

ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS  
Regular Meeting, Monday, March 25, 2019 at 9:00 am

MINUTES

Meeting called to order and a quorum established noting that the agenda was posted Thursday, March 21, 2019 at 9:30 pm

Commissioner DeLozier lead the flag salute, Treasurer Carini offered the prayer

Commissioner DeLozier motioned to approve the minutes for the March 18, 2019 Regular Meeting, second Commissioner Burrows; Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

ANNOUNCEMENTS: ACCO Meeting Wednesday and Thursday, March 27 & 28, 2019

UNFINISHED BUSINESS:

1. Bid 18/19-6 Radio Tower & Installation – NOTE this item was tabled at the February 25, 2019 and March 4, 2019 and March 11, 2019 and March 18, 2019 Regular meetings for further review

Jon Sappington presented, Commissioner Burrows motioned to approve the low bid, Custom Towers for Bid 18/19-6 Radio Tower & Installation in the amount of \$123,178.00, to be paid from the Use Tax, second Commissioner DeLozier; Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

PLANNING/ZONING:

1. Public hearing with discussion and possible action on the request for PRELIMINARY PLAT of YONKIPIN an Existing Residential Subdivision, CASE # 2230.

APPLICANT: Kellogg Engineering, Inc.

LOCATION: 4.5 Miles NE of US Highway 412 N. on the NW Side of US Highway 66. District 3

LEGAL DESCRIPTION: A Tract of land located in the South half (S/2) of Section Nine (9) and in the North half (N/2) of Section Sixteen (16) of Township Twenty (20) North and Range Fifteen (15) East of the Indian Base and Meridian (I.B.&M.), according to the U.S. Government Survey, Thereof, Rogers County, State of Oklahoma; Being more particularly described as follows: Commencing at the SW Corner of Section 9, T-20-N, R-15-E, I.B.&M.; Thence N 88°18'24" E along the south line of said section 9 a distance of 1,320.76 feet; Thence N 01°31'20" W a distance of 1,317.11 feet; Thence N 01°40'26" W a distance of 658.43 feet; Thence N 88°34'15" E a distance of 1,314.88 feet; Thence N 88°34'28" E a distance of 661.78 feet; Thence S 01 °29'38" E a distance of 1,966.77 feet to a point on the south line of said section 9; Thence N 88°19'24" E along the south line of said section 9 a distance of 110.02 feet; Thence S 50°12'07" Wand into Section 16, T-20-N, R-15-W, I.B.&M. a distance of 819.17 feet; Thence N 39°47'53" W a distance of 70.00 feet; Thence S 50°12'07" W a distance of 786.29 feet; Thence N 41°13'19" W a distance of 355.02 feet; Thence N 88°23'14" E a distance of 110.20 feet; Thence N 01°48'32" W a distance of 662.39 feet to a point on the north line of said section 16; Thence S 88°18'24" W along said north line of said section 16 a distance of 660.38 feet to the Point of Beginning and containing 105.90 acres more or less. Basis of bearing the Oklahoma State Plan Coordinate System.

This item was approved by The City of Claremore-Rogers County Metropolitan Area Planning Commission by a Vote of 5-0. No one spoke against the item

Commissioner DeLozier motioned to open public hearing, second Chairman Hendrix;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to open public hearing at 9:04 am

Jim Loller, Planning Commission presented, no opposition; Commissioner DeLozier motioned to close public hearing, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to close public hearing at 9:07 am

Commissioner Burrows motioned to approve Planning/Zoning Preliminary Plat of Yonkipin, second Commissioner DeLozier; Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

2. Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to RS-40 (Residential 40,000 sq. ft.), Zoning change for +/- 1 ACRE TRACT only with house, the remaining +/- 48.00 acres to stay AG, that the intended use of the property, after rezoning, for Residential Lot Split, contingent on the approval of the Board of County Commissioners. CASE # 2227.

