

## 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, November 10, 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 9:02 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:** Helm led the flag salute and the Pledge of Allegiance to the American flag.
- ITEM 4:** **INVOCATION:** Thacker said a prayer.
- ITEM 5:** **APPROVE/DISAPPROVE MINUTES:** November 3, 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:** DeLozier reminded everyone of the Veteran's parade on Tuesday and the eternal flame would be lit immediately afterwards, then retiring of the flag. Thacker asked Charles Rogers, Senior Assistant Attorney General, if there was any need to take any action on a lawsuit that was served this morning. Mr. Rogers replied there was no need to take any action.
- ITEM 8:** **UNFINISHED BUSINESS:** None presented.
- ITEM 9:** **ZONING:**  
Public hearing with discussion and possible action on the request for zoning change from AG to RST-60 for the placement of a mobile home. APPLICANT: Charles Schmidt. CURRENT ZONING: AG. LEGAL DESCRIPTION: The North 200' of the West 300' of NW SW NW of Section 15 Township 23 North Range 15 East. Of the I.B. & M., Rogers County, Oklahoma, According to the Government Survey Thereof. ADDRESS: 9253 S. 4100 RD., Oologah, OK 74053. Helm made a motion to open the public hearing at 9:05 and Thacker seconded the motion. Roll call: DeLozier - aye, Helm - aye, Thacker - aye. Motion carried. Curtis stated this was approved by the Planning Commission 5-0. The applicant is here and there is no opposition present. Helm asked if it meets the zoning requirements and Curtis stated it did. Helm made a motion to close the public hearing at 9:07 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.
- ITEM 10:** **PLATS:** None presented.
- ITEM 11:** **ROADS & BRIDGES:**  
1. Resolution number 2015-71 for the Board of Rogers County Commissioners to recommend to Oklahoma Department of Transportation for the selection of Guy Engineering, Inc. for the construction of a public project known as Bridge #60 & #61, J?P 30412 (04) (District 1) - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier - aye, Helm - aye, Thacker - aye. Motion carried.
- ITEM 12:** **CASH FUND ESTIMATE OF NEEDS & REQUEST FOR APPROPRIATION**  
1. 008 Cobra \$7,466.30  
2. 101 T-Highway \$239,207.15  
3. 105 CBRIF \$25,283.56  
4. 113 Property Resale \$36,848.04  
5. 114 Emergency Management \$15,000.00  
6. 115 Health Department \$618.98  
7. 119 Sheriff Civil Fees \$22,294.32

8. 121 County Clerk Lien Fees \$4,419.76
9. 122 Treasurer Cert. Fees \$1,648.54
10. 124 County Clerk Preservation \$8,162.47
11. 125 Engineering Fees \$525.00
12. 127 Sheriff Commissary \$22,782.53
13. 128 Courthouse SEC/SHRF Fees \$4,326.85
14. 129 Sheriff Courthouse Secure \$4,102.61
15. 131 Law Library \$4,646.30
16. 135 Criminal Justice Authority \$ \$274,114.84
17. 137 Sheriff Jail \$7,990.92
18. 139 Dispatch Consolidated Services \$10,112.24
19. 140 Wireless Prepay 911 Fee \$4,873.24
20. 142 E-911 Addressing \$8,154.45
21. 147 Drug Court Contract \$24,874.99
22. 148 Drug Court Participant \$8,697.99
23. 175 Assessor Revolving \$82.19
24. 180 Court Clerk Revolving \$9,501.28

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:**

- 83ST-110 One Cent Salaries to 83ST-300 Subdivisions \$120,000
  - 83ST-200 M&O to 83ST-300 Subdivisions \$673,218.73
  - 83ST-348 Lease Equipment to Subdivisions \$268,903.50
  - 83ST-400 Capital Outlay to 83ST-300 Subdivisions \$99,999.00
- District 3 - \$1,162,121.23 total

Thacker stated this was to move the second half of money that is to be reserved by law for the new commissioner taking office in January. He wanted to put it in the subdivisions account so that it would not be spent. Thacker made a motion to approve and Helm seconded the motion. DeLozier asked if there was any need to do this. Thacker replied he thought there was. Roll call: DeLozier – no, Helm - aye, Thacker - aye. Motion carried.

**ITEM 14: UTILITY PERMITS:**

1. AT&T - To bore- cross/parallel County Highway or Local Road E. Skelly Dr. approximately 280 feet east of N. 161st E. Ave. and further described as: 100 feet east of the SW corner of Section 35 Township 20 Range 15 Rogers County. - District 3
2. ONG - To – bore - cross County Highway or Local Road S. 4135 Rd. approximately .74 miles west & 1.36 miles north of Hwy 88 and Hwy 20 and further described as: 436 feet north of the south 1/4 corner of Section 31 Township 22N Range 15E Rogers County. District 2
3. ONG – To – bore - cross County Highway or Local Road N. 196th E. Ave approximately 3.72 miles east & 4.86 miles south of Hwy 169 & Hwy 20 and further described as: 1,040 feet west & 1,694 feet north of the southwest corner of Section 31 Township 21N Range 15E Rogers County. District 2 – Curtis stated on number one he should have corrected this to read Township 20 N and Range 15 E. Thacker made a motion to approve Items 1 through 3 and Helm seconded 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 –
  - Treasurer to TM Consulting Inc. \$3,000.00
  - District 3 to R&S Auto Parts \$500.00
  - District 3 to Lowe's \$500.00
  - District 3 to Wal-mart \$100.00
  - District 2 to Apac-Central Inc. \$8,925.00

