

## ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS

October 12, 2021 Regular Meeting

### MINUTES

Chairman DeLozier called the meeting to order; Roll call – DeLozier-present, 1<sup>st</sup> Deputy King for Hendrix-present, Burrows- present – quorum established and noted that the agenda was properly posted on October 7, 2021 at 4:30 pm

Commissioner Burrows led the pledge; County Clerk Jeanne Heidlage offered a prayer

Burrows motioned to approve the Minutes from the October 4, 2021 Regular meeting, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

### COVID UPDATE:

Information presented by Brett Williston (IT)

### PLANNING/ZONING:

#### 1. District 3

Public hearing with discussion and possible action on the request for a ZONING CHANGE from AR (Agricultural-Residential) and I-4 (Heavy Industrial) to RS-40 (Residential 40,000 sq ft) on a 0.9999-acre tract ONLY. 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 # 2380

APPLICANT: Jason & Cayce Hall

LOCATION: 14895 E. 590 Road, Inola, OK 74036

LEGAL DESCRIPTION: Parent Tract: Lots 1, 2, & 3 of Lake-Way Acres Second, a subdivision in Section 35, Township 20 North, Range 16 East of the I.B.&M., Rogers County, Oklahoma, according to the recorded plat thereof.

0.9999 Acre Tract: A tract of land situated in Lot 2 of the Lake-Way Acres 2nd Addition in Rogers County, State of Oklahoma and more particularly described as follows: Commencing at the SE Corner of said Lot 2; Thence south 88°31'27" W for a distance of 72.40 feet and along the South line of said Lot 2; Thence South 88°31'27" W for a distance of 188.57 feet and along said south line; Thence N 02°03'37" W for a distance of 231.00 feet; Thence N 88°31'27" E for a distance of 188.57 feet; Thence S 02°03'37" E for a distance of 231.00 feet to the Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 0.9999 acres more or less.

Board Vote 6-0

Brittany Senters presented. Burrows motioned to open Public Hearing, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried to open Public Hearing at 9:22am

No member of the public presented recommendations or spoke for or against this item

DeLozier motioned to close Public Hearing, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried to close Public Hearing at 9:30am

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

#### 2. District 2

Public hearing with discussion and possible action on the request for a ZONING CHANGE from AG (Agricultural) to AR (Agricultural-Residential) on a 2.5-acre tract ONLY. 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 # 2381

APPLICANT: Karen Weeks

LOCATION: 8400 S. 4130 Road, Talala, OK 74080

LEGAL DESCRIPTION: Parent Tract: All of Lots 4 and 5 and the W/2 NE/4 SW/4 and the NE/4 NE/4 SW/4 and the W/2 SE/4 NE/4 SW/4 and the N/2 NW/4 NW/4 SE/4 and a tract of land in the NW 10 acres of Lot 6 described as: Beginning 320.34 feet north of the SW corner of the NW 10 acres of Lot 6, thence northeasterly along a curve (radius of 732 feet) to the north line of the NW 10 acres of Lot 6, thence west 344.05 feet to the NW corner of Lot 6, thence south 340.93 feet to the point of beginning, all in Section 7, Township 23 North, Range 16 East of the I.B.&M., less and except tracts of land conveyed in the following book and pages-607/370, 635/844, 635/842, 635/843, 636/65, 646/489, 1288/787, 1571/843, 1440/571, 1570/270, 2021/11536.

2.5 Acre Tract: The SE/4 NW/4 NE/4 SW/4 of Section 7, Township 23 North, Range 16 East of the I.B.&M., Rogers County, State of Oklahoma. Containing 2.5232 acres, more or less.

Board Vote 6-0

Brittany Senters presented. Burrows motioned to open Public Hearing, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried to open Public Hearing at 9:29am

No member of the public presented recommendations or spoke for or against this item

King motioned to close Public Hearing, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried to close Public Hearing at 9:30am

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

**PLATS:**

1. District 2

Discussion/possible action on the request for a Preliminary Plat for Summit East, contingent on the approval of the Board of County Commissioners.

