

ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS
October 13, 2020 REGULAR MEETING

MINUTES

Chairman Burrows called the meeting to order; Roll call – DeLozier-present, Hendrix-present, Burrows-present – quorum established and noted that the agenda was properly posted on October 8, 2020 at 4:40pm

DeLozier led the pledge, Scott Marsh offered a prayer

DeLozier motioned to approve the minutes from the October 5, 2020 regular meeting, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

Scotty Stokes offered a COVID 19 update

OKLAHOMA MEDICAL MARIJUANA AUTHORITY CERTIFICATE OF COMPLIANCE:

1. District 2
Sweetwater Forge Inc
Grower (Renewal)
Owners: Jeffrey Beach, Stacy Beach
Address: 10379 E. 330 Rd., Talala, OK 74080

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

2. District 3
Rocking Star Farm, LLC
Grower (Renewal)
Owners: Samuel Bein, Randall Edgar, Austin Edgar
Address: 31725 S. 4160 Rd., Inola, OK 74036

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

3. District 3
Avalon Farm, LLP
Grower (New)
Owners: Todd P. Collins, Deida S. Collins
Address: 26636 S. 4130 Rd., Claremore, OK 74019

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

4. District 3
RJY Enterprises
Grower (New)
Owners: Rose Lee
Address: 32637 S. 4220 Rd., Inola, OK 74036

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

PLANNING/ZONING:

1. DISTRICT 3
Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to AR (Agricultural Residential) and RS-40 (Residential 40,000 sq ft). That the intended use of the property, after rezoning, is for a Residential Lot Split, contingent on the approval of the Board of County Commissioners.
CASE #2318
APPLICANT: Nick & Leah Peters
LOCATION: 6535 E. Cedar Creek Rd, Claremore, OK 74019
LEGAL DESCRIPTION: Parent Tract: The North 330 feet of the W/2 SW/4 SE/4 and the West 50 feet of the South 330 feet of the North 660 feet of the W/2 SW/4 SE/4 of Section 33, Township 21 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.
Tract A: (CURRENT ZONING AG-PROPOSED ZONING AR) THE NORTH 330 FEET OF THE W/2 OF SW/4 OF SE/4 AND THE WEST 50 FEET OF THE SOUTH 330 FEET OF THE NORTH 660 FEET OF THE W/2 OF SW/4 OF SE/4, LESS AND EXCEPT THE NORTH 280 FEET OF THE WEST 156

FEET THEREOF, ALL IN SECTION 33, TOWNSHIP 21 NORTH, RANGE 15 EAST OF THE I.B.&M., ROGERS COUNTY, OKLAHOMA., ACCORDING TO THE U. S. GOVERNMENT SURVEY THEREOF.
Tract B: (CURRENT ZONING AG-PROPOSED ZONING RS-40) THE NORTH 280 FEET OF THE WEST 156 FEET OF THE W/2 OF SW/4 OF SE/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 15 EAST OF THE I.B.&M., ROGERS COUNTY, OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF.

50' Road and Utility Easement: THE SOUTH 380 FEET OF THE NORTH 660 FEET OF THE WEST 50 FEET OF THE W/2 OF THE SW/4 OF THE SE/4 OF SECTION 33, TOWNSHIP 21 NORTH, RANGE 15 EAST OF THE I.B.&M., ROGERS COUNTY, OKLAHOMA.

BOARD VOTE 6-0

DeLozier motioned to open public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:07am

Planning Commission Deputy, Brittany Senters, presented – no one in opposition present

DeLozier motioned to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:08am

Burrows motioned to approve zoning change, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to change zoning from AG to AR and RS40

2. DISTRICT 3

Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to AR (Agricultural Residential). That the intended use of the property, after rezoning, is for a Residential Lot Split, contingent on the approval of the Board of County Commissioners.

