

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, March 31, 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:** Vice- Chairman Helm 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. Vice-Chairman Helm and Commissioner 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. ***Note*** Chairman DeLozier was not present at the meeting. ***
- ITEM 3:** **PLEDGE OF ALLEGIANCE:** Robin Anderson, Rogers County Clerk, led the flag salute and Pledge of Allegiance to the American flag.
- ITEM 4:** **INVOCATION:** Commissioner Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** March 24, 2014 Regular Meeting – Helm made a motion to approve and Thacker seconded the motion. Roll call: 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:** None presented.
- ITEM 9:** **ZONING:** None presented.
- ITEM 10:** **PLATS:**
1. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for Fossil Creek. APPLICANT: K&S Development Inc. Current Zoning: PUD (RS-30 Underlining). LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW/4) OF SECTION 11 OF TOWNSHIP 21 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY, THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA. – District 2 – Public hearing was opened at 9:02 a.m. Brian Kellogg was present for the applicant. There was no opposition present. Mr. Kellogg stated everything is in order and Larry Curtis recommended approval. The public hearing was closed at 9:03 a.m. Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
- ITEM 11:** **ROADS & BRIDGES:**
1. Discussion and possible action regarding Resolution #2014-138 - whereas the Board of County Commissioners of Rogers County is recommending to the Oklahoma Department of Transportation the selection of a consulting engineer for public project BR39 Rabb Creek, J/P29748 (04) – (Helm) – Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
- ITEM 12:** **CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:** None presented.
- ITEM 13:** **TRANSFER OF FUNDS:**
1. 04CF-400 Sheriff Civil Fees Capital Outlay to 04CF-200 Sheriff Civil Fees M&O \$30,000.00 – Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

Note At this point, Vice-Chairman Helm asked Commissioner Thacker to take over due to his Bell's Palsy not allowing him to speak clearly and he would speak as necessary.

- ITEM 14:** **UTILITY PERMITS:**
1. Cox Communications - To - Bore - Cross County Highway or Local Road Lone Elm Rd, Summit Trail approximately .15 miles of West Country Club Rd. and further described as: 782' feet North of the West Country Club Rd. Corner of Section SW13, Township 21N,

Range 15, Rogers County – District 3 – Larry Curtis presented this item and recommended approval. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

2. Rural Water District # 3 Rogers County -To - Bore - Cross County Highway or Local Road EW 370 approximately 0.640 miles west of NS 4200 & EW 370 Junction and further described as: 3360' feet West of the Northeast Corner of Section 18, Township 23N, Range 17E, Rogers County – District 1 – Larry Curtis presented this item and recommended approval. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

ITEM 15: CLAIMS:

1. Salaries – District 2 had an error in calculation of hours on March salaries. Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
2. Attendant Care – February 2014 - State of Oklahoma, Office of Juvenile Affairs \$884.56. – Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

ITEM 16: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - District #1 to National Waste & Disposal, Inc. \$7,375.00
 - District #2 to O'Reilly's Auto Parts \$1,000.00
 - District #3 to National Waste & Disposal, Inc. \$2,950.00
 - District #3 to Lowe's \$500.00
 - District #3 to Ameriflex Hose & Accessories \$500.00
 - Sheriff to O'Reilly Automotive Stores \$250.00
 - Sheriff to Speedy Lube \$500.00
 - Sheriff to Comdata Master Card \$18,000.00
 - Emergency Management to Froman \$300.00
 - Emergency Management to Comdata \$200.00
 - Addressing to Froman \$175.00
 - Planning Commission to District #3 \$1,000.00Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
2. Orders Exceeding Amount of Issuance - None presented.

ITEM 17: GRANTS:

