

PENDING APPROVAL

January 20, 2010

The Board of County Commissioners met in regular session in the office of the Board of County Commissioners of Oklahoma County in Room 103 at 9:00 a.m., January 20, 2010, pursuant to adjournment of January 13, 2010, with the following members present: Ray Vaughn, Chairman; Willa Johnson, Vice-Chairman; and Brian Maughan, Member. Minutes of the meeting were taken by the Office ofCarolynn Caudill, County Clerk and Secretary to the Board.

Call to order Ray Vaughn.

Notice of the meeting was posted Friday, January 15, 2010.

Prayer and Pledge of Allegiance was led by Pastor Michael McDaniel, Northeast Missionary Church.

Johnson moved, Maughan seconded, motion carried unanimously to **approve the minutes of the meeting of Wednesday, January 13, 2010, prepared by the County Clerk as authorized by statute (19 O.S. § 243, 244, and 445) subject to additions or corrections by the Board of County Commissioners.**

Johnson moved, Maughan seconded, motion carried unanimously to **approve/receive the following items:**

Workers' Compensation claim payments from Consolidated Benefits Resources in the amount of \$7,847.95 for period ending January 12, 2010, pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

Employee Benefit Trust Warrant No. 489162 through 489720 for Oklahoma County in the amount of \$373,929.20 pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

Litigation:

Case CJ 2009-12453- Summons, Petition for Foreclosure

Case CV 2010-29 Summons Plaintiff's Original Petition

TC 2010-001 Tort Claim

Case No. 09-14473 (KG): US Bankruptcy

Resolution No 07-10 declaring and disposing of County Property as surplus from the Inventory of the Oklahoma County Sheriff's Office. This equipment has been declared surplus by the Oklahoma County Sheriff's Office and with the requested disposal will be transferred to the Seminole County Sheriff's Office, according to the provisions set forth in Title 19 Section 421.2.

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One (1) 2000 Ford Crown Victoria – c/n B612-00292, s/n 2FAFP71W1YX115758, acquired October 21, 2003, from Kansas Highway Patrol 930 NE Strait Avenue, Topeka, Kansas, 66616, for \$10,100.00.

One (1) 1999 Ford Crown Victoria Police Interceptor – c/n B612-00250, s/n 2FAFP71W3XX197264, acquired October 22, 2002, from the Missouri Highway Patrol, Box 568, Jefferson City, Missouri, 65102, for \$11,000.00.

One (1) 2000 Ford Crown Victoria Police Interceptor – c/n B612-00224, s/n 2FAFP71W2YX215951, acquired August 8, 2000, from Hudiburg Ford, 2805 North 9th, Purcell, Oklahoma, 73080, for \$20,134.000.

One (1) 2000 Ford Crown Victoria Police Interceptor – c/n B612-00220, s/n 2FAFP71W6YX215953, acquired August 30, 2000, from Hudiburg Ford, 2805 North 9th, Purcell, Oklahoma, 73080, for \$20,134.000.

One (1) 1999 Ford Crown Victoria Police Interceptor – c/n B612-00192, s/n 2FAFP71WXXX162494, acquired February 22, 1999, from Fred Jones, 200 West Reno, Oklahoma City, Oklahoma, 73101, for \$20,189.75.

One (1) 1999 Ford Crown Victoria Police Interceptor – c/n B612-00186, s/n 2FAFP71W3XX116098, acquired October 9, 1998, from Fred Jones, 200 West Reno, Oklahoma City, Oklahoma, 73101, for \$20,290.00.

One (1) 1999 Ford Crown Victoria Police Interceptor – c/n B612-00185, s/n 2FAFP71W1XX116097, acquired October 9, 1998, from Fred Jones, 200 West Reno, Oklahoma City, Oklahoma, 73101, for \$20,290.00.

One (1) Federal Siren Amp / Light Control - c/n B646-00226, model no. SS2000SM, acquired March 26, 2003, from Cruisers Division Southwest, 916 NW 6th Street, Oklahoma City, Oklahoma 73105, for \$689.00.

One (1) Code 3 LED Light Bar - c/n B518-00318, s/n LL0164829, acquired July 26, 2004, from Complete Emergency Vehicles, 909 West Main, Yukon, Oklahoma, 73099, for \$1,680.28.

One (1) Code 3 LED Light Bar - c/n B518-00301, s/n LL0164824, acquired July 26, 2004, from Complete Emergency Vehicles, 909 West Main, Yukon, Oklahoma, 73099, for \$1,680.28.

