

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, October 27, 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 was properly posted in accordance with the Oklahoma Open Meeting Act. Chairman Dan DeLozier, 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:** Thacker led the flag salute and the Pledge of Allegiance to the American flag.
- ITEM 4:** **INVOCATION:** Helm said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** October 20, 2014 - Thacker made a motion to approve with Helm 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:** Helm announced that on Halloween there would be contests at the courthouse.
- ITEM 8:** **UNFINISHED BUSINESS:** None presented.
- ITEM 9:** **ZONING:**
- ITEM 10:** **PLATS:**
1. Public hearing with discussion and possible action on the request for zoning change from AG to RS-60 that the intended use of the property, after rezoning, is for Residential Lot Split & Single Family Home Construction. APPLICANT: Dake Properties, INC. CURRENT ZONING: AG. LEGAL DESCRIPTION:
A tract of land being a part of the North Half of the Southwest Quarter of Section 12, Township 21 North, Range 15 East of the Indian Meridian and Principle Base Line, Rogers County, Oklahoma, and being more particularly described as follows: Commencing at the Northwest corner of the North Half of the Southwest Quarter, thence S 01°15'04" E along the West line of the North Half of the Southwest Quarter a distance of 80.00 feet to a MAG nail and the point of beginning; thence N 88°40'08" E 660.00 feet to a 1/2" iron pin; thence S 01°15'04" E 579.56 feet to a 1/2" iron pin; thence S 88°39'54" W 577.55 feet to a MAG nail in the centerline of a county road; thence N 00°20'28" E 56.47 feet along said centerline to a MAG nail; thence N 21°37'02" W along said centerline 46.80 feet to a MAG nail; thence N 36°21'00" W 92.37 feet to a MAG nail; thence N 16°36'36" W and along said centerline 56.24 feet to a MAG nail on the West line of the North Half of the Southwest Quarter; thence N 01°15'04" W a distance of 339.46 feet to the point of beginning. Said tract contains 8.50 acres more or less and is subject to easements of record.
- It was stated that the Planning Commission was supposed to list these under zoning not plats. Helm made a motion to open the public hearing at 9:03 and Thacker seconded the motion. Roll call: DeLozier - aye, Helm - aye, Thacker - aye. Motion carried. Helm asked if everything met the comprehensive plan and Larry Curtis answered yes. There was opposition present. Mrs. Inman was concerned about the drainage issue and the traffic. Helm asked if Mr. Dake could get the lots split, could he and Mrs. Inman get together? They agreed. Helm made a motion to close the public hearing at 9:10 a.m. and Thacker seconded the motion. Roll call: DeLozier - aye, Helm - aye, Thacker - aye. Motion carried. Helm 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 for zoning change from AG to AR that the intended use of the property, after rezoning, is for Residential Lot Split & Single Family Home Construction. APPLICANT: Hector Hernandez, Ken Froese, Rex Gibson & Mary Lynn Mullinax-Alvey. CURRENT ZONING: AG. LEGAL DESCRIPTION: The E2 SW SE and the W2 SE SE of Section 33 Township 21N Range 15E of the I.B.&M. Rogers County, Oklahoma, According to the US Government Survey Thereof, Subject to Existing Highway Right of Way of Record, If Any. – Thacker made a motion to open the public hearing at 9:11 a.m. and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. The applicant was not present and there was no opposition. Curtis stated that the engineer had reviewed the lot splits and the Planning Commission approved 5-0. Thacker made a motion to open the public hearing at 9:11 a.m. and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. Thacker made a motion to close the public hearing at 9:13 a.m. and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. Thacker made a motion to approve and Helm seconded 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: None presented.

ITEM 15: CLAIMS:

1. Salaries: - Payroll October 2014 – Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
2. Attendant Care: State of Oklahoma Office of Juvenile Affairs Invoice #66-Sep-2014-01 \$1,190.16 – 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 3 to R & S Auto Parts \$500.00
 - Planning Commission to Froman Oil Company \$250.00
 - Planning Commission to District 3 \$500.00
 - Sheriff to Sysco Foods \$4,200.00
 - Sheriff to Performance Food Group \$4,800.00
 - Sheriff to U.S. Foods \$1600.00
 - Sheriff to Warehouse Market \$265.00
 - Sheriff to Farmers Bros. Coffee \$125.00
 - Sheriff to Pepsi \$1600.00
 - Sheriff to Froman \$500.00
 - Sheriff to Westwood Pharmacy \$5,000.00
 - Sheriff to St. Francis \$1200.00
 - Sheriff to PHS Mobile X-Ray \$600.00
 - Sheriff to Medical Compliance Specialty, Inc. \$400.00
 - Sheriff to Finish Line Fuel \$17,500.00
 - Sheriff to Bimbo Bakeries \$1260.00Helm 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: Flintco, LLC App No. 4 for Rogers County Courthouse Plaza \$225,376.86 – Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.

