

AMENDED
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, February 3, 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 9:11 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 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:** Commissioner Thacker led the flag salute and Pledge of Allegiance.
- ITEM 4:** **INVOCATION:** Commissioner Helm said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** January 27, 2014 Regular Meeting. Thacker made a motion to approve the minutes 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:** Commissioner Helm commended Chief Book with the Sheriff Department for the apprehension of the man and woman stealing fuel from a county tractor.
- ITEM 8:** **UNFINISHED BUSINESS:**
1. BKL, Inc. – Rogers County E-911 Facility App #9 \$44,482.13 ***NOTE*** This item was tabled from January 13, 2014, January 21, 2014, and January 27, 2014. –***NOTE* Current payment is due to Flintco, LLC *** Thacker made a motion to pay Flintco instead of BKL, Inc. Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Open and award Bid #640 – Remodeling Project at the Rogers County Health Department ***NOTE*** This item was tabled from January 27, 2014 - Mr. DeLozier read the letters received from Mary Beth Murray with the Health Department and Steve Benge the Contract Manager discussing the variation in the bids received. The bids received were Builders Unlimited at \$80,837.00, Panther Creek at \$125,738.63, Thompson Construction at \$133,900.00, Schilt Management Services at \$136,493.73 and The Webb-Jack Co. at \$164,308.00. Thacker made a motion to go with the recommendation of Ms. Murray and Mr. Benge and award the bid to Panther Creek and note that it isn't the lowest bid, but the best bid received. Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
Note At this point Thacker requested to move to Item 19-7, Presentations of Planning Commission Members.
- 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:**
1. Chelsea Gas Authority: To – Bore – Cross County Highway or Local Road South 4230 Road approximately 0.49 miles, of south of East 420 Road and further described as: 2,604' feet South of the NE Corner of Section 10, Township 22N, Range 17E, Rogers County –

District #1 – Planning Commission Director, Larry Curtis, recommended approval. DeLozier made a motion to approve. Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

2. Oklahoma Natural Gas: To – Bore – Cross County Highway or Local Road East Courtney Lane Approximately 1.38 miles north & 1.67 miles, west of S.H. #266 & S.H. #66 Jct. and further described as: 690' feet North & 520' feet East of the Southwest Corner of Section 27, Township 21N, Range 15E, Rogers County – District #3- Planning Commission Director, Larry Curtis, recommended approval. Thacker made a motion to approve. DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. AT&T Oklahoma – To – Direct Bury and Direct Bore – Parallel / and Cross County Hwy or Local Road East 86th Street North approximately 0.34 miles west of North 161st E. Ave. and further described as: 1800' feet West of the Southeast Corner of Section 22, Township 21N, Range 14E, Rogers County – District #2 - Planning Commission Director, Larry Curtis, recommended approval. Helm made a motion to approve. DeLozier 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 –
 - Addressing to Froman \$150.00
 - Emergency Management to Froman \$300.00
 - Emergency Management to Comdata \$200.00
 - Planning Commission to District #3 \$1,000.00
 - District #2 to O'Reilly Auto Parts \$1,000.00
 - District #3 to National Waste & Disposal Inc. \$2,950.00
 - District #3 to R & S Auto Parts \$500.00
 - District #3 to Pixley Lumber Co. \$300.00
 - District #3 to Lowe's \$500.00Helm made a motion to approve all Blanket Purchase Orders. 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 authorization for Chairman to submit a budget modification request to ODOC reallocating administrative funds to project construction. Andy Armstrong presented this item. DeLozier made a motion to approve and Thacker 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 final drawdown request in the amount of \$32,525 for 15221 CDBG ED 12 (Port of Catoosa TMK-IPSCO Rail Spur). Andy Armstrong presented this item. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-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 Plaza Project – No one present.
2. Update regarding E-911 Trust Authority (Thacker) – DeLozier reported there is a meeting this Thursday, February 6, 2014.
3. Presentation of Fair Board Election candidate filings and possible Cancellation of 2014 Fair Board Elections – (Clerk)
 - District #1: Tony Carlson
 - District #2: Lyle Blakely
 - District #3: James HawkinsThere were 1 candidate filing from each district. Thacker quoted the 2012 minutes from the Board of County Commissioners meeting regarding the past Fair Board Election candidate election. DeLozier made a motion to accept all 3 of the candidate filings and publish that there will be no election held for the Fair Board and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
4. Discussion and possible action regarding Independent Contractor Agreement between Board of County Commissioners and Central Plains Concrete Cutting Co. Inc. – (DeLozier) – DeLozier stated this was for work being performed on Bridge 87. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
5. Discussion and possible action regarding extension of Burn Ban for Rogers County – Stokes – Scotty Stokes presented the Oklahoma Forestry guidelines for requiring a burn ban and all of the requirements were not met. Stokes recommended that the burn ban be lifted for this week but placed back on the agenda for next week to review again. DeLozier made a motion to lift the burn ban and revisit on next week's agenda. Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

