

**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, April 1, 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:** April 1,2013 - Commissioner Helm made a motion to approve and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

**\*\*\*AT THIS POINT,** Commissioner Helm made a motion to recess the meeting and Chairman Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried. **THACKER RECESSED THE MEETING AT 9:11 A.M. FOR THE CDBG HEARING\*\*\***SINCE THE HEARING WAS SEPARATE FROM THE BOCC MEETING, COMMISSIONERS DELOZIER AND HELM EXITED THE ROOM. ANDY ARMSTRONG CONDUCTED THE HEARING.

**\*\*\*MEETING WAS CALLED BACK TO ORDER AT 9:15 A.M. BY THACKER.** Thacker, DeLozier, and Helm were present and quorum established.

**Chairman Thacker then moved to Agenda item # 2.** Bob Portiss, Port Director, gave a presentation and update on the Port.

**ITEM 6: ANNOUNCEMENTS:** None presented.

**ITEM 7: UNFINISHED BUSINESS:**  
1. Recommendation of the Rogers County Courthouse Recommendations Committee regarding addressing of the new courthouse (Chairman Thacker and Judge Condren) – Thacker stated this was inadvertently put on the agenda.  
2. Discussion and possible action regarding demolition of courthouse and auctioning of courthouse items (Dist.1) **\*\*\*Note\*\*\***this item will be an ongoing item of discussion each week – Commissioner Helm announced he had spoken with Mike Graham Auctioneers about the auction.  
3. Discussion and possible action with insurance broker regarding inventory and insurance procedures (Commissioner Helm/ Christine) – **\*\*\*Note\*\*\***this item was tabled from March 18, 2013- Christine Day presented the board with the standard operating procedure. Helm added that the commissioner’s office will be the hub to keep up with which vehicles are insured. Each elected official will be responsible with reporting who is driving which vehicle.

**ITEM 8: ZONING:** None presented.

**ITEM 9: PLATS:** None presented.

**ITEM 10: ROADS & BRIDGES:**  
1. Winganon Causeway J/P 25524 (05) - DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

**ITEM 11: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:**  
1. 101- T-Highway  
2. 105- County Bridge & Road Improvement Fund – CBRIF  
Thacker made a motion to approve and Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

**ITEM 12: TRANSFER OF FUNDS:**  
1. District 3 83T-110 T-Highway to 83T-200 M&O - \$1,000.00  
2. District 3 83T-400 Capital Outlay to 83T-200 M&O - \$1,700.00  
3. District 3 83T-130 T-Highway Travel to 83T-200 M&O - \$1,800.00  
Thacker made a motion to approve and Helm seconded 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 –  
➤ Sheriff to Correctional Dental Services \$2000.00  
➤ Sheriff to Westwood Pharmacy \$3,000.00  
➤ Sheriff to Saint Francis Outreach Services \$2,000.00  
➤ Sheriff to PHS Mobile X-ray \$600.00  
➤ Sheriff to Saint Francis Outreach Services \$1,200.00  
➤ Sheriff to Medical Compliance Specialty, Inc. \$400.00  
➤ Sheriff to Westwood Pharmacy \$6,000.00  
➤ Sheriff to Froman \$1000.00  
➤ Sheriff to Sysco Foods \$3,800.00  
➤ Sheriff to Performance Food Group \$6,000.00  
➤ Sheriff to U.S. Foods \$800.00  
➤ Sheriff to Bimbo Bakeries \$1,200.00  
➤ Sheriff to Warehouse Market \$250.00  
➤ Sheriff to Farmers Brothers Coffee \$200.00  
➤ District 3 to Ameriflex \$500.00  
➤ E911 to Froman \$400.00  
➤ Emergency Management to Froman \$500.00  
➤ Sheriff to Comdata \$17,000.00  
➤ Sheriff to Speedy Lube \$500.00  
➤ Sheriff to District 1 \$3,000.00

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

2. Orders Exceeding Amount of Issuance - None presented.

**ITEM 16: GRANTS:** None presented.

**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 – Kim Reeves stated they were going through the last of their punch list today and was providing manuals for everything. B.J. Fay added they are marking items off the punch list and setting the hand rails. Cox has been at the 911 Center. There will be a meeting in Sheriff's office to insure there are no issues. Helm asked Kim for a copy of the spreadsheet showing what each office is required to do.

