

**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 30, 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 Meetings 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 23, 2013  
Helm made a motion to approve the minutes and DeLozier 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 – None presented.

**ITEM 7: ANNOUNCEMENTS:**

**ITEM 8: UNFINISHED BUSINESS:**

1. Discussion and possible action regarding cleaning crew access to Division 1 Courtroom, Floor 4 – Thacker – **\*\*\*NOTE\*\*\*** This was tabled from September 16, 2013 and September 23, 2013 – No one was present to discuss this so Thacker made a motion to strike this from the agenda and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. **\*\*\*NOTE\*\*\*** This item was revisited after Judge Steidley arrived at the meeting. He stated he had spoken to the cleaning crew about being bonded. He will let the County Clerk know by Wednesday about getting it on the agenda and get copies to David Iski, A.D.A. Thacker rescinded his motion and Helm rescinded his second to strike from the agenda. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Thacker made a motion to table one week and DeLozier seconded it. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Award Bid #628 – Automated Workforce Management System – HR – **\*\*\*NOTE\*\*\*** This was tabled from September 16, 2013 and September 23, 2013 - Jenny Bentley asked the board to reject all bids. Helm made a motion to reject all bids and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Discuss and possible action regarding Voice & Data Equipment for EOC – Scotty Stokes – EMD – **\*\*\*NOTE\*\*\*** This was tabled from September 16, 2013 and September 23, 2013 – Scotty Stokes mentioned they still didn't know where the money would come from and asked to strike from the agenda. DeLozier made a motion to strike from the agenda and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

4. Discuss and possible action regarding: Consider and adopt a Resolution appropriating certain sales and use tax proceeds to the Rogers County Finance Authority – Thacker – **\*\*\*NOTE\*\*\*** This was tabled from September 16, 2013 and September 23, 2013 – County Clerk Robin Anderson announced that Paul Johanning would be at the meeting at 10:30 to discuss this. **\*\*\*NOTE\*\*\*** This item was revisited after Mr. Johanning arrived. Mr. Johanning stated this was needed to appropriate it to the Finance Authority. 1/8 of sales tax and not necessarily the use tax goes to the obligation of the debt and goes through the authority. Those funds then can be remitted to the trustee of the bank. Helm asked Johanning if this was his recommendation and he agreed. Ms. Anderson numbered the resolution 2014- 47. Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Johanning presented the board transcripts of the proceedings of the election. **\*\*\*NOTE\*\*\*** Thacker moved to Item 17: Grants at this point.

5. Discussion and possible action in regards to employee payroll accounts – Human Resources **\*\*\*NOTE\*\*\*** This item was tabled from September 3, 2013, September 9, 2013, September 16, 2013, and September 23, 2013 – Jenny Bentley announced that going forward starting today any new employees paid out of cash funds would also have their benefits paid out of the same cash fund, but leave all budgeted as is. Helm made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye.

Motion carried.

6. Discussion and possible action regarding Contract with Peak Uptime for the purchase and installation of a Shore Tel telephone system at the Rogers County Election Board – Thacker - **\*\*\*NOTE\*\*\*** This item was tabled from September 23, 2013 – Julie Dermody asked this item be tabled one week. Thacker made a motion to table one week and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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

**ITEM 10: PLATS:** None presented.

**ITEM 11: ROADS & BRIDGES:** None presented.

**ITEM 12: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:** None presented.

**ITEM 13: TRANSFER OF FUNDS:** None presented.

**ITEM 14: UTILITY PERMITS:** None presented.

**ITEM 15: CLAIMS:**

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

**ITEM 16: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –
  - Sheriff to Correctional Dental Services - \$2,000.00
  - Sheriff to Froman Oil - \$1,000.00
  - Sheriff to Westwood Pharmacy - \$6,000.00
  - Sheriff to Medical Compliance Specialty- \$400.00
  - Sheriff to St. Francis Outreach Services LLC - \$1,200.00
  - Sheriff to PHS Mobile X-Ray - \$600.00
  - Sheriff to Warehouse Market - \$260.00
  - Sheriff to Bimbo Bakeries - \$1,365.00
  - Sheriff to U.S. Foods - \$825.00
  - Sheriff to Performance Food Group - \$6,000.00
  - Sheriff to Sysco Food Services - \$3,500.00
  - Sheriff to Farmers Bros Coffee \$300.00
  - Sheriff to Comdata Mastercard - \$13,000.00
  - Sheriff to Rogers County District #1 - \$2,000.00
  - Rogers County District #3 American Waste Control Inc. - \$5,175.00
  - Rogers County District #3 Ameriflex Hose & Accessories - \$500.00
  - Rogers County District #3 R&S Auto Parts - \$500.00

