

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

PLACE: Rogers County Courthouse, Commissioner's Meeting Room
200 S. Lynn Riggs Blvd., Claremore, OK

DATE & TIME: Monday, September 9, 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:** 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:** DeLozier led the salute and Pledge of Allegiance to the American flag.
- ITEM 4: INVOCATION:** Helm said a prayer.
- ITEM 5: APPROVE/DISAPPROVE MINUTES:** September 3, 2013 and September 4, 2013 Special Meeting -
Helm asked if Agenda Item #19 – 4 had been corrected about having a resolution to dispose of equipment listed twice. Robin Anderson, County Clerk, stated it had been corrected. Helm made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
- 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 –
Jenny Bentley, Human Resource Director, reported she had received paperwork on Friday for the Senior Health Care Plan Renewal for the retirees and it had to be signed by today. DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
- ITEM 7: ANNOUNCEMENTS:** None presented.
- ITEM 8: UNFINISHED BUSINESS:**
1. Discussion and possible action regarding the follow up E-911 addressing establishment of accounts – Helm - *****NOTE***** This item was tabled from August 12, 2013, August 19, 2013, August 26, 2013, and September 3, 2013.
There was a discussion on which funds the money would come out of to pay for dispatchers salaries and Thacker stated this could be done later on the Agenda item. No action was taken.
2. Open and award bid #624- Dispatch Protocol – Emergency medical dispatch, emergency fire dispatch, and emergency police dispatch for the Rogers County consolidated dispatch center (5) workstations – Janet Hamilton *****NOTE***** This item was tabled from August 12, 2013, August 19, 2013, August 26, 2013, and September 3, 2013.
Janet Hamilton recommended they award the bid to Power Phone for \$54,917.50. Hamilton advised there was a lower bid of less than \$30,000.00 but that did not include the data entry and it would end up costing more if they had to do the data entry. Hamilton reported there was a higher bid of \$117,000.00. DeLozier made a motion to approve the bid to Power Phone and Helm seconded the motion. Counsel advised the motion needed to include why it was not awarded to the lowest bidder. DeLozier amended his motion to award the bid to Power Phone because the low bid did not include data entry and would cost more and Helm amended his second motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
3. Voice Products Service, LLC – Mirra IV Recording System Additions – Janet Hamilton - *****NOTE***** This item was tabled from August 26, 2013 and September 3, 2013.
Hamilton reported this was for moving and re-installation of software. She said she had received a quote from a vendor of \$5,200.00. DeLozier asked if it would be paid out of the bond fund and Hamilton stated it would.
DeLozier made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
4. Discussion and possible action in regards to employee payroll accounts – Human Resources - *****NOTE*****This item was tabled from September 3, 2013.
Jenny Bentley reported this was a housekeeping issue, if paid, would come out of the cash account. Thacker stated there would be no action taken until the Agenda Item later in the meeting.
- ITEM 9: ZONING:**

1. Public Hearing for Notice of Appeal filed by Applicant – Johnie L. Neely – present zoning Residential/RT. The present use of the property is mobile homes/RVs – zoning request C4 with intended use recreational vehicles – long term- no longer than 180 days – Legal Description: The W ½ of SE ¼ of NE ¼ and SW ¼ of NE ¼ and E ½ of SE ¼ of NW ¼ of Section 28, Township 20, North Range 15 East containing 60 acres more or less, according to the US Government survey thereof.

Thacker announced the rules for the Public Hearing. Larry Curtis, Planning Commission Director advised this had gone before the Planning Commission and it had been denied by a 4-2 vote. Applicants Johnie Neely and Mike Neely, 6471 E. 574 Rd. Catoosa, Ok 74015, addressed the Board and stated they were wanting to put in a small RV park to utilize their property. Pat McCann, Aubrey Metcalf Sr., David Bensch, and Matt Ward were in opposition and addressed their concerns about the tenants, sewage, property taxes, trash, increased traffic, noise, and resale value of homes if the RV park was allowed to be put in. There was a discussion about the flood plain, getting the land surveyed again, and zoning. Thacker said the RV park was not a problem, the issue was the the 60 acres. Thacker asked if they could reduce the size of the park for the zoning. The Neelys stated they spent a lot of money on their land and would do whatever was necessary to get the park going including a survey. Curtis was concerned that if they spent money on a survey, they could be denied again. Thacker advised they could bring this back with a legal description. Thacker made a motion to table until November 4, 2013 and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 10: PLATS: None presented.

