

ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS
FEBRUARY 24, 2020 REGULAR MEETING

MINUTES

Roll called to establish quorum – DeLozier-present, Hendrix-present, Burrows-present – noted that the agenda was posted on February 20, 2020 at 4:57pm

ADA Wagner led the pledge, Julie Dermody offered a prayer

Commissioner DeLozier motioned to approve the meeting minutes from the February 18, 2020 Regular meeting, second Commissioner Hendrix; roll call – DeLozier-Aye, Hendrix-Aye, Burrows-Aye – motion carried

UNFINISHED BUSINESS:

1. Bid 19/20-16 Scrub Seal, Chip Seal, Fog Seal Road Surface Treatment for District 3 – NOTE this item was tabled at the February 18, 2020 Regular meeting for further review – Burrows motioned to award to low-bid, Circle C in the amount of \$646,315.31, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried
2. Bid 19/20-17 Sheriff's Office Patrol/Narcotics Canine - NOTE this item was tabled at the February 18, 2020 Regular meeting for further review – DeLozier motioned to award to low-bid, James Harris K-9, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

OKLAHOMA MEDICAL MARIJUANA AUTHORITY CERTIFICATE OF COMPLIANCE

1. District 2
Oklahoma Cannabis & Consulting LLC
Grower
Owners: Michael D. Turnbaugh, Calvin Quinlan, Shannon Tucciarello, Christopher Turnbaugh, HQ's Enterprises
Address: 2236 E. 400 Road, Oologah, OK 74053

DeLozier motioned to approve, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

2. District 1
H&F Farms, LLC
Grower
Owners: James Foster, Thomas Hundley
Address: 18441 E. 430 Road, Claremore, OK 74017

DeLozier motioned to approve, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

3. District 1
M&T Agriculture, LLC
Grower
Owners: Thomas Hundley, Matthew Jones
Address: 15801 S. 4230 Road, Claremore, OK 74017

DeLozier motioned to approve, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

PLANNING/ZONING:

1. District 2
Public hearing with discussion and possible action on the request for a LOT SPLIT WITH ACCESS EASEMENT on two +/- 5-acre tracts. That the intended use of the property, after splitting, is for Residential Use, contingent on the approval of the Board of County Commissioners.
CASE # 2278
APPLICANT: Matt Ballard
LOCATION: E. Northshire Rd. east of Old Hwy 88, Claremore, OK 74019

LEGAL DESCRIPTION: Parent Tract: The W/2 E/2 SW/4 of Section 31, Township 22 North, Range 16 East of the I.B. & M, according to the U.S. Government Survey thereof.

Tract A: A tract of land containing a part of the W/2 of the E/2 of the SW/4 of Section 31, Township 22 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, said tract being further described as follows: Beginning at the Northeast corner of said W/2 of E/2 of SW/4; thence S 89°57'33" W, along the North line thereof, a distance of 672.29 feet to the East boundary line of NORTHAVEN, a Subdivision of U.S. Government Lots 3 and 4 of Section 31, Township 22 North, Range 16 East of the I. B. M., according to the recorded plat thereof recorded in Book 497 at Page 529; thence S 00°24'23" E, along said East line, a distance of 330.76 feet to the centerline of Northshire Road; thence N 89°57'35" E for a distance of 670.58 feet to the East line of said W/2 of E/2 of SW/4; thence N 00°06'38" W, along said East line, a distance of 330.76 feet to the Point of Beginning, containing 5.10 acres more or less. Subject to a Road and Utility Easement covering the South 25 feet of the West 50 feet thereof.

Tract B: A tract of land containing a part of the W/2 of the E/2 of the SW/4 of Section 31, Township 22 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma. said tract being further described as follows: Commencing at the Northeast corner of said W/2 of E/2 of SW/4; thence S 89°57'33" W, along the North line thereof, a distance of 672.29 feet to the East boundary line of NORTHAVEN, a Subdivision of U.S. Government Lots 3 and 4 of Section 31, Township 22 North, Range 16 East of the I. B. & M., according to the recorded plat thereof recorded in Book 497 at Page 528; thence S 00°24'23" E. along said East line, a distance of 330.76 feet to the centerline of Northshire Road also being the Point of Beginning; thence N 89°57'35" E a distance of 670.58 feet to the East line of said W/2 of E/2 of SW/4; thence S 00°06'38" E, along said East line, a distance of 330.00 feet; thence S 89°57'37" W a distance of 668.88 feet to the Southeast corner of Lot 9 in Block 3 of Northaven according to the recorded plat thereof; thence N 00°24'23" W, along the East line of Northaven, a distance of 330.00 feet to the Point of Beginning, containing 5.07 acres more or less. Subject to a Road and Utility Easement covering the North 25 feet of the West 50 feet thereof.

