

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, February 11, 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 Kirt 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: February 4, 2013 and minutes of January 31, 2013 Special Meeting:
Commissioner Helm made a motion to approve the minutes and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 6: ANNOUNCEMENTS: County Clerk Robin Anderson reminded everyone that next Monday, February 18th is a holiday and the Board of County Commissioners would meet on Tuesday, February 19th.

ITEM 7: UNFINISHED BUSINESS: None presented.

ITEM 8: ZONING:
1. Public hearing with discussion and possible action for the Board of County Commissioners to apply for a Change of Zoning from C-2 to I-1 for the future E-911 Center located at 18930 S. HWY 88, Claremore, OK 74017.
Commissioner DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Public hearing with discussion and possible action on the request for zoning change from AR to C-2 that the intended use of the property, after rezoning, is for: Mini-Storage and Commercial Retail. APPLICANT: Highway 20 Corners L.L.C., CURRENT ZONING: AR. LEGAL DESCRIPTION: A tract of land located in the Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) of Section Ten (10) of Township Twenty-one (21) North Range Fourteen (14) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, thereof, Rogers County, Oklahoma. Containing 4.485 Acres. +/-.
ADDRESS: 14550 E. 116 St. North Owasso, OK 74055.
Commissioner Helm made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, Helm-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: None presented.

ITEM 13: UTILITY PERMITS:
1. Oklahoma Natural Gas Company, a division of ONEOK, Inc., P.O. Box 871. Tulsa, OK 74102-0871, ¾” natural gas pipeline, crossing North Wilderness Trail 1, 825’ north and 2, 030’ east of the SW/Corner of Section 36-Township 21 North-Range 14 East. Commissioner Helm made a motion to approve and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-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 #3 to R & S Auto Parts - \$500.00
 - Planning Commission to District #3 for fuel - \$750.00
 - Fair Board to Claremore Expo Center - \$2,000.00
 - District # 1 to County Building Center - \$100.00
 - Sheriff to Speedy Lube - \$ 500.00
2. Orders Exceeding Amount of Issuance – None Presented

ITEM 16: GRANTS:

1. Release of funds for the TMK/IPSCO Rail Spur (CDBG) Project at the Port of Catoosa, authorizing the Chairman to sign the Placement Plan and to submit the additional documentation from ODOC as part of the Release of Funds process. (Andy Armstrong and County Clerk)

Andy Armstrong stated there were no documents to sign regarding this item.

However, he did request permission to upload forms. Commissioner DeLozier made a motion to approve and Chairman Thacker seconded 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 #19 - \$889,969.40 –

Chairman Thacker made a motion to pay claim as presented and Commissioner Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

2. BKL, Incorporated invoice # 31 - \$ 20,460.00

Chairman Thacker made a motion to pay claim as presented and Commissioner Helm seconded 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 E-911 Center Projects –
B. J. Fay with Flintco reported the map is nearing completion on first floor. 3rd and 4th

floor are being painted. Starting the punch list. Commissioner DeLozier questioned if the Commissioners could join Flintco on the punch list walk thru. B. J. said they would welcome the Commissioners. Kim Reeve with BKL also stated they would prefer the Commissioners to be included in the punch list walk thru.

2. E-911 bid recommendations by Flintco – (Commissioner’s office)

B. J. Fay with Flintco presented the Board a letter of recommendations including the alternates. Steve Rumsey with Flintco stated these were all the low bids. Commissioner Helm questioned where the funds were coming from to purchase the generators and UPS system. ADA David Iski stated certain fees were restricted; however equipment was an approved expense from the E-911 funds. Commissioner DeLozier said he would work with John Williams on the electricity issue at the new E-911 site. B. J. stated Flintco can begin work without electricity but would prefer to have the electricity on-site before work is started. Commissioner Helm made a motion to approve the bid recommendations as presented and Commissioner DeLozier seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

3. Consideration of hiring Riggs, Abney, Neil, Turpen, Orbison, & Lewis, Inc. to review proposed E-911 Trust – (Commissioner’s office)

Commissioner DeLozier said this issue had been raised at the Criminal Justice Authority meeting. He felt Mr. Orbison needed to be involved in the review process. ADA Iski asked for guidance concerning the Independent Contractor’s Agreement for scope of services. Janet Hamilton, E-911 Director stated Muskogee County has an E-911 Trust. Iski felt this was a model trust. Commissioner DeLozier made a motion to approve and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

4. Von Drehle Corporation’s End-User Dispenser loan agreement with Grimsley’s Inc. and Board of County Commissioners – (Commissioner’s office)

Ryan Baze, Maintenance Director explained the agreement was a one (1) year contract with a one (1) year buy-out option. There is not a charge for the Dispensers as long as we use their products in the dispensers. Chairman Thacker made a motion to approve the agreement and Commissioner DeLozier seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

5. Resolution # 2013-13 to improve project execution and enable CBRI money to remain with the county. (County Clerk)

Chairman Thacker made a motion to approve the resolution as presented and Commissioner Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

6. Reimbursement and Resolution # 2013-14 to direct the Rogers County Treasurer, Cathy Pinkerton-Baker, to deposit reimbursed funds of \$180.00 into the General fund for cemetery restitution for District #1.

Commissioner DeLozier made a motion to approve resolution as presented and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

7. Reimbursement and Resolution # 2013-15 to direct the Rogers County Treasurer, Cathy Pinkerton-Baker, to deposit reimbursed funds from District # 2 Drawdown ET Revolving CD in the amount of \$10,000.00 to be deposited into the general fund, for distribution into Commissioner’s Office M & O 08-200 account.

