

**NOTICE OF REGULAR MEETING**

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

**PLACE:** Rogers County Courthouse, Commissioner's Meeting Room,  
200 South Lynn Riggs Boulevard, Claremore, OK

**DATE & TIME:** Monday, June 10, 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 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. Commissioner Mike Helm was absent.

**ITEM 3: PLEDGE OF ALLEGIANCE:** Commissioner DeLozier led the salute and Pledge of Allegiance to the American flag.

**ITEM 4: INVOCATION:** Chairman Thacker said a prayer.

**ITEM 5: APPROVE/DISAPPROVE MINUTES:** June 3, 2013 regular meeting and June 6, 2013 Special Meetings – Thacker made a motion to approve the June 3, 2013 minutes and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.  
**\*\*Note\*\***Paul Johannig, Johannig and Byrom, P.C. is preparing the minutes for the June 6, 2013 special meetings and they had not submitted them.

**ITEM 6: 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 7: ANNOUNCEMENTS:** Scotty Stokes, Emergency Management Director, announced he has cards for the Emergency Alert System.

**ITEM 8: UNFINISHED BUSINESS:**  
1. Discussion and possible action regarding updates on auctioning of courthouse furniture, items, and building at 219 S. Missouri **\*\*\*NOTE\*\*\*this item was tabled from June 3, 2013** – Ed Vierheller, Mr. Ed's Auction, presented the board with his ideas regarding an auction. DeLozier made a motion to table one week and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.  
2. Discussion and possible action regarding presentation of draft application for payment by the Board of County Commissioners for Rogers County, State of Oklahoma for indigent cremation (Commissioner Helm) **\*\*\*NOTE\*\*\*This item was tabled from May 20<sup>th</sup> and May 28, 2013.** – David Iski, Assistant District Attorney, pointed out the only change is tribal affiliation. DeLozier stated it should be filled out by the indigent or the funeral home, then the Sheriff's Department will take it. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.  
3. Discussion and possible action regarding awarding Bid # 615- Drilled Shaft Borings**\*\*\*NOTE\*\*\*This bid was opened and tabled on June 3, 2013.** DeLozier made a motion to award the only bid to Tulsa Pier Drilling and Thacker seconded the motion.  
4. Discussion and possible action regarding awarding Bid #612 – Communications Tower, Radio, and Communications Tower and Radio Combination **\*\*\*NOTE\*\*\*This item was opened and tabled on May 28, 2013.** Janet Hamilton, E911 Director, asked for this to be tabled. Thacker made a motion to table until further notice and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 9: ZONING:** None presented.

**ITEM 10: PLATS:**  
1. Public hearing with discussion and possible action on the request of Final Plat Approval for *The Woodlands at Weston Park*. Applicant: Brett D. Knapp Properties LLC. Current Zoning: RS-30. LEGAL DESCRIPTION: A SUBDIVISION CONTAINING A PART OF THE S/2 OF THE SW/4 OF SECTION 13 TOWNSHIP 21 NORTH RANGE 15 EAST OF THE I.B.&M., ROGERS COUNTY, OKLAHOMA. – Planning Commission Director Larry Curtis stated the applicant will be purchasing a bond for infrastructure so this won't be recorded until bond is approved. It was approved by the Planning Commission 7-0. Mac Greever, Attorney for Applicant, said the plat will be used by numerous people. The only unusual thing is the bond for the roads and will be in place before the plat. The bond amount will be based upon the estimated cost of asphalt. There was no opposition. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 11: ROADS & BRIDGES:**  
1. Resolution to Request Programming of Tulsa Urbanized Area Surface Transportation Funds for 1 mile of roadway, grading, and drainage improvement project for Blue Starr Drive between State

Highway No. 88 and Clubhouse Road. Located in Sections 6 and 7, T-21-N, R-16-E, I.B.& M., Rogers County, Oklahoma (District 2) – Brian Kellogg, County Engineer, spoke about the project being an STP grant being a joint venture with the City of Claremore. There is a preliminary set of plans put in place for a budget and need an approval by the board to submit the application. The estimated cost is \$2.2 million. The City of Claremore owns all the utilities except for the gas. It will be a super two lane road. Discussion was held concerning the selection process and that the application stands alone. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

