

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, January 13, 2014, 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 DeLozier called the meeting to order at 9:01 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 Dan DeLozier and Commissioners Mike Helm and Kirt Thacker 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:** Helm led the flag salute and Pledge of Allegiance.
- ITEM 4:** **INVOCATION:** Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** January 6, 2014 – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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. Agreement for E-911 and Dispatch Services – Approving language in agreement – (Hamilton). *****NOTE*****This item was tabled from January 6, 2014. – DeLozier stated that Jim Orbison, E-911 Legal Counsel, was running late so we will come back to this later. -Mr. Iski advised to make a standing item on the agenda: Update by E-911 regarding E-911 Trust Authority. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 9:** **ZONING:**
1. Public hearing with discussion and possible action on the request for zoning change from AI to I-3 that the intended use of the property, after rezoning, is for Commercial/Industrial Warehousing. **APPLICANT:** Ben Compton. **CURRENT ZONING:** AI. **LEGAL DESCRIPTION:** The South 327.45 feet of the SE/4 of the SW/4, lying North and West of Railroad right of way, in Section 23, Township 22 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof; Subject to an existing 20' roadway Easement recorded in Book 759, Page 249, further described therein. **ADDRESS:** 14233 E. 450 Road, Claremore, OK 74017. – District 1 – DeLozier announced this was a public hearing. Mr. Curtis stated it was approved by the Planning Commission by 5-0. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Public hearing with discussion and possible action on the request for zoning change from RST-40 to C-4 that the intended use of the property, after rezoning, is for Automotive Sales. **APPLICANT:** Kent Smalygo. **CURRENT ZONING:**RST-40. **LEGAL DESCRIPTION:** The N/2 of NW/4 of SW/4 of SW/4 lying West of Highway Right of Way as described in Book 910 at Page 465, of Section 15, Township 22 North, Range 14 East of the I.B.&M., Rogers County, Oklahoma AND a tract of land more fully described as follows; A strip, piece or parcel of land lying in the part of the S2 N2 SW/4 SW/4 of Section 15, Township 22 North, Range 14 East of the I.B. &M., Rogers County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at the NW corner of said S2 N2 SW/4 SW/4 a distance of 224.71 feet, thence S 37⁰30'30" W a distance of 357.59 feet to a point on the West line of said S2 N2 SW/4 SW/4, thence North along said West Line a distance of 380.25 feet to the Point of Beginning. **ADDRESS:** 15801 N. 145th E. Ave. Collinsville, OK 74021. –District 2 – DeLozier stated this was a public hearing. Stacy Hostetter spoke in opposition and presented photos. She had questions regarding fencelines and easements. Helm made a motion to table 1 week to allow Mr. Smalygo to appear before the Commissioners' meeting and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 10:** **PLATS:** None presented.

ITEM 11: ROADS & BRIDGES: None presented.

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

1. 008 Cobra (2)
2. 101 T-Highway
3. 105 CBRIF
4. 113 Property Resale (2)
5. 115 Health Department
6. 119 Sheriff Civil Fees (2)
7. 121 County Clerk Lien Fees
8. 122 Treasurer Cert. Fees (2)
9. 124 County Clerk Preservation
10. 125 Engineering Fees
11. 127 Sheriff Commissary (2)
12. 128 Courthouse SEC/SHRF Fees (2)
13. 129 Sheriff Courthouse Secure
14. 131 Law Library
15. 135 Criminal Justice Authority (2)
16. 137 Sheriff Jail
17. 140 Wireless Prepay 911 Fee
18. 142 E-911 Addressing
19. 147 Drug Court Contract
20. 148 Drug Court Participant
21. 175 Assessor Revolving
22. 179 OBA Donation For CRT Areas
23. 180 Court Clerk Revolving

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

At this point, Delozier returned to Item 8, #1 Unfinished Business

ITEM 13: TRANSFER OF FUNDS:

1. 04-130 Sheriff's Travel to 04-110 Salaries \$20,000.00. – DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 14: UTILITY PERMITS:

1. To -Bore- cross County Highway or Local Road Gaylene Drive Approximately 1.50 miles east & 0.67 miles, south of S.H. #88 & U.S. Hwy. #412 Jct. and further described as 1,130 feet south 335 feet east of the Northwest Conner of Section 3 Township 19N Range 7E Rogers County. – District 3 – ONG – Thacker made a motion to approve and Helm seconded the motion. Roll called: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. To -Bore- cross County Highway or Local Road North 154th East Avenue Approximately 1.1 miles east & 0.15 miles, south of U.S. Hwy. #169 & S.H. #20 Jct. and further described as 2,300 feet west & 800 feet south of the Northeast Corner of Section 27 Township 22N range 14E Rogers County. –District 2 – ONG – Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 15: CLAIMS:

1. Salaries – None presented.
2. Attendant Care – November 2013 - State of Oklahoma, Office of Juvenile Affairs \$1,593.38 –Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 16: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - Assessor to District #3 \$500.00
 - District #3 to R & S Auto Parts-Claremore \$500.00
 - District #3 to Lowe's \$500.00
 - District #1 to R & S Auto Parts-Chelsea \$350.00
 - District #1 to O'Reilly Auto Parts \$350.00
 - District #1 to County Building Center \$100.00Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Orders Exceeding Amount of Issuance - None presented.

