

NOTICE OF REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS FOR ROGERS COUNTY, OKLAHOMA

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

DATE & TIME: Monday, September 29, 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 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:**
September 22nd, 2014 - Helm made a motion to approve minutes as presented with Thacker 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 reasonably foreseen prior to posting of the agenda – None presented.
- ITEM 7:** **ANNOUNCEMENTS:**
Commissioner DeLozier noted that there will be an open house on October 3rd 2014 at 1:00pm for the Courthouse and the 911 Center. Commissioner Helm publicly thanked Nelson McSwain for his continued years of service for the Oklahoma Auditor's Office and the Rogers County Clerk's office.
- ITEM 8:** **UNFINISHED BUSINESS:**
1. Reconsideration on payment of Purchase Order #004240 for EOC Switch paid from 42-E911 Addressing in the amount of \$14,613.82, Warrant #119 on June 30, 2014 – (Hamilton) **NOTE*** Tabled from September 15th, 2014 meeting and September 22nd meeting *****
DeLozier stated that he had not had time to look into this. Thacker stated he would like to reflect back to previous meeting minutes. Helm made a motion to approve as presented with Thacker seconding the motion. Roll call: DeLozier – no, Helm – aye, Thacker – aye. Motion carried.
- ITEM 9:** **ZONING:** None presented.
- ITEM 10:** **PLATS:** None presented.
- ITEM 11:** **ROADS & BRIDGES:**
1. Clearing of trees around bridge embankment between County Roads 423 and 424 on the north side of 590/Old 33 Hwy -
2. Installation of culvert pipe between County Roads 423 and 424 on the north side of 590/Old 33 Hwy - Thacker explained that this was on the right-of-way by land I do not own. DeLozier made a motion to approve items 1 and 2 with Helm seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – abstain. 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 E. 480 RD/E. Blue Starr Drive Approximately 1 mile North & .52 miles East of S.H. 20 and US Hwy 44 and further described as: 588 feet East of the South Quarter Corner of Section 2 Township 21N Range 16E Rogers County – District 1 (Curtis)-
2. Cox Communications – To - bore - cross & parallel County Highway or Local Road N. 161st E. Ave. approximately .01 miles of E. 80th St. N. and further described as: 400

- feet north of east 80th St. N. Corner of Section 27 Township 21N Range 14E Rogers County. District 2 (Curtis) –
3. RWD #3 Rogers County – To Bore – Cross County Highway or Local Road 82nd Street North Approximately 0.03 miles, East of 188th E. Ave. and 82nd Street North Junction. And further described as: 3305 North and 1330 feet west of the Southeast Corner of Section 25 Township 21 North Range 14 East Rogers County – District 2 (Curtis) –
 4. Oklahoma Natural Gas – To Bore – Cross County Highway or Local Road E. 86th Street North Approximately 1 mile North & 40.9 miles, East of S.H. 135 & US HWY 169 and further described as: 455 feet East of the Southwest Corner of Section 25 Township 21N Range 14E Rogers County – District 2 (Curtis) –
 5. Oklahoma Natural Gas – To Bore – Cross County Highway or Local Road N. 150th E. Avenue Approximately .04 miles South & .83 miles, East of S.H. 20 and US Hwy 169 and further described as 289' S & 1784 feet E of the Northwest Corner of Section 10 Township 21N Range 14E Rogers County. – District 2 (Curtis)–
 6. Oklahoma Natural Gas – To Bore – Cross County Highway or Local Road N. 177th E. Avenue Approximately 2.21 miles South & 2.51 miles East of S.H. 20 and US Hwy 169 and further described as 1796 feet South of Northwest Corner of Section 24 Township 21N Range 14E Rogers County. – District 2 (Curtis)- Helm made a motion to approve Items 1-6 with Thacker 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 –
 - a. Sheriff to Finish Line Fuel \$17,500.00
 - b. Sheriff to O'Reilly's for \$250.00
 - c. Sheriff to Speedy Lube for \$1,000.00
 - d. Sheriff to Speedy Lube for \$500.00
 - e. Jail to Medical Compliance Specialty for \$400.00
 - f. Jail to PHS Mobile X-Ray for \$600.00
 - g. Jail to St. Francis Outreach Services for \$1,200.00
 - h. Jail to Froman Oil for \$1,000.00
 - i. Jail to Performance Food Group for \$5,000.00
 - j. Jail to Sysco Foods for \$3,900.00
 - k. Jail to US Foods for \$1,600.00
 - l. Jail to Bimbo Bakeries for \$1,412.00
 - m. Jail to Warehouse Market for \$213.00
 - n. Jail to Westwood Pharmacy for \$5,000.00
 - o. Jail to Pepsi Beverages Company for \$1,500.00
 - p. Planning Commission to Rogers County #3 Barn for \$747.40
 - q. Planning Commission to Froman Oil for \$350.00
 - r. District #3 to Lowes for \$500.00Helm made a motion to approve with Thacker 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 regarding E-911 Trust Authority (Thacker)- Hamilton announced there would be a trust meeting Thursday at 10:00 a.m. and they would be having Open House Friday.
2. National Association of Counties - NACO Annual Membership renewal, January 1, 2015– December 31, 2015 \$1,505.00 Rogers County – Helm made a motion to approve with Thacker seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
3. Change Receiving Officer from Jerry Smittle to Shane Rhames in Sheriff's Department – Undersheriff Sappington stated that Jerry Smittle would be attending CLEET training. Commissioner DeLozier made a motion to approve with Helm seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
4. Discussion and possible action regarding rooftop cooling system (Helm) – After a lengthy discussion and with Maintenance Director Ryan Baze presenting pictures and email documentation, Helm made a motion to have the District Attorney send a letter to request Steve Rumsey with Flintco, since he is the Project Manager, to attend the commissioner's meeting in three weeks to discuss and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
NOTEAfter Item 21, this item was revisited and Thacker stated he had received a message from Steve Rumsey, Flintco, and he stated the unit will be repaired this week.
5. Memorandum of Understanding with the City of Claremore for the John Carle Boulevard in Industrial Park (DeLozier) – DeLozier stated this was to finish an area around the

