

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

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

DATE & TIME: Monday, March 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: The meeting was called to order at 9:00 a.m. by Chairman Thacker.

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: March 4, 2013- Commissioner Helm made a motion to approve the minutes and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 6: ANNOUNCEMENTS: Chairman Thacker introduced the new Emergency Management Director, Scott Stokes.

*******Chairman Thacker went to Item 16: Grants:1. at this point in the meeting*******

1. Acknowledgement of receipt of Emergency Management Performance Grant - \$6,687.75 for completed scope of work from October 1, 2012 to December 31, 2013 (Kelley Deal, Interim Emergency Management Director) – Kelley Deal, Interim Emergency Management Director, acknowledged receipt of this grant for scope of work from October 1, 2012 to December 31, 2012.

ITEM 7: UNFINISHED BUSINESS:

1. Recommendation of the Rogers County Courthouse Recommendations Committee regarding addressing of the new courthouse (Chairman Thacker and Judge Condren) - Judge Sheila Condren spoke for the committee and explained the first step will be for Chairman Thacker to send a formal request to the City of Claremore for the new courthouse address. Mayor Mickey Perry is going to intercede for them. Chairman Thacker made a motion for the board to approve for him to send a letter and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

2. Discussion and possible action of continuing service with Happy Time Vending for the new courthouse (Commissioner's office) - Chairman Thacker made a motion to approve them to continue service and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 8: ZONING:

1. Public hearing with discussion and possible action on the request for zoning change from RS-25 to RST-25 that the intended use of the property, after rezoning, is for: Placement of a Mobile Home on the Property. APPLICANT: Karen K. Nelson CURRENT ZONING: RS-25. LEGAL DESCRIPTION: The South 231 feet of the East 330 feet of the SE/4 of the SE/4 of the SE/4 of Section 27, Township 22 North, Range 16 East of the I.B.&M. Rogers County, Oklahoma, according to the U.S. Government Survey thereof. ADDRESS: 17940 S. 4170 Road, Claremore, OK 74019. (Planning Commission Director Larry Curtis) – Larry Curtis, Planning Commission Director, explained this went before the Planning Commission last week and was approved 5 to 2. Karen K. Nelson was present and there was no opposition present. Commissioner DeLozier made a motion to approve and Commissioner Helm seconded 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 C-2 to I-1 that the intended use of the property, after rezoning, is for: Construction of the E-911 Center and Supporting Antenna. APPLICANT: Rogers County Board of Commissioners CURRENT ZONING: C-2. LEGAL DESCRIPTION: A tract of land located in the SE/4 of the SE/4 of Section 31, Township 22 North, Range 16 East of the I.B.&M., according the U.S. Government Survey thereof, Rogers County, State of Oklahoma. ADDRESS: 18930 S. Highway 88, Claremore, OK 74017. (Planning Commission Director Larry Curtis) - Larry Curtis, Planning Commission Director, explained this went before the Planning Commission last week and was approved 7 to 0. The tower height needs to be increased for the E-911 Center. Commissioner Helm made a motion to approve and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 9: PLATS:

PAGE 2
COMMISSIONER'S MINUTES
MARCH 11, 2013

1. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for the E-911 Center. Applicant: Rogers County Board of Commissioners. Current Zoning: C-2. LEGAL DESCRIPTION: A Tract of Land located in the SE/4 of the SE/4 of Section 31, Township 22 North, Range 16 East of the I.B.&M., according to the U.S. Government Survey, thereof, Rogers County, State of Oklahoma. ADDRESS: 18930 S. Highway 88, Claremore, OK 74017. (Commissioner DeLozier) – Commissioner DeLozier stated the plat is being prepared by Brian Kellogg, Kellogg Engineering. No opposition. Commissioner DeLozier made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 10: ROADS & BRIDGES:

1. Discussion and possible action to enter into contract between Board of County Commissioners and Kellogg Engineering for District 2 regarding 193rd Culvert Project (D2) - Commissioner Helm stated this is over by Stone Canyon and Cooper Ranch. Commissioner Helm made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

2. Discussion and possible action for the Board of County Commissioners to accept as Grantor from Grantee, City of Claremore, a Utility Easement located in a part of the SE/4 of the SE/4 of Section 31 of Township 22 North and Range 16 East of the IB&M according to the U.S. Government Survey, thereof, Rogers County, State of Oklahoma (Commissioner DeLozier) - Commissioner DeLozier explained this is an easement for the 911 Center. Commissioner DeLozier made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

3. BR Funds – BR 77 Special Inspection Invoice # 66-6MO-13 for \$1,561.58 from Guy Engineering to Oklahoma Department of Transportation (County Clerk) - Robin Anderson stated this was sent over from Guy Engineering and read aloud the memo from them. Commissioner Helm explained this on a bridge they had to close. Commissioner Helm made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-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:

1. Oklahoma Natural Gas Company, boring, crossing Old Highway 33 approximately 1, 350' West and 240' South of the NE/Corner of Section 4 –Township 19 North – Range 17 East (D3) Chairman Thacker made a motion to approve and Commissioner Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

2. AT&T, trenching and boring, beginning approximately 40' East of the NW corner of Township 20 North, Range 16 East, Section 2: from 32' South of C/L, then under West Peterson Road then buried to 35' North of C/L, then buried West approximately 35'. (D 3) Chairman Thacker made a motion to approve and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 14: CLAIMS: None presented.