CASE # 2319

APPLICANT: Michael & Jody Reiss

LOCATION: 26284 S. 4130 Rd, Claremore, OK 74019

LEGAL DESCRIPTION: Parent Tract: A PART OF THE NE/4 OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 15 EAST I.B.&M., ROGERS COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SECTION 12; THENCE S 01°32'23" E ALONG THE EAST LINE OF THE NE/4 A DISTANCE OF 833.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 01°32'23" E ALONG THE EAST LINE OF THE NE/4 A DISTANCE OF 833.22 FEET; THENCE S 87°43'00" W 521.80 FEET; THENCE N 01°32'23" W 836.79 FEET; THENCE N 88°06' 28" E 521.76 FEET TO POINT OF BEGINNING

Tract 1: A tract of land containing a part of the NE/4 of Section 12, Township 20 North, Range 15 East of the

I. B. & M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: Commencing at the Northeast Corner of said Section 12; thence S 01°32'23" E, along the East line of said NE/4, a distance of 833.22 feet to the Point of Beginning; thence continuing S 01°32'23" E, along said East line, a distance of 416.61 feet; thence S 87°54'44" W a distance of 521.78 feet; thence N 01°32'23" W, parallel with the East line of said NE/4, a distance of 418.40 feet; thence N 88°06'28" E a distance of 521.76 feet to the Point of Beginning, containing 5.00 acres more or less.

Tract 2: A tract of land containing a part of the NE/4 of Section 12, Township 20 North, Range 15 East of the

I. B. & M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: Commencing at the Northeast Corner of said Section 12; thence S 01°32'23" E, along the East line of said NE/4, a distance of 1249.83 feet to the Point of Beginning; thence S 87°54'44" W a distance of 521.78 feet; thence S 01°32'23" E, parallel with the East line of said NE/4, a distance of 418.39 feet; thence N 87°43'00" E a distance of 521.80 feet to a point on the East line of said NE/4 thence N 01°32'23" E, along said East line a distance of 416.61 feet to the Point of Beginning, containing 5.00 acres more or less.

BOARD VOTE 6-0

DeLozier motioned to open public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:09am

Planning Commission Deputy, Brittany Senters, presented – no one in opposition present

DeLozier motioned to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:10am

Burrows motioned to approve zoning change, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to change zoning from AG to AR

3. DISTRICT 1

Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to AR (Agricultural Residential). That the intended use of the property,

after rezoning, is for a Residential Lot Split, contingent on the approval of the Board of County Commissioners.

CASE #2320

APPLICANT: James Record

LOCATION: 20093 S. Dickerson Dr, Claremore, OK 74017

LEGAL DESCRIPTION: Parent Tract: The NE/4 NE/4 NW/4 Less the north 330' thereof in Section 11, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

Tract 1: The W/2 of the NE/4 of the NE/4 of the NW/4, LESS AND EXCEPT the North 330.00 feet thereof in Section 11, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

Tract 2: The E/2 of the NE/4 of the NE/4 of the NW/4, LESS AND EXCEPT the North 330.00 feet thereof in Section 11, Township 21 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

30' Road and Utility Easement: The West 30 feet and the South 30 feet of the W/2 of the NE/4 of the NE/4 of the NW/ 4. LESS AND EXCEPT the North 330.00 feet thereof in Section 11, Township 21 North, Range 16 East of the I. B. & M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

BOARD VOTE 6-0

DeLozier motioned to open public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:11am

Planning Commission Deputy, Brittany Senters, presented – no one in opposition present

DeLozier motioned to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:14am

DeLozier motioned to approve zoning change, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to change zoning from AG to AR

4. DISTRICT 2

Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to RS-60 (Residential 60,000 sq ft). That the intended use of the property, after rezoning, is for a residential Lot Split, contingent on the approval of the Board of County Commissioners.