BOARD VOTE 7-0

Hendrix motioned to open public hearing, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – motion carried to open public hearing at 9:12 am

Brief discussion, no one in support or opposition appeared

DeLozier motioned to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – motion carried to close public hearing at 9:15 am

Hendrix motioned to approve lot split, second DeLozier; Roll call – DeLozier-aye Hendrix-aye, Burrows-aye – Motion carried

2. District 3

Public hearing with discussion and possible action on the request for ZONING CHANGE from RM-4 (Residential Multi-Family Low Medium Density) to AR (Agriculture-Residential) on a +/-4.2086-acre tract only. The remaining +/- 12.2005 acres will remain RM-4. That the intended use of the property, after rezoning, is for Residential Lot Split, contingent on the approval of the Board of County Commissioners.

CASE # 2279

APPLICANT: Linda L. Leonard Revocable Inter Vivio Trust

LOCATION: 22222 S. 4150 Rd, Claremore, OK 74019

LEGAL DESCRIPTION: Parent Tract: A tract of land situated in the North Half of the Southeast Quarter of the Northeast Quarter (N/2 SE/4 NE/4) of Section 20, Township 21 North, Range 16 East of the Indian Base and Meridian, Rogers County, Oklahoma, according to the U.S. Government Survey thereof, and being more particularly described as follows: Commencing at the Southeast corner of said N/2 SE/4 NE/4; thence S89°48'20"W along the South line of said N/2 SE/4 NE/4 a distance of 559.5 feet to a point on the Condemnation line of State of Oklahoma Department of Highways and the Point of Beginning; thence N47°05'59"E along said Condemnation line a distance of 565.44 feet; thence N21°59'05"E along said Condemnation line a distance of 230.50 feet; thence N89°49'02"E along said Condemnation line a distance of 55.80 feet to a point on the East line of said N/2 SE/4 NE/4; thence N00°18'20"W along said East line a distance of 62.71 feet to the Northeast

Comer of said N/2 SE/4 NE/4; thence S89°49'13"W along the North line of said N/2 SE/4 NE/4 a distance of 1381.62 feet to the Northwest Corner of said N/2 SE/4 NE/4; thence S00°18'17"E along the West line of said N/2 SE/4 NE/4 a distance of 660.00 feet to the Southwest corner of said N/2 SE/4 NE/4; thence N89°48'20"E along the South line of said N/2 SE/4 NE/4 a distance of 759.13 feet to the Point of Beginning. Contains 16.4091 acres more or less.

West Tract: A tract of land situated in the North Half of the Southeast Quarter of the Northeast Quarter (N/2 SE/4 NE/4) of Section 20, Township 21 North, Range 16 East of the Indian Base and Meridian, Rogers County, Oklahoma, according to the U.S. Government Survey thereof, and being more particularly described as follows: Commencing at the Southeast corner of said N/2 SE/4 NE/4; thence S89°48'20"W along the South line of said N/2 SE/4 NE/4 a distance of 559.5 feet to a point on the Condemnation line of State of Oklahoma Department of Highways and the Point of Beginning; thence N47°05'59"E along said Condemnation line a distance of 117.95 feet; thence S89°48'20"W a distance of 23.59 feet to the West Edge of a pipe rail fence; thence N03°49'37"W along the West edge of a pipe rail fence a distance of 580.96 feet to a point on the North line of said N/2 SE/4 NE/4; thence S89°49'13"W along said North line a distance of 786.68 feet to the Northwest Corner of said N/2 SE/4 NE/4; thence S00°18'17"E along the West line of said N/2 SE/4 NE/4 a distance of 660.00 feet to the Southwest corner of said N/2 SE/4 NE/4; thence N89°48'20"E along the South line of said N/2 SE/4 NE/4 a distance of 759.13 feet to the Point of Beginning. Contains 12.2005 acres more or less.