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

2. Orders Exceeding Amount of Issuance - None presented.

**ITEM 17: GRANTS:**

1. Discussion and possible action regarding authorization for Chairman to sign environmental review comment letters regarding new CDBG projects – 15603 CDBG 13 (RWD #3) and 15636 CDBG 13 (RWD #16) – Andy Armstrong – Robin Anderson stated that Mr. Armstrong would be here later in the meeting to discuss Items 1 and 2. **\*\*\*NOTE\*\*\*** This item and the next item was revisited after Mr. Armstrong arrived. DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. Discussion and possible action regarding authorization for Chairman to submit a second financial drawdown request for 15221 CDBG ED 12 (Port of Catoosa TMK-IPSCO Rail Spur) in the amount of \$40,000 – Andy Armstrong – Mr. Armstrong explained that Cherokee Pride was halfway finished with this project. This is the second increment and there will be two more drawdowns. It is a CDBG grand from the Federal Department of Housing and Urban Development. DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

**ITEM 18: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:** None presented.

**ITEM 19: AGENDA ITEMS:**

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – There was no one present to give updates.
2. Presentation by Roland Rhodes with Sam's Club to offer Rogers County Courthouse

3. Employee group membership – Thacker – Mr. Rhodes stated he would like to come and speak to the county offices during our open enrollment health fair. Thacker made a motion to approve and Helm seconded the motion. Roll call: Thacker – aye, DeLozier, nay, Helm- aye.
4. Remove Elizabeth Payne and Amanda Mosely as Receiving Agents for the Court Clerk and appoint Sonja Litterell and Cathi Edwards as Receiving Agents – Court Clerk- Kim Henry explained that Elizabeth is retiring and Amanda is going to work in the court system. Helm made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.
5. Resolution for Disposing of Equipment, Court Clerk, 3 counters w/roller shelving, I.D. #J1133, #J113.4, and #J113.5 – To be junked -
6. Resolution for Disposing of Equipment, Court Clerk, Corner Stone Computer Monitor, I.D. #J218.16 – To be junked –
7. Resolution for Disposing of Equipment, Court Clerk, CMQ Computer Monitor, I.D. #J218.14 – To be junked
8. Resolution for Disposing of Equipment, Court Clerk, 2 IBM typewriters, I.D. #J210.12, (Serial #11-03087651), and I.D. #J210.13, (Serial #11XD747) - To be junked –
9. Resolution for Disposing of Equipment, Court Clerk, 3 Rapid Print Date Stamps, I.D. #J214.8, #J214.9, and #J214.12 – To be junked –
10. Resolution for Disposing of Equipment, Court Clerk, Roller Shelving System, I.D. #J109.10 – To be junked –
11. Resolution for Disposing of Equipment, Court Clerk – Items are all under the \$500.00 limit. The whereabouts of some of these items is unknown as they were left in the old courthouse – to be junked - Helm made a motion to approve Agenda Items 4 -10 and Thacker seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm – aye. Motion carried.
12. Discussion and possible action regarding Memorandum of Understanding with the City of Tulsa, Department of Public Safety, and Rogers County Board of County Commissioners for access to the OKWIN network – DeLozier – Janet Hamilton explained this is the same one for radio access and DeLozier added that is a renewal. DeLozier made a motion to approve and Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm – aye. Motion carried.
13. Reimbursement and Resolution #2014-3 to deposit funds of \$554.09 into 83ST-200 for Assessors Fuel – Thacker -
14. Reimbursement and Resolution #2014-3 to deposit funds of \$1,269.18 into 81ST-200 for Sheriff Fuel – DeLozier – A.D.A. David Iski had a question regarding the resolution numbers for items 12 and 13. Robin Anderson, Teresa Jackson, and Christine Day all offered explanations that this was a recurring resolution for fuel reimbursements. DeLozier made a motion to table one week and Helm seconded the motion. Roll Call: Thacker – aye, DeLozier – aye, Helm – aye. Motion carried.
