

## ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS

October 25, 2021 Regular Meeting

### MINUTES

Chairman DeLozier 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 21, 2021 at 4:00 pm

Commissioner Hendrix led the pledge; Virgil Carter offered a prayer

Hendrix motioned to approve the Minutes from the October 18, 2021 Regular Meeting and the October 22, 2021 Special Meeting, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

COVID Update – Autumn George from IT presented temperature scan spreadsheet, Kelly Deal OTEMS reported on current situation

#### OKLAHOMA MEDICAL MARIJUANA AUTHORITY CERTIFICATE OF COMPLIANCE:

1. District 1

Nuna International, LLC

Grower (Renewal)

Owners: Ya Cheng Yeng Lee

Address: 10890 S. 4180 Road, Claremore, OK 74017

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

2. District 2

13588 S. Hwy 169, LLC

Dispensary (Renewal)

Owners: Matthew Jones, Aaron Ketterling, Larry Steidley

Address: 13588 S. Hwy 169, Oologah, OK 74053

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

2. District 3

Hangin' High Farms, LLC

Grower (Renewal)

Owners: Sherlene E. Burns

Address: 18027 E. 630 Road, Inola, OK 74036

Missy Richardson presented and advised that the file was in order. Burrows 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 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 # 2385

APPLICANT: Milk & Honey Enterprises, LLC

LOCATION: S. 4130 Road south of E 350 Road, Oologah, OK 74053

LEGAL DESCRIPTION: Parent Parcel: The S/2 of Lot 1 and the SE 10 Acres of Lot 2 and the N/2 SE/4 NE/4 and the NE/4 SW/4 NE/4 Less the north 660.00 feet of the east 660.00 feet of S/2 of Lot 1 of Section 1, Township 23N, Range 15E of the I.B.&M., Rogers County, State of Oklahoma.

Tract A: The south 240.00 of the east 726.00 feet of the N/2 SE/4 NE/4 of Section 1, Township 23 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma. Contains 4.00 acres, more or less.

Tract B: The north 181.10 feet of the south 421.10 feet of the east 726.00 feet of the N/2 SE/4 NE/4 of Section 1, Township 23 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma. Contains 3.02 acres, more or less.

Tract C: The north 181.10 feet of the south 602.20 feet of the east 726.00 feet of the N/2 SE/4 NE/4 of Section 1, Township 23 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma. Contains 3.02 acres, more or less.

Board Vote 5-0

Hendrix motioned to open public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:05 am  
Missy Richardson, Planning Commission presented  
Hendrix motion to close public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:10 am  
Hendrix motion to approve zoning change from AG (Agricultural) to AR (Agricultural-Residential), second Burrows; Roll call – DeLozier-aye, Hendrix-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 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 # 2386

APPLICANT: Logan McCormick

LOCATION: 10781 S. 4090 Road, Oologah, OK 74053

LEGAL DESCRIPTION: Parent Parcel: The N/2 SW/4 SW/4 of Section 31, Township 23 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof.

5-Acre Tract: The South Half of the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (S/2 NW/4 SW/4 SW/4) of Section 21, Township 23 North, Range 15 East of the Indian Base and Meridian, Rogers County, State of Oklahoma. Containing 5.00 acres, more or less.

Board Vote 5-0

Hendrix motioned to open public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:11 am  
Missy Richardson, Planning Commission presented  
Hendrix motion to close public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:12 am  
Hendrix motion to approve zoning change from AG (Agricultural) to AR (Agricultural-Residential), second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

3. 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 # 2390

APPLICANT: Evan Hale-Umbarger

LOCATION: Approximately 5 miles west of Hwy 169 on E. 390 Road, Oologah, OK 74053

LEGAL DESCRIPTION: Parent Parcel: The E/2 NE/4 NW/4 in Section 26, Township 23 North, Range 14 East of the I.B.&M., Rogers County, State of Oklahoma, according to the United States Government Survey thereof.

2.5-Acre Tract: The north 544.50 feet of the east 200.00 feet of the E/2 NE/4 NW/4 of Section 26, Township 23 North, Range 14 East of the I.B.&M., Rogers County, State of Oklahoma, according to the U.S. Government Survey thereof, being 2.50 acres, more or less.

Board Vote 5-0

Hendrix motioned to open public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to open public hearing at 9:13 am  
Missy Richardson, Planning Commission presented  
Hendrix motion to close public hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:15 am  
Hendrix motion to approve zoning change from AG (Agricultural) to AR (Agricultural-Residential), second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

4. District 3

Public hearing with discussion and possible action on the request for a ZONING CHANGE from AI (Agricultural-Industrial) to AR (Agricultural-Residential) on a 4-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 # 2391

APPLICANT: Rachel and Clint Anderson

LOCATION: S. 4110 Rd south of E. Apache St, Catoosa, OK 74015

LEGAL DESCRIPTION: Parent Tract: The SW/4 NE/4 NW/4 NW/4 and the S/2 NW/4 NW/4 less the NW/4 SW/4 NW/4 NW/4 in Section 26, Township 20 North, Range 15 East of the I.B.&M., Rogers County, State of Oklahoma.

