

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

PLACE: Rogers County Courthouse, Commissioner's Meeting Room,
200 South Lynn Riggs Boulevard, Claremore, OK

DATE & TIME: Monday, July 21, 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 @ 9:01a.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 Dan DeLozier, Commissioner Mike 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.
- ITEM 3:** **PLEDGE OF ALLEGIANCE:** Commissioner Helm led the salute and the Pledge of Allegiance to the American flag.
- ITEM 4:** **INVOCATION:** Commissioner Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** July 14, 2014 Regular Meeting – Commissioner Helm made a motion to approve the minutes with Chairman DeLozier seconding 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 reasonable foreseen prior to posting of the agenda – Larry Curtis presented new Rogers County Flag to the Board.
- ITEM 7:** **ANNOUNCEMENTS:** - None presented
- ITEM 8:** **UNFINISHED BUSINESS:** - None presented
- ITEM 9:** **ZONING:**
1. Public Hearing on the request for zoning change from AG to RST-60 that the intended use of the property, after rezoning, is for lot split and mobile home replacement. Applicant: Laura Jane Woods. CURRENT ZONING: AG, Legal Description: The E2 SE SW SE Section 34, Township 24 North, Range 15 East of the I. B. & M., According to the U. S. Government Survey Thereof. Address: 7743 East 350 Road, Talala, OK 74080 – (Curtis) Larry Curtis, Planning Commission Director, stated the Planning Board had approved the zoning change 5-0 and recommended the Board of County Commissioners approve also. The applicant was present and there was no opposition present. The public hearing opened at 9:07 a.m. The public hearing closed at 9:09 a.m. Commissioner Helm reminded the applicant that separate driveways from the county road would be needed. Helm made a motion to approve with Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
- ITEM 10:** **PLATS:**
1. Public Hearing on the request of Preliminary Plat Approval for Riverbend Arena. APPLICANT: Derek Sanders, CURRENT ZONING: A1 & C-2, Legal Description: A tract of land located in the NE/4 of Section 9, Township 19 North, Range 16 East of the I. B. & M., According to the U. S. Government Survey Thereof, Rogers County, State of Oklahoma; Being more particularly described as follows: Beginning at the NE corner, NE/4 of Section 9, Township 19 North, Range 16 E, I.B.&M.; Thence S 01°21' 27" E along the east line of said NE/4 a distance of 1,320.08 feet; thence S 88°28'00" W a distance of 1,327.48 feet; Thence n 01°15'48" W a distance of 1,320.13 feet to a point on the North line of said NE/4. Address: 12900 East 605 Road, Inola, OK 74036 – (Curtis) Larry Curtis, Planning Commission Director, informed the Board there were revisions from the original plat. He stated the applicant was working with the engineer to make the necessary changes. The public hearing opened at 9:10 a.m. The applicant was not present but Brian Kellogg was there to represent him. No opposition was present. Mr. Curtis recommended approval by the Board of County Commissioners. The public hearing closed at 9:11 a.m. Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
- 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. Release Utility Permit Bond for Enbridge Energy, Limited Partnership for road crossing on Winganon Road (E 300 Road) – District #1 – (Curtis
Chairman DeLozier made a correction to E 320 Road. Chairman DeLozier made a motion to release bond with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
2. City of Tulsa – to – cross County Highway or Local Road North 177th East Avenue approximately 0 miles East Pine Street and North 177th East Avenue and further described as: 50 feet North of the SE/4 & NE/4 corner of Section 26 & 35, Township 25 North, Range 14 East – Rogers County – District #3 – (Curtis)
Commissioner Helm questioned if City of Tulsa is paying any fees for engineering fees or additional water lines. Larry Curtis, Planning Commission Director, stated they weren't but City of Tulsa was being a good neighbor. Commissioner Thacker made a motion to approve the utility permit as presented with Commissioner Helm seconding 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 –
 - Assessor to Froman Oil Company \$500.00
 - District #3 to R & S Auto Parts \$500.00
 - District #3 to Lowe's \$500.00
 - District #3 to Diamond P Lawn and Garden \$150.00Commissioner Thacker made a motion to approve blanket purchase orders as presented with Commissioner Helm seconding 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 – Chairman DeLozier stated bids for asphalt installation will be opened on July 29, 2014 and hopefully work could begin within the week.
2. Update regarding E-911 Trust Authority – (Thacker) Janet Hamilton, E911 Director, stated Foyil Fire Department has requested an agreement to begin on October 1, 2014.
3. Phoenix Coal Company seeking a Phase II Bond Release for Permit #4276 Section 8, current bond amount is \$125,944.00 and Phoenix Coal is requesting release of \$78,715.00. Permit area is located in Sec 8, T22N, R16E, Rogers County, Oklahoma. – (DeLozier) Chairman DeLozier told the board this a correction to the bond released on July 7, 2014. Chairman DeLozier made a motion to approve the release as presented with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
4. Renewal of Agreement between Rogers County Board of County Commissioners and JRW, Inc./Financial Equipment Company for GFR 580 Currency Discriminator and Magner 305 Coin Sorter – (Treasurer) – Cathy Pinkerton-Baker, Treasurer informed the Board these were the same agreements as last year with only a small increase. Commissioner Thacker made a motion to approve the agreement with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
5. Walmart Community Account Application for the County Clerk's Office – (Anderson) Commissioner Thacker made a motion to approve the application with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
6. Resolution #2015-17 and Reimbursement to General Fund Account – deposit \$276.81 from Fair-Board – (Commissioners) Chairman DeLozier made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
7. Resolution #2015-18 and Reimbursement to One Cent Sales Tax Fund Account, District #3 – deposit \$671.23 from Planning Commission – (Commissioners) Commissioner Thacker made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
8. Resolution #2015-19 and Reimbursement to One Cent Sales Tax Fund Account, District