APPLICANT: Terry and Lindsey Miller

LOCATION: 1244 E. 350 Road, Talala, Ok 74080 District #2

LEGAL DESCRIPTION:

PARENT TRACT: GOVERNMENT LOT 3; LESS AND EXCEPT THE EAST 1022.00 FEET THEREOF; AND ALL OF GOVERNMENT LOT 4 IN SECTION 3, TOWNSHIP 23 NORTH AND RANGE 14 EAST OF THE INDIAN MERIDIAN, ROGERS COUNTY, OKLAHOMA. +/- 49.87 ACRES

+/- 1 ACRE TRACT: THE NORTH 225.00 FEET OF THE WEST 193.60 FEET OF THE EAST 1215.6 FEET OF GOVERNMENT LOT 3 IN SECTION 3, TOWNSHIP 23 NORTH, RANGE 14 EAST OF THE INDIAN MERIDIAN, ROGERS COUNTY, OKLAHOMA.

This item was approved by The City of Claremore-Rogers County Metropolitan Area Planning Commission by a Vote of 6-0. No one spoke against the item

Commissioner DeLozier motioned to open public hearing, second Commissioner Burrows; Roll call –

DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to open public hearing at 9:08 am

Jim Loller, Planning Commission presented, no one spoke in opposition; Commissioner DeLozier motioned to close public hearing, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to close public hearing at 9:09 am

Chairman Hendrix motioned to approve ZONING CHANGE from AG to RS-40, second Commissioner DeLozier; Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

3. Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to AR (Agricultural Residential), Zoning change for +/- 3 ACRE TRACT only, the remaining +/- 17 acres to stay AG, that the intended use of the property, after rezoning, for Residential Lot Split, contingent on the approval of the Board of County Commissioners.  
CASE # 2228.

APPLICANT: Stephanie Martin

LOCATION: 10933 S. 4080 Road, Oologah, Ok 74053 District #2

LEGAL DESCRIPTION:

PARENT TRACT: THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QURTER (S/2 SW/4 SW/4) OF SECTION 20, TOWNSHIP 23 NORTH, RANGE 15 EAST OF THE I.B.&M., ROGERS COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNEMTN SURVEY THEREOF. +/- 20.05 ACRES

+/- 3.0 ACRES: A TRACT OF LAND CONTAINING A PART OF THE S/2 OF THE SW/4 OF THE SW/4 OF SECTION 20, TOWNSHIP 23 NORTH, RANGE 15 EAST OF THE I. B. & M., ROGERS COUNTY, OKLAHOMA. SAID TRACT BEING FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID S/2 OF SW/4 OF SW/4; THENCE N 00°04'03" E, ALONG THE WEST LINE THEREOF, A DISTANCE OF 582.08. FEET TO A POINT 78.00 FEET SOUTH OF THE NORTH LINE OF SAID S/2 OF SW/4 OF SW/ 4; THENCE S 89°43'04" E, PARALLEL TO SAID NORTH LINE, A DISTANCE OF 240.00 FEET; THENCE S 00°51'10" W, A DISTANCE OF 200.00 FEET; THENCE S 85°55'09" E, A DISTANCE OF 33.50 FEET; THENCE S 06°40'53" W, A. DISTANCE OF 124.50 FEET; THENCE N 88°00'43" W A DISTANCE OF 61.37 FEET; THENCE S 00°04'03" W, A DISTANCE OF 528.00 FEET TO THE SOUTH LINE OF SAID S/2 OF SW/4 OF SW/4; THENCE N 89°42'38" W, ALONG SAID SOUTH LINE, A DISTANCE OF 195.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.0 ACRES MORE OR LESS.

