

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

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

DATE & TIME: Monday, November 4, 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:** October 28, 2013
Helm made a motion to approve the minutes and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion approved.
- 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:** DeLozier stated Attorney Bill Higgins asked that employees and the public not park on his private parking lot. DeLozier asked that everyone respect his request and said the signs would be changed.
- ITEM 8: UNFINISHED BUSINESS:**
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. ***NOTE***This item was tabled from September 9, 2013 -
Planning Commission Director Larry Curtis explained the applicants were present. They presented another legal description zoned for 30 acres. Those in opposition were: Leroy Ward, 6205 E. 574 Rd.; David Bensch, 6466 E. 574 Rd.; Matt Ward, 6405 E. 574 Rd.; and Tamara Straight, 6209 E. 574 Rd. They addressed their concerns of having seven trailers to one septic tank, people renting the lots from out of state, property values going down in the area, the owners selling their land, the future use of the property in ten or fifteen years, and who would regulate the use of 180 days. Curtis advised 80% of the land was in a floodplain off the beaten path and zoned away from a major highway. Curtis told the Board that the Planning Commission had denied it and recommended the request be denied. Thacker made a motion to deny and Helm 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:**
1. County Clerk 10-200 M&O to 10-400 Capital Outlay - \$1,437.77 –
Thacker made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

NOTE DeLozier asked that they move down to Agenda Item #2 at this time.
- ITEM 14: UTILITY PERMITS:**
1. Chelsea Gas Authority- Bore- To Cross County Highway or Local Road E. Oakridge Dr., West of South 4220 Rd. and further described as : 1235 Ft. SSW of the NE Corner of

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Section 33 Township 22N Range 17E. Rogers County. – District 1
DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

2. AT&T Oklahoma -Bore & Trenching - To Parallel County Highway or Local Road East 96th St. North. approximately .3 miles, of E. of N. 177th E. Ave. and further described as: 1606' feet East of the SW Corner of Section 13 Township 21N Range 14E. Rogers County – District 2

Helm made a motion to approve 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 –
 - Emergency Management to Comdata- \$200.00
 - Emergency Management to Northeast Technology Center - \$300.00
 - Emergency Management to Froman - \$300.00
 - District #3 to American Waste Control - \$5,175.00
 - District #2 to Greenhill Materials, LLC - \$2,100.00

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 – P.O.#1492 (Blanket) exceeded the approved amount by \$436.30. Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

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 – No one was present.
2. Open and Award Bid #634 – (2) 70' 2 – stage gas fired infrared heaters (District 1) –

There were 3 bids sent out, 2 received, and 0 returned. D. S. Herron Company, Inc. bid \$3,370.00 and Federal Corporation bid \$3977.82. DeLozier asked that Ryan Baze could review the bids first and then they would come back to this. ***NOTE*** DeLozier asked that they move back up to the Utility Permits.

NOTEThacker came back to this item later in the meeting.

Baze recommended they approve the lowest bid from D. S. Herron Company, Inc. DeLozier made a motion to approve the lowest bid from D. S. Herron Company, Inc. and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

3. Discussion and possible action regarding a contract between Endex, Inc. and the Board of Rogers County Commissioners for the courthouse – ***NOTE***DeLozier asked that they come back to this in a few minutes. Baze stated this was their yearly contract that monitors for fires. DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried

4. Discussion and possible action regarding appointment and confirmation of Shelia Wofford as Board Member of Oologah/Talala EMS District (Helm) – Kelly Deal stated she was a lifelong resident and he recommended she be appointed. Helm made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

5. Discussion and possible action regarding an updated Compensation Compendium (Helm)-

Human Resource Director Jenny Bentley stated this was an updated pay scale and it reflects the increases and ranges to hire someone. Thacker asked about the new employee Scott Marsh was hiring and Jenny said no one was hired yet. Helm stated he thought Marsh didn't need any new employees because that what Scott Marsh had said. Helm made motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

6. Discussion and possible action regarding Resolution number 2014-59 adopting the National Incident Management System (DeLozier) – DeLozier made a motion to approve and Thacker seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

NOTE Thacker went back up to Agenda Item #2 at this time.

