

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, October 7, 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: The American flag was not in the meeting room due to the fact the Assessor had borrowed it for another meeting.

ITEM 4: INVOCATION: Helm said a prayer.

ITEM 5: APPROVE/DISAPPROVE MINUTES: September 30, 2013

Helm made a motion to approve 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: None presented.

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, September 23, 2013, and September 30, 2013 -

Judge Steidley advised they were almost done with this but they needed more time to get things from the cleaning crew. He asked that this item be tabled for one more week.

DeLozier made a motion to table for one more week and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

NOTEThe American flag was brought back and DeLozier led the salute and Pledge of Allegiance to the American flag.

2. 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 and September 30, 2013 –

Julie Dermody reported that she did not get the required documentation in on time. A.D.A. David Iski advised she could give him the paperwork to review now. ***NOTE***Thacker stated they will come back to this item at the end of the meeting.

3. Reimbursement and Resolution #2014-3 to deposit funds of \$554.09 into 83ST-200 for Assessors Fuel – Thacker -***NOTE*** This was tabled from September 30, 2013 –

Robin Anderson, County Clerk, reported she had spoken to A.D.A. David Iski about the resolutions and he understood our documentation. Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

4. Reimbursement and Resolution #2014-3 to deposit funds of \$1,269.18 into 81ST-200 for Sheriff Fuel – DeLozier –***NOTE*** This was tabled from September 30, 2013 –

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

ITEM 9: ZONING: None presented.

ITEM 10: PLATS:

1. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for I Don’t Care Subdivision. APPLICANT: I Don’t Care Bar & Grill of Oklahoma, LLC. Current Zoning: C-5. LEGAL DESCRIPTION: A tract of land lying in the SW/4 of Section 21, Township 20 North, Range 16 East of the Indian Base and Meridian, Rogers County, Oklahoma. ADDRESS: 11015 E. 590. Rd., Catoosa, OK 74015 –

Larry Curtis, Planning Commissioner Director, reported there were some corrections that needed to be made and the applicant requested to have this tabled for one week. Curtis advised it would be ready in one week and that would be his recommendation to table.

Thacker made a motion to table for one week and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 11: ROADS & BRIDGES:

1. Discussion and possible action regarding Bi-Annual Inspection of County Road System Bridges in Rogers County District 2, Invoice #66-BI-2-12 –

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

DeLozier-aye, Helm-aye. Motion carried.

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

ITEM 13: TRANSFER OF FUNDS:

1. Sheriff Salaries 04-110 to 04-250 Vehicle Maintenance \$10,000.00

Jon Sappington reported this was until the budget's been approved. Thacker made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

ITEM 14: UTILITY PERMITS:

1. AT&T Oklahoma –Bore & Trenching – To Cross County Highway or Local Road N 161 E Ave. & E. Marshall Approximate 0.350 miles, South of Pine and further described as: 1890 feet south of the NE Corner of Section 34 Township 19N Range 14E Rogers County. – District 3 –

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

2. RWD #3 Rogers County – Bore – To cross County Highway or Local Road NS 4094 Approximately 0.375 miles, of the North of EW 480 and further described as: 180 feet North of the South ¼ Corner of Section 4 Township 21N Range 15 East Rogers County.(Permit Location Correction) – District 2 –

Helm asked Curtis if everything was in order. Curtis stated it was. Helm made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Oklahoma Natural Gas – Bore – To cross County Highway or Local Road E. 525 Rd./Collins Road approximately 2.66 miles west & 0.72 miles north of S.H. # 66 & S.H. #266 Jct. and further described as 2,640 feet south & 595' east of the Northwest Corner of Section 33 Township 21N Range 15E Rogers County. – District 3 –

Thacker read the permit and Iski corrected him on saying south instead of north. Thacker made a motion to approve and Helm 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 #1 to O'Reilly Auto Parts - \$350.00
- Assessor to District #3 - \$500.00
- Emergency Management to Comdata - \$300.00
- Emergency Management to Froman - \$300.00
- District #1 to Cintas - \$1,300.00

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: None presented.

ITEM 19: AGENDA ITEMS:

1. Update by BKL, Inc., and Flintco regarding Courthouse and E911 Center Projects – Kim Reeves reported the 911 center would punch out this afternoon and everything was in good shape. He said they were waiting on ONG to put the gas line in and the sewer line should be put ready in about a week. Reeves said he had the bid documents ready for the Plaza and wanted to know if it should go out for bid or for a general contractor. Thacker, DeLozier, and Helm all stated it should go out for bids. Steve Rumsey, Flintco, added they would be pulling the trailer out this week. Discussion only.

2. Discussion with possible action regarding approval/disapproval of a Resolution accepting, for and on the behalf of Rogers County, Oklahoma, the beneficial interest in the trust created by the amended Trust Indenture of Rogers County Enhanced 911 Trust Authority – Resolution #2014-50 –

Janet Hamilton reported this was for bringing Inola into the Trust Authority. DeLozier made a motion to approve and Thacker seconded the motion. Motion carried.