1. Designate the County's Chief Executive Officer, the Chairman, as the certifying officer under the National Environmental Policy Act of 1969 to assume overall responsibility for the environmental review process. – Andy Armstrong presented this item. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
2. Make a Finding of No Significant Effect on the Environment for the 15603 CDBG 13 Old State Highway 88 Water Line Project - Andy Armstrong presented this item. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
3. Authorize the Chairman to sign the CDBG Certification of Leverage, Environmental Certification and electronically make a Request for Release of Funds. - Andy Armstrong presented this item. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
4. Approve an Anti-displacement Plan for the CDBG Old State Highway 88 Water Line Infrastructure Project. - Andy Armstrong presented this item. Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
5. Request for a Public Hearing to be set for Monday, April 7, 2014 at 9:00 a.m. to receive recommendations on community development needs within Rogers County. – Andy Armstrong presented this item and stated this is an annual hearing. Helm made a motion to approve and Thacker seconded the motion. Roll call: 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) – Janet Hamilton, E911 Director, stated there will be a meeting this coming Thursday. She also stated that what the current communities are paying for dispatch service will not offset the expense. Oologah & Talala has already stated that if the price increases, then they will not be using the dispatch service.
3. Open and award Bid #104 – Laid Asphalt – 15 bids sent, 5 received, and 2 returned undeliverable. Bids received are as follows: 1) A & A Asphalt, Inc.: Type B \$56.90; Type C \$60.20 2) Paragon Contractors, Inc.: Type B \$56.00; Type C \$59.00 3) Tulsa Asphalt: Type B \$55.64; Type C \$59.17 4) APAC-Central, Inc.: Type B \$67.00; Type C \$71.00 5) Dunlaps Asphalt Services, Inc.: Type B \$64.00; Type C \$64.50. Thacker made a motion to award Bid #104 to the lowest bidder, Tulsa Asphalt and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
4. Discussion and possible action regarding a contract between Rogers County District #1 and Oklahoma Environmental Services, Inc. to provide preparation of a Spill Prevention Control

and Countermeasures Plan (DeLozier) – Thacker made a motion to table 1 week and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

5. Discussion and possible action regarding Lease Purchase Agreement for Equipment between Board of County Commissioners of Rogers County and Warren Cat. for a AGCO Tractor Model MT565D Ser. # C305025 with a Loader Model ML78 Ser. # UY7386379 with a Unit Price of \$151,400.00 and a Lease Purchase Price of \$160,377.60. (DeLozier) – Helm made a motion to approve and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
6. Discussion and possible action regarding Resolution #2014-139– Proclaiming April 13-19, 2014 as National Public Safety Telecommunicator Week – (Hamilton) – Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
7. Reimbursement and Resolution #2014-135 to deposit funds of \$50.00 from A. Ball into 91-210 District #1 Cemetery Restitution – Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
8. Reimbursement and Resolution #2014-136 to deposit funds of \$442.18 from Planning Commission Fuel Reimbursement into 83ST-200 District #3 1-Cent Sales Tax M&O– Thacker made a motion to approve and Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.
9. Reimbursement and Resolution #2014-137 to deposit funds of \$1,000.00 from Travelers Insurance into 04-250 Sheriff Vehicle Maintenance - Helm made a motion to approve and Thacker seconded the motion. Roll call: 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
g.) Julie Dermody stated that the Election Board is having a county wide voter registration drive through April and May. k.) Larry Curtis, Planning Commission Director, stated that the month was successful with 16 new home permits.

ITEM 21: ACKNOWLEDGE RECEIPT OF THE FOLLOWING ITEMS:

1. Check received from Flintco for App #09, Contract Ref # 4483, and Approved by Board of County Commissioners on February 3, 2014 for \$44,482.13 and being reimbursed \$13,260.38 for over charge. – Thacker stated so acknowledged.

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- Ted King with the Inola Independent/Catoosa Times addressed Commissioner Helm that last week, he and Undersheriff Sappington spoke regarding additional security of the Courthouse and mentioned in the conversation what is being collected is not enough (Mr. King guessing that being collected was pertaining to the metal detector at the front entrance) and Undersheriff Sappington responded that it wasn't enough to justify the expense. Helm responded that he was referring to security cases and the funds from each case that was being collected through the Court Clerk's office.

Mark Friedel with the Claremore Progress asked the Commissioners if they knew what day the upcoming county audit will be coming out on and if they expect it to look better than last year. Commissioner Thacker replied he was not sure as to when the audit will come out but it should be soon and there's the standard segregation of duties and some other issues.

Linda Batty asked the Commissioners if they had heard the news on a bill being proposed to State Legislature that would elevate schools and churches from liability to allow people to take shelter in their facilities during tornadoes. Commissioner Thacker stated that all he knows is what Ms. Batty stated about a bill may be heard.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions) - Helm made a motion to approve and rescinded his motion. Thacker made a motion to approve all purchase orders except purchase order #4879. Helm seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT: Helm made a motion to adjourn at 10:13 a.m. and Thacker seconded the motion. Roll call: Helm-aye, Thacker-aye. Motion carried.

Attest:

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

Robin Anderson, Rogers County Clerk
(SEAL)

Dan DeLozier, Chairman