

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, April 14, 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 9:01 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. 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 to the American flag.
- ITEM 4:** **INVOCATION:** Commissioner Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** April 7, 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 DeLozier reminded everyone to sign up for free on the Emergency Alert System at www.rogerscounty.org. You will receive alerts for: tornado warnings, blizzard warnings, road closures and water outages. Anyone with a storm shelter can also register it with the county by calling (918) 923-4795. Commissioner DeLozier and Commissioner Thacker also reported that the Trash Off Days went well over the past weekend.
- ITEM 8:** **UNFINISHED BUSINESS:** None presented.
- ITEM 9:** **ZONING:** None presented.
- ITEM 10:** **PLATS:** None presented.
- ITEM 11:** **ROADS & BRIDGES:**
1. Discussion and possible action regarding Local Public Agency Land and Right-of-Way Acquisition Services Agreement by and between Smith-Roberts Land Services, Inc., and Board of County Commissioners of Rogers County for services on Rogers County Bridge 63, J/P 27811(04) known as Dog Creek Bridge located on E410 Road, District #1 – 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:**
1. 003 Courthouse Bond Proceeds \$36,731.20
2. 008 Cobra \$8,160.90
3. 012 RCEFA \$3,225.00
4. 101 T-Highway \$241,700.64
5. 105 CBRIF \$22,675.63
6. 113 Property Resale \$40,985.85
7. 115 Health Department \$800.76
8. 119 Sheriff Civil Fees \$23,588.61
9. 121 County Clerk Lien Fees \$1,004.86
10. 122 Treasurer Cert. Fees \$1,441.00
11. 124 County Clerk Preservation \$6,192.60
12. 125 Engineering Fees \$1,500.00
13. 127 Sheriff Commissary \$22,097.21
14. 128 Courthouse SEC/SHRF Fees \$3,997.38
15. 129 Sheriff Courthouse Secure \$4,448.75
16. 135 Criminal Justice Authority \$191,776.29
17. 137 Sheriff Jail \$13,362.93
18. 140 Wireless Prepay 911 Fee \$4,541.69
19. 142 E-911 Addressing \$7,911.85
20. 147 Drug Court Contract \$16,312.49
21. 148 Drug Court Participant \$4,688.97
22. 175 Assessor Revolving \$84.29

23. 180 Court Clerk Revolving \$10,228.81
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: None presented.

ITEM 14: UTILITY PERMITS:

1. RWD #5 Rogers County -To - Bore - Cross County Highway or Local Road East Admiral Place approximately 0.034 miles east of the intersection of East Admiral Place & 305th E. Avenue and further described as: 180' feet East of the Northwest Corner of Section 5, Township 19N, Range 16E, Rogers County – District 3 – Thacker made a motion to approve and Helm 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 Woodcrest Drive approximately 3.50 miles north of Hwy 20/88 & Hwy 66 Jct. and further described as: 830' feet South & 580' feet East of the Northwest Corner of Section 28, Township 22N, Range 16E, Rogers County – District 1 - DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
3. Oklahoma Natural Gas - To - Bore - Cross County Highway or Local Road East 78th Street North approximately 3.30 miles east & 0.30 miles north of Hwy 135 & Hwy 169 Jct. and further described as: 1,645' feet North & 1,727' feet East of the Southwest Corner of Section 26, Township 21N, Range 14E, Rogers County – District 2 - Helm made a motion to approve 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 – March 2014 - State of Oklahoma, Office of Juvenile Affairs \$1,354.56. – Helm made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

ITEM 16: BLANKET PURCHASE ORDERS:

1. Material, Supplies, Parts, Groceries & Prescriptions –
 - District #1 to County Building Center \$100.00
 - District #1 to R&S Auto Parts-Chelsea \$350.00
 - District #1 to National Waste and Disposal, Inc. \$885.00
 - District #2 to O'Reilly's Auto Parts \$1,000.00
 - District #3 to Pixley Lumber Company \$300.00
 - District #3 to R&S Auto Parts \$500.00
 - District #3 to National Waste and Disposal, Inc. \$2,950.00DeLozier made a motion to approve and Helm 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. Public Hearing to receive recommendations on community development needs within Rogers County. Andy Armstrong presented this item. A public hearing was opened at 9:11 a.m. Mr. Armstrong stated the funds for this grant would be used for County and Rural Water District projects. No one from the public made any recommendations. Mr. Armstrong stated that RWD#3 known as Tacora Hills Water Treatment Plant, is the 2nd largest in the state of Oklahoma. Ted King with the Catoosa Times and Inola Independent asked if there was anything currently wrong with the system that RWD#3 has. Mr. Armstrong replied no, but the population keeps growing and the need for an updated system to handle the population is needed. The public meeting was closed at 9:14 a.m.

ITEM 18: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:

1. Discussion and possible action regarding App #1, Flintco, LLC – Rogers County Courthouse Plaza for \$111,101.08 – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.

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) – No update was given.
3. County Clerk's Cashbook and Summary Report for March 2014 (Clerk) – Thacker 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) - Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
5. Discussion and possible action regarding 911 Dispatch Contract Services Fee (DeLozier)- Janet Hamilton, E-911 Director, recommended to table until the CPA can complete his analysis and the contract can be completed. DeLozier made a motion to table and Helm seconded the motion. Roll call: DeLozier-aye, Thacker-aye, Helm-aye. Motion carried. ****NOTE****This item will be stricken from the agenda until further notice.
6. Discussion and possible action on engagement letter with CPA Bill Turner to provide expense analysis for the period of July 1, 2013 to the present for E-911Center. – DeLozier made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye,

- Thacker-aye. Motion carried.
7. Discussion and possible action regarding the appointment of Jack Shackelford, Verdigris Chief of Police, Oklahoma, to the Board of Trustees of the Rogers county Enhanced 911 Trust Authority (Hamilton)– 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 Invoice# 537285 for Rogers County Enhanced 911 Trust Authority from Riggs, Abney, Neal, Orbison & Lewis in the amount of \$769.20 for billing through March 31, 2014 (Hamilton) – DeLozier 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 Invoice# 536003 for Rogers County Criminal Justice Authority from Riggs, Abney, Neal, Orbison & Lewis in the amount of \$1,357.49 for billing through February 28, 2014; Criminal Justice Authority is requesting \$665.00 to be paid by Board of County Commissioners. (DeLozier) – Robin Anderson, County Clerk, presented the invoice that the Criminal Justice Authority had received for Mr. Orbison's services and explained that a Mayor Trustee Board Member made a motion to have the Board of County Commissioners pay the portion of the bill for \$665.00 since Commissioner Thacker was the one whom requested the research to be done and not one of the other Criminal Justice Board Members. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 10. Discussion and possible action regarding a Lease on behalf of The United States of America, between The Secretary of the Army acting by and through the Chief, Real Estate Division, U.S. Army Corps of Engineers, Tulsa District, and Rogers County Commissioners on property known as Newt Graham Lock and Dam, OK; 33 Landing; Lease No. DACW56-1-13-032 (Thacker) – Thacker stated that 33 Landing park has been closed for a while and the picnic tables, grills, and restrooms have been removed. The County currently maintains the road into 33 Landing. The park and boat ramp is in a state of decay and there is illegal public activity that occurs there that should not be occurring. Thacker has worked with the Corps of Engineer to allow the county to maintain the boat ramp, which will permit the county to put up a gate and set hours for public use. This will also eliminate some of the illegal public activity from occurring there. DeLozier questioned who will take care of opening and closing the gate daily and Thacker said District #3 will be taking on that task. Thacker 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 to enter into an employment agreement with Attorneys Thomas H. Williams and Jack E. Gordon for the purpose of prosecuting an action in the appropriate district court in Oklahoma on behalf of the Board of County Commissioners of Rogers County, Oklahoma to vacate the judgment obtained by Material Services Corporation against the Board in Rogers County Case number CJ-2004-234 and for retrial and/or settlement. (DeLozier) – Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 12. Discussion and possible action regarding the Rogers County Schedule of Federal Expenditures for FY 12-13 – ***Note*** Moved to Item 19:13 *** The Commissioners reviewed the report and prior year report. Thacker asked Helm does the reports include any FEMA money for those years shown. Helm stated the reports are correct. Thacker asked in the 2010-2011 report if there were any discrepancies with the report compared to the CPA's (Bill Turner) report. Helm said the report is correct. Thacker asked what about the 2011-2012 report and Helm stated the report is correct and further stated that the CPA, Bill Turner, receives the same report from FEMA as they do. Thacker then asked Helm if the five million dollars that the auditors reported as a discrepancy was reflected in the 2011-2012 money and Helm replied that the money has been accounted for by our CPA, Bill Turner. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier-aye, Helm-aye, Thacker-aye. Motion carried.
 13. Reimbursement and Resolution #2014-142 to deposit funds of \$421.86 from Rogers County Planning Commission into 83ST-200 District #3 1-Cent Sales Tax M&O – 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 #2014-143 to deposit funds of \$34.00 from Corporate Travel Services, Inc. into 22-130 Election Board Travel – DeLozier made a motion to approve 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