6. Discussion and possible action regarding an update by the Sheriff's Department on Pursuit/Insurance policy for the purpose of determining workman compensation rates. – (Helm) - Helm addressed the Pursuit insurance policy with Chief Book. Chief Book stated that he would have it to Mr. Helm by this Friday, February 7, 2014, and that all policies are being done at this time. He further stated that he would attach a letter stating to the effect that the KELA Standard is being adapted with the current policy. The Commissioners agreed with this action. Helm further commended Chief Book and Officer Scotty Moree for taking time to stop and being alert to the man and woman that was stealing fuel from the county tractor and for putting himself in a possible threatening situation. Mr. Iski spoke as a citizen and commended them as well and thanked them for everything they do to protect our citizens.
7. Presentation of Service Citations to Planning Commission Members by Board of County Commissioners – (Thacker) – Thacker presented the certificates to the Planning Commission Members: Brian Green, Johnny Messimore, Maynard Phillips, Newt Phillips, Dolphus Chancy, Brandon Claborn, Mike Shore, and Michael Martin.
***Note* At this point returned to Item 9 ***
8. Discussion and possible action regarding Resolution 2014- 114 A Resolution authorizing the Board of Directors of the Rogers County Public Facilities Authority to incur indebtedness in the amount of \$50,000.00, together with a certain line of credit not to exceed \$100,000.00; ratifying existing indebtedness and authorizing total indebtedness not to exceed \$604,000.00, including said line of credit whether used or not; authorizing indebtedness for the purpose of retiring, replacing, and refinancing certain outstanding loans, to provide funds for the purchase of equipment, for operation and maintenance of the Authority's Facilities, and for other lawful purposes; waiving competitive bidding; and approving documents as may be necessary or required. – (DeLozier) – Dave Wilbur presented this item. Mr. Wilbur stated this would combine 2 outstanding notes and a \$50,000.00 line of credit. Helm asked Mr. Wilbur if he recommends this transaction to proceed and Mr. Wilbur stated yes. Mr. Wilbur supplied a copy of the appraisal to enter into records. DeLozier asked Mr. Wilbur if they have their records audited yearly and Mr. Wilbur stated yes and that he would provide of copy of them once this transaction has been settled. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
9. Discussion and possible action regarding Resolution for Disposing of Equipment - to be junked by IT (Williston) -
 - a. Nobilis Computer Workstation with Acer Monitor ser.# 1036379 and AL1916W
 - b. Toshiba Laptop Computer ser.# A10-S167Brett Williston stated that the hard drives of each have been destroyed. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
10. Discussion and possible action regarding Resolution for Disposing of Equipment - District #3 sold to Ottawa County District #2 for \$47,500.00 - (Thacker) -
 - a. John Deere Backhoe 310SJ Ser.# T0310SJ149580 – D332-0303Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
11. Discussion and possible action regarding Resolution for Disposing of Equipment - to be transferred from District #2 to Courthouse Maintenance Department (Helm) -
 - a. 2011 Chevy Silverado HD2500 3/4 ton truck VIN# 1GC1KYCG7BF193737
 - b. Snow Plow HD75 Ser.# 7539Thacker offered storage space at District #3 for housing the snow plow. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
12. Discussion and possible action regarding Resolution for Disposing of Equipment - to be traded from District #2 to P&K Equipment (Helm) -
 - a. 2013 John Deere 6125R Ser.# L06125R765052
 - b. 2013 John Deere 6125R Ser.# L06125R765509
 - c. 2013 John Deere 6125R Ser.# L06125R765349
 - d. 2013 John Deere 6125R Ser.# L06125R765722
 - e. 2013 John Deere CX15 Ser.# P0CX15G045071
 - f. 2013 John Deere CX15 Ser.# P0CX15G045064
 - g. 2013 John Deere CX15 Ser.# P0CX15G045097
 - h. 2013 John Deere CX15 Ser.# P0CX15G045098
 - i. 2013 John Deere H310 Ser.# POH310X005671
 - j. 2013 John Deere H310 Ser.# POH310X005758
 - k. 2013 John Deere H310 Ser.# POH310X005693
 - l. 2013 John Deere H310 Ser.# POH310X005757Helm stated that the County has a 5 year agreement with 1 year options to trade back in. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. Thacker then asked Helm to give a better explanation of how this agreement works. Mr. Helm asked Tony Carlson with P & K Equipment to explain the process.
13. Reimbursement and Resolution #2014-109 to deposit funds of \$505.44 from District #3 into General Fund M&O 20-200 – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
14. Reimbursement and Resolution #2014-110 to deposit funds of \$94.44 from E911 into General Fund M&O 20-200 –
15. Reimbursement and Resolution #2014-111 to deposit funds of \$118,667.00 from Cherokee