- #2 – deposit \$2,870.39 from OTEMS – (Commissioners) Commissioner Helm made a motion to approve with Commission Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
9. Agreement by and between the Board of County Commissioners, on behalf of the Rogers County E-911 Dispatch Center and Town of Talala Police Department – (Hamilton) - Ms. Hamilton stated it was for \$13,000.00 per year. Commissioner Helm made a motion to approve with Commission Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
 10. Agreement by and between the Board of County Commissioners, on behalf of the Rogers County E-911 Dispatch Center and Verdigris Fire Department – (Hamilton) - Ms. Hamilton stated it was for \$12,000.00 per year. Commissioner Helm made a motion to approve with Commission Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
 11. Resolution #2015-20, Lease Renewal through the County Road Machinery and Equipment Revolving Fund – (DeLozier) Chairman DeLozier made a motion to approve with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
 12. Agreement by and between the Board of County Commissioners, on behalf of the Rogers County Sheriff and Equitable Sharing Agreement and Certification Participant Renewal – (DeLozier) Undersheriff Jon Sappington stated this was an annual renewal. Assistant District Attorney David Iski reviewed the document and informed the board it was a routine renewal. Chairman DeLozier made a motion to approve the renewal with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
 13. Adoption of FINAL version of the Notification of Telephone Line Installation – Form Tele -101 (DeLozier) Commissioner Thacker made a motion to table for one (1) week to allow legal counsel to review documents with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.
 14. Resolution #2015-28, Requesting Information on Future Telephone Line Installation within county right-of-way – (DeLozier) Commissioner Thacker made a motion to table for one (1) week to allow legal counsel to review documents with Chairman DeLozier seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.
 15. Payment Approval of Riggs, Abney, Neal Turpen, Orbison & Lewis, invoice #542080, \$446.25, for Enhanced 911 Trust Authority, Professional Services – (DeLozier) Commissioner Helm made a motion to approve with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.
 16. Resolution #2015-21, Programming Resolution, “STP” Project, Bridge #60 and Bridge #61, Dog Creek, District #1, estimated amount \$1,029,400.00 – (DeLozier) See #22
 17. Resolution #2015-22, Programming Resolution, “STP” Project, Bridge #68, Sweetwater Creek, District #1, estimated amount \$774,300.00 – (DeLozier) See #22
 18. Resolution #2015-23, Programming Resolution, “STP” Project, Bridge #44, Four Mile Creek, District #2, estimated amount \$1,584,400.00 – (DeLozier) See #22
 19. Resolution #2015-24, Programming Resolution, “STP” Project, Bridge #58, Rabb Creek, District #2, estimated amount \$946,200.00 – (DeLozier) See #22
 20. Resolution #2015-25, Programming Resolution, “STP” Project, Bridge #110, Bird Creek, District #3, estimated amount \$708,150.00 – (DeLozier) See #22
 21. Resolution #2015-26, Programming Resolution, “STP” Project, Bridge #120, Spunky Creek District #3, estimated amount \$985,750.00 – (DeLozier) See #22
 22. Resolution #2015-27, Programming Resolution, “STP” Project, Bridge #137, UPRR and County Road, District #3, estimated amount \$1,593,200.00 – (DeLozier) Chairman DeLozier explained these resolutions allow the board to choose an engineer to get the projects started. Commissioner Helm made a motion to approve resolutions with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.
 23. Discussion and possible action to determine the procedure BOCC will use to handle the approval of claims for County Officers not serving a succeeding term. (DeLozier) Discussion only – No action taken.
 24. Discussion and possible action regarding clarification of funding for contract with BKL/Flintco on Courthouse Plaza Project – (Helm) – Commissioner Helm stated that the board had a special meeting regarding this and what was budgeted hasn't been put over. He also stated there has been a little confusion. Chairman DeLozier stated he would get with Flintco to see if they had any additional invoices. Helm stated the \$495,000.00 wasn't put in. He made a motion to have the Excise Board approve the \$495,000.00 plus the \$500,000.00 and Thacker seconded the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion Carried.