2. Discussion and possible action of declaring the following roads in Rogers County as Major Collectors: (District 2)

- a. S. 4050 Rd. (161<sup>ST</sup>) from E. 520 Rd. (76<sup>Th</sup>) north to E. 450 Rd. (146<sup>Th</sup>) west to S. 4040 Rd. (145<sup>Th</sup>) Rogers/Tulsa County Line.
- b. S. 4060 Rd. (177<sup>Th</sup>) from SH-266 north to E. 470 Rd. (126<sup>Th</sup>) west to S. 4040 Rd. (145<sup>Th</sup>) Rogers/Tulsa County Line.
- c. E. 510 Rd. (86<sup>Th</sup>) from N. 4040 Rd. (145<sup>Th</sup>) Rogers/Tulsa County Line east to S. 4060 Rd. (177<sup>Th</sup>).
- d. S. 4070 Rd. (193<sup>Rd</sup>) from SH-266 north to E. 520 Rd. (76<sup>Th</sup>) west to S. 4040 Rd. (145<sup>Th</sup>) Rogers/Tulsa County Line.
- e. S. 4120 Rd. (Lone Elm) from SH-20 north to E. 480 Rd. (Blue Starr) east to SH-66. - Brian Kellogg, County Engineer, explained that ODOT every few years is tasked with the Federal Highway Administration to assess the major collectors. He has prepared one single letter to ODOT and there does not have to be a resolution. ODOT will review site applications. Discussion was held regarding the locations of the roads, eligibility for federal funds, and that major collectors are not eligible for FEMA funds.

DeLozier made a motion to declare these roads as Major Collectors and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 12: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:**

1. 101 T-Highway \$254,890.97
2. 105 CBRIF \$21,187.60
3. 003 Courthouse Bond Projects \$55,821.00
4. 101 T-Highway \$10,740.54
5. 012 RCEFA \$3,225.00

DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried. **\*\*\*NOTE\*\*\*** At the Excise Board later in the day, it was discovered by Teresa Jackson, First Deputy, that the 101 T-Highway amount of \$10,740.54 was also listed in the 101 T-Highway amount \$254,890.97 so the \$10,740.54 amount on Item #4 is cancelled to avoid a duplication.

**ITEM 13: TRANSFER OF FUNDS:**

1. General Fund to Sheriff's Jail Salaries 04SJ-110 \$135,192.58
- General Fund to Sheriff's Jail Part-time Salaries 04SJ-113 \$10,000.00
- General Fund to Sheriff's Jail M&O 04SJ-200 \$10,000.00

**\*\*NOTE\*\*This item was tabled from May 28, 2013\*\***

DeLozier made a motion to table one week until after the Criminal Justice Authority meeting on June 11<sup>th</sup> and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

2. General Fund 20-402 to 20-200 \$190,000.00 – County Clerk Robin Anderson explained this is to cover employee benefits. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

3. General Fund 19-200 Computer M&O to 19-110 Computer Salaries \$300.00  
DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

4. 22-110 Personal Services \$3,370 to 22-200 M&O and 22-110 Personal Services to 22-400 Capital Outlay \$2,630.00 (Election Board) - DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

5. 22-110 Personal Services \$5,077.00 to 22-200 M&O and 22-110 to 22-400 Capital Outlay \$1,023.00 (Election Board) After review, Julie Dermody stated she wanted to table this. Mr. Iski said she could not table it. She then said she would cancel it. DeLozier made a motion to strike from the agenda and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 14: UTILITY PERMITS:**

1. Rural Water District 5 – pushing/boring – Cross NS4110 Road approximately .35 miles of North of Highway 20 or further described as 2000 feet north of the SE Corner of Sect. 10, Township 21N, Range 15E, Rogers County (District 2)

2. Rural Water District 3 – trenching – Parallel N/S 4170 of E/W 360 and further described as going 770 feet North of the SE Corner of Sect.3, Township 23N, Range 16E, Rogers County (District 1)

3. ONG – boring – Cross North 193<sup>rd</sup> Avenue East approximately 1.45 miles north of S.H. #266 & S.H. #167 Junction and further described as 1, 520 feet north of the SW Corner of Sect. 31, Township 21N, Range 15E, Rogers County (District 2) - Thacker made a motion to approve Items 1-3 and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 15: CLAIMS:** None presented.

1. Salaries
2. Attendant Care

**ITEM 16: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –
  - Sheriff to O'Reilly's \$500.00
  - Sheriff to Speedy Lube \$500.00
  - Sheriff to Comdata \$15,000.00

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

2. Orders Exceeding Amount of Issuance – None presented.

**ITEM 17: GRANTS:** None presented.

**ITEM 18: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:**

1. Flintco, LLC – Application #24 – Courthouse - \$51,162.00
2. Flintco, LLC – Application #03 – E911 - \$235, 940.87

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

**ITEM 19: AGENDA ITEMS:**

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – B.J. Fay, Flintco, brought reported the rough-ins and the sheetrock were finished on the 911 Center. The firepump is scheduled to be here June 22<sup>nd</sup>. Kim Reeve, BKL, stated that B.J. had given him the submittals.