- Nations into 1 Cent Sales Tax Capital Outlay Fund 81 ST-400 –
16. Reimbursement and Resolution #2014-112 to deposit funds of \$3,966.09 from OTEMS into 1 Cent Sales Tax M&O 82 ST-200 –
 17. Reimbursement and Resolution #2014-113 to deposit funds of \$6,000.00 from County of Okmulgee into 1 Cent Sales Tax Maintenance Lease 83 ST-348 –
DeLozier made a motion to approve Items 19:14-17 and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
Note Moved to Item #20 at this point***
 18. Discussion and possible action to enter Executive Session pursuant to Okla. Stat. Ann. tit. 25, § 307 (B) (1) for the purpose of: Discussing the employment, terms of employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee: to-wit Scotty Stokes, Emergency Management Director (Helm) – Helm made a motion at 10:15 a.m. to enter into Executive Session and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 19. Motion and vote to Adjourn Executive Session and enter Regular Session – (DeLozier) – Helm made a motion at 10:52 a.m. to adjourn from Executive Session and re-enter Regular Session. DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 20. Discussion and possible action regarding Executive Session item: to-wit Scotty Stokes, Emergency Management Director – (DeLozier) – DeLozier stated that there will be no action taken at this time.

**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 states they are training this week and trust meeting Thursday at 9:00 a.m.
 - c) Thanked for the truck and snow plow and it will help in the snow removal for this week. He also stated that the Insurance came and reviewed the building. The Insurance said that all fire pumps needs to be turned on for a few seconds every month and not once a year.
 - f) Helm asked Mr. Iski where the funds came from for the remodel, if they were from bonds or where. He further asked who owns the building; the Health Department or the Board of County Commissioners. Mr. Iski stated that regarding the funds is not a legal question therefore he is unable to answer. As for who owns the building, Mr. Iski stated he would check into that.
 - i) Jenny Bentley stated this is the 1st week of Gridiron competition. All entries need to be turned in by this Friday, February 7, 2014. There is a Directors and 1st Deputies meeting set for Tuesday, February 04, 2014 to discuss the first event which is a community event.
 - j) Brett Williston reported all is up and going.
 - k) Larry Curtis reported last month's numbers reflected \$6.3 million for permits and last year at this time was \$6.5 million.
 - n) Chief Book read the officers report on the tractor fuel theft in District #2.
***At this point, the meeting went back to Item # 19-18 ***

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.

***At this point, Helm made a motion to recess the Board of County Commissioners meeting at 11:09 a.m to allow the Rogers County Educational Facilities Authority meeting to begin. Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

***DeLozier called the meeting back to order at 11:49. Chairman DeLozier, Commissioner Helm and Commissioner Thacker were all present and quorum was set ***

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

ITEM 24: RECESS OR ADJOURNMENT: DeLozier made a motion to adjourn at 11:52 and Thacker 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 30, 2014, at 6:19 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.