

## 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 24, 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 9:00 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 17, 2014 Regular 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:** Commissioner Thacker announced Trash Off Days for Rogers County District #3 will be a four day event this year: Thursday, April 10th; Friday, April 11th; Saturday, April 12th; Sunday, April 13th. District #3 locations will be open and staffed from 8:00 am to 4:00 pm each of these days.  
Commissioner DeLozier also announced Rogers County District #1 will have Trash Off Days on Thursday, April 10th and Friday, April 11th from 7:00a.m. to 3:30 p.m.; Saturday, April 12th from 8:00 a.m. to 4:30 p.m.
- ITEM 8:**       **UNFINISHED BUSINESS:**
1. Discussion and possible action to enter into an agreement between the Board of County Commissioners of Rogers County and the Rogers County Industrial Development Authority, RCIDA, for a leased or shared employee – (Thacker) – **\*\*\*Note\*\*\*** This item was tabled from March 6, 2014 and March 17, 2014 **\*\*\*** Thacker made a motion to strike from the agenda and Helm seconded the motion. Roll call: DeLozier-aye; Helm-aye, Thacker-aye. Motion carried.
  2. Discussion and possible action regarding Meshek & Associates, PLC – Amendment to the GIS Mapping, Phase II, District 2 in Rogers County to increase the area of the mapping and included additional services for consideration – (Helm) - **\*\*\*Note\*\*\*** This item was tabled from March 6, 2014 and March 17, 2014 **\*\*\*** Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
  3. Discussion and possible action regarding a presentation by Stephen Buggs with Zero Waste Recycling Inc. to recycle the waste paper for the Rogers County Courthouse (Thacker) – **\*\*\*Note\*\*\*** This item was tabled from March 17, 2014 **\*\*\*** - Thacker made a motion to table 1 week and DeLozier seconded the motion. Thacker rescinded his motion and DeLozier rescinded his second. Thacker made a motion to table for 2 weeks and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
  4. Discussion and possible action regarding Sign Maintenance Policy and Procedure (DeLozier) - **\*\*\*Note\*\*\*** This item was tabled from March 17, 2014 **\*\*\*** - DeLozier made a motion to table for 2 weeks and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
- ITEM 9:**       **ZONING:** None presented.
- ITEM 10:**      **PLATS:**
1. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for Compton Properties subdivision. APPLICANT: Compton Properties LLC. Current Zoning: AI (I-3). 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, being further described as follows: Beginning at the Southwest Corner of said SE/4 of the SW/4; thence N 00°05'54" W, along the West line thereof, a distance of 327.45 feet; thence S 89°57'10" E a distance of 454.91 feet to the Westerly R/W line of the St. Louis and San Francisco Railroad; thence S 53°30'28" W, along said R/W line a distance of 288.18 feet; thence Southwesterly, along a curve to the left, having a central angle of 02°30'01" and a

radius of 5829.65 feet for a distance of 254.40 feet to the South line of said SE/4 of the SW/4; thence N 89°57'10" W, along said South line, a distance of 21.51 feet to the point of beginning. – Public hearing was opened at 9:11 a.m. There were no public comments. The public hearing was closed at 9:13 a.m. 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 of Final Plat Approval for Compton Properties subdivision. APPLICANT: Compton Properties LLC. Current Zoning: AI (I-3). 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, being further described as follows: Beginning at the Southwest Corner of said SE/4 of the SW/4; thence N 00°05'54" W, along the West line thereof, a distance of 327.45 feet; thence S 89°57'10" E a distance of 454.91 feet to the Westerly R/W line of the St. Louis and San Francisco Railroad; thence S 53°30'28" W, along said R/W line a distance of 288.18 feet; thence Southwesterly, along a curve to the left, having a central angle of 02°30'01" and a radius of 5829.65 feet for a distance of 254.40 feet to the South line of said SE/4 of the SW/4; thence N 89°57'10" W, along said South line, a distance of 21.51 feet to the point of beginning. - Public hearing was opened at 9:14 a.m. There were no public comments. The public hearing was closed at 9:14 a.m. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. \*\*\*Note\*\*\* At this point Chairman DeLozier moved to Item 19:3 \*\*\*
3. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for The Reserve at Stone Canyon. APPLICANT: C.A.B.O. Development CO. L.L.C. Current Zoning: PUD (RS-20 Underlining). LEGAL DESCRIPTION: LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW) OF SECTION 01, TOWNSHIP 20 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. - Public hearing was opened at 9:35 a.m. There were no public comments. The public hearing was closed at 9:36 a.m. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
4. Public hearing with discussion and possible action on the request of Preliminary Plat Approval for The Reserve at Stone Canyon. 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. – Larry Curtis, Planning Commission Director, had stated The Reserve location is inaccurate and should be Fossil Creek. DeLozier made a motion to strike from the agenda and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 11: ROADS & BRIDGES:**