One (1) Federal Signal Smart Siren – c/n B613-00208, model no. SS2000SM, acquired April 10, 2000, from Law Enforcement Equipment Company, 2520 Summit, Kansas City, Missouri, 64108, for \$755.00.

One (1) L & B Docking Station for Lap Top Computer – c/n B613-00233N, acquired July 24, 2001, from Trio Industries, 1467 LeMay, Suite 105, Carrollton, Texas, 75007, for \$714.86.

Depository Fund Accounts Summary for the month of December, 2009.

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Monthly Report of Fees for the month of December, 2009:

Planning Commission Fee Fund Report \$ 13,891.20

Planning Commission Inspection Fee Fund \$ 25,829.31

County Clerk

General Fund	\$ 318,660.94
Clerk Lien Fee Fund	\$ 5,902.38
UCC Central Filing Fund	\$ 59,881.00
Records Preservation Fund	\$ 70,710.00
OK Tax Comm. % of Doc Stamps	\$ 221,311.81
Mechanic Liens/Investments	\$ 22,590.34
Refunds	\$ 960.22
Total	\$ 700,016.69

Court Clerk

Sheriff Fees	\$124,880.31
Sheriff Incarceration Fees	\$ 3,552.29
Law Library Fees	\$ 36,695.65
Revolving Fund Fees	\$ 46,991.01
Drug Court User Fees	\$ 4,241.00

Board of County Commissioners

Comm/Culvert Pipe Sales Fund 8206	\$ 1,592.99.
Total	\$ 1,592.99

Receive Court Clerk's Monthly Report and Cash Summary for the month of December, 2009

<u>Court Fund</u>	<u>Bank of Oklahoma</u>	<u>Revolving</u>
Beginning Balance	\$1,329,783.58	\$ 517,329.61
Deposits & Canceled Vouchers	\$1,038,484.65	\$ 44,575.94
Disbursements	\$ 774,904.16	\$ 30,738.91
Ending Balance	\$ 1,593,364.07	\$...531,166.64

Johnson moved, Maughan seconded; motion carried unanimously to approve the recommendations of the Purchasing Agent. Awards. Tabulation of bids from the Central Purchasing Department with recommendation for selection of lowest and best bid as follows:

11003435 – 10 Wheel Dump Truck Award No. 11-10

Bruckner Truck Sales, Inc.

Johnson moved, Maughan seconded; motion carried unanimously to approve the Board of County Commissioners to pay all travel, hotel, and per diem expenses of John M.

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Jacobsen and Sandra Howell-Elliott, Assistant District Attorneys, to represent sheriff in oral argument scheduled March 10, 2010 at Byron White U.S. Courthouse, Denver, Colorado regarding Willard Jackson vs. Whetsel, Appeal #08-6252 (CIV-08486).

Johnson moved, Maughan seconded; motion carried unanimously to accept as amended, Plans and to sign the Title Sheet for Proposed Oklahoma County Project, 1-2005-F, Bridge and approaches on Anderson Road over Choctaw Creek, 0.1 mile north of NE 36th Street, BRO-155D(568)CO. The plans were prepared by Carter Burgess.

Johnson moved, Maughan seconded; motion carried unanimously to approve Modification Number 1 to the SmartDog Services, LLC, Statement of Work Addendum to their Master Service Agreement dated 5/22/2009 for Payroll Module Cleanup and Configuration, Human Resources Module Setup, and Training. The purpose of the modification is to increase the "not to exceed amount" from \$95,500 to \$110,500 due to the increased hours needed to create additional PTO's and data cleanup not anticipated in the original statement of work. The additional \$15,000 is needed for setup of the HR security in Test & migration to Production; and implementation of COMP plans for shared leave & exchange time. Requisition No. 11004374 has been issued to SmartDog Services LLC in the amount of \$15,000.00 from Oklahoma County Clerk Records Management and Preservation Fund/County Clerk/Professional Services Other (1152/1700/54455) contingent upon encumbrance of funds

Johnson moved, Maughan seconded; motion carried unanimously to approve Construction Contract between Lippert Bros., Inc. and Oklahoma County for Project No. E-2005-M, Infrastructure Improvements to the Oklahoma County Courthouse, not to exceed \$9,839,000.00. Requisition No. 11002240 has been issued to Lippert Bros., Inc. in the amount of \$9,839,000.00 from County Bonds 2008/County Building Projects/Buildings Renovation (2032/1206/55010) contingent upon encumbrance of funds.