Thacker 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. Rogers County Commissioners/Justus-Tiawah School's REAP Project #034 –ED-2015 funding approved for \$25,000 through Grand Gateway Economic Development Association –
2. Rogers County Commissioners/Justus-City of Tulsa- Rogers County Port Authority REAP Project #045 –CD-2015 funding approved for \$30,000 through Grand Gateway Economic Development Association – **\*\*Note\*\***The word Justus was entered in error.
3. Rogers County Commissioners/Sequoyah Public School's REAP Project #013-WWSCH -2015 funding approved for \$50,000 through Grand Gateway Economic Development Association –

**\*\*NOTE\*\***Grant approval is contingent upon GGEDA's ability to obtain approval for projects from the Oklahoma Department of Commerce. - DeLozier made a motion to approve Items 1

through 3 and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.

**ITEM 18: PAYMENT REQUISITION – CONSTRUCTION FUND – RCB BANK, TRUSTEE:** None presented.

**ITEM 19: AGENDA ITEMS:**

1. Update regarding E-911 Trust Authority (Thacker)- 911 Director Janet Hamilton reported that usually the vice-chairman gives the update but he is absent. She stated that at their meeting the undersheriff gave an update on the CAD lease purchase and that the city has reservations about allowing the county access. They are working on an interlocal agreement and the undersheriff has taken on this project. She also discussed the cost and that the sheriff is taking up the extra cost. Orbison is working on an amended contract with the town of Chelsea. The center is in need of maintenance on a repeater and received a quote from a current provider. They are going to replace Smittle with Sappington as a board member. Three members have expired: Mayor Holland, Chairman DeLozier, and Jerry Smittle. Holland wants to withdraw as soon as possible. At the beginning of the year, they are moving their meetings to the public meeting room in the courthouse. Mesonet was also discussed, they are wanting to attach themselves to their tower. Helm asked about the minutes of her meeting, it was stated that you would be working with everyone on Spillman so now Claremore has a problem with the city having access to information? She replied the minutes were correct. It was discussed that the Attorney General could look into this. Helm also stated the BOCC would need a letter from Smittle regarding his resignation. Updates and discussion only.
2. Discussion and possible action whether to approve request of the District Attorney's office to have the county build a security window in the Probation/Bogus Check Office with costs to be paid by the District Attorney's office (Helm) – District Attorney Janice Steidley was present and discussed the reasons that her staff would be more secure with a security window. Her office will foot the bill. Helm made a motion to have Maintenance Director Ryan Baze and Ms. Steidley work together on getting the window installed and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
3. Agreement for E-911 and Dispatch Services by and between Rogers County Board of County Commissioners on behalf of the Rogers County 911 Dispatch Center and Rogers State University (Hamilton) – Hamilton stated the Mr. Orbison had suggested presenting it to the BOCC for approval of language. DeLozier made a motion to table for two weeks and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
4. Renewal of Agreement between Omecorp, LLC and Rogers County Board of County Commissioners wherein both parties agree to renew agreement for folder inserter maintenance for fiscal year 2014-15 for Treasurer's office – DeLozier moved down to Item 7 until a representative from the Treasurer's office could be present. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
5. Renewal of Agreement between Genesis of Oklahoma and Rogers County Board of County Commissioners wherein both parties agree to renew agreement for copier maintenance for fiscal year 2014-15 for Treasurer's office – DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
6. Renewal of Agreement between Genesis of Oklahoma and Rogers County Board of County Commissioners wherein both parties agree to renew agreement for shredder maintenance for fiscal year 2014-15 for Treasurer's office – 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 placement of an Angel Tree for Christmas in the courthouse for the Drug Court Program (DeLozier) – Crissy Stone reported that last year they had 60 angels and people were requesting more. Thacker made a motion to approve and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
8. Resolution 2015-72 and Reimbursement Form to 81 ST-200 from Ottawa County \$458.75 - DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
9. Resolution 2015-03 and Reimbursement Form to 81 ST-200 from Sheriff Fuel Reimbursement \$49.26 – DeLozier made a motion to approve and Helm seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried. DeLozier moved back to Item 4, 5, and 6 now that Sophia Minor, Treasurer's First Deputy was present.
10. 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.- Charles Rogers advised to enter executive session. Helm made a motion to enter executive session at 9:35 a.m. and DeLozier seconded the motion. Roll call: DeLozier – aye, Helm - aye, Thacker - aye. Motion carried.
11. Possible action on a motion to terminate executive session and resume regular session. - Helm made a motion to exit executive session and resume regular session at 10:03 a.m. and