This item was approved by The City of Claremore-Rogers County Metropolitan Area Planning Commission by a Vote of 6-0. No one spoke against the item

Commissioner DeLozier motioned to open public hearing, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to open public hearing at 9:10 am

Jim Loller, Planning Commission presented, no one spoke in opposition; Commissioner DeLozier motioned to close public hearing, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to close public hearing at 9:13 am

Chairman Hendrix motioned to approve ZONING CHANGE from AG to AR, second Commissioner DeLozier;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

#### UTILITY PERMITS:

1. District 2  
RWD #3 – To cross county highway or local road E. 76th St. N. approximately 0.8 miles west of N. 161st E. Ave. and E. 76th St. N. intersection and further described as: 1,113 feet east of the SW corner of Section 27 Township 21 Range 14, Rogers County. U19-16
2. District 2  
RWD #3 – To cross county highway or local road N. 150th E. Ave. approximately 0.7 miles west and 45 feet south of the N. 161st E. Ave. and E. 76th St. N. intersection and further described as: 1,573 feet east of the NW corner of Section 34 Township 21 Range 14, Rogers County. U19-17

Jim Loller, Planning Commission stated that permits are in order, Chairman Hendrix motioned to approve Utility Permits 1 & 2, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

#### ROADS & BRIDGES:

1. Discussion and possible action to name an unnamed county-maintained road located in the subdivision of Country Air Estates.  
Country Air Estates is located at the N.E. corner of the intersection of East 360 Road and South 4090 Road in T23N, R15E of Rogers County, approximately 3 miles north of the Town of Oologah.

This unnamed road extends approximately 500 feet in a northeasterly direction off of South Country Lane in Country Air Estates and shall hereby be named Weathers Drive and recorded in 911 addressing (Hendrix)

Chairman Hendrix presented then motioned to approve naming the unnamed road Weathers Drive, second Commissioner DeLozier;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

2. Discussion and possible action to approve utility relocation agreement between Verdigris Valley Electric and Rogers County Board of County Commissioners on behalf of Rogers County District #1 for Bridges 60 and 61 over Dog Creek, J/P 31402(04) in the amount of \$13,701.38, currently programmed to be paid through the CIRB program (DeLozier)

Commissioner DeLozier motioned to approve utility relocation agreement between Verdigris Valley Electric and Rogers County Board of County Commissioners, second Commissioner Burrows;

Roll call - DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

**SURPLUS/DISPOSAL OF COUNTY OWNED EQUIPMENT:**

Resolution #	Dept.	Item	Inventory #	Serial #	Purchase Date	Purchase Amount	Date Sold	Buyer	Price Received
2019-100	District 1	2009 Chevrolet 1500 4x4 Pickup	D1-301-0134	3GCEK133X9G223408	5/7/2009	\$ 24,776.00	3/9/2019	Lisa Bailey	\$ 5,060.00
2019-101	District 1	2009 Chevrolet Silverado 155 1/2/Ton	D1-301-0152	3GCEK23349G129773			3/9/2019	Adam Andes	\$4,600.00
2019-102	District 1	1998 Pental Hitch Trailer	D1-348-0105	13YFS252XWC068600	12/3/1998	\$ 6,785.00	3/9/2019	Erik Vermedahl	\$ 1,840.00
2019-103	District 2	Cattle Guard (3)	611-0314	N/A	3/1/2013	\$ 1,000.00	3/9/2019	Mike Graham Auctioneers	\$ 1,104.00
2019-104	District 2	2003 Bandit Brush Chipper	499-0203	19165	3/10/2012	\$ 10,500.00	3/9/2019	Mike Graham Auctioneers	\$ 12,420.00
2019-105	District 2	Post Hole iger	450-0201	PHD0001	3/10/2012	\$ 1,300.00	3/9/2019	Mike Graham Auctioneers	\$ 23.00
2019-106	District 2	Cattle Guard 15'	61-0301	N/A	3/1/2013	\$ 1,800.00	3/9/2019	Mike Graham Auctioneers	\$ 368.00
2019-107	District 2	Cat Pneumatic Tire Roller	320-0209	AFPS00793	5/19/2018	\$ 71,533.00	3/9/2019	Warren Cat	\$ 30,360.00
2019-108	District 2	2027' 2 3/8" used steel pipe	consummable	N/A	N/A	\$ 537.16	3/9/2019	Mike Graham Auctioneers	\$ 1,748.00