1. Discussion and possible action regarding Resolution #2014-133 - A resolution giving notice to the Oklahoma Highway Patrol regarding load postings for roads and bridges within the county road system in Rogers County (Helm) – Thacker 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 a Memorandum of Understanding between Rogers County and the Cherokee Nation (DeLozier) – This is regarding 1 mile of road known as Bowlin Springs II Road. DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 12: CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATIONS:** None presented.

**ITEM 13: TRANSFER OF FUNDS:** None presented.

**ITEM 14: UTILITY PERMITS:**

1. Oklahoma Natural Gas -To - Bore - Cross County Highway or Local Road N. 194th E. Ave. approximately 1.57 miles north & 0.10 miles east of Hwy 266 & Hwy 167 Junction and further described as: 1,690' feet North & 250' feet East of the Southwest Corner of Section 31, Township 21N, Range 15E, Rogers County - District 2 – Larry Curtis, Planning Commission Director, stated that this meets all requirements. Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**ITEM 15: CLAIMS:**

1. Salaries – March 2014 – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
2. Attendant Care – None presented.

**ITEM 16: BLANKET PURCHASE ORDERS:**

1. Material, Supplies, Parts, Groceries & Prescriptions –
  - Jail to PHS Mobile X-Ray \$600.00
  - Jail to St. Francis Outreach Services, LLC \$1,200.00
  - Jail to Medical Compliance Specialty, Inc. \$400.00
  - Jail to Westwood Pharmacy \$6,000.00

- Jail to Froman Oil Company \$1,000.00
- Jail to Correctional Dental Services \$2,000.00
- Jail to Sysco Foods \$3,800.00
- Jail to Performance Food Group \$4,900.00
- Jail to U.S. Foods \$1,800.00
- Jail to Bimbo Bakeries \$1,256.00
- Jail to Warehouse Market \$214.00
- Jail to Farmers Bros Coffee \$280.00
- Jail to Mullin Plumbing \$2,000.00
- District #3 to National Waste & Disposal Inc. \$1,180.00
- District #3 to Pixley Lumber company \$300.00
- District #3 to R&S Auto Parts \$500.00
- District #2 to Fleet Service of Tulsa, Inc. \$2,500.00
- District #2 to Fleet Service of Tulsa, Inc. \$2,500.00
- Assessor to Froman Oil Company \$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 -

- Jail to St. Francis Outreach Services, Inc. \$1,200.00 – exceeded in the amount of \$28.50  
Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