ITEM 11: ROADS & BRIDGES:

1. Approval of 8 year CIRB Project Plan – Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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

1. 003 Courthouse Bond Proceeds
2. 008 Cobra
3. 101 T-Highway
4. 105 CBRIF
5. 113 Property Resale
6. 114 Emergency Management
7. 115 Health Department
8. 119 Sheriff Civil Fees
9. 121 County Clerk Lien Fees
10. 122 Treasurer Cert. Fees
11. 124 County Clerk Preservation
12. 127 Sheriff Commissary
13. 128 Courthouse SEC/SHRF Fees
14. 129 Sheriff Courthouse Secure
15. 131 Law Library
16. 135 Criminal Justice Authority
17. 137 Sheriff Jail
18. 140 Wireless Prepay 911 Fee
19. 141 Wireless Services
20. 142 E-911 Addressing
21. 147 Drug Court Contract
22. 148 Drug Court Participant
23. 175 Assessor Revolving
24. 180 Court Clerk Revolving

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

ITEM 13: TRANSFER OF FUNDS: None presented.

ITEM 14: UTILITY PERMITS:

1. Cox Communications Oklahoma – Bore - To cross county highway or local road E. Twin Creeks Drive Approximately .12 miles of N 470RD and further described as 691 feet east of the E Twin Creeks Drive Corner of Section 1 Township 20 N Range 14E Rogers County – District 2 –
2. RWD#3 Rogers County– Bore - To cross county highway or local road NS 4095 Approximately 0.375 miles of North of EW 480 & NS 4095 Junction and further described as 1980 feet North of the South 1/4 Corner of Section 4 Township 21N Range 15E Rogers County – District 2 –
3. Oklahoma Natural Gas – Bore -To cross County Highway or Local Road East 79th Street North Approximately 3.30 miles east & 0.45 miles north of S.H. #135 & S.H. #169 Jct. and further described as 2,310 feet north & 1,760 feet east of the Southwest Corner of Section 26 Township 21N Range 14E Rogers County – District 2 –

Helm made a motion to approve 1 – 3 together and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 15: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – None presented.

ITEM 16: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - District #3 to Lowes for \$500.00
 - Assessor to District #3 for fuel \$500.00

Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-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. BKL, Incorporated Invoice #38 for \$2,000.00 –

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

ITEM 19: AGENDA ITEMS:

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – Kim Reeves reported the work on the E911 center was wrapping up and they had met with several companies. He stated the EOC was complete and they are proceeding with the plaza work.
2. Presentation by VFW Commander, Bill Richey, regarding brick paver sales for the Courthouse Plaza - ***NOTE*** He was unable to attend the last meeting – Mr. Richey was unable to attend again this week.
3. Discussion and possible action regarding standard rental service agreement by and between Cintas and Rogers County District #3 –

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

4. Resolution for Disposing of Equipment, District #2, 1988 Kenworth, Serial #1XKAD9X2KS518837 – To be sold at auction in McAlester on September 21, 2013 -
5. Resolution for Disposing of Equipment, District #2, 2006 John Deere Backhoe, Serial #TO310SG9547403 – To be sold at auction in McAlester on September 21, 2013 -
6. Resolution for Disposing of Equipment, District #2, Asphalt Zipper & Tandem Axle Electric Trailer, Serial #5000173/109FS082274023973 – To be sold at auction in McAlester on September 21, 2013 –

Helm made a motion to approve items 4, 5, and 6 together and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Helm made motion to recess for 5 minutes at 10:00 a.m. and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Thacker called the meeting back to order at 10:08 a.m. Roll Call: Thacker-present, DeLozier-present, Helm-present and quorum established.

