

## **MINUTES**

Chairman Burrows called the meeting to order;

**Roll call** – DeLozier – present, Hendrix – present, Burrows – present

Quorum was established and noted that the agenda was posted Thursday, August 24, 2017 at 4:30 pm

Clerk Heidlage led the pledge and Ryan Baze, Maintenance Supervisor offered the prayer

Commissioner DeLozier motioned to approve the August 21, 2017 Regular Meeting and August 22, 2017 Special Meeting Minutes, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried**

**ANNOUNCEMENTS:** Clerk Heidlage announced that next Monday is a Holiday, the courthouse will be closed and the meeting will be on Tuesday, September 5, 2017 at 9:00 am  
Chairman Burrows announced that all 3 locations for District 3 will be open for their first Saturday Solid Waste Program.

### **UNFINISHED BUSINESS:**

1. Medical Education Program Agreement (Health Department) **NOTE** - this item was tabled from the August 21, 2017 Regular Meeting

ADA Lepak stated that the Health Department thought they had to submit this to the Board for approval, he explained that they have the power to enter into agreements on their own.

#### **No Action Taken**

2. FY 17-18 Estimate of Needs – NOTE this item was tabled from the August 14, 2017 Regular Meeting and August 21, 2017 Regular Meeting

Chairman Burrows stated that we are still waiting for Budget Maker to finalize; Commissioner DeLozier motioned to table for one week, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried**

### **Chairman Burrow requested to move to the Agenda Items 1 & 2**

2. Quit Claim Deed – Brent Bushyhead Enterprises, Inc. and The Board of County Commissioners of Rogers County (Commissioners)

Dave Faulkner, Rogers County Abstract explained that approximately year ago Brent Busyhead Quit Claimed to the County some property, he intended to Quit Claim a road in a small subdivision but when it is plotted out the legal it encompasses the entire subdivision. ADA Lepak stated that he didn't intend to Deed to the County his entire Subdivision. Dave Faulkner explained that Mr. Bushyhead's attorney prepared a Quit Claim Deed and the examining attorney has examined it and agreed that this will correct the error. Brent Busyhead stated that the correct deed has already been filed a corrected Deed, the Assessor's Office did catch the error, Commissioner DeLozier motioned to approve, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye,

**Motion carried**

1. Presentation by Kirk Cunningham, Tyler Technologies

Kirk Cunningham presented Tyler Technologies company history and software for local governments. He stated that the City of Claremore has been a client since 1992. He explained that as new versions of software come out, there isn't any fees for the updated versions, the only cost would be for training associated with the newer version. The Tyler products reduce duplication and manual data entry, the software has more reporting capabilities. Chairman Burrows ask which Counties in Oklahoma are currently using Tyler Technologies, Mr. Cunningham stated that Woods, Grady, and Tulsa Counties are clients and that Wagoner, Payne and Cleveland were in the process. He also stated that there is a 9 to 12 month implementation process where trainers will be on site. Clerk Heidlage stated that the Clerk's office had been talking to Tyler looking for other options. ADA Lepak ask the questions about intergrading

State Auditor forms and State Statues regarding purchasing, Mr. Cunningham explained that they have worked with OSU County Training Program and the State Auditor's Office. ADA Lepak ask how the cost compared to Kellpro, Kirk's answer was Tyler is higher, Clerk Heidlage explained that Brett Williston, IT has done a comparison on what Kellpro cost the County for a year and what Tyler would cost, his estimate is about \$3,000.00 more a year for Tyler, we are looking at a cloud base solution that eliminates the servers and licensing fees and must have a secure web portal. Mr. Cunningham briefly touched on the Tyler Citizen Transparency module and stated that he would send a link to each Commissioner to view.

## **Board Returned to agenda order**

### **UTILITY PERMITS:**

#### **1. District 1**

ONG - To bore cross and parallel S. 1480 Rd. & county highway or local road E. Lake Dr. approximately 2.89 miles east & 1.43 miles north of SH 66 & SH 88 and further described as: 1,277 feet south of the NE corner of Section 2 Township 21 Range 16 Rogers County. W-2017-08-8

#### **2. District 1**

ONG - To bore cross county highway or local road E. Blue Starr Dr. approximately 1.02 miles north & 0.30 miles east of US Hwy 44 & SH 20 and further described as: 1,906 feet east of the SW corner of Section 2 Township 21 Range 16 Rogers County. W-2017-08-9

Jim Loller, Planning Commission stated that the permits were in order, Commissioner DeLozier stated that he couldn't find 1480 Rd. and ask if should be 4180 Rd., Jim Loller stated that it should be 4180 Rd., correction was made on the permit, Commissioner DeLozier motioned to approve 1 & 2, second Chairman Burrows;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motioned carried**