CASE # 2387

APPLICANT: Kellogg Engineering

LOCATION: E 490 Rd/106th St N east of 209th E Ave

LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE/4) OF SECTION EIGHT (8) OF TOWNSHIP TWENTY-ONE (21) 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 SE CORNER OF THE SE/4 OF SEC. 8, T-21-N, R-15-E, I.B.&M.; THENCE S 88°47'48" W ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 1136.07 FEET; THENCE N 01°12'12" W A DISTANCE OF 534.63 FEET TO THE POINT OF BEGINNING; THENCE N 36°34'51" W A DISTANCE OF 495.35 FEET; THENCE N 30°46'20" W A DISTANCE OF 1032.06 FEET; THENCE N 30°33'08" W A DISTANCE OF 917.23 FEET TO THE NORTH LINE OF THE SE/4; THENCE N 88°46'14" E ALONG THE NORTH LINE OF SAID SE/4 A DISTANCE OF 1718.55 FEET TO THE NE CORNER OF THE W/2 E/2 OF SAID SE/4; THENCE S 01°16'26" E ALONG THE EAST LINE OF SAID W/2 E/2 SE/4 A DISTANCE OF 1757.03 FEET; THENCE S 88°47'48" W A DISTANCE OF 475.51 FEET; THENCE S 01°16'38" E A DISTANCE OF 344.80 FEET TO THE POINT OF BEGINNING, AND CONTAINING 50.348 ACRES, MORE OR LESS. BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

Board Vote 5-0

Brittany Senters presented and advised that the file was in order. King motioned to approve, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

2. District 2

Discussion/possible action on the request for a Preliminary Plat for Summit West, contingent on the approval of the Board of County Commissioners.

CASE # 2388

APPLICANT: Kellogg Engineering

LOCATION: E 490 Rd/106th St N east of 209th E Ave

LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER (SE/4) AND THE SOUTHWEST QUARTER (SW/4) AND THE NORTHWEST QUARTER (NW/4) OF SECTION EIGHT (8) OF TOWNSHIP TWENTY-ONE (21) 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 SE CORNER OF THE SE/4 OF SEC. 8, T-21-N, R-15-E, I.B.&M.; THENCE S 88°47'48" W ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 1992.46 FEET TO THE POINT OF BEGINNING; THENCE S 88°47'48" W ALONG THE SOUTH LINE OF SAID N/2 SW/4 A DISTANCE OF 649.20 FEET; THENCE N 01°17'04" W A DISTANCE OF 1317.25 FEET TO THE NORTH LINE OF SAID N/2 SW/4; THENCE N 88°46'14" E A DISTANCE OF 164.80 FEET TO THE SW CORNER OF THE S/2 SE/4 NW/4 OF SAID SEC. 8; THENCE N 01°12'34" W A DISTANCE OF 660.45 FEET TO THE NW CORNER OF SAID S/2 SE/4 NW/4; THENCE N 88°45'35" E ALONG THE NORTH LINE OF SAID S/2 SE/4 NW/4 A DISTANCE OF 921.06 FEET; THENCE S 31°26'44" E A DISTANCE OF 819.51 FEET; THENCE S 26°55'09" E A DISTANCE OF 601.33 FEET; THENCE S 32°19'47" E A DISTANCE OF 1614.77 FEET; THENCE S 42°19'52" E A DISTANCE OF 456.11 FEET; THENCE S 54°07'40" W A DISTANCE OF 358.39 FEET; THENCE S 76°34'21" W A DISTANCE OF 470.16 FEET; THENCE S 02°12'13" E A DISTANCE OF 16.50 FEET TO THE SOUTH LINE OF SAID SE/4 AND THE POINT OF BEGINNING, AND CONTAINING 103.47 ACRES, MORE OR LESS. BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

Board Vote 5-0

Brittany Senters presented and advised that the file was in order. King motioned to approve, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

3. District 3

Discussion/possible action on the request for a Preliminary Plat for Iron Hills, contingent on the approval of the Board of County Commissioners.

CASE # 2389

APPLICANT: JC Engineering

LOCATION: S. 4120 Rd north of E 520 Rd & west of Hwy 66

LEGAL DESCRIPTION: A TRACT OF LAND IN SECTION THIRTY-SIX (36), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ROGERS COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE WEST LINE OF THE SW/4 OF SAID SECTION, 2426.84 FEET NORTH OF THE SOUTHWEST CORNER OF THE SW/4, THENCE N01°19'57"W, A DISTANCE OF 913.85 FEET; THENCE N88°39'42"E FOR DISTANCE OF 416.09 FEET; THENCE N01°21'38"W FOR A DISTANCE OF 624.00 FEET; THENCE N88°40'37"E FOR A DISTANCE OF 244.00 FEET; THENCE S01°20'38"E FOR A DISTANCE OF 179.19 FEET; THENCE N88°40'51"E FOR A DISTANCE OF 290.24 FEET; THENCE S01°28'29"E FOR A DISTANCE OF 75.47 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 318.51 FEET FOR A DISTANCE OF 111.94 FEET, SAID CURVE HAVING A CHORD DISTANCE OF 111.36 FEET AND A CHORD BEARING OF S11°32'35"E; THENCE S21°35'38"E FOR A DISTANCE OF 66.45 FEET; THENCE ON CURVE TO THE RIGHT WITH A RADIUS OF 115.33 FEET FOR A DISTANCE OF 103.85 FEET, SAID CURVE HAVING A CHORD DISTANCE OF 100.38 FEET AND A CHORD BEARING OF S03°42'45"W; THENCE S45°52'12"E FOR A DISTANCE OF 25.78 FEET; THENCE S07°00'37"W FOR A DISTANCE OF 410.00 FEET; THENCE S28°01'37"W FOR A DISTANCE OF 673.35 FEET; THENCE S88°38'22"W FOR A DISTANCE OF 612.64 FEET TO THE POINT OF BEGINNING; BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