1. Salaries
2. Attendant Care

ITEM 15: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - Sheriff's Dept. to Comdata Mastercard for \$14,000.00
 - Rogers County District 2 to Bruckner Truck for \$2500.00
 - Rogers County District 3 to R&S Auto Parts for \$500.00
 - Rogers County District 3 to Wal-mart for \$100.00
 - Rogers County District 3 to American Waste Control for \$1000.00
2. Orders Exceeding Amount of Issuance – none presented.

ITEM 16: GRANTS:

1. Acknowledgement of receipt of Emergency Management Performance Grant - \$6,687.75 for completed scope of work from October 1, 2012 to December 31, 2013 (Kelly Deal, Interim Emergency Management Director) – ****NOTE**THIS ITEM WAS DISCUSSED EARLIER IN MEETING.**

2. Authorization for the Chairman of the BOCC to sign a certification of leverage regarding the Port of Catoosa/ IPSCO Rail Spur Project (Andy Armstrong) – Andy Armstrong explained there was a letter that needed to be signed by the Chairman and uploaded to OKGrants. Chairman Thacker made a motion to approve and Commissioner Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

3. Authorization for the Chairman of the BOCC to sign a monitoring response letter to the Department of Commerce for Rural Water District #3 Highway 88 water line (Andy Armstrong) - Mr. Armstrong discussed the items that needed to be in the file and that he was working with the District Attorney's staff on a Fair Housing Resolution. He has asked Jenny Bentley about getting the word out regarding the Fair Housing. Commissioner DeLozier made a motion to approve and Commissioner Helm 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 #20- \$485,707.94
2. BKL, Incorporated invoice # 32 - \$ 19,740.00 - Chairman Thacker made a motion to approve items 1 and 2 and Commissioner Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

PAGE 3
COMMISSIONER'S MINUTES
MARCH 11, 2013

ITEM 18: AGENDA ITEMS:

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – B.J. Fay, Flintco, announced they have started they have started the punch list, been working on owner training, and working on the grand staircase. On 911 Center, will be certifying the building pad tomorrow and proceed with the foundation. Kim Reeve, BKL, Inc., stated they are doing the punch list and with the 911 center, they are working on the submittals. Commissioner Helm asked Mr. Reeve about moving the EOC to the Sheriff's office. He stated they have reviewed the plan with the sheriff and Commissioner DeLozier and they are on track.

2. Change order #3 at \$0.00 cost to add west side concrete steps and ADA ramps at the new Rogers County Courthouse – Commissioner DeLozier asked about the cost. B.J. Fay answered part of it comes out of the Contractor's Contingency and part out of Owner's Contingency. Chairman Thacker made a motion to approve and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

3. Resolution authorizing the calling and holding of an election to approve the renewal of a one cent (\$0.01) county sales tax to extend the current one cent county sales tax for roads and bridges and to be made permanent to be effective on and after October 1, 2013 (Commissioners and ADA Iski) – Mr. Iski explained this was requested by Commissioner Helm. There were various comments and input from the audience including one from Chad Choate. Mr. Choate mentioned that he lived in District 3 and that Commissioner Thacker was doing an excellent job. Chairman Helm made a motion to make it a 5 year tax, not permanent, for the one-cent election and set the election date for May 14, 2013 with Chairman Thacker seconding the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

4. Discussion with possible action of appointing Larry R. Curtis (Planning Commission Director) the Floodplain Administrator for Rogers County. (Commissioner Helm) - Commissioner Helm stated because Mr. Curtis is the administrator of his office, he is making a motion to appoint him. Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

5. Discussion with possible action to adopt a new utility permit with fees and to appoint the Planning Commission Office as administrators of utility permits for Rogers County. (Commissioner Thacker) - Commissioner Thacker explained we are offering permits for free on different items. Mr. Curtis added that other counties are issuing fees and he would like to ensure the utilities are in place. Bonds and fixing of the roads were discussed. Tort claims, insurance, and dangers involved in cutting the lines were also discussed. Commissioner Helm told the board that the Corporation Commissioner had approved for Rogers Mills County's transmission lines. Larry recommended to table for one week and it not begin until the 1st. Commissioner DeLozier suggested that Cox, AT&T, water districts and utility companies be contacted so they can be here and voice their opinions. Commissioner Helm made a motion to table one week and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

6. Discussion with possible action for the Board of County Commissioners to ask the Sheriff's office to support the Planning Commission in their enforcement of local and state laws and regulations. (Commissioners) - Mr. Curtis explained the dangers of his department going out and meeting with individuals when enforcing laws. Jon Sappington, Undersheriff, discussed the Reserve Officer classes available. Commissioner Helm suggested he go through ACCO. Discussion followed. No action taken.