ITEM 17: GRANTS:

1. Discussion and possible action regarding approval of Closeout Documents and Budget Modification for 15308 CDBG 07 (Rogers Co RWD #3 HY 88 Waterline). – Delozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Discussion and possible action regarding authorization for Chairman to submit a monthly expenditure report in the amount of \$150,000 for 15308 CDBG 07(Rogers Co RWD #3 HY 88 Waterline). DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

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

1. BKL, Inc. – Rogers County E-911 Facility App #9 \$44,482.13 – Helm asked if this was the final bill but BKL was not present. Helm made a motion to table one week and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 19: AGENDA ITEMS:

1. Update by BKL, Inc., and Flintco regarding Courthouse Plaza Project – No one was present.
2. Discussion and possible action regarding Guaranteed Maximum Price Amendment #3 – Flintco, LLC for Rogers County Courthouse Plaza \$832,135.00 (DeLozier) – Thacker stated these are the bid prices we awarded and made a motion to approve. Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. Discussion and possible action regarding 911 Trust Board Members recommend purchasing headsets and jacks (Hamilton) - Ms. Hamilton stated the cost was around \$1800. Helm asked the Chairman how much money was left of the bond. DeLozier replied he didn't know. Helm made a motion to pay out of Account 141 and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
4. Discussion and possible action regarding 911 Trust Board Members recommend purchasing 5 monitor arms for the dispatch consoles (Hamilton) – Ms. Hamilton reported the cost would be \$580 for all 5. Helm made a motion to pay out of 141 and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
5. Discussion and possible action regarding to continue with the pilot program with Verdigris Fire Department until negotiated contract can be worked out (Hamilton) – Discussion was held and Ms. Hamilton stated the Verdigris F.D. would come on sometime after February. OTEMS and Foyil are on board right now. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
6. Discussion and possible action regarding to continue dispatching for Verdigris PD until negotiated contract can be worked out (Hamilton) – Helm stated he wasn't aware of a contract with Verdigris but I'm sure the trust has knowledge of it. DeLozier replied no. Ms. Hamilton stated they haven't paid since she came on, they have a financial hardship, and can't pay till the new fiscal year. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
7. Discussion and possible action regarding 911 Trust Board Members recommend dispatching for OTEMS as a pilot training program until a contract can be negotiated (Hamilton) – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
8. Discussion and possible action regarding Invoice# 529587 for professional services from Riggs, Abney, Neal, Turpen, Orbison & Lewis for \$1,160.25 – Helm made a motion to pay Mr. Orbison's fees until the end of June and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
9. Discussion and possible action regarding paying attorney fees for E-911(Helm) – Thacker made a motion to pay them but not after June 30, 2014 and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
10. Discussion and possible action regarding Resolution No. 2014- A Resolution calling a Special Election to refer to the qualified voters of Rogers County, Oklahoma the question of whether alcoholic beverages should be permitted to be sold by the individual drink for on-premises consumption in Rogers County on Sunday; and providing a proposed ballot title for such question (Thacker) – DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-no, Thacker-aye. Motion carried. It was noted that Mr. Iski had not reviewed. DeLozier rescinded his motion and Thacker rescinded his second and made a motion to table for 2 weeks so Mr. Iski could review. Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
11. Publication of Commissioner's Proceedings; Bids; Legal Ads & Notices (Helm) – The Claremore Progress had presented a letter to all 3 commissioners to be entered into the minutes. After reading the letter, Thacker stated that at the end of 2012, it was decided that the commissioners' legal notices would be published in the county's four different newspapers on a quarterly rotational basis and a drawing was held in the county clerk's office for the order of rotation. DeLozier made a motion to keep it the same as last year's but it died for a lack of a second. Comments were made from representatives from the newspapers. Thacker made a motion to draw again and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. Mr. Iski, ADA, advised the drawing could not be held today. It was decided to hold a special meeting Wednesday, January 15, 2014 to have the drawing before everyone.
12. Discussion and possible action regarding Resolution No. 2014-95 for the Employee Deductible Reimbursement Plan for 2014 (Bentley and County Clerk) – Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
13. Monthly Report of Officers for December 2013 – Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion

- carried.
14. County Clerk's Cashbook and Summary Report for December 2013 - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 15. Removal of Sonja Redding as Receiving Agent and replace with Jackie Taylor for County Clerk's office - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 16. Reimbursement and Resolution #2014-92 to deposit funds of \$422.50 from Health Department into 20-200 for phone reimbursement – Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 17. Reimbursement and Resolution #2014-93 to deposit funds of \$87.59 from District #3 into 20-200 - Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 18. Reimbursement and Resolution #2014-94 to deposit funds of \$96.04 from Cabin Diesel Services into 81 ST-200 - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 19. Discussion and possible action regarding investment options through ING Life Insurance and Annuity Company for 457 and 401A - Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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. Ms. Hamilton announced the new number for the E-911 Center would be 918-923-4755 effective Thursday, January 16, 2014 at 7:00 a.m. They would be going live at that time.
- g. Julie Dermody reminded everyone the school board elections are February 11 and early voting is on Thursdays and Fridays. June 24th is the primary and the filing period is April 9, 10, and 11. All resolutions are due by April 9th. The fire districts running for board seats must file in April.
- k. Larry Curtis apologized for the typos in the utility permits, it was his error. He thanked the board for delaying the action on the zoning change.
- n. Mr. Batt with the Sheriff's department stated they are rolling the previous number for 911 (918-341-3535) number into theirs.

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- Helm asked if the former Chairman (Thacker) could bring back to the board the improprieties of overcharges in the cost of publications and put it on the agenda. Thacker answered he would when he was finished.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions) - Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT: Thacker made a motion to adjourn at 11:58 p.m. and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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, January 09, 2014, at 5:34 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.