

NOTICE OF SPECIAL 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: Thursday, June 18, 2015, at 3:00 P.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 3:08 p.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 and Commissioners Mike Helm and Ron Burrows 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: **UNFINISHED BUSINESS:**

1. Discussion and possible action regarding moving One-Cent Sales Tax from General Fund account budget item to a cash fund for FY2015-2016 (Helm) – Helm spoke about the benefits of moving the one-cent sales tax to a cash fund that Burrows would have the reserve to start off with. Burrows stated that he saw the up side of this but he would like to revisit next year (because he had spent his one cent account down by paying off equipment). Helm replied then we would be throwing out the legal opinion by Gene Haynes and Barry Farbrow. Assistant District Attorney Ben Lepak stated that according to statute it would be permissible to have it either in the general fund or a cash fund, perfectly fine to do it either way. Burrows was concerned about warrants being covered and about having to borrow from other funds as Helm suggested he could. Further discussion was held and County Clerk First Deputy Teresa Jackson stated the short answer to the question would be that if there were any transfers from temporary funds to cover those warrants, it has to be repaid by June 30th that year. Burrows stated he is not prepared to do this, he needs a year to prepare for this and he would be running on a shoestring budget. The balances in the one cent and disbursement were discussed. Helm stated the budget maker said we need to do it and the auditor had brought up the fact that it related to the segregation of duties. Lepak asked how it would be related to segregation of duties and answered it would be hard to comment on something he has not seen. Burrows made a motion to revisit this next budget year and DeLozier seconded. Roll Call: DeLozier – aye, Helm – no, Burrows - aye. Motion carried.
2. Possibly award the following bid: Bid #657 – Laid Asphalt – Burrows stated this was bid for two projects and made a motion to go with A&A Asphalt, the low bid @ \$56.50 per ton and with a reasonable start date and Helm seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried.

*****NOTE***Theses items were tabled from the June 15, 2015 meeting.**

ITEM 4: **TRANSFER OF FUNDS:**

1. Emergency Management 40-130 Travel \$1,000.00 and 40-200 M&O \$4,000.00 to 40-400 Capital Outlay for a total of \$5,000.00 –
2. Commissioners Travel 08-130 to 08-110 Salaries \$216.00 –
3. District 2 82ST-200 M&O to 82ST-110 Salaries \$33,000.00 – Helm made a motion to approve ITEM 4: 1-3 and DeLozier seconded the motion. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried.

ITEM 5: **UTILITY PERMITS:**
1.RWD #7 Rogers County –To – bore - cross County Highway or Local Road NS 4210 Rd approximately 0.50 miles north of EW 440 and NS 4210 intersection and further described as: 2,660 feet north of the southwest corner of Section 16 Township 22 Range 17 Rogers County. – District 1 – Larry Curtis recommended it be approved. DeLozier made a motion to approve and Burrows seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried

ITEM 6: **AGENDA ITEMS:**

1. Discussion and possible action regarding acquiring the Federal Building through the Department of Justice application or by purchasing the building from the General Services Administration (Burrows) – Larry Curtis, Planning Commissioner Director, stated that he, DeLozier, and LePak had spoken with Joe Potter, GSA, and negotiated a price of \$130,000.00 to buy the building outright. There needs to be a down payment of 10% which is \$13,000.00 to hold in escrow until it is finalized by the House and Senate subcommittees. DeLozier added that this is a requirement by any purchase over \$100,000.00. Bottom line is you would like to purchase outright for \$130,000.00 with option to sell after 3 years. DeLozier stated there was \$137,000.00 in building improvements or do it out of excess bond fees. Curtis

stated we had 90 days to close out the purchase order. Teresa Jackson stated we could make a purchase order for \$13,000 this year and then pay the remainder next fiscal year. Lepak stated that the entire amount could be paid if you desire to do that. Helm made a motion to take it out of excess bonds to pay it and it would free up the general fund in case someone needed \$137,000.00. Burrows asked how much is in the excess bond. The reply was \$1,100,000.00 and Helm explained about the excess bond money. Burrows seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye.

2. Reimbursement and Resolution #2015-181 to deposit \$45,000.00 into General Fund M&O 20-200 from Court Clerk for utilities reimbursement – Helm asked if it was half and the reply was it is not half. Discussion was held about the amount of money that came from the Supreme Court fund. DeLozier made a motion to approve and Burrows seconded. Roll Call: DeLozier – aye, Helm – no, Burrows - aye. Motion carried.
3. Discussion and possible action for the Board of County Commissioners to enter an executive session pursuant to Title 25 O.S. 2011, section 307(B)(4), for the purpose of confidential communications by it with its attorney concerning a pending or potential investigation, claim, or action, the Board of County Commissioners having been advised by its attorney that disclosure thereof will impair the ability of the Board to process the claim, or to conduct the pending investigation, litigation, or proceeding in the Public Interest, to-wit: Potential litigation regarding the Woodlands at Westin Park subdivision, Developer Brett Knapp, proposed settlement agreement. Assistant District Attorney Ben Lepak recommended the board go into executive session. Burrows made a motion to go into executive session and Helm seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried at 3:38 p.m.
4. Possible action on a motion to terminate executive session and resume regular session. - Burrows made a motion to go back into regular session and Helm seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried at 4:12 p.m.
5. Discussion and possible action regarding matters discussed in executive session, to - wit: Potential litigation regarding the Woodlands at Westin Park subdivision, Developer Brett Knapp, proposed settlement agreement. Burrows made a motion to accept the settlement agreement and instruct the Assistant D.A. to discuss with Mr. Greever about the plat updates and Helm seconded. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye.

ITEM 7: RECESS OR ADJOURNMENT: Helm made a motion to adjourn and Burrows seconded the motion. Roll Call: DeLozier – aye, Helm – aye, Burrows - aye. Motion carried. Motion carried at 4:14 p.m.



(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

Ron Burrows
Commissioner, Ron Burrows

Notice of said meeting was filed in the Office of the County Clerk on Friday, June 12, 2014 at 4:35 p.m. and agenda was posted on Tuesday, June 16, 2015 at 2:29 p.m. in the public display case near the front door entrance to the courthouse and on the county website.