7. Discussion and possible action regarding a contract between Correctional Dental SVS. and the Board of Rogers County Commissioners (Thacker) -

Amanda McLemore reported this was a yearly contract for the inmate's dental care. 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 a Contract Services Agreement for Attorney Services pursuant to Okla. Stat. Ann. tit. 19, § 527 by and between the law firm Gable Gotwals and Office of the Rogers County Sheriff (Thacker) –

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Helm asked Jon Sappington if he was aware the money for this contract would come out of his budget. Sappington said he knew that it would. The attorneys were presented and stated they carried multiple layers of insurance. A.D.A. David Iski thanked the Sheriff's office and stated the statutes allow the Sheriff's office to have legal counsel. Thomas Leblanc also appreciates it and he stated the D.A. had not refused or declined legal counsel and this was a result of the Sheriff's decision for legal advice. Thacker made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

9. Reimbursement and resolution #2014-52 to deposit funds of \$1,386.18 into General Fund Account 001 for Travelers - District #3 –

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

10. Reimbursement and resolution #2014-53 to deposit funds of \$35.00 into Cemetery Restitution Fund for Alex Ball - District #1 –

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

11. Reimbursement and resolution #2014-54 to deposit funds of \$2,593.70 into 82ST-200 One Cent Sales Tax Fund for OTEMS - District #2 –

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

12. Reimbursement and resolution #2014-55 to deposit funds of \$47,610.00 into 83ST-200 One Cent Sales Tax Fund for Mike Graham Auctioneers - District #3 –

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

13. Reimbursement and resolution #2014-56 to deposit funds of \$983.29 into 82ST-200 One Cent Sales Tax Fund for Rural Water District #4 - District #2 –

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

14. Reimbursement and resolution #2014-57 to deposit funds of \$405.75 into 82ST-200 One Cent Sales Tax Fund for Town of Talala - District #2 –

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

15. Reimbursement and resolution #2014-58 to deposit funds of \$33,380.00 into 82ST-200 One Cent Sales Tax Fund for Mike Graham Auctioneers - District #2 –

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

16. Reimbursement and resolution #2014-60 to deposit funds of \$12,207.75 into 04-400 for Travelers – Sheriff –

Jon Sappington reported this was for an insurance reimbursement. Thacker made a motion to approve and DeLozier seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

17. Set Holidays for 2014 –

Thacker asked if there was a resolution number for this. County Clerk Robin Anderson stated there was not a resolution number yet but there would be. Thacker made a motion to approve and Helm seconded the motion. Roll Call: Thacker-aye, DeLozier-aye, Helm-aye. Motion carried.

18. Set 2014 Meeting Schedule for the Board of County Commissioners –

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

19. Discussion and possible action regarding an update on request by Commissioners for Sheriff on Insured Vehicle Protocol (Helm) –

Helm reported that any employee involved in an accident should be drug/alcohol tested for insurance purposes. Helm stated all the county barns were required to do so and everybody should have to and wanted an updated list of the accidents. Christine Day stated she had sent paperwork in July for an update and had not received anything back. Jon Sappington stated if the accident was the fault of the employee, they were drug/alcohol tested and he would change the handbook to state all accidents will be tested. Helm wanted to know if the vehicles being sent to auction were still on the county's insurance and Sappington stated they were. Sappington stated he would get an updated list so the vehicles could be taken off the insurance. Helm made a motion to approve and Thacker 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 she had met with AT&T and the circuit system had been installed and ONG was taking care of the gas lines. She said she would be attending a Trust Board meeting Thursday.

c.) Ryan Baze reported Rapsidscan would be here today to install the scanner and there would be training for the deputies. He said he would be down one cleaning person for about three months and asked that offices help out with trash. There was a discussion about not drilling in the floor for the

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new scanner.

f.) David Iski commended the Undersheriff for getting in the scanner machines and for Ryan Baze because the employees and public have a right to be safe.

g.) Julie Dermody reported there would be an election held on November 12, 2013 and early voting could be done on Thursday and Friday for the Northwest Fire Department, Catoosa Public Schools, and the City of Tulsa.

h.) Scotty Stokes commended the Undersheriff also for the scanner machines. Stokes said he would be doing NIMS training to be able to do the SLA closeout and was working on next year's grant application.

i.) Jenny Bentley thanked the offices for their Halloween involvement. Bentley said that Wednesday and Thursday would be open enrollment, flu shots, and health screening which would qualify towards the employee reimbursement plan charges. Helm commended Bentley for working the Community Care rates down to 7% from 26%.

k.) Larry Curtis commended Bentley for the Halloween involvement. He stated the Planning Commission would be meeting tomorrow and they are looking for a new member. He reported there were 25 building permits and 17 new homes compared to 29 building permits last year and 13 new homes.

ITEM 21: ACKNOWLEDGE 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 –

Linda Batty asked about items 12 and 13. Thacker explained the money was for items auctioned off and the auctioneer gets a percentage of the amount. Salesha Wilken asked what the new procedure would be now that there was outside legal counsel. She asked if things still had to be submitted to the D.A. or the Board of Rogers County Commissioners. Iski clarified that it would not affect the board in any way and the D.A. was still their legal counsel. Wilken asked if the board would honor legal recommendations and wanted to know why they would approve the legal contract for the Sheriff if the D.A. had to be asked about things. Thacker stated it would be done case by case and the D.A. still represents the BOCC.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions)

Helm made a motion to approve the 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 10:50 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 Thursday, October 31, 2013, at _____ p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.