

## **ROGERS COUNTY BOARD OF COUNTY COMMISSIONERS**

**July 26, 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 Thursday, July 22, 2021, at 3:00pm

Commissioner Steve Hendrix led the pledge; Treasurer Jason Carini offered a prayer

Burrows motioned to approve the Minutes from the July 19, 2021 Regular meeting, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

### **UNFINISHED BUSINESS:**

1. Bid 21-22 8 Asphalt Overlay – District 1 – NOTE: this item was tabled at the July 19, 2021 Regular meeting for further review

DeLozier motioned to award the bid to low bid, Bell Construction, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

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

1. District 3  
Premier Holistic Aquaponics  
Grower (renew)  
Owners: Travis Cummings, Pam Cummings  
Address: 36606 S. 4200 Rd. Inola, OK 74036

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

2. District 3  
Green Leaf  
Grower  
Owners: Thomas Her  
Address: 25883 S. 4120 Rd. Claremore, OK 74019

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 3  
Public hearing with discussion and possible action on the request for a ZONING CHANGE from AI (Agricultural-Industrial) 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 # 2369  
APPLICANT: AI & Tracy Toops  
LOCATION: 29515 S. 4110 Road, Catoosa, OK 74015  
LEGAL DESCRIPTION: The W/2 of the NE/4 of the SW/4 of Section 26, Township 20 North, Range 15 East of the I.B.&M., Rogers County, according to the U.S. Government Survey thereof. 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 9:03am. Missy Richardson presented – no one in opposition present

Hendrix motioned to close Public Hearing, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close Public Hearing at 9:12am

Burrows motioned to approve zoning change as presented, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – motion carried

2. District 3  
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. Board vote 5-0 District 3  
CASE # 2370  
APPLICANT: Jay B. Phillips  
LOCATION: 21506 S. 4190 Road, Claremore, OK 74019

LEGAL DESCRIPTION: A tract of land situated in the N/2 SE/4 of Section 13, Township 21N, Range 16E of the I.B.&M., Rogers County, Oklahoma, being more particularly described as follows, to-wit: Commencing at the NE corner of said N/2 SE/4, thence S 01°26'48"E for a distance of 362.56 feet along the east line thereof to the Point of Beginning; THENCE S01°26'48"E for a distance of 40.22 feet along said East Line; THENCE S89°34'35"W for a distance of 593.57 feet; THENCE S44°48'59"W for a distance of 11.56 feet; THENCE S89°13'15"W for a distance of 389.81 feet; THENCE S89°04'16"W for a distance of 357.27 feet; THENCE S85°43'01"W for a distance of 275.02 feet; THENCE S77°00'19"W for a distance of 198.63 feet; THENCE S79°14'26"W for a distance of 108.55 feet; THENCE S88°34'50"W for a distance of 718.95 feet to a point on the West Line of said N/2 SE/4; THENCE N01°29'55"W for a distance of 453.65 feet along said West Line to the Northwest Corner of said N/2 SE/4; THENCE N88°21'03"E for a distance of 1421.65 feet along the North Line of said N/2 SE/4; THENCE S01°26'48"E for a distance of 350.71 feet; THENCE N88°37'54"E for a distance of 191.71 feet; THENCE N88°57'25"E for a distance of 1031.31 feet to the Point of Beginning, together with and subject to covenants, easement, and restriction of record. Contains 15.1843 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 9:13am. Missy Richardson presented – no one in opposition present

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

Burrows motioned to approve zoning change as presented, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – motion carried

3. District 3

Public hearing with discussion and possible action on the request for a ZONING CHANGE from C-4 (Central Service District) to AR (Agricultural-Residential). That the intended use of the property, after rezoning, is for a Residential Use, contingent on the approval of the Board of County Commissioners.