CASE #2321

APPLICANT: Randy Rhoads

LOCATION: 10770 S. 4080 Rd, Oologah, OK 74053

LEGAL DESCRIPTION: Parent Tract: The S/2 S/2 NE/4 SE/4 of Section 19, Township 23 North, Range 15 East LESS AND EXCEPT the south 165 feet of the north 180 feet of the east 264 feet thereof. AND The N/2 N/2 SE/4 SE/4 of Section 19, Township 23 North, Range 15 East LESS AND EXCEPT the north 150 feet of the east 396 feet thereof.

Tract A: The N/2 of the N/2 of the SE/4 of the SE/4, LESS AND EXCEPT the East 396.00 feet thereof and the south 54.00 feet of the S/2 of the S/2 of the NE/4 of the SE/4 all in Section 19, Township 23 North, Range 15 East of the I. B. & M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

Tract B: The S/2 of the S/2 of the NE/4 of the SE/4, LESS AND EXCEPT the South 54.00 feet and LESS AND EXCEPT the South 165.00 feet of the North 180.00 feet. of the East 396.00 feet thereof, in Section 19, Township 23 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

Tract F: The East 396.00 feet of the N/2 of the N/2 of the SE/4 of the SE/4, LESS AND EXCEPT the North 150.00 feet thereof in Section 19, Township 23 North, Range 15 East of the I.B.&M., Rogers County, Oklahoma, according to the U.S. Government Survey thereof.

BOARD VOTE 6-0

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

Planning Commission Deputy, Brittany Senters, presented – no one in opposition present

Hendrix motioned to close public hearing, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:17am

Hendrix motioned to approve zoning change, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to change zoning from AG to RS60

5. DISTRICT 3

Public hearing with discussion and possible action on the request for ZONING CHANGE from AG (Agricultural) to RS-40 (Residential 40,000 sq ft). That the intended use of the property, after rezoning, is for a residential Lot Split, contingent on the approval of the Board of County Commissioners.

CASE #2322

APPLICANT: Josh and Desiree Martin

LOCATION: 29180 S. 4170 Rd., Inola, OK 74036

LEGAL DESCRIPTION: Parent Tract: The S/2 of the N/2 of the SW/4 of the NE/4 and the S/2 of the N/2 of the SE/4 of the NE/4 of Section 27, Township 20 North, Range 16 East, Rogers County, Oklahoma.

Tract 2: The East 168.30 ft of the South 300.04 ft. of the S/2 of the N/2 of the SE/4 of the NE/4 of Section 27, T-20-N, R-16-E of the Indian Base and Meridian, Rogers County, Oklahoma. This described tract of land contains 1.16 acres more or less and is subject of all easements and rights-of-way of record.

BOARD VOTE 6-0

DeLozier motioned to open public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:18am

Planning Commission Deputy, Brittany Senters, presented – no one in opposition present

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

Burrows motioned to approve zoning change, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to change zoning from AG to RS40

UTILITY PERMITS:

1. District 3

ONG – To cross county highway or local road E. 574 Rd. approximately 1.72 miles N and 0.75 miles E of the US 412 and Creek Turnpike Junction and further described as: 1,348 feet S/2, 331 feet E of the NW corner of Section 28, Township 20N, Range 15E, Rogers County. U20-71

2. District 1

ONG - To cross county highway or local road S. Mountain Lane approximately 1.67 miles N and 3.34 miles E of the Will Rogers Turnpike & ST HWY 20 Junction and further described as: 1,710 feet S/2, 308 feet E of the NW corner of Section 5 Township 21N, Range 17E, Rogers County. U20-72

3. District 3

ONG - To cross county highway or local road E. Glenwood Dr. approximately 0.56 miles S and 0.14 miles E of the Will Rogers Turnpike & ST HWY 20 Junction and further described as: 2,301 feet N/1, 158 feet E of the SW corner of Section 14, Township 21N, Range 16E, Rogers County. U20-73

4. District 3

ONG - To cross county highway or local road E. Rose Glen Drive approximately 2.04 miles S and 0.85 miles W of ST HWY 20/ST HWY 88 Junction and further described as: 1,765 feet S/2, 125 feet E of the NW corner of Section 19, Township 21N, Range 16E, Rogers County. U20-74

