

**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:** Tuesday, January 21, 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 9:03 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 13, 2014 Regular Meeting and January 15, 2014 Special Meeting. 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.** 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 37<sup>0</sup>30'30" 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. 145<sup>th</sup> E. Ave. Collinsville, OK 74021. –District 2 – \*\*\*NOTE\*\*\* This item was tabled from January 13, 2014. – Larry Curtis, Planning Commission Director, stated that Mr. Smalygo notified him that he was present at the Courthouse on Monday, January 20, 2014, but the Courthouse was closed for a Federal holiday. He further stated that he was unable to attend the Board of County Commissioners meeting on Tuesday, January 21, 2014 due to attending an auction in Tulsa County, but would send a representative in his place. It was further established that no representative was presented for Mr. Smalygo. Helm made a motion to table 1 week to allow Mr. Smalygo to submit a written letter stating the agreements and guarantees he has made with the adjoining neighbor, Stacy Hostetter. No second made so the motion died. Thacker made a motion to deny and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.  
**2.** BKL, Inc. – Rogers County E-911 Facility App #9 \$44,482.13 \*\*\*NOTE\*\*\* This item was tabled from January 13, 2014. – DeLozier made a motion to table 1 week and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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. 22-200 Election Board M&O to 22-400 Election Capital Outlay \$90.00 – 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. Oklahoma Natural Gas -Bore -To cross County Highway or Local Road Trade Wind Drive approximately 1.82 miles west & 1.44 miles south of S.H. 88 & U.S. Hwy. 169 Jct. and further described as: 2,290' South & 940' West of the Northeast corner of Section 6, Township 22N, Range 15E. Rogers County – District 2 –
2. Oklahoma Natural Gas – Bore – To cross County Highway or Local Road North 177<sup>th</sup> Ave. East approximately 2.45 miles east & 2.40 miles south of S.H. 20 & U.S. Hwy 169 Jct. and further described as: 2,275' South of the Northeast Corner of Section 23, Township 21N, Range 14E. Rogers County – District 2 -
3. Oklahoma Natural Gas- Bore – To cross County Highway or Local Road North 188<sup>th</sup> East Ave. approximately 2.65 miles north & 0.24 miles west of S.H. 266 & S.H. 167 Jct. and further described as: 2,560' South & 1,490' West of the Northeast Corner of Section 25, Township 21N, Range 14E. Rogers County – District 2 –  
Helm made a motion to approve all 3 utility permits 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 – None presented.

**ITEM 16: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –
  - District #3 to R & S Auto Parts-Claremore \$500.00
  - Rogers County Fair Board to Claremore Expo Center - \$2,000.00Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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 Plaza Project – Thacker reported the survey company came out and staked the lot. District #3 has begun doing the grading of the soil.
2. Update regarding E-911 Trust Authority (Thacker) – DeLozier stated that the E-911 center is online and running as of January 16<sup>th</sup> at 7:00. The Trust is in the process of reviewing everything in order to make the funding to work for the center. The funds will be very tight. Helm then asked if the Trust has reconciled the account in order to know how much funding is left from the bond and if the Trust has inquired into where the \$6,000 that Verdigris was paying went to and why they are not still paying it. DeLozier replied they do not have those answers at this time.
3. Discussion and possible action on legal proceedings of the Commissioner's office only. A drawing was held on January 15, 2014 to determine the order in which publications would be printed. Commissioner Thacker would like to revisit this issue. This item involves the Inola Independent, the Oologah Lake Leader, the Chelsea Reporter and the Claremore Daily Progress – Thacker – Thacker stated he had a lengthy meeting last week with Bailey Dabney and Salesha Wilkin. At the meeting, it was explained there are a number of ways publication charges could be calculated. He further states that he may have spoken hastily last week and that in the interest of fairness and the citizens of Rogers County he wanted this item brought back to the agenda in order to place Claremore Daily Progress to the end of the rotation in which BOCC publications will be printed in. Thacker made a motion to add Claremore Progress to the end of the rotation. DeLozier asked David Iski, A.D.A., if we could do this. Mr. Iski reminded the board that last week they were challenged for the same item on the agenda and you called a special meeting to hold a drawing. Mr. Dabney commented he would not challenge this. Mr. Iski continued by stating, "I advise you to be consistent." DeLozier asked him what he recommends. Mr. Iski replied by asking the question, "Are you telling the public what you are doing? Can the public see that you are going to draw? Does the language say you are setting aside what you did last week? He also stated there are not a number of ways to calculate notices, only one and that is by the statutes, not what someone creates. Thacker stated he had a motion on the table to add the Progress and DeLozier seconded. Roll call: DeLozier –aye, Helm- no, Thacker – aye. Motion carried.

