motion to approve all purchase orders with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT: Commissioner DeLozier made a motion to adjourn at 12:54 p.m. with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

By: _____
Robin Anderson, Rogers County Clerk

(SEAL)

*Notice of said meeting was filed in the Office of the County Clerk on **Thursday, January 10, 2013, at 3:33 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.*