5. District 3

RWD #5 - To Cross County HWY or Local Road S.4090 Approximately 0.5 miles of North of ST HWY 266 and further described as: 2,700 ft North of the Southwest corner of Section 33, Township 21N, Range 15E. Rogers County. U20-75

DeLozier motioned to approve Utility Permits, Items 1 - 5, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

GRANTS:

1. Discussion/possible action regarding Resolution 2021-43 acceptance of grant from The Center for Tech and Civic Life in the amount of \$46,774 for the Election Board for the planning and operation of a safe and secure election in Rogers County in 2020

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:

September Collections

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

TRANSFER OF FUNDS:

1. From Trash Cop Salaries (1229-2-0400-1110) into Trash Cop Maintenance & Operations (1229-2-0400-2005) in the amount of \$3,959.84

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

2. Orders Exceeding

- a. PO PO#21-01500 was encumbered on August 31, 2020 in the amount of \$300.00 to Claremore Tire– amount exceeded \$472.04– Sheriff

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

AGENDA ITEMS:

1. Acknowledge the designation of Debbie Andrews and Darla Cole as requisitioning officers for the Health Department

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

2. Acknowledge the designation of Amanda Hull and Tia Weir as receiving officers for the Health Department

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

3. Acknowledge removal of Marla Lillie and Tamara Gordon as receiving officers and name Samantha Sherman and Amy Henderson as receiving officers for the Clerk's office

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

4. Acknowledge removal of Samantha Sherman as requisitioning officer and name Marla Lillie as requisitioning officer of the Clerk's office

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

5. Monthly Report of Officers – excluding Election Board

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

6. Discussion/possible action regarding appointment of Leslie Browand to the Rogers County Board of Equalization by Board of County Commissioners per OKLA. STAT. tit. 68 § 2861(B) (ADA Wagner)

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

7. Acknowledge appointment of Brandi Payne by district court judge to the Rogers County Board of Equalization per OKLA. STAT. tit. 68 § 2861(B) (ADA Wagner)

8. Discussion/possible action regarding Resolution 2021-44 to be deposited into the General Fund Election Board Maintenance & Operations (0001-1-2200-2005) from the United States Postal Service refund

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

9. Discussion/possible action regarding contract with Cox Business for internet service for OSU Extension (Burrows)

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

10. Discussion/Possible action regarding County Owned Property sold at Treasurer's Sale 2020

- TID # 92403 – Darren E. Woods
03-21N-17E N 112' OF S 244' OF W 391.74' OF NE/4 SE/4 NE/4
- TID # 25040 - Livingstone D. Ward and/or Rosel A. George-Ward
29-22N-17E N 210' E 40' N2 SE SE
- TID # 15786 – Van Wyhe Brothers LLC
16-23N-15E LOT 1 BLOCK 1 SADDLE BACK ACRES; LESS TR BEG AT NE/C OF LOT 1; TH S02-42-02W 275.65'; TH S88-46-23W 225.28'; TH N02-42-02E 275.65'; TH N88-46-23E 225.28 TO POB
- TID# 5331 – Tyann Development
6-21N-15E LOT13 BLOCK 26 MEADOW BROOK HEIGHTS

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

11. Discussion/possible action regarding Resolution 2021-46 vacating a roadway easement located at 15902 East 92nd Street North

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

PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: Resolution 2021-45

DeLozier motioned to approve, 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 9:51am

BOARD OF COUNTY COMMISSIONERS
ROGERS COUNTY, OKLAHOMA

Ron Burrows, Chairman

SEAL

Dan DeLozier, Commissioner

Steve Hendrix, Commissioner

Jeanne M. Heidlage, Rogers County Clerk

Audio available at:

<https://rogerscounty.org/coclerk/Minutes%20Archive/>