**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 – Steve Rumsey with Flintco reported on the courthouse parking lot and stated the gravel is down. They will be starting the electrical and guttering this week and concrete next week. In four weeks, they should be putting the final lay down, weather permitting.
2. Update regarding E-911 Trust Authority (Thacker) – No update.
3. Discussion and possible action to ask Rogers County Sheriff's Office to coordinate with the County HR Director and the Commissioners and manage the Courthouse electronic key card and hard key distribution in the administration of Courthouse security and to provide a written policy and procedure to carry this out (DeLozier) – Sheriff Scott Walton, Chief Justice Dynda Post, and Presiding District Judge J. Dewayne Steidley were present on behalf of the Justice System. They each addressed their view on the Sheriff having full control of the Courthouse security. DeLozier made a motion to approve and motion died due to lack of second. Commissioners Thacker and Helm had additional questions for the Sheriff and Judges. Mr. Jones stated that he respects Judge Steidley's words and the safety depends on the security of the Courthouse and in today's world the security needs to be tightened. Thacker asked Walton if they locked the commissioners out of the courthouse again, would they notify them about it? Walton responded yes. DeLozier again made a motion to approve with the Sheriff going to provide a written policy and procedure to be reviewed by the Commissioners. Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.  
\*\*\*Note\*\*\* At this point, returned to Item 10:3 \*\*\*
4. Discussion and possible action regarding an update of security collections of \$25.00 from each court case (Helm) – Commissioner Helm addressed Undersheriff Jon Sappington regarding this item. Discussion was regarding how to budget the funds received from each citation issued and payment received, which is actually \$10.00 per citation instead of \$25.00. Undersheriff Sappington said it was not possible to budget off of the actual number of citations issued due to if the citations are not paid in full then the tier breakdown may not include the security portion of the citation in the payment amount received. Therefore, the total amount collected from the prior year is the figure being used for budget purposes. There was no action taken on this item.
5. Discussion and possible action regarding Resolution #2014-134 – Proclaiming April as Fair Housing Month – (Thacker) – Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
6. Reimbursement and Resolution #2014-3 to deposit funds of \$231.34 from Sheriff Fuel Reimbursement into 81ST-200 District #1 1-Cent Sales Tax M&O –
7. Reimbursement and Resolution #2014-130 to deposit funds of \$1,625.17 from RWD#4 into 82ST-200 District #2 1-Cent Sales Tax M&O –
8. Reimbursement and Resolution #2014-131 to deposit funds of \$4,787.11 from OTEMS into 82ST-200 District #2 1-Cent Sales Tax M&O –
9. Reimbursement and Resolution #2014-132 to deposit funds of \$2,223.19 from Town of Oologah and Oologah Municipal Authority into 82ST-200 District #2 1-Cent Sales Tax M&O –  
Helm made a motion to approve Items 19:6-9 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.) Janet Hamilton, E911 Director, stated there was no update and they will be in training this week. h.) Scotty Stokes, Emergency Management Director, commended Jenny Bentley, HR Director, for her hard work on the County Wellness Day and getting the entities in the community to participate. He also said they are trying to get Life Flight for the Wellness Day. Mr. Thacker asked if there was a county storm shelter location grid and Mr. Stokes advised that the Assessor's office has a database where the storm shelters are located and they are working on a map to reflect the location of those storm shelters. Citizens that own a storm shelter can contact Lisa DeLozier in the Assessor's office to give her the information to register their storm shelter. k.) Larry Curtis, Planning Commission Director, stated they were unable to have their regular meeting last week on its designated day so they had a special meeting on last Friday. The Planning Commission had a booth in the Home and Garden Show and the event was well attended. They received several questions regarding the flood plains and a storm shelter registry. M.) Donna Patterson, Ag Educator, said the district meeting will be this week at First United Methodist Church and there will be approximately 500 ladies attending. n.) Jon Sappington introduced Shane Rhames as Detention Chief Deputy.

**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- Salesha Wilken with the Claremore Progress asked Chairman DeLozier will the Sheriff be in charge of the master keys of the Courthouse as well and he replied yes. She further asked will the Sheriff be in charge of who gets keys to the Courthouse and DeLozier replied yes. There were no further comments.

**ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:**  
(Materials, Supplies, Parts, Groceries & Prescriptions) - Before they started signing purchase orders, DeLozier made a motion to recess for 5 minutes at 10:28 a.m. and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. DeLozier called the meeting back to order at 10:35 a.m. Chairman DeLozier, Commissioners Mike Helm and Kirt Thacker were present and quorum established. Helm made a motion to approve all purchase orders and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried. \*\*\*NOTE\*\*\*DeLozier left the meeting at 10:39 a.m. and returned at 10:47 a.m. and left the meeting a second time at 10:49 a.m. and returned at 10:55 a.m. \*\*\*

**ITEM 24: RECESS OR ADJOURNMENT:** Helm made a motion to adjourn at 11:08 a.m. and Thacker seconded the motion. Roll call: DeLozier-aye, Thacker-aye, Helm-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 20, 2014, at 4:26 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.*