At this point, Treasurer Cathy Baker asked to go back to Agenda Item 23. She stated she will be in office until July of 2015 and would be using her budgeted money.

- 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.) Inspections/Planning Commission

- l.) Judicial – m.) OSU Extension – n.) Sheriff – o.) Treasurer
- n. Commissioner Helm questioned Jon Sappington on the 'ride along' program. Jon said they were insured. Helm requested policy be provided to Travelers.
 - o. Cathy Pinkerton Baker told the board they now have swipe cards to access the computers in the Treasurer's Office.

ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS: - None presented.

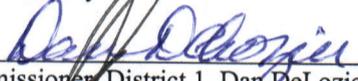
ITEM 22: PUBLIC COMMENTS AND RESPONSES FROM BOARD MEMBERS:
Limited to specific items on the Agenda that are listed and discussed at this meeting and limited in duration at the discretion of the Chairman –

- Salesha Wilkin had questions for the board on the bridge projects and District 2's drill rig. She also asked about the Walmart Community Account for the County Clerk's Office. She then asked Commissioner Thacker about not having enough money to pay employees and to reimburse the ETR fund. She further questioned him about the Catoosa schools parking lot.
- Algier Flood wanted to know when the plaza would be completed. Due to the hardship for handicap parking, he suggested the Commissioners open an area now just for the handicapped.
- Linda Batty asked about the Talala and Verdigris contracts with 911, when will they start.

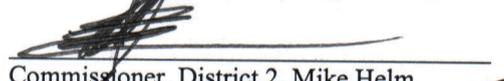
ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions) Commissioner Helm made a motion to approve payment of all purchase orders with Commissioner Thacker seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT:
Chairman DeLozier made a motion to adjourn at 10:28 a.m. with Commissioner Helm seconding the motion. Roll Call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.

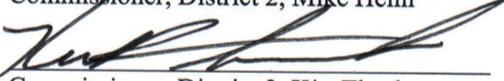
Board of County Commissioners
Rogers County



Commissioner, District 1, Dan DeLozier



Commissioner, District 2, Mike Helm



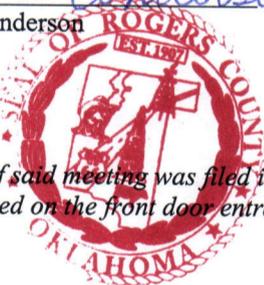
Commissioner, District 3, Kirt Thacker

ATTEST: Rogers County Clerk



Robin Anderson

(SEAL)



Notice of said meeting was filed in the Office of the County Clerk on Thursday, JULY 17th, 2014, at 4:03p.m., and posted on the front door entrance to the courthouse and on the county website.