APPLICANT: Frank and Nancy Reeder

LOCATION: 7165 E. Hwy 266, Claremore, OK 74019

LEGAL DESCRIPTION: A tract of land situated in the E/2 SW/4 SW/4 of Section 34, T21N, R15E, IB&M., Rogers County, Oklahoma, described as follows: Commencing at the SE corner of the SW/4 of the SW/4 of said Section: thence N89°53'33" W along the South line of said E/2 SW/4 SW/4 a distance of 16.50 feet; thence N00°18'12" E and parallel with the East line of said E/2 SW/4 SW/4 a distance of 297.23 feet to the Northerly Right of Way of HWY266 and also being the beginning of a non-tangent curve to the left with a radius of 21635.90 feet, with a chord bearing of S89°12'37" and a chord length of 200.00 feet, thence along said curve a distance of 200.00 feet to the POINT OF BEGINNING; thence continuing along said curve with a radius of 21635.90 feet, with a chord bearing of S88°51'57" W and a chord length of 60.02 feet, a distance of 60.02 feet; thence N 00°17'44" E a distance of 241.91 feet; thence S89°58'41" W a distance of 134.85 feet; thence N00°17'44" E a distance of 30.20 feet; thence S89°58'41" W a distance of 70.55 feet; thence N00°18'12" E and parallel with the East line of said E/2 SW/4 SW/4 a distance of 285.11 feet; thence S89°53'33" E and parallel with the South line of said E/2 SW/ SW/4 a distance of 481.90 feet to the East line of said E/2 SW/4 SW/4; thence S 00°18'12" w along said East line a distance of 189.06 feet ; thence N 89°53'19" W a distance of 16.50 feet; thence S00°18'12"W and parallel with the East line of said E/2 SW/4 SW/4 a distance of 146.66 feet; thence S89°59'45" W a distance of 200.00 feet; thence S00°17'41" W a distance of 219.35 feet to the POINT OF BEGINNING Containing 3.82 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 9:18am. Missy Richardson presented – no one in opposition present

Burrows motioned to close Public Hearing, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to close Public Hearing at 9:22am

Burrows motioned to approve zoning change as presented, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – motion carried

**PLATS:**

1. District 2

Discussion and possible action on the request for a Preliminary Plat for The Coves at Stone Canyon Phase I, contingent on the approval of the Board of County Commissioners.

CASE # 2371

APPLICANT: Kellogg Engineering

LOCATION: NW of N 177th E Ave/N Patriot Drive, Owasso, OK 74055

LEGAL DESCRIPTION: A tract of land located in the Northwest Quarter (NW/4) of Section One (1) of Township Twenty (20) North and Range Fourteen (14) East, the Northeast Quarter (NE/4) of Section Two (2) of Township Twenty (20) North and Range Fourteen (14) East, the Southeast Quarter (SE/4) of Section Thirty-Five (35) of Township Twenty-One (21) North and Range Fourteen (14), and in the Southwest Quarter (SW/4) of Section Thirty-six (36) of Township Twenty-one (21) North and Range Fourteen (14) 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 NW corner of Sec.6, T-20-N, R-15-E, I.B.&M; Thence S 8°46'38" W along the north line of said Sec 1 a distance of 3587.18 feet to the Point of Beginning being on the present right-of-way of North 177th East Avenue; Thence along a curve to the right having a radius of 1550.00 feet, a central angle of 21°20'13", a chord length of 577.22 feet, a chord bearing of S 45°30'25" W for a distance of 39.27 feet; Thence S 56°10'32" W a distance of 260.78 feet; Thence along a curve to the right having a radius of 1575.00 feet, a central angle of 32°39'10", a chord length of 885.49 feet, a chord bearing of S 72°30'07" W for a distance of 897.59 feet; Thence S 88°49'41" W a distance of 163.46 feet; Thence S 88°49'41" W a distance of 346.20 feet; Thence along a curve to the left having a radius of 1550.00 feet, a central angle of 27°11'20", a chord length of 728.65 feet, a chord bearing of S 75°14'01" W for a distance of 735.53 feet; Thence S 61°38'21" W a distance of 175.28 feet; Thence N 28°21'39" W a distance of 230.00 feet; Thence N 61°38'21" E a distance of 7.46 feet; Thence N 28°21'39" W a distance of 434.88 feet; Thence S 61°38'21" W a distance of 25.00 feet; Thence N 28°21'39" W a distance of 183.62 feet; Thence N 61°38'21" E a distance of 625.05 feet; Thence N 61°38'21" E a distance of 74.53 feet; Thence N 76°40'00" E a distance of 196.49 feet; Thence N 71°40'00" E a distance of 196.42 feet; Thence N 54°29'28" E a distance of 84.23 feet; Thence N 77°18'22" E a distance of 140.53 feet; Thence N 86°30'26" E a distance of 350.91 feet; Thence N 88°22'35" E a distance of 245.61 feet; Thence N 80°13'33" E a distance of 122.07 feet; Thence N 84°00'07" E a distance of 146.00 feet; Thence N 87°36'32" E a distance of 269.91 feet; Thence S 78°32'50" E a distance of 178.24 feet; Thence S 70°43'44" E a distance of 24.53 feet; Thence S 70°43'44" E a distance of 24.53 feet; Thence S 70°43'44" E a distance of 268.23 feet; Thence S 82°28'47" E a distance of 198.45 feet; Thence S 89°53'18" E a distance of 212.04 feet; Thence S 89°10'11" E a distance of 122.65 feet; Thence along a curve to the right having a radius of 100.52 feet, a central angle of 03°42'58", a chord length of 100.50 feet, a chord bearing of S 32°58'50" W for a distance of 100.52 feet to the Point of Beginning and containing 59.35 acres more or less. Board vote 5-0

