

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 10, 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 9:02 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 Helm led the flag salute and Pledge of Allegiance.
- ITEM 4:** **INVOCATION:** Commissioner Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** March 6, 2014 Special Meeting – Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
Note At this time, DeLozier skipped to Item # 19-10.
- 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. Award Bid #641 – A Pre-Engineered metal building to be used as an equipment parking shed – ***Note *** This item was tabled from March 6, 2014 *** - DeLozier made a motion to award Bid# 641 to MJM Construction, LLC for \$58,160.55 plus \$2,116.00 for guttering. Helm stated he would second the motion and would like to piggyback off the bid. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Award Bid #642 – Hydraulic Excavator – ***Note *** This item was tabled from March 6, 2014 *** - DeLozier made a motion to award Bid# 642 to Yellowhouse Machinery for \$129,701.37 and would be a lease purchase. The lowest 3 bids did not meet specifications. Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. Award Bid #643 – One (1) New Front Wheel Assist Tractor – ***Note *** This item was tabled from March 6, 2014 *** - DeLozier made a motion to award Bid# 643 to the lowest bid of Warren Cat for \$151,400.00 and would be a lease purchase. Helm 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:**
1. 003 Courthouse Bond Proceeds \$120,363.14
2. 008 Cobra \$6,784.98
3. 101 T-Highway \$274,433.83
4. 105 CBRIF \$22,868.33
5. 113 Property Resale \$25,369.45
6. 114 Emergency Management \$7,500.00
7. 115 Health Department \$1,868.84
8. 119 Sheriff Civil Fees \$22,809.40
9. 121 County Clerk Lien Fees \$927.90
10. 122 Treasurer Cert. Fees \$1,228.40
11. 124 County Clerk Preservation \$6,407.02
12. 127 Sheriff Commissary \$25,476.88
13. 128 Courthouse SEC/SHRF Fees \$2,950.00
14. 129 Sheriff Courthouse Secure \$3,888.26

15. 131 Law Library \$3,910.56
16. 135 Criminal Justice Authority \$248,949.79
17. 137 Sheriff Jail \$7,372.79
18. 140 Wireless Prepay 911 Fee \$4,585.18
19. 141 Wireless Services \$50,613.87
20. 142 E-911 Addressing \$8,391.66
21. 147 Drug Court Contract \$12,937.50
22. 148 Drug Court Participant \$4,204.90
23. 175 Assessor Revolving \$105.38
24. 180 Court Clerk Revolving \$8,697.05
25. 181 R.E.A.P. Grants

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

ITEM 13: TRANSFER OF FUNDS:

1. 04-133 Sheriff Out Of County Travel to 04-250 Sheriff Vehicle Maintenance \$10,000 –
2. 09-110 OSU Salaries to 09-200 OSU M&O \$14,112.00 –

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

ITEM 14: UTILITY PERMITS:

1. Chelsea Gas Authority - To - Bore - Cross County Highway or Local Road East 310 Rd. approximately 0.3 miles west of South 4240 Rd. and further described as: 1565' feet West of the NE Corner of Section 14, Township 24N, Range 17E, Rogers County – District #1
2. Chelsea Gas Authority – To – Bore – Cross County Highway or Local Road East 390 Rd. approximately 0.15 miles east of South 4230 Rd. and further described as: 780' feet East of the NW Corner of Section 25, Township 23N, Range 17E, Rogers County – District #1
3. ONG – To – Bore – Parallel County Highway or Local Road Keetonville Rd. approximately 1/8 miles South of Hwy 20 and Keetonville Rd. Section 16, Township 21N, Range 15E, Rogers County – District #2

Larry Curtis presented these items and stated they were true and accurate and recommended approval. Helm made a motion to approve Items 14:1-3 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 –
 - Sheriff Jail to Mullin Plumbing \$5,000.00
 - District #3 to Lowe's \$500.00

DeLozier 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: 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 – No one was present.
2. Update regarding E-911 Trust Authority (Thacker) – Chief Dave Puckett gave the update. He stated that Verdigris Police Chief is ready to come on board. The Board has requested information from OLETS. He also stated that Oologah and Talala are looking to sign contracts.
3. County Clerk's Cashbook and Summary Report for January 2014 – (Clerk) - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
4. Monthly Report of Officers (Clerk) – The Clerk requested to come back to this item later. DeLozier proceeded to Item 19-5. DeLozier returned to this item after Item 19-11. The Treasurer requested to table 1 week. DeLozier made a motion to table 1 week and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
5. Discussion and possible action regarding Oologah Police Department contract for dispatch services starting April 1, 2014 – (Hamilton) – Janet Hamilton, E911 Director, requested to table 1 week. DeLozier made a motion to table 1 week and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
6. Discussion and possible action regarding Talala Police Department contract for dispatch services starting April 1, 2014 – (Hamilton) - Janet Hamilton, E911 Director, requested to table 1 week. DeLozier made a motion to table 1 week and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