ITEM 19: AGENDA ITEMS:

1. Update regarding E-911 Trust Authority (Thacker)- Hamilton stated there would be a contract on next week's agenda from Tri-District.
2. Monthly Report of Officers for Election Board and Drug Court – County Clerk Robin Anderson explained these were the last two reports from the Treasurer's office. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
3. Confirmation of Reappointment of Mr. Steven J. Dowty to Tulsa's Port of Catoosa Facilities Authority – DeLozier made a motion to approve and Thacker seconded the motion. Roll call:

- DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
4. Public Hearing on Petition to Annex Lands to Rural Sewer District No. One
TAKE NOTICE there has been filed before the Board of County Commissioners of Rogers County, Oklahoma, a Petition for Annexation requesting that the Board of County Commissioners of Rogers County, Oklahoma, annex to and include within the boundaries of Rural Sewer District No. 1 of Rogers County, Oklahoma (“District”), the real property described as follows, to-wit:
- The W/2 of the NE/4 of the SW/4 of Section 19, Township 21 North, Range 16 East of the IBM, Rogers County, Oklahoma, according to the US Government Survey thereof.
And
Lot 3 (NW/4 SW/4) of Section 19, Township 21 North, Range 16 East of the IBM, Rogers County, Oklahoma, according to the US Government Survey thereof.
And
The SE/4 of the SE/4 of the SW/4 of Section 19, Township 21 North, Range 16 East of the IBM, Rogers County, Oklahoma, according to the US Government Survey thereof, together with all improvements and appurtenances appertaining thereto and all public streets, roads and alleys abutting and adjoining said property. – Thacker made a motion to open the public hearing and Helm seconded the motion at 9:23 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. Thacker stated that everyone was on board. There was no opposition present. Thacker made a motion to close the public hearing and Helm seconded the motion at 9:24 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
5. Resolution 2015-04 and Reimbursement Form to 81 ST-200 One-cent Sales Tax Fund for Sheriff Fuel Reimbursement \$48.13 - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
6. Resolution 2015-66 and Reimbursement Form to Cemetery Restitution Fund District #1 \$50.00 – DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
7. Set Rogers County Board of County Commissioners’ meeting dates for 2015 – DeLozier went with the schedule as presented but also added January 2, 2015 as a meeting date. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
8. Set Rogers County holiday schedule for 2015 – Thacker made a motion to go with the holidays as presented and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
9. Discussion and possible action regarding renewal/selection of the following benefit plans (Helm) : Jennifer Bentley asked if the board would like to approve them all together or separately and DeLozier replied that they would do them separately.
- Item: a. Community Care Health Insurance – No increase and the prescription costs went down. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
- Item: b. Delta Dental Insurance - Delta Dental Insurance - No change. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
- Item: c. Vision Service Plan Insurance – There was a rate increase. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
- Item: d. Dearborn National Life Insurance - Bentley explained we are switching from Standard to Dearborn and she recommends it. Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
- Item: e. Flex Spending Account - Bentley explained this is for employees to use for medical expenses. It is a reimbursement for medical, dental, and vision expenses. DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
- Item: f. Employee Assistance Program – No change. 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 employee annual health screening reimbursement upon completion of prevention screening (Helm) – Discussion was held regarding the \$250 reimbursement that was available in the past but to change it to \$100 reimbursement for completion of health screening. Once the screening is done, the employee can fill out a form on January 1st and be reimbursed. Thacker made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
11. Proposal and Acceptance of Preventive Maintenance Agreement by and between Board of County Commissioners and Vickrey Heat & Air, Inc., (District #2) – Helm stated this is to clean the air conditioning system and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
12. Discussion and possible action regarding the current temporary appropriation for the Rogers County Fair Board and the sufficiency of available revenues to fund the annual appropriation for the Rogers County Fair Board – No action taken.
13. Discussion and possible action for the Board of County Commissioners to enter an executive