East Tract: A tract of land situated in the North Half of the Southeast Quarter of the Northeast Quarter (N/2 SE/4 NE/4) of Section 20, Township 21 North, Range 16 East of the Indian Base and Meridian, Rogers County, Oklahoma, according to the U.S. Government Survey thereof, and being more particularly described as follows: Commencing at the Southeast corner of said N/2 SE/4 NE/4; thence S89°48'20"W along the South line of said N/2 SE/4 NE/4 a distance of 559.5 feet to a point on the Condemnation line of State of Oklahoma Department of Highways; thence N47°05'59"E along said Condemnation line a distance of 117.95 feet to the Point of Beginning; thence N47°05'59"E along said Condemnation line a distance of 447.51 feet; thence N21°59'05"E along said Condemnation line a distance of 230.50 feet; thence N89°49'02"E along said Condemnation line a distance of 55.80 feet to a point on the East line of said N/2 SE/4 NE/4; thence N00°18'20"W along said East line a distance of 62.71 feet to the Northeast Corner of said N/2 SE/4 NE/4; thence S89°49'13"W along the North line of said N/2 SE/4 NE/4 a distance of 531.94 feet; thence S03°49'37"E along the West edge of a pipe rail fence a distance of 580.96 feet; thence N89°48'20"E a distance of 23.59 feet to the Point of Beginning. Contains 4.2086 acres more or less.

BOARD VOTE 7-0

DeLozier motioned to open public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:16am

Brief discussion no one in support or opposition appeared

DeLozier motion to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:20 am

Burrows motioned to approve zoning change from RM-4 (Residential Multi-Family Low Medium Density) to AR (Agriculture Residential), second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

BIDS: REVIEW/LET/AWARD

1. Bid 19/20-24 HMHL (Hot Mix Hot Lay), HMCL (Hot Mix Cold Lay) and Liquid Asphalt – Three-month bid

DeLozier motioned to let, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

2. Bid 19/20-19 Road Striping Rogers County

DeLozier motioned to table for one week, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

ROADS & BRIDGES

1. Discussion and possible action regarding contract with Guy Engineering for bridge and culvert sizing engineering services – (DeLozier)

DeLozier motioned to approve contract, second Hendrix; 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
2020-139 A&B	Assessor	Ecosys Scanner/Printer	H241.29	LVV4301595	6/19/2014	\$1,664.25
2020-142 A	District 2	2012 John Deer 310 SK Backhoe	D2-304-0211	0310SJCE2386	11/18/2012	\$107,800.00

DeLozier motioned to approve, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye Motion carried

CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS

1. Discussion/possible action regarding cash fund estimate of needs and request for appropriations.

- a. 1403 EDA 08-79-05211 Sofidel \$210,228.90

Burrows struck item stating that these items have already received approval

CLAIMS:

1. Salaries: February Payroll

DeLozier motioned to approve February payroll, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

BLANKET PURCHASE ORDERS

1. Materials, Supplies, Parts, Groceries & Prescriptions

DeLozier motioned to approve blanket purchase orders as presented from the following departments, Assessor, Commissioners, District 1, 2, & 3, Sheriff Jail, Sheriff, Visual Inspections, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

2. Orders Exceeding

- a. Purchase Order-3101 encumbered December 16, 2019 for \$600.00 to Locke Supply – amount exceeded \$655

Letter presented explaining exceedance, DeLozier motioned to approve payment of blanket purchase order #3101, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

AGENDA ITEMS:

1. Discussion and possible action regarding Interlocal Agreement with school districts located within Rogers County for routine maintenance pursuant to OKLA. STAT. tit. 19, § 339(A)(18). (ADA Wagner)

- a. Catoosa Public Schools
- b. Chelsea Schools
- c. Claremore Public Schools
- d. Inola Public Schools
- e. Justus-Tiawah Public Schools
- f. Oologah-Talala Public Schools
- g. Owasso Public Schools
- h. Sequoyah Public Schools
- i. Verdigris Public Schools
- j. Foyil Public Schools

DeLozier motioned to approve agreements with school districts located within Rogers County, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye Burrows-aye – Motion carried

2. Discussion and possible action regarding Service Agreement between Rogers County and Cintas Corporation (Hendrix)

Hendrix motioned to approve, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

3. Discussion and possible action to enter Executive Session pursuant to OKLA. STAT. tit. 25, §307(B)(4) for the purposes of confidential communications between the Board of County Commissioners of Rogers County and the District Attorney's Office regarding the pending case, Video Gaming Technologies, Inc., v. Rogers County Board of Tax Roll Corrections, et al., Case No. CJ-2014-155, where disclosure will seriously impair the ability of the Board of County Commissioners of Rogers County to process, litigate, and defend the cases.

Hendrix motioned to enter executive session, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to enter executive session at 9:35am

4. Discussion and possible action to terminate executive session and resume regular meeting.

Hendrix motioned to return to regular session, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to enter regular session at 10:08 am

PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: Resolution 2020-143

DeLozier motioned to approve payment of purchase orders as presented, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

DeLozier motioned to adjourn, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to adjourn at 10:15am

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

Ron Burrows, Chairman

Dan DeLozier, Commissioner

Steve Hendrix, Commissioner

SEAL

Jeanne M. Heidlage, Rogers County Clerk