Commissioner DeLozier motioned to approve Surplus/Disposal of County Owned Equipment, second Commissioner Burrows; roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

Chairman Hendrix noted correction on Resolution #2019-107, purchase date should be 5/19/2008, Resolution #2019-103 was purchased by Monty Fica  
 Resolution #2019-104 was purchased by Richard Mammucari  
 Resolution #2019-105 was purchased by Allen Carter  
 Resolution #2019-106 was purchased by KP Balthrop  
 Resolution #2019-107 was purchased by Canadian County District 2, Resolution #2019-108 was purchased by Pittsburg County District 3

**CLAIMS:**

1. Salaries: March payroll

Commissioner DeLozier motioned to approve March payroll, second Chairman Hendrix;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

**BLANKET PURCHASE ORDERS**

1. Materials, Supplies, Parts, Groceries & Prescriptions

Commissioner DeLozier motioned to approve blanket purchase orders from the following departments: District 1, District 3, General Government, Emergency Management, Commissioner’s Office, Sign Maintenance, Health Department, second Commissioner Burrows; roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

2. Orders Exceeding –

- A. Purchase order #4639 encumbered on February 25, 2019 in the amount of \$1000.00 to R&S Auto Parts, amount exceeded \$16.64 explanation letter attached – District #3

Commissioner Burrows presented then motioned to approve purchase order #4639, second Commissioner DeLozier; Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

AGENDA ITEMS:

1. Discussion/possible action regarding a Lease-Purchase Agreement by and between Rogers County Board of County Commissioners and the State of Oklahoma through the Oklahoma Department of Transportation for a 2019 Caterpillar 140 Motor Grader; S/N: oN9400115; ODOT No. 99-2652; \$2,548.05 per month for 96 months; \$244,612.64 total (DeLozier)

Commissioner DeLozier motioned to approve Lease-Purchase Agreement by and between Rogers County Board of County Commissioners and the State of Oklahoma through the Oklahoma Department of Transportation, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

2. Discussion/possible action to execute 324a Claim Form for Lease-Purchase of 2019 Caterpillar 140 Motor Grader; S/N: oN9400115; through ODOT Equipment Revolving Fund; ODOT No. 99-2652 (DeLozier)

Commissioner DeLozier motioned to approve 324a Claim Form for Lease-Purchase through ODOT Equipment Revolving Fund, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

3. Discussion regarding appointment of trustees by the Chairman of the Board of County Commissioners of Rogers County to the Rogers County Criminal Justice Authority pursuant to the Second Amendment to the Amended and Restated Declaration of Trust of Rogers County Criminal Justice Authority and possible action approving appointments (Hendrix)

Chairman Hendrix and ADA Wagner presented, Chairman Hendrix appointed Mayor Grigg and Mayor Conley and motioned for approval, second Commissioner DeLozier;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to approve the appointment by Chairman Hendrix of Mayor Conley and Mayor Grigg to the Rogers County Criminal Justice Authority.

4. Discussion/possible action to increase use tax rate to equal the Rogers County sales tax as required by OKLA. STAT. tit. 68, § 1411, Resolution 2019-109 (ADA Wagner)

ADA Wagner presented, Commissioner DeLozier motioned to approve Resolution #2019-109, second Commissioner Burrows;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:

Commissioner Burrows motioned to approve purchase orders as presented, second Commissioner DeLozier;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

RECESS OR ADJOURNMENT:

Commissioner DeLozier motioned to adjourn, second Chairman Hendrix;

Roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried to adjourn at 10:09 am

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

\_\_\_\_\_  
Steve Hendrix, Chairman

\_\_\_\_\_  
Ron Burrows, Vice-Chairman

(SEAL)

\_\_\_\_\_  
Dan DeLozier, Member

By: \_\_\_\_\_  
Jeanne M. Heidlage, Rogers County Clerk