4-Acre Tract: A TRACT OF LAND THAT IS LOCATED IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4, NW/4) OF SECTION TWENTY-SIX (26); TOWNSHIP TWENTY (20) NORTH, RANGE FIFTEEN (15) EAST; ROGERS COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: COMMENCING AT THE SOUTHWEST CORNER OF THE NW/4 OF THE NW/4 OF SAID SECTION 26; THENCE N01°14'53" W FOR A DISTANCE OF 330.50 FEET TO THE POINT OF BEGINNING; THENCE N00°14'53"E FOR A DISTANCE OF 40.00 FEET; THENCE S89°57'10"E FOR A DISTANCE OF 329.95 FEET; THENCE N00°09'39"E FOR A DISTANCE OF 330.75 FEET; THENCE S89°59'48"E FOR A DISTANCE OF 330.05 FEET; THENCE N00°09'17"E FOR A DISTANCE OF 330.50 FEET; THENCE S89°55'59"E FOR A DISTANCE OF 329.45 FEET; THENCE S00°08'53"W FOR A DISTANCE OF 390.13 FEET; THENCE N89°59'48"W FOR A DISTANCE OF 619.55 FEET; THENCE S00°09'39"W FOR A DISTANCE OF 310.78 FEET; THENCE N89°57'10"W FOR A DISTANCE OF 370.01 FEET TO THE POINT OF BEGINNING. AREA CONTAINING 4.00 ACRES, MORE OR LESS.

Board Vote 5-0

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

Missy Richardson, Planning Commission presented

Burrows motioned to close public hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close public hearing at 9:19 am

Burrows motioned to approve zoning change from AI (Agricultural-Industrial) to AR (Agricultural-Residential), second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

#### UTILITY PERMITS:

1. District 2  
ONG - To Cross County Highway or Local Road N. 152nd E. Ave. approximately 3.26 miles south/0.85 miles east of US-169 & SH-20 and further described as 1,312 feet south/1,998 feet east of the NW Corner of Section 27, Township 21N, Range 14E. Rogers County. U21-50
2. District 2  
ONG - To Cross County Highway or Local Road E. Salem Dr. approximately 0.56 miles S/2.13 miles W of SH-20 & SH-88 and further described as: 840 feet N/690 feet E of the SW Corner of Section 12, Township 21N, Range 15E. Rogers County. U21-51
3. District 2  
AT&T - To Parallel County Highway or Local Road N. 4060 Rd. for Approximately 1 mile from E. 76th St N. to E. 66th St N and further described as: 50 feet South of the NE Corner of Section 35, Township 21N, Range 14E. Rogers County. U21-52
4. District 2  
ONG - To Cross County Highway or Local Road E. Sunset Ridge Approximately 0.94 mile N/1.15 miles W of SH-167 and SH-266 and further described as: 1,222 feet S/2,367 feet E of the NE Corner of Section 2, TS 20N, Range 14E. Rogers County. U21-53
5. District 3  
ONG - To Cross County Highway or Local Road Courtney Ln. approximately 1.57 miles N/1.59 miles W of SH-66 & SH-266 and further described as: 1,724 feet N/899 feet W of the SW Corner of Section 27, TS 21N, Range 15E. Rogers County. U21-54

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

#### ROADS & BRIDGES:

1. Discussion and possible action to approve Resolution for CI-2337 concerning bridge inspection responsibility by local government for compliance with the National Bridge Inspection Standards (NBIS) on bridge inspection contracts starting April 1, 2022 to March 31, 2024 (DeLozier)

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

#### GRANTS:

1. Discussion and possible action regarding Resolution 2022-62 for Community Development Block Grant – Coronavirus Response (CDBG-CV) 2020 CDBG-CV Program (DeLozier)

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

SURPLUS/DISPOSAL OF COUNTY OWNED EQUIPMENT:  
RESOLUTION

Surplus	Disposal	Department	Item	Inventory #	Serial #	Purchase Date	Purchase Amt
2022-63	2022-63A	Treasurer	HON Executive Mahogany Desk	C-105-12	N/A	4/3/201	\$ 992.96

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

CLAIMS:

1. Salaries: October Payroll

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

BLANKET PURCHASE ORDERS

1. Materials, Supplies, Parts, Groceries & Prescriptions

Burrows motioned to approve 60 Blanket POs totaling \$137,650, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

AGENDA ITEMS:

1. Discussion/possible action regarding contract with ClearGov (DeLozier)
2. Discussion/possible action on submitting application for GFOA (Government Finance Officers Association) Budget Award (DeLozier)

Presentation from Treasurer Jason Carini regarding items 1 and 2. DeLozier motioned to approve Agenda Items 1 and 2, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

3. Discussion and possible action regarding Cooperative Agreement with Everett and Vida Morgan to enter private property pursuant to OKLA. STAT. tit. 69 § 643.1 to maintain drainage in order to diminish erosion and siltation of the County's right-of-way

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

4. Discussion and possible action regarding Cooperative Agreement with Gertrude Newman to enter private property pursuant to OKLA. STAT. tit. 69 § 643.1 to maintain drainage in order to diminish erosion and siltation of the County's right-of-way

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

5. Discussion and possible action regarding Pay Application #5 in the amount of \$247,310.21 from Miller-Tippens for the Jail Remodel

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

PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS: Resolution 2022-64

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

Burrows motioned to adjourn, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to adjourn at 9:31 am

BOARD OF COUNTY COMMISSIONERS  
ROGERS COUNTY, OKLAHOMA

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Dan DeLozier, Chairman

SEAL

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Steve Hendrix, Commissioner

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Ron Burrows, Commissioner

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Jeanne M. Heidlage, Rogers County Clerk

Audio available at:

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