### **REVIEW/LET/AWARD**

#### **1. Bid 17/18 – 14 – HMHL & HMCL and Liquid Asphalt - 3 Month Bid**

Margie Wright, Purchasing Agent created a new form. Commissioner DeLozier motioned to approve, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motioned carried**

### **ROADS & BRIDGES:**

#### **1. Discussion and possible action to approve final construction plans for road improvements on Southaven Rd. Phase I, between Hwy 20 and E. 500 Rd**

Rebecca Alvarez, Guy Engineering, explained that this is a normal construction job except ODOT was not involved. The City of Claremore is paying for most of the project except the bridge. District 3 is planning to do part of it themselves and bid out parts of it, Chairman Burrows explained the bridge is the reason this is being brought before the Board. Ms. Alvarez also stated that the County paid for her engineering fees so the County would sign off on that. Chairman Burrows explained that it was Cherokee money that the county paid for upfront and then be reimbursed, right-a-ways are complete, under utility relocation phase, if everything goes well could do bridge over Christmas break, ADA Lepak ask who was paying for the utility relocation, Chairman Burrows answered that the City was; Chairman Burrows motioned to approve, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried**

### **GRANTS:**

#### **1. Interlocal agreement between the Board of County Commissioners of Rogers County and the Town of Inola for administration of CDBG Grant (Burrows)**

Chairman Burrows explained, Heather Road is the road that the Post Office was going to stop delivering mail to if it was not repaired there was a grant for \$150,000.00 CDBG Grant, this agreement allows the Grant to be run through the County and the County will manage the process; Chairman Burrows motioned to approve, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried**

**TRANSFER OF FUNDS:**

1. From General Fund (0001) in the amount of \$567,084.76 into the One-Cent Sales Tax Fund (1313) for July Collections
2. From General Fund (0001) in the amount of \$991,792.92 into the One-Cent Sales Tax Fund (1313) for District 1
3. From General Fund (0001) in the amount of \$250,076.08 into the One-Cent Sales Tax Fund (1313) for District 3

Clerk Heidlage explained, #1 was July Collections for the One-Cent which will now go into the cash account, and from this point forward monthly collections will go through Cash Estimate of Needs. July collections were deposited into the General Fund. #2 is the District 1 carry over from the One-Cent from last year, #3 is District 3 carry over from One-Cent from last year; Commissioner DeLozier motioned to approve, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried**

**CLAIMS:**

1. Salaries: August Payroll

Commissioner Hendrix motioned to approve, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried**

**BLANKET PURCHASE ORDERS**

1. Materials, Supplies, Parts, Groceries & Prescriptions

Blanket purchase orders presented for Sheriff Jail, Sheriff Office, Health Department, District 1, District 2, District 3, Assessor, Maintenance, Emergency Management, Planning Commission, Commissioner DeLozier motioned to approve, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried**

2. Orders exceeding

- a. Purchase Order #989 – Pryor Stone, Inc. \$14,500.00 encumbered – amount exceeded \$153.26 - District 3

Chairman Burrows explanation, Purchase Order #989 exceeded the original amount encumbered by \$153.26 due to the County driver's miscalculation by 10.57 tons on the amount hauled, there by miscalculating the remaining balance on the purchase order, Clerk Heidlage explained that this was a matter of procedure, any Blanket Purchase Order that exceeds the amount must be presented and approved by the Board of County Commissioners; Chairman Burrows motioned to approve, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried**

**AGENDA ITEMS:**

3. 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 seriously 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: Mid-West Printing Company v. Rogers County Board of County Commissioners, Case No. CJ-2017-233.

ADA Lepak recommended to enter executive session, Commissioner DeLozier motioned to enter executive session, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye  
**Motion carried to enter executive at 10:00 am**

4. Possible Action on a motion to terminate executive session and resume regular session.

Commissioner Hendrix motioned to end executive session, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried to end executive at 10:18 am**

5. Discussion and possible action regarding executive session item, to wit: Mid-West Printing Company v. Rogers County Board of County Commissioners, Case No. CJ-2017-233.

Chairman Burrows motioned to authorize ADA Lepak to send a letter to Mid-West Printing with an offer of compromise, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried**

**PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:**

Commissioner Hendrix motioned to pay all purchase orders presented, second Commissioner DeLozier;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried**

Commissioner DeLozier motioned to adjourn, second Commissioner Hendrix;

**Roll call** – DeLozier – Aye, Hendrix – Aye, Burrows – Aye

**Motion carried to adjourn at 11:14 am**

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

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Ron Burrows, Chairman

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Steve Hendrix, Commissioner

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Dan DeLozier, Commissioner

(SEAL)

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Jeanne M. Heidlage, Rogers County Clerk