d.) Robin Anderson, County Clerk, reminded everyone that the Courthouse will be closed Friday, April 18, 2014 for Good Friday. Therefore, all agenda items will need to be in by Wednesday, April 16, 2014 by noon, please. Ms. Anderson also wanted to let everyone know that the OSU County Training Website has a new 45 minute training video for Receiving Agents and Requisitioning Officers that will be posted soon. g.) Julie Dermody stated there will be training this week on Tuesday, April 15, 2014 and Thursday, April 17, 2014 for the precinct officials. There will be 30 individuals in each training class. h.) Scotty Stokes, Director, said he will be working with Inola Schools on a tornado safety plan and with Coy Jenkins for floor plans on bomb threats and active shooter. ***Note*** Returned to Item19:12***

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 if Commissioner Helm and County Clerk Robin Anderson will be resigning. Ms. Anderson stated she had no intention to resign because she had done nothing wrong and Commissioner Helm stated he had no response. Linda Batty wanted to know if the budget was in line for the Courthouse and the plaza. Commissioner Thacker replied that it was actually under budget and the plaza was separate from the Courthouse. The bond was for the Courthouse and E-911 Center. He also stated that there was \$500,000 in budget last year for the plaza. Salesha Wilken inquired as to if there was going to be a public hearing regarding the auditor's findings. Chairman DeLozier responded with saying that they will let the proper authority handle it and there will be discussion with the elected officials only regarding such items as segregation of duties. Rhett Morgan with the Tulsa World asked why outside counsel was hired for Item 19:11. Mr. Iski, A.D.A., stated that the said counsel is the best for this matter. Linda Batty then asked if the counsel had looked into the case and approached the County that they could be of help and Mr. Iski replied yes.

ITEM 23: **PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:**
(Materials, Supplies, Parts, Groceries & Prescriptions) -
Note Helm left the meeting at 10:57 a.m. after signing purchase orders*** Thacker made a motion to approve purchase orders and DeLozier seconded the motion. Roll Call: DeLozier-aye, Thacker-aye. Motion carried.

ITEM 24: **RECESS OR ADJOURNMENT:** DeLozier made a motion to adjourn the meeting at 11:01 a.m. and Thacker seconded the motion. Roll call: DeLozier-aye, Thacker-aye. Motion carried.

Attest:

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA




Robin Anderson, Rogers County Clerk
(SEAL)


Dan DeLozier, Chairman

Notice of said meeting was filed in the Office of the County Clerk on Thursday, April 10, 2014, at 4:35 p.m. and posted on the Front Door Entrance to the Courthouse and on the county website.