4. Discussion and possible action regarding Invoice# 532821 for professional services from Riggs, Abney, Neal, Turpen, Orbison & Lewis for \$425.28 – County Clerk Robin Anderson stated this is for E-911 center. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier –aye, Helm-aye, Thacker-aye. Motion carried.
5. Annual Summary Report of Inventory for Rogers County District #2 (Helm) – DeLozier stated no approval is necessary for this item.
6. Discussion and possible action regarding Resolution 2014 - 99 to allow Rogers County to buy or sell Machinery and/or Equipment at Statewide County Equipment Auction (County Clerk) - Helm 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 Resolution for Disposing of Equipment - transferring to IT (Helm) -
  - a. Nobilis Computer Workstation with Acer Monitor ser.# 1036379 and AL1916W
  - b. Toshiba Laptop Computer ser.# A10-S167Brett Williston, IT Director, stated it would be easier going forward to just have him wipe the hard drive clean instead of transferring to him. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
8. Discussion and possible action regarding Appointment/Changes for Requisitioning Officers (DeLozier) – DeLozier stated he would like for department heads to be Requisitioning Officers so they could sign their own purchase orders. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
9. Discussion and possible action regarding Appointment/Changes for Receiving Agents (DeLozier) – Thacker made a motion to remove the following individuals from Receiving Agents: Ryan Baze, Jenny Bentley, Robin Anderson. DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

Thacker made a motion to add the following individuals as Receiving Agents: Butch Dawes, Michaela Ball, Teresa Jackson, Christine Day, Kelea Stout, and Scotty Stokes. DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
10. Discussion and possible action regarding Resolution 2014-100 to participate in the ACCO County Gridiron Contest for the Wellness Program (Bentley) – Ms. Bentley was not present but Christine Day spoke on her behalf. This is a Health Wellness contest between 44 counties that last 4 months. Each employee will receive information on the contest and an opportunity to participate. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
11. Resolution for disposing of equipment for District #1 to be sold at CED Auction in Elk City, March 7 & 8, 2014 (DeLozier) –
  - a. John Deere CX15 Rotary Cutter D1-441-0115 – Ser.# W0CX15E003211
  - b. John Deere CX15 Rotary Cutter D1-441-0114 – Ser.# W0CX15E003210
  - c. Shaver HD10 Post Driver D1-360-0001 – Ser.# 30584
  - d. Divelbiss Air Compressor D1-406-0101 – Ser.# 346483DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
12. Resolution for disposing of equipment for District #2 to be sold at CED Auction in Elk City, March 7 & 8, 2014 (Helm) –
  - a. 2004 Ford Crown Victoria Ser. #2FAFP71W44X129860
  - b. 1999 Ford Crown Victoria Ser. #2FAFP71W1XX192144
  - c. 1997 Ford Crown Victoria Ser. #2FALP71W7VX210095
  - d. 2007 Ford Crown Victoria Ser. #2FAFP71W47X115123
  - e. 1996 Ford Crown Victoria Ser. #2FALP71WXTX147359
  - f. 2007 Ford Crown Victoria Ser. #2FAFP71W07X115121
  - g. 1997 Ford Crown Victoria Ser. #2FALP73W8VX138191
  - h. 2001 Ford Crown Victoria Ser. #2FAFP71W31X153725
  - i. 2007 Ford Crown Victoria Ser. #2FAFP71W27X115122
  - j. 2003 Ford Crown Victoria Ser. #2FAFP71W03X152115
  - k. 1998 Ford Crown Victoria Ser. #2FAFP71W3WX149262
  - l. 2003 Ford Crown Victoria Ser. #2FAFP71W23X152116
  - m. 2009 Dodge Charger Ser. #2B3KA43T49H608844
  - n. 2008 Dodge Charger Ser. #2B3KA43HX220074
  - o. John Deere 997 ZTrac 60” 7’ Iron/deck Mower Ser. # TC997RB040071
  - p. John Deere 60” ZTrac Mower Ser. #TC997RB055062
  - q. Dynapac CC122 Roller/Little Roller 320-0206/60112211Items “a” thru “n” is property of the Sheriff Department and District #2 is assisting them to the auction. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
13. Reimbursement and Resolution # 2014-98 to deposit funds of \$18,775.87 from the Court Clerk into 20-200 General Fund M&O –Thacker made a motion to approve and Helm 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) Janet Hamilton stated there is no planned activity for this week. The transition into the new E-911 Center went smoothly and no serious glitches. Mr. Thacker questioned if the response time has been faster and Ms. Hamilton stated that it has not been faster. She further stated that if the Ambulance Services and Fire Departments were all on board, then the response times would be faster.
- h.) Scotty Stokes stated that he and Shelly Epperson went to Purchasing class in Stillwater as the Commissioners had suggested for all departments to do. Mr. Stokes is meeting with Justus-Tiawah Schools regarding sheltering procedures.
- j.) Brett Williston reported that everything is working properly at this time.
- k.) Larry Curtis reported that he and Missy Richardson too attended the Purchasing class in Stillwater and recommends others to take the class.
- m.) Donna Patterson stated that the Educational group is out this week.
- n.) John Sappington reported that the Sheriff's Department is working with Andy Armstrong on a grant.

**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- None presented.

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

**ITEM 24: RECESS OR ADJOURNMENT:** Helm made a motion to adjourn at 10:53 a.m. and Thacker seconded the motion. Roll call: DeLozier-aye, Thacker-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, January 16, 2014, at 4:48 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.*