15. Reimbursement and Resolution #2014-44 to deposit funds of \$23,288.13 into 20-200 for ½ of utilities for the courthouse – Court Clerk– Thacker –
16. Reimbursement and Resolution #2014-45 to deposit funds of \$62,044.00 into 20-200 for insurance for Criminal Justice Authority – Thacker – DeLozier made a motion to approve Agenda Items 14 and 15 and Helm seconded the motion. Thacker –aye, DeLozier – aye, Helm – aye. Motion carried.
17. 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 Rogers County Case No. CJ-2006-684, Board of County Commissioners of Rogers County v. John Stephen Jennings, et al. – Thacker asked Mr. Iski if it was his recommendation to enter executive session and Iski answered yes. Thacker made a motion to enter executive session at 9:28 a.m. and Helm seconded the motion. Thacker- aye, DeLozier –aye, Helm – aye. Motion carried.
18. Motion and vote to Adjourn Executive Session and enter Regular Session – Thacker made a motion to adjourn executive session at 10:25 a.m. and enter regular session. Helm seconded the motion. Thacker – aye, DeLozier –aye, Helm – aye. Motion carried.
19. Discussion and possible action regarding Executive Session item: Rogers County Case No. CJ-2006-684, Board of County Commissioners of Rogers County v. John Stephen Jennings, et al. – Thacker explained this is regarding a bridge issue in Catoosa that has been ongoing since 2003. It was District 2's and is now District 3's. Thacker made a motion to ask Mr. Ritchie to dismiss the case and re-file and Helm seconded the motion. Thacker –aye, DeLozier – aye, Helm – aye. Motion carried.
20. Discussion and possible action regarding adopting a resolution of necessity and authority to institute condemnation proceedings against property owners to acquire right of way easements for public highway purposes required for a proposed construction project to widen and improve the Spunky Creek Bridge on East Apache Street (Rice Street) in Catoosa, Rogers County, Oklahoma, with Oklahoma Department of Transportation and Federal Participation. Job No 20642(02)RW, Federal Aid Project No BRO-166D(123)CO. Thacker made motion to approve and Helm seconded the motion. Thacker –aye, DeLozier-aye, Helm –aye. Motion carried. Thacker made a motion to retain Mr. Ritchie as attorney and Helm seconded the motion. Thacker–aye, DeLozier–aye, Helm–aye. Motion carried.

\*\*\*NOTE\*\*\*At this point, Thacker moved back to Unfinished Business Item 4.

- 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 stated she would be meeting with Chief Book this week. There will be a trust indenture meeting and a phone meeting with Motorola.
- c. Ryan Baze announced he would be out for a meeting tomorrow. DT Specialties Services had told him they would be finished grading at the old courthouse by the end of the week.
- g. Julie Dermody stated there would be a small election for Chouteau-Mazie and Collinsville.
- h. Scotty Stokes announced he had attended the LEPC conference last week and learned valuable information. The alert system is having great success.
- i. Jenny announced there is a newsletter attached to the paystubs. She mailed out letters regarding the Affordable Care Act but there will be no changes to our plans. She is working on the Health Fair and and Lunch-n-Learns.
- m. Donna Patterson stated she would be working at the Tulsa State Fair this week.

**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 if someone could elaborate further on the sales and use tax. Thacker referred her to the attorney. She also asked if Sam's Club could present then would the health fair be open to other vendors as well. Thacker answered yes.

**ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:**  
(Materials, Supplies, Parts, Groceries & Prescriptions) – Helm made a motion to approve all purchase orders and Thacker 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 11:34 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: \_\_\_\_\_  
Robin Anderson, Rogers County Clerk

(SEAL)

*Notice of said meeting was filed in the Office of the County Clerk on September 26, 2013 at 4:50 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.*