Board Vote 6-0

Brittany Senters presented and advised that the file was in order. Burrows motioned to approve, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

**UTILITY PERMITS:**

1. District 3

ONG - To Cross County Highway or Local Road Ray Davis Rd. Approximately 1.03 miles N & 1.39 miles E of Will Rogers Turnpike & SH-266 and further described as 1,805 feet N & 2,004 feet W of the SE Corner of Section 31, TS 21N, Range 16E. Rogers County. U21-48

Brittany Senters presented and advised that the file was in order. Burrows motioned to approve, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

**BIDS:**

1. Bid 21/22-13A – Clarification for Dust Oil Award all Districts

DeLozier motioned to award Dust Oil from Bid 21/22-13A to Rafter J Bar H, second King; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

**GRANTS:**

1. Discussion/possible action regarding Resolution 2022-53 Authorizing Application for Financial Assistance from Rural Economic Action Plan Fund (REAP) on behalf of Rural Water District #3

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

2. Discussion/possible action regarding Resolution 2022-55 Authorizing Application for Financial Assistance from Rural Economic Action Plan Fund (REAP) on behalf of Northwest Fire (Hendrix)

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

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

1. Resolution 2021-189F Disposing of Equipment - 2013 International 7500 with a 9.3L L6 Diesel Engine, Inventory No. D1-302-0184 (VIN: 1HTWNAZRODJ329092), sold to Noble Atkins for \$34,754.50 on 08/10/21

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

**CASH FUND ESTIMATE OF NEEDS AND REQUEST FOR APPROPRIATIONS:** September Collections

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

**TRANSFER OF FUNDS:**

1. From General Fund Planning Commission Salaries (0001-1-3200-1110) into General Fund Planning Commission Maintenance & Operations (0001-1-3200-2005) in the amount of \$3,000.00 to cover monthly expenses

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

**BLANKET PURCHASE ORDERS**

1. Materials, Supplies, Parts, Groceries & Prescriptions

Burrows motioned to approve eight Blanket Purchase Orders totaling \$25,950, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

2. Orders Exceeding

a. PO #22-01070 encumbered on August 9, 2021, in the amount of \$200.00 to Reasor's amount exceeded \$12.22 – OSU Extension – explanation letter attached

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

**AGENDA ITEMS:**

1. Monthly report of officers

All officers reporting. Burrows motioned to approve, second DeLozier; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

2. Presentation by Floyd Law Firm – Assistance with navigating the American Rescue Plan Act (Commissioners)

Presentation by David Floyd; no action taken

3. Resolution 2022-54 approving County Commissioner District boundaries (Commissioners)

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

4. Discussion/Possible action regarding to payment of Digi Security Systems (Commissioners)

DeLozier motioned to approve payment using Cares Act funds, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

5. Discussion/Possible action regarding payment of Stanley Convergent Security Solutions (Commissioners)

Burrows motioned to approve payment using American Rescue Plan Act funds, second King; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

6. Proclamation by the Board of County Commissioners declaring October 2021 as Domestic Violence Awareness Month (DeLozier)

DeLozier read Proclamation and motioned to approve, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried

7. Discussion and possible action approving MOU between ATF (Alcohol, Tobacco and Firearms) and Rogers County Sheriff's Office for the Violent Crime Task Force. (ADA Wagner)

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

8. Discussion and possible action approving Supplement Operating Agreement for Detention Services between Rogers County and the Cherokee Nation. (ADA Wagner)

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

**PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:** Resolution 2022-56

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

**RECESS OR ADJOURNMENT:**

King motioned to adjourn, second Burrows; Roll call – DeLozier-aye, King-aye, Burrows-aye – Motion carried to adjourn at 9:48am

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

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Dan DeLozier, Chairman

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Steve Hendrix, Commissioner

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Ron Burrows, Commissioner

SEAL

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Jeanne M. Heidlage, Rogers County Clerk

Audio available at:

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