- session pursuant to Title 25 O.S.2011, § 307(B)(4), for the purpose of confidential communications by it with its attorneys concerning a pending or potential investigation, claim, or action, the Board of County Commissioners having been advised by its attorneys that disclosure thereof will impair the ability of the Board of County Commissioners to process the claim, or to conduct the pending investigation, litigation or proceeding in the Public Interest, *to-wit*: substandard and/or faulty operation of the security system cameras and/or system installed in the Rogers County Courthouse. –Senior Assistant Attorney General Charles Rogers advised the board to go into executive session. Helm made a motion to go into executive session and DeLozier seconded the motion at 9:50 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
14. Possible action on a motion to terminate executive session and resume regular session.- Helm made a motion to exit executive session and go into regular session and Thacker seconded the motion at 10:21 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
 15. Discussion and possible action regarding matters discussed in executive session, *to-wit*: substandard and/or faulty operation of the security system cameras and/or system installed in the Rogers County Courthouse. – No action taken.
 16. Discussion and possible action for the Board of County Commissioners to enter an executive session pursuant to Title 25 O.S.2011, § 307(B)(4), for the purpose of confidential communications by it with its attorneys concerning a pending or potential investigation, claim, or action, the Board of County Commissioners having been advised by its attorneys that disclosure thereof will impair the ability of the Board of County Commissioners to process the claim, or to conduct the pending investigation, litigation or proceeding in the Public Interest, *to-wit*: receiving and processing payments for health insurance purchased for retired county employees. – Rogers advised the board to go into executive session. Helm made a motion to go into executive session and DeLozier seconded the motion at 10:23 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
 17. Possible action on a motion to terminate executive session and resume regular session. – Helm made a motion to go back into regular session and Thacker seconded the motion at 10:34 a.m. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
 18. Discussion and possible action regarding matters discussed in executive session, *to-wit*: receiving and processing payments for health insurance purchased for retired county employees. No action required.

**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 reminded everyone of the early voting on Thursday and Friday from 8-6 and Saturday 9-2. Absentee ballots must be in by 5:00 Wednesday.
- h. Scotty Stokes spoke about the missing person in Foyil earlier in the week but he was found safely.
- k. Curtis spoke about the Planning Commission tabling one item. Helm stated he had a possible person for the planning commission or the board of adjustments, whichever one was needed the worst. Her name is Joan Maze.

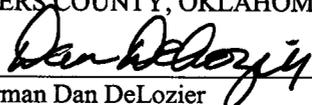
ITEM 21: ACKNOWLEDGEMENT RECEIPT OF THE FOLLOWING ITEMS: None presented.

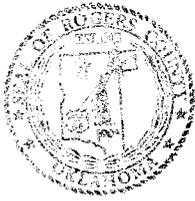
ITEM 22: PUBLIC COMMENTS AND RESPONSES FROM BOARD MEMBERS:
Limited to specific items on the Agenda that are listed and discussed at this meeting and limited in duration at the discretion of the Chairman – Salesha Wilken asked about the employee costume contest – if there were prizes and who would be paying for them. Bentley replied she would be making the prizes. She then asked if there were vendor donations and Bentley replied no. She questioned Bentley about the Flex plan and is there enough funding for it? Bentley replied yes. She then asked Bentley about employees being billed for county insurance but had opted out and she had an employees' paystub reflecting that. Bentley asked her to email her questions and she would answer via email. Linda Batty asked about EAP.

ITEM 23: PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:
(Materials, Supplies, Parts, Groceries & Prescriptions) – Helm made a motion to approve and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.

ITEM 24: RECESS OR ADJOURNMENT: Helm made a motion to adjourn at 11:39 a.m. and Thacker seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA


Chairman Dan DeLozier

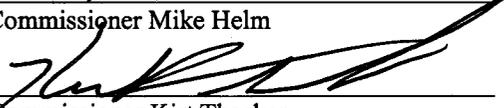


(SEAL)

By: Robin Anderson
Robin Anderson, Rogers County Clerk



Commissioner Mike Helm



Commissioner Kirt Thacker

Notice of said meeting was filed in the Office of the County Clerk on Thursday, October 23, 2014, at 5:22 p.m. and posted on the front door entrance to the courthouse and on the county website.