7. Discussion and possible action in regards to issuing key cards for Claremore Police Department and other law enforcement agencies – Jon Sappington –

Sappington explained when all the officers were on calls and could not be of assistance to the courthouse, other law enforcement people needed access to help out in case of an emergency. He said the Fire Department had access to the courthouse and some OHP but he would like for all the law agencies to be able to access the courthouse if needed. He said they had access to the knox box but he did not think that would work in an emergency. There was a discussion about who had access to the courthouse and the restrictions and security level they had. Jenny Bentley stated the Judges had their own cleaning crew and gave them access to the offices upstairs and that she is the one that issues the keycards. Aljer Flud asked why a cleaning crew had been in the courthouse at 2:00 a.m. Thacker stated they were trying to find out who was responsible for letting them in and asked if there should be an investigation done. Thacker stated the cleaning crew employees were under Ryan and only had access to the hallways. Thacker said if one of the Judges gave the cleaning crew their keycard, then it needed to be taken away. Helm stated there must be agreements the Commissioners knew nothing about. Teresa Jackson asked about the doors being locked at 5:00. She was concerned with working late and people having access to the courthouse. Thacker reported meetings were held after hours sometimes.

DeLozier made a motion to approve but it died for lack of a second. Thacker made a motion to absolutely deny the issue of keycards to other law enforcement agencies and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

8. Discussion and possible action regarding Renewal of Projects Agreement between the Rogers County Industrial Development Authority and Rogers County Board of County Commissioners for fiscal year 2013-14 –

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

9. Discussion and possible action regarding Invoice from Johanning and Byrom, P.C., Attorneys at Law for \$25,044.87 –

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

10. Open and Award Bid #627 for Self Propelled Sweeper – District #3

Thacker reported three bids were sent out, four bids received, and zero bids returned. Thacker

made a motion to table for one week so they could look over the bids and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

11. Open and Award Bid #629 for 4 Water Storage Tanks – Sheriff – Thacker reported four bids were sent out, three bids received, and zero bids returned. Thacker made a motion to table this for one week so they could look over the bids and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

12. Discussion and possible action regarding how to fund 911 Dispatchers – (Helm) – There was a discussion about which funds would be used to pay for the dispatchers salaries. DeLozier made a motion to have it come out of the general fund through the end of this fiscal year and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

13. Discussion and possible action regarding 2013-14 General Fund Budget/Estimates of needs – There was no action taken on the estimate of needs.

Helm made a motion to recess the meeting on Monday, September 16, 2013 and reconvene at 1:00 p.m. to discuss the estimate of needs and have Teresa Jackson contact Bill Turner to be present. DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-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.)** Planning Commission **l.)** Judicial – **m.)** OSU Extension – **n.)** Sheriff - **o.)** Treasurer

a). Janet Hamilton thanked the Commissioners for their support.

b). Scott Marsh said everything in his office was going well and he stated there was a tutorial on the website for the county and employees.

c). Ryan Blaze reported the handicap parking would be open this morning on the north side of the courthouse and if people did not have placards, they would be towed away. He advised deliveries would be on the south side of the courthouse. DeLozier advised the parking lot of the old courthouse would be closed this evening. Blaze stated it may open back up depending on the construction work.

d). Robin Anderson thanked OSU and the Master Gardeners for the landscaping.

h). Scotty Stokes stated he had attended the Emergency Management Conference and the Oklahoma first weather school. He stated there would be safety training tomorrow for the employees to learn how to put out fires. He reported the fire drill in the courthouse went well.

j). Brett Williston stated they would not be hiring a new mapper. He said the job could be split between him, the Assessor's office, and the Planning Commission. Helm asked Brett about the phones for the election board. Brett stated he hadn't heard from them.

k). Larry Curtis reported he would be moving the Planning Commission trucks off the old courthouse parking lot.

m). Donna Patterson stated they would be at the Rogers County Fair setting up all week and the office would not participate in the safety training. She invited everyone to come out.

n). DeLozier asked that cars be moved from the parking lot and said the Sheriff offered his site to park 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 –

Sharon Forrest asked about the 8 year CIRB and DeLozier told her it was for the bridges. Salesha Wilken, Claremore Daily Progress, asked several questions about the key cards, the courthouse security, and equipment being sold at auction. Linda Batty had a question about the cleaning crew.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions)

Thacker made a motion to approve except for purchase orders #306930 and #309483 and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT:

DeLozier made a motion to adjourn at 11:59 a.m. and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-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 September 5, 2013, 5:14 p.m. and posted on the Front Door Entrances to the Courthouse and on the county website.