3. Discussion and possible action regarding Tom Meshek, Meshek and Associates – GIS Pilot Study Presentation (Helm) –

Helm advised Meshek would not be at the meeting and stated he wanted to table this for one week. Helm made a motion to table for one week and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

4. Discussion and possible action regarding – To adopt NIMS (National Incident Management System) as the official incident management system for Rogers County (Thacker) –

Scotty Stokes, Emergency Management Director stated this was for a FEMA regulated organization that needs to be adopted at no cost. DeLozier asked if it was for a certain level of training and Stokes said it was. DeLozier stated he has had the training and Stokes said he needed copies from all elected officials that has had the training. DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

5. Open and Award Bid #631 – Reinforced Concrete Bridge Structure (BR#87 Claremore Lake Causeway) (DeLozier)–

Thacker stated 6 bids were sent out, 2 bids returned, and 0 undeliverable. Thacker read the bids: Arrowhead - \$85,960.00, Apex - \$59,800.00. DeLozier made a motion to approve Apex and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

6. Open and Award Bid #632 (DeLozier) -

- One 5 Ton Split System R-41a with 90% Natural Gas Furnace -
- One 3 Ton Split System R-410a with 90% Natural Gas Furnace -

Thacker stated there were 3 bids sent out, 1 received, and 0 returned. DeLozier made a motion to table for one week and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

7. Open and Award Bid #633 – Sheet Metal Duct Work for a 3 ton and 5 ton heating and cooling system (DeLozier) –

Thacker stated there were 3 bids sent out, 2 received, and 0 returned. DeLozier made a motion to table for one week and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

8. Resolution for Disposing Equipment, Sheriff – 2008 Ford Crown Vic Unit #103 Serial #2FAHP71V48X122767 – Totaled, sold to insurance agency –

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

9. Resolution for Disposing Equipment, Sheriff – 2006 Ford Crown Vic Unit #90 B-331.2 Serial # 2FAHP71V16X162651- Totaled –

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

10. Resolution for Disposing Equipment, Sheriff – 2009 Chevy Pick-Up Unit #76 Serial #1GCEK19059Z187253 – Totaled –

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

11. Resolution for Disposing Equipment, Sheriff – 2005 Dodge Quad Cab Truck Unit #44 Serial #1D7HU18D45J576508 – Transfer –

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

12. Resolution for Disposing Equipment, Rogers County Addressing – 1997 Ford Crown Vic Serial #2FALP71W7VX210095 – Sold September 21, 2013 at McAlester Sale –

DeLozier made a motion to approve Items 8-12 and Thacker seconded the motion. There was a discussion about Item 12 regarding the car and it was explained that the car had not been sold at auction because the title could not be found. DeLozier rescinded his motion and Thacker rescinded his second. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

Thacker made a motion to strike this from the agenda and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

13. Reimbursement and Resolution #2014-48 to deposit funds of \$362.83 into 82ST-200 for Town of Talala (District #2) –

14. Reimbursement and Resolution #2014-49 to deposit funds of \$1,200.75 into 82ST-200 for Town of Oologah (District #2) –

Helm made a motion to approve #13 and #14 together and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

15. Discussion and possible action regarding 2013-14 General Fund Budget/Estimates of Needs (Thacker) –

Bill Turner reported everything should be resolved by the next meeting. ***NOTE***The Treasurer and the Clerk had a few items in 2012 that did not match.*** DeLozier made a motion to table for one week and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

16. 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 made a motion to go into executive session at 9:39 a.m. and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

17. Motion and vote to Adjourn Executive Session and enter Regular Session –

Thacker made a motion to adjourn the executive session and enter back into the regular session at 10:09 a.m. and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

18. 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 stated they agreed to go to mediation, authorize him to attend, and split the costs. DeLozier made a motion for mediation and pay half and Helm 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 reported the tower installation would be Thursday and Friday for the 911 center, the furniture should arrive on October 21, 2013, dispatch training on the phones should start the same week, and Saturday there would be public training at the Verdigris Fire Department. She said that Verdigris would be joining the Trust Authority.

NOTE Thacker went back to Unfinished Business item #2. A.D.A. Iski said he reviewed the documents for legal content. Dermody reported the money is in the budget. Thacker made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

d.) Robin Anderson reported the courthouse would be closed Monday, October 14, 2013 for Columbus Day and reminded everyone the next Board of County Commissioners meeting would be held on Tuesday, October 15, 2013.

g.) Julie Dermody reported that early voting would only be held on Thursdays and Fridays starting in November and nobody would be able to vote on Mondays anymore. She stated that there would be voting for Chouteau- Mazie and Collinsville schools tomorrow and the Election Board was in the process of verifying signatures for the Grand Jury.

h.) Scotty Stokes reported he was working on the S.O.A. close out for a grant. He stated he needed documentation from the county for the classes taken and asked that a list be made for certification.

i.) Jenny Bentley reported that OU is offering county employees a discount for tickets to the Iowa State game and the Tulsa Oilers would offer a discount in January.

k.) Larry Curtis reported he had been out on conference and it went well. He said the Planning Commission met on October 1, 2013 for plat and subdivision regulations. He thanked his staff for doing a great job while he was out.

m.) Janice Cranor reported that there would be a Fall Festival with the Master Gardeners on October 19, 2013 at the Rogers County Building and on November 1, 2013 there would be a Brown Bag Café – Catch a Fast Education in the courthouse for the employees.

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 with the Claremore Progress asked about budgets reconciling with the Treasurer and County Clerk's offices and about the OU tickets exceeding the limit on receiving gifts. County Clerk Robin Anderson answered that the budget issue was from last year.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions)

Thacker made a motion to approve all purchase orders except 002837, 002836, 002792, and 0030690 and asked for a letter from the elected official for 0030690 and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried. Helm made a motion to just pay \$800 on P.O. 001088 and have further review 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 11:16 a.m. and Thacker seconded it. 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 **October 3, 2013 at 4:32 p.m.** and posted on the Front Door Entrances to the Courthouse and on the county website.*