2. Update on Port and Waterway Development and Shipping Activities – (County Clerk/ Bob Portiss, Port of Catoosa Director) This item was addressed earlier in the meeting.

3. Discussion of going out for bids or utilizing state contract pricing for dispatch furniture (Chairman Thacker/Janet Hamilton)- Ms. Hamilton stated that time was important for bidding and asked the commissioners if she should go with the state contract or do bidding. Discussion was held regarding the budget. Commissioner Thacker suggested she look at the state contract.

4. Lease Purchase Agreement for Equipment – Caterpillar D6N 4XLPat Dozer (District 3) Thacker made a motion to approve and Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

5. Open and Award Bid #610 – Laid Asphalt 3 month bid – Discussion was held about some of the bids coming in on Friday which was a holiday and one bid came in this morning. Mr. Iski stated they were acceptable because this is the first business day after a holiday. Helm made a motion to go with closest and first available and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

6. Discussion and possible action for approval to move forward with Grand Gateway regarding update of county hazard mitigation plan ( Scotty Stokes) - Rick Dubois, Grand Gateway, was present and spoke about going back and forth with FEMA and no cash outlay. DeLozier made a motion to go forward and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

7. Discussion and possible action to sign documents between Claremore Land, L.L.C. and Rogers County (Commissioner DeLozier) – Mr. Iski explained this is for IRS purposes. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

8. Discussion and possible action regarding independent contractor agreement between Board of County Commissioners and Peak Methods, Inc. – This agreement was regarding the election board and there was no representative present. Thacker made a motion to table one week and Helm seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

9. Reimbursement and Resolution # 2012-58 to deposit funds of \$649,040.12 into 82ST-200 one cent sales tax fund and \$100,000.00 into 82ST-400 one cent sales tax fund- FEMA Reimbursement Dist.# 2 - Helm made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

10. Reimbursement and Resolution # 2012-56 to deposit funds of \$1,547.91 into District One 81 ST-200 one cent sales tax fund for sheriff fuel reimbursement- DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried.

11. Discussion and possible action to enter an Executive Session pursuant to Okla. Stat. Ann. tit. 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: Basler v. Material Services of Oklahoma, Inc. et al, Rogers County Case no. CJ-2013-168 – After recommendation by Mr. Iski to the board, Helm made a motion to enter executive session at 10:04 a.m. and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried

12. Motion and Vote to Adjourn Executive Session and enter Regular Session - Helm made a motion to exit executive session at 10:17 a.m. and enter regular session and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried

13. Discussion with possible action pursuant to Okla. Stat. Ann. tit. 25, § 307 (B) (4) regarding Basler v. Material Services of Oklahoma, Inc. et al, Rogers County Case no. CJ-2013-168 – Thacker made a motion to direct the District Attorney to answer the petition and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye, Helm-aye. Motion carried

**ITEM 19: MOVING PROCEDURES INTO NEW COURTHOUSE**

Rogers County Courthouse Scheduled Move- in dates, Phase I and Phase II schedule of individual office dates – Jenny Bentley announced Ryan Baze will be taking furniture tags around to the offices this week and that everyone should be packing.

**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. Janet Hamilton announced there will be a meeting at her new office with the trust. Thacker asked her when she will present a document. She answered Mr. Orbison, the trust's attorney, is working on it. There was no meeting last week due to lack of a quorum. Thacker stated that March 18<sup>th</sup> was the deadline and he asked if she could present it next Monday.

c. Robin Anderson introduced her new First Deputy, Teresa Jackson. Teresa is a retired County Clerk of 24 years.

k. Larry Curtis announced that in March there were 42 new building permits issued for a total of \$8,144,000.00. Discussion was held regarding AT&T, Cox, and other utilities responses to the newly enacted permit fees.

**ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS:**

**1.** Grand Gateway Economic Development Association check of \$24,722.65 –E911 fees

**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 – Salesha Wilken asked about the lawsuit discussed in executive session. She then asked about the check from FEMA. Helm stated it was from DR1754 and it was an ongoing project. She also asked about the T-Highway money and Thacker answered it was done on a monthly basis.

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

**ITEM 25: RECESS OR ADJOURNMENT:** DeLozier made a motion to adjourn at 11:15 a.m. and Helm seconded 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 **Wednesday, March 27, 2013, at 5:34 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.*