- railroad tracks and made a motion to approve with Thacker seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried
6. Discussion and possible action regarding demolition of a dilapidated house on property the county owns in Claremore at 115 E. 12th Place, Claremore, OK (DeLozier) – DeLozier stated this house belongs to the county because of unpaid taxes. It has a medical lien on it and is a health hazard. Then, maybe the county could sell the property. ADA Iski suggested a letter be sent to the lienholder and give them a week to respond. His assistant stated they had an email. DeLozier made a motion to approve with Helm seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried
 7. Resolution #2015-54 and Reimbursement to One Cent Sales Tax Fund Account M & O District #3, fuel reimbursement from Planning Commission \$553.77. Thacker made a motion to approve with Helm seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried.
 8. Resolution #2015-57 and Reimbursement to General Fund M & O 20-200 for premium reimbursement from Burrows Agency \$2,491.00 – Helm made a motion to approve with Thacker seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried
 9. Resolution #2015-58 and Reimbursement to General Fund 91-210 Cemetery Restitution Fund for restitution from A. Ball \$50.00 – DeLozier made a motion to approve with Helm seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried
 10. Resolution #2015-59 and Reimbursement into 82ST-200 for OTEMS fuel reimbursement \$2,510.10 - Helm made a motion to approve with Thacker seconding 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.) Inspections/Planning Commission l.) Judicial – m.) OSU Extension – n.) Sheriff o.) Treasurer
- g. Julie Dermody stated that October 10, 2014 is the last day to register to vote in order to be qualified to vote in the November election.

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

*****NOTE*****Thacker requested to go back to Agenda Item 4.

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, Claremore Progress, had a question about the cooling units and the warranty. She had a question concerning the roads and bridges items and asked Thacker if he placed it on the agenda because he had done work on private property before. Thacker replied to her by stating that any reasonable person could read the agenda and see why I put it on there. She also asked about the OTEMS reimbursement and questioned the legality of selling fuel to them. She claimed she had an email from Barry Farbro, former A.D.A., stating that it was not legal. Helm replied that they had a legal opinion from the current D.A. Thacker asked Mr. Iski if a current legal opinion supersedes a former legal opinion and Iski replied that statutes could change.

*****NOTE*****Helm requested to go back to Announcements.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

(Materials, Supplies, Parts, Groceries & Prescriptions) - Helm made a motion to pay all purchase orders from all departments with Thacker seconding the motion. Roll call: DeLozier – aye, Helm – aye, Thacker – aye. Motion carried. *****NOTE*****DeLozier had left the meeting at 10:07 a.m. and returned at 10:12 a.m. During the signing of the purchase orders, Ms. Wilken and Thacker continued to discuss various issues. It got out of hand and Helm, acting as chairman since DeLozier had left the room, called Wilken and Thacker down by asking them to stop. Thacker agreed to stop and Wilken continued to make comments. Helm asked her again to stop.

ITEM 24: RECESS OR ADJOURNMENT:

DeLozier made a motion to adjourn the meeting at 10:27 a.m. with Thacker seconding the motion. Roll call: DeLozier- aye, Helm - aye, Thacker -aye. Motion carried.



(Seal)

By Robin Anderson
Robin Anderson, Rogers County Clerk

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

Dan DeLozier
Chairman Dan DeLozier

Mike Helm
Commissioner Mike Helm

Kirt Thacker
Commissioner Kirt Thacker

Notice of said meeting was filed in the Office of the County Clerk on Thursday, September 25th, 2014, at 4:30 p.m., and posted on the front door entrance to the courthouse and on the county website.