2. Open and award Bid # 616 Communications Radio ( E911)- Bids were opened. There were 4 sent, 1 received, and 0 undeliverable. Thacker made a motion to table for 2 weeks and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

3. Discussion and possible action regarding submitting a claim to Traveler's Insurance for payment of election expenses due to a voided election (Thacker) – Dave Burrows, Burrows Insurance Agent, stated this was an unofficial inquiry without any official statement and recommends someone compose a letter to Travelers. They will then give an official statement if there is coverage. Thacker agreed to be the contact person. Thacker made a motion to submit a claim to Traveler's and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

4. Discussion and possible action regarding Detention Services agreement between State of Oklahoma Office of Juvenile Affairs and the Board of County Commissioners of Rogers County - Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

5. Discussion and possible action regarding Detention Services Agreement by and between ROCMND Area Youth Services, Inc. operating the Craig County Juvenile Detention Center and the Board of County Commissioners of Rogers County - . Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

6. Discussion and possible action regarding Independent Contractor Agreement between Charles McCaskey (C & M Landscape) and Board of County Commissioners on behalf of the Health Department - Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

7. Discussion and possible action regarding Independent Contractor Agreement between Robyn Harris and Board of County Commissioners (Health Department) – Thacker read a note from David Iski attached that this contract needs an insurance statement. Mary Beth Murray stated she would get it in their hands. DeLozier made a motion to approve until October 15<sup>th</sup> and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

8. Discussion and possible action regarding Independent Contractor Agreement between Fran Hrdlicka and Board of County Commissioners (Health Department) - Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

9. Discussion and possible action regarding Independent Contractor Agreement between Darryl Reed and Board of County Commissioners (Health Department)- Thacker made a motion to approve until October 15, 2013 and then the contract needs to be resubmitted and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

10. Discussion and possible action regarding Independent Contractor Agreement between Lynn Robinson and Board of County Commissioners (Health Department) – Thacker made a motion to disapprove due to the fact there was no insurance statement and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried to disapprove.

11. Discussion and possible action regarding Independent Contractor Agreement between Celene Windle and Board of County Commissioners (Health Department) - DeLozier made a motion to approve and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

12. Discussion and possible action regarding Worker's Compensation insurance renewal quotes from Association of County Commissioners – DeLozier made a motion to table for one week and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

13. Discussion and possible action regarding National Association of Counties dues for 2014 \$1,505.00 - DeLozier made a motion to table for one week and Thacker seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

14. County Clerk's Cashbook and Summary Report for May 2013 - Thacker made a motion to approve and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

15. Discussion and possible action to enter 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: Claim filed by Tammy Davidson. – Thacker asked Mr. Iski about entering executive session and Mr. Iski recommended to allow them to enter. Thacker made a motion to enter Executive Session at 9:58 a.m. and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

16. Motion and Vote to Adjourn Executive Session and enter Regular Session- Thacker made a motion to exit Executive Session at 10:21 a.m. and enter Regular Session and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

17. Discussion and Possible Action Regarding Executive Session Item – Thacker made a motion to deny the claim and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**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 the Advisory Board is meeting this week.

**h.** Scotty Stokes reminded that the summer temperatures are here and asked the Commissioners to help him by keeping their workers hydrated.

**j.** Brett Williston announced he had received confirmation from AT&T that all 68 numbers from the old courthouse had been disconnected. The main number for the new courthouse is 918-923-4400.

**m.** Donna Patterson stated they are doing honey locust research to try to eradicate them.

**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 – Salesha Wilken asked questions regarding Bid#615 and the cost. DeLozier explained it was for a bridge out by Happy Lake. She asked if Helm had a drilling machine that could take care of this. DeLozier answered no and explained it takes a special machine. She also asked about major collectors and if 177<sup>th</sup> was a dead-end road at the golf course and if it's a section line road. DeLozier answered ODOT won't approve all of them. She then asked questions regarding the shortfall for the Criminal Justice Authority and Worker's Comp with ACCO. DeLozier said they usually have the best price and we can go out for bids but doesn't think we can find any cheaper.

**ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:**

(Materials, Supplies, Parts, Groceries & Prescriptions) - Thacker made a motion to approve payment of all purchase orders and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. Motion carried.

**ITEM 24: RECESS OR ADJOURNMENT:** Thacker made a motion to adjourn at 11:36 a.m. and DeLozier seconded the motion. Roll call: Thacker-aye, DeLozier – aye. 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, June 6, 2013, at 5:46 p.m. and posted on the front door entrance to the courthouse and on the county website.*