7. Discussion with possible action regarding concerns with access to bail bonds from the North side of the building due to recently installed gate (Sheriff's Department) – Mr. Sappington explained because of the gate being up now, there is no access. He is suggesting putting up a chain link fence by the sallyport and window to set up a secure area. Discussion but no action taken.

8. Discussion with possible action concerning purchase order #'s 209685, 303066, and 301761 from the Sheriff's department (Commissioners and ADA David Iski) – Mr. Iski explained the issues of the dates involved encumbering the P.O.'s. Commissioner Helm and Jon Sappington discussed the matter and the procedures. Mr. Sappington explained the radios were on state bid. Discussion ensued for the radios and the cameras. He agreed to correct it. Commissioner Helm made a motion to take what Jon has told us about this, that it was an oversight, and approve to pay all 3 purchase orders and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

9. Alarm monitoring contract by and between Board of County Commissioners and Endex, Inc. of Tulsa for the new Rogers County Courthouse (Commissioner's office) – Ryan Baze stated we are adding them for the new courthouse and we must do a new contract so we can have one for both buildings. B.J. Fay explained this is something we must have so the State Fire Marshall can issue us a certificate. Commissioner DeLozier made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

10. Open and award Bid #603 for Mobile Shelving (Court Clerk) – Kim Henry asked for this to be tabled one week. Chairman Thacker made a motion to approve and Commissioner DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

11. Resolution #2013-22 and Reimbursement form – Town of Talala fuel reimbursement \$335.01 to District #2 –

12. Resolution #2013-23 and Reimbursement form – Planning Commission fuel reimbursement \$320.17 to District #3 -

13. Resolution #2013-24 and Reimbursement form – Bobby Girten U.S. Cellular \$349.86 to Emergency Management Capital Outlay 40EM-400 –

14. Resolution #2012-56 and Reimbursement form – Sheriff fuel reimbursement \$44.66 to District #2

15. Resolution # 2012-61 and Reimbursement form – Rural Water District # 4 fuel reimbursement \$785.69 to District #2 - Commissioner Helm made a motion to approve Items 11 – 15 and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

16. Resolution for disposing of equipment – transfer – Remstar 125 serial #01.003409/001 from Assessor's office to Planning Commission (Assessor) - Commissioner DeLozier made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 19: MOVING PROCEDURES INTO NEW COURTHOUSE:

PAGE 4
COMMISSIONER'S MINUTES
MARCH 11, 2013

Rogers County Courthouse Scheduled Move- in dates, Phase I and Phase II schedule of individual office dates – (Commissioner's office) Jenny Bentley brought everyone up to date on the schedule.

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. E911 Administrator Janet Hamilton announced they had moved and thanked Ryan Baze and Brett Williston for assisting. **c.** Ryan Baze stated they were working on moving procedures and would be waxing floors in the new courthouse. **d.** Robin Anderson announced they had a record breaking day Monday and Wednesday for documents filed in the Clerk's office. **f.** Commissioner Helm asked Mr. Iski if they could go out for bids again on striping due to non-compliance. **g.** Roy Hancock stated the municipal elections are April 2nd. **j.** Brett Williston asked every department to please not make any changes in phone numbers assigned. **m.** Donna Patterson stated they are offering extension training.

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 – Various comments from the public and local newspapers were heard.

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) Chairman Thacker made a motion to approve payment of all purchase orders and Commissioner Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

ITEM 25: RECESS OR ADJOURNMENT: Chairman Thacker made a motion to recess at 10:50 a.m. and Commissioner Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried. Chairman Thacker made a motion to call the meeting back to order at 11:24 a.m. with Commissioner DeLozier seconding the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried. Chairman Thacker made a motion to adjourn the meeting at 12:35 p.m. with Commissioner Helm seconding the motion. Roll call: Thacker-aye, Helm-aye. Note***Commissioner DeLozier had left the meeting earlier. Motion carried.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA
By: _____

(SEAL)

Robin Anderson, Rogers County Clerk

*Notice of said meeting was filed in the Office of the County Clerk on **Thursday, March 7, 2013, at 4:33 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 website.*