Missy Richardson presented and answered questions. Hendrix motioned to approve, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

**UTILITY PERMITS:**

1. District 2  
RWD #3 - To Cross County Highway or Local Road N. 191st E. Ave. Approx. 0.03 miles of North of N 191st E. Ave. and SH 20 Junction and further described as 838' West & 134 feet North of the Southeast Corner of Section 1 TS 21N Range 14 E. Rogers County. U21-30
2. District 2  
ONG- To Cross County Highway or Local Road E. Sunset Ridge Approx. 0.91/1.26 miles NW of SH-266 & SH-167 and further described as 1,226/2,128 ft. SE of the NE Corner of Section 2 TS 20N Range 14E. Rogers County. U21-29
3. District 2  
ONG- To Cross (3) County Highway or Local Road N. 209th E. Ave. Approximately 0.49/4.51 miles S/E of US-169 & SH-20 and further described as NA ft. NA of the NE/NW corner of section 7/8 Township 21N Range 15E. Rogers County. U21-28

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

**ROADS & BRIDGES:**

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

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

**GRANTS:**

1. Discussion and possible action regarding the opening and conducting of a Closeout Public Hearing on Monday, August 9th, 2021, for 17528 CDBG 19 - Rural Water District #3,

Bushyhead Water System Improvements. This Public Hearing replaces the one scheduled for July 19, 2021 – DeLozier

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

2. Discussion and possible action regarding approval of Rogers County official response to the Oklahoma Department of Commerce Monitoring letter, dated 7-21-2021, regarding Community Development Block Grant contracts 17147 CDBG 17 and 17410 CDBG ED 012, and the appointment of a Labor Standards Officer on future CDBG contracts - DeLozier

Robin LePage presented. DeLozier motioned to appoint Robin LePage Labor Standards Officer, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried. DeLozier motioned to approve the response letter outlined in Agenda, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried.

#### **TRANSFER OF FUNDS:**

1. From General Fund Planning Commission Parttime Salaries (0001-1-3200-1130) into General Fund Planning Commission M&O (0001-1-3200-2005) in the amount of \$7,000.00 to cover monthly expenses

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

2. From County Clerk RM&P Fee Project Tyler (1209-1-1000-4201) into County Clerk RM&P Fee Salaries (1209-1-1000-1110) in the amount of \$10,600.57 to close account

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

#### **CLAIMS:**

1. Salaries: July 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 53 Blanket Purchase Orders totaling \$153,679.60, second Hendrix; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

#### **CONTRACT/LEASE RENEWAL FY21/22**

##### COMMISSIONERS

- Community Works (Cleveland County)
- Community Works (Pottawatomie County)
- Western Plains Youth & Family Services, Inc. (WPYFS)

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

#### **AGENDA ITEMS:**

1. Quarterly Fixed Asset Inventory – 2<sup>nd</sup> Quarter 2021

All departments reporting excepting Emergency Management. Burrows motioned to approve, second DeLozier; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried

2. Discussion regarding impact of Blue Cross/Blue Shield and St. Francis Hospital negotiations on Rogers County employees who have coverage through BCBS

Discussion only, no action

3. Resolution 2022-9 accepting a donation in the amount of \$9,675.00 from Acme Brick for County Road Repair Agreement (Commissioners)

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

4. Discussion and possible action regarding a contract with Place Strategies for the update of the Rogers County Comprehensive Plan and to update the City of Claremore- Rogers County Unified Development Code (Zoning Code). (DeLozier, Hendrix, Burrows)

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

5. Discussion/review semi-annual investment report (DeLozier)

Treasurer Jason Carini presented

#### **PAYMENT OF PURCHASE ORDERS FROM ALL DEPARTMENTS:** Resolutions 2021-196 & 2022-10

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

**RECESS OR ADJOURNMENT**

Hendrix motioned to adjourn, second Burrows; Roll call – DeLozier-aye, Hendrix-aye, Burrows-aye – Motion carried to adjourn at 10:00am

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/>