7. Discussion and possible action regarding Independent Contractor Agreement between Board of County Commissioners of Rogers County and WTECH LLC - (Hamilton) – Janet Hamilton, E911 Director, presented this item. Ms. Hamilton stated that this was for IT support through fiscal year end, 6/30/14, at the rate of \$1800.00 per month for 6 hours of service per week. Ms. Hamilton recommended approval of the contract. 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 Independent Contractor Agreement between Board of County Commissioners of Rogers County and Otis Elevator Company (Baze) – Ryan Baze presented this item and stated this is the current company servicing the elevators. The one year warranty expires in April, 2014. Mr. Baze recommended to keep their service and approve the contract. DeLozier 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 Oklahoma Cooperative Extension 100 Year Celebration – (OSU Extension – Patterson) – Donna Patterson presented this item and explained that the celebration would occur the week of April 28, 2014 and conclude with an Open House on May 2, 2014 in their new offices located in the Courthouse on the 2nd floor. Thacker 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 background checks for the Rogers County Bar Association attorneys and courier staff on the following items – (Helm) –
 - A. A Board decision of whether or not Rogers County Bar Association Attorneys need to have a “background check”, in order to acquire one of the Security Access Cards to the Courthouse 3rd and 4th Floor Judges Chambers Corridor Hallways.
 - B. A Board decision of whether or not Rogers County Bar Association “Couriers” need to have a “background check”, in order to acquire one of the Security Access Cards to the Courthouse 3rd and 4th Floor Judges Chambers Corridor Hallways.
 - C. A Board decision of which entity will assume the responsibility of providing background checks, for Rogers County Bar Association Attorneys and/or Couriers, if a Board decision is made to require either group to acquire “background checks”.
 1. Would the “background check” be provided by the Rogers County Human Resources Office, as it is required for other Rogers County Employees, for a fee of \$10.00?
Or
 2. Would the “background check” be provided by another company, organization, or law enforcement agency at an amount to be determined?

Helm questioned the fact he had sponsored this item. ****NOTE****He apologized later in the meeting that he had forgotten but indeed he had sponsored it. Commissioner Helm requested for Jenny Bentley, HR Director, and Major Coy Jenkins, Sheriff Department, to step forward to address this item. Discussion was held and it was determined that no background checks were needed. Judge Sheila Condren and Sheriff Walton were present and entered into the discussion. Walton stated he would like for the Board to allow him to do his job according to state statutes and have full access to the security and keycards DeLozier made a motion to allow the Sheriff to have control of security and the keycards. It died for lack of a second. Mr. Iski stated that was not on the agenda and therefore could not be voted upon. Thacker made a motion that if Major Jenkins is good with no background checks under the authorization of the sheriff, then he motions to forgo background checks on the attorneys of the Rogers County Bar Association and for their couriers, Items 10: A & B. Helm seconded the motion. Roll call: DeLozier – no vote entered because he feels that the Sheriff should have full control of key cards. Helm-aye; Thacker-aye. Motion carried.
Item 10-C – No action taken.
11. Reimbursement and Resolution #2014-126 to deposit funds of \$417.36 from Mercury Insurance Group into 81ST-200 District #1 1-Cent Sales Tax M&O – DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier- aye, Helm-aye, Thacker-aye. Motion carried. County Clerk Robin Anderson asked the Chairman if we could move back to Item 19: Agenda Item 4.
12. Discussion and possible action to enter into Executive Session pursuant to Okla. Stat. Ann. tit. 25, § 307 (B) for the purpose of confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; to-wit DaMico v BOCC, Rogers County Case No. CV-2014-10 – (DeLozier) - Helm made a motion to enter into Executive Session and DeLozier seconded the motion. Roll call: DeLozier- aye, Helm-aye, Thacker-aye. Motion carried.
13. Motion and vote to Adjourn Executive Session and enter Regular Session – (DeLozier) - DeLozier made a motion to adjourn executive session and enter regular session and Thacker seconded the motion. Roll call: DeLozier- aye, Helm-aye, Thacker-aye. Motion carried.
14. Discussion and possible action regarding Executive Session item– (DeLozier) – Helm made a motion to table one week and Thacker 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 would be a conference call this week for some of the trust board members and the new cab product. She will be out of pocket next week.
- f.** Assistant District Attorney David Iski offered his continued kudos to Chief Book with the Sheriff's department again for their hard work and stated the taxpayers will benefit from this.
- h.** Scotty Stokes reported there is safety training today and this week. His volunteer, Thomas, has had a background check with the assistance of HR and with Mr. Iski's approval. He also contacted Burrows to add him to the Traveler's insurance policy.
- k.** Larry Curtis announced they have 4 more weeks of CLEET training and INCOG is having training for all the planners.
- n.** Jon Sappington stated they had 217 inmates over the weekend, but now they are now down to 207. They arrested 6 during the night for drugs which started out as a routine traffic stop.

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- Ted King, Inola Independent, stated that a couple of weeks ago Salesha Wilken, Claremore Progress, asked about the background checks for attorneys. His father was an attorney and they weren't subject to background checks, so he was wondering why this was on the agenda. Commissioner Thacker answered that she did not know that and it was for clarification for the public.

NOTEJulie Dermody, Election Board Secretary, came in late and asked the Chairman if she could speak. DeLozier moved back to Agenda Item 20 G. Ms. Dermody stated that all party affiliation changes needed to be made before March 31, 2014. She also presented Election Board Voter Drive packets to anyone that wished to have one.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions) - Helm made a motion to pay all purchase orders and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. ***NOTE***DeLozier left the meeting at 10:21 a.m. and returned at 10: 32 a.m.

ITEM 24: RECESS OR ADJOURNMENT: Helm made a motion to adjourn at 10:57 a.m. and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

(SEAL) By: _____
Robin Anderson, Rogers County Clerk

Notice of said meeting was filed in the Office of the County Clerk on Thursday, March 6, 2014, at 5:13 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.