**Page 3 – Minutes
Commissioner’s Meeting
February 11, 2013**

Commissioner Helm made a motion to approve the resolution as presented and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

8. Reimbursement and Resolution # 2013 –16 to direct the Rogers County Treasurer, Cathy Pinkerton-Baker, to deposit funds in the amount of \$52.00 from the Claremore Tag Agency into District # 3 One-cent Sales Tax Fund 83ST-200

Chairman Thacker made a motion to approve resolution as presented and Commissioner Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

9. Reimbursement and Resolution # 2012 -104 to direct the Rogers County Treasurer, Cathy Pinkerton-Baker, to deposit funds in the amount of \$17.64 for sheriff fuel reimbursement into 82ST-200

Commissioner Helm made a motion to approve the resolution as presented and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

10. Reimbursement and Resolution # 2012 –61 to direct the Rogers County Treasurer, Cathy Pinkerton-Baker, to deposit funds in the amount of \$820.95 for Rural Water District No.4 into 82ST-200

Commissioner Helm made a motion to approve the resolution as presented and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

11. Regarding the donation of some of the brick from the courthouse for the restoration of window facings in the Old Franklin Hospital Building – (D#1 DeLozier)

Karl Engle, Independent Artist, presented the Board with a request for brick from the present Courthouse. These bricks are the same color as the building he is restoring into an Art Gallery – Complex. ADA Iski stated an Independent Contractor’s Agreement would need to be executed. Commissioner DeLozier made a motion to have ICA at next meeting and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

NOTE: At this point Chairman Thacker moved to Item #19.

MEETING reconvened @ 2:01p.m by Chairman Thacker.

Chairman Kirt Thacker, Commissioner Dan DeLozier, and Commissioner Mike Helm were present and quorum established.

12. Discussion and possible action to enter Executive Session for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, as authorized by Title 25 O.S. § 307 (B) (1), to-wit: interviewing possible candidates for Emergency Management Director (D#1-DeLozier and D#2 Helm)

Commissioner Helm made a motion to enter Executive Session @ 2:02p.m.as allowed and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

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

Commissioner Helm made a motion to enter Regular Session @ 4:35p.m. and Chairman Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

14. Discussions and possible action with respect to the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: Emergency Management Director – Chairman Thacker made a motion to make an offer to a candidate contingent upon their acceptance. Commissioner Helm seconded the motion. Thacker asked Human Resources Director Jennifer Bentley to contact the candidate. Roll Call: Thacker – aye, DeLozier – aye, Helm – aye. Motion carried. Chairman Thacker made a motion to recess at 4:40 p.m. until further notice while Human Resources Director Bentley contacted the candidate and Commissioner Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried. Commissioner Helm made a motion to go back into session at 4:47 p.m. and Commissioner DeLozier seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried. Human Resources Director stated the candidate will let her know the decision before Friday, February 15th. Commissioner DeLozier made a motion to adjourn at 4:48 p.m. with Commissioner Helm seconding the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm –aye. Motion carried.

ITEM 19: MOVING PROCEDURES INTO NEW COURTHOUSE:

Jenny Bentley Human Resources Director, informed the Board a moving plan has been developed. During the next two weeks offices are encouraged to remove all personal items. Areas will be designated for shredding, disposal/recycle and trash. Tentative moving dates were discussed. All offices need to have their moving list to the moving committee by February 28th. Judge O’Quin said Judges would work with moving schedule. Questioned when the telephone service would be operational in new Courthouse. Discussion only – no action taken.

**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

**Page 4 – Minutes
Commissioner’s Meeting
February 11, 2013**

c – Ryan Baze, Maintenance reported still having trouble with an elevator. May have to call for repairs.

g – Julie Dermody, Election Board Secretary reminded everyone of in-person voting for the school board elections for Chelsea and Oologah. Also on the power surge their router was ‘fried’ and was acquiring a new router from the State.

h- Kelley Deal, Interim Director stated there is a chance for snow on Tuesday afternoon and rain on Wednesday. Discussed moving the EOC to the Sheriff’s Department after remodel of current space. Also a storm spotter’s class will be held at Tulsa County on February 16, basic and advanced. A basic class will be held in Rogers County on March 9.

i – Jenny Bentley Human Resource Director said all departments except three (3) have received the new handbooks and those are going to be distributed this week.

m – Donna Patterson, OSU Director announced an Ag Lender’s Conference is set for Thursday, February 14, from 10:00a.m. - 3:00p.m. at the County Building.

Commissioner Helm asked all departments to verify their inventory during this moving process. Make sure items that are on insurance and or inventory are actually listed or not. Christine Day, Commissioners Secretary will be the designated liaison between the County and Burrows Insurance Agency.

ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS: - None presented

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 – None presented

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

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, February 11, 2013***

Commissioner Helm made a motion to approve all purchase orders as presented and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, Helm-aye. Motion carried

NOTE: At this point Commissioner Helm made a motion to recess until 2:00p.m. and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, Helm-aye. Motion carried - Meeting recessed @ 11:08a.m. (See Item 18 – Agenda Item #12)

ITEM 25: RECESS OR ADJOURNMENT: Commissioner DeLozier made a motion to adjourn and Commissioner Helm seconded the motion. Roll call: Thacker-aye, Helm-aye. Motion carried. Meeting adjourned at 4:40p.m.

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, February 7, 2013, at 4:18 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.*