Receive Performance, Statutory and Defect Bond in the amount of \$9,839,000.00 signed by Lippert Bros., Inc. as Principal and Travelers Casualty and Surety Company of America as Surety for Oklahoma County Project No. E-2005-M, Infrastructure Improvements to the Oklahoma County Courthouse.

Johnson moved, Maughan seconded; motion carried unanimously to authorize the Chairman to execute on behalf of Oklahoma County, Division Order Contract from Baron Exploration Company for the following described property:

Wiley Post 2-8H, SE/4 of Section 8-12N-4W and SW/4 & SW/4 NW/4 OF Section 9-12N-4W, Oklahoma County Oklahoma

Johnson moved, Maughan seconded; motion carried unanimously to approve of an agreement between Oklahoma County and Smith-Roberts Land Services Inc., for Phase III, Oklahoma County Project No. E-2008-D, Crutcho Park Acquisition Project, for Land Acquisition and Relocation Services, not to exceed \$178,675.00. Requisition No. 11004220 has been issued to Smith Roberts Land Services Inc., in

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the amount of \$178,675.00 from County Bonds 2008/Flood Control Crutcho/Other Services (2032/1204/55370) contingent upon encumbrance of funds

Johnson moved, Maughan seconded; motion carried unanimously to approve of an Agreement for Services between First American Title and Trust Company and Oklahoma County for Project No. E-2008-D, Crutcho Park Acquisition Project, Phase III, not to exceed \$17,935.00. Requisition No. 11002573 has been issued to First American Title and Trust Company in the amount of \$17,935.00 from County Bonds 2008/Flood Control Crutcho/Other Services (2032/1204/55370) contingent upon encumbrance of funds

Johnson moved, Maughan seconded; motion carried unanimously to approve contract between the Oklahoma County Juvenile Justice Center and Umo Ekpenyong who shall provide food consultation (dietician) services to the Oklahoma County Juvenile Detention Center located at 5905 N. Classen Court in Oklahoma City, Oklahoma. This contract agreement shall not exceed \$900.00 and shall become effective January 1, 2010 through June 30th 2010.

Johnson moved, Maughan seconded; motion carried unanimously to approve Amended Contract Renewal for FY 2009-2010 between the Oklahoma Department of Corrections and Oklahoma County for the boarding of state prisoners. The Contractor agrees to provide correctional services, including housing for 296 medium security male offenders provided space is available. The Contractor shall comply with the Department policy on Offender Housing OP-030102.

Recurring Agenda Items:

Johnson moved, Maughan seconded; motion carried unanimously to approve all claims, list available for inspection in the office of the County Clerk, Room 201.

Johnson moved, Maughan seconded; motion carried unanimously to approve Resolution No. 08-10 approving Blanket Purchase Orders as submitted by each department, list available for inspection in the office of the County Clerk, Room 201.

No citizen participation.

Commissioner Vaughn invited David Prater, Oklahoma County District Attorney to address the Board regarding an Open Records Request for County employee's names, salaries and date of birth.

Mr. Prater addressed the Board and stated his reasons for denying the request of the Daily Oklahoman seeking personal information such as dates of birth for County employees.

No New business.

Johnson moved, Maughan seconded, motion carried unanimously to receive the following bids and return to the Purchasing Agent for tabulation and recommendation.

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CW10041 Plumbing Supplies

Central Oklahoma Winnelson Co.
Water Products of Oklahoma, Inc.
Bridgeton Plumbing & Heating Supply
Best Plumbing Specialties
Interline Brands
Mark's Plumbing Parts

CW10014 Emergency Vehicle Equipment

Adamson Industries Corp.
Cast Products, Inc.
Stolz Telecom, LLC
Decatur Electronics, Inc.
Cop Stuff, LLC
Code 3, Inc.
Lettering Express
Pro-Gard Products, LLC
Portable Computer Systems AKA Portable PC

Johnson moved, Maughan seconded, motion carried unanimously to go into **Executive Session for the purpose of discussing the following:**

Pursuant to 25 O.S. 2001 § 307.B.1, discussion regarding employment, appointment, promotion demotion, disciplining or resignation of Director of Social Services, County Engineer and Director of Human Resources.

Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss Tamika Colbert, *et al* v Board Of County Commissioners of the County of Oklahoma, *et al*. Case No. CIV-2008-1216 regarding present status of litigation, trial strategy and representation.

Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss possible settlement of claim by Robert Durrin, Claim TC-2009-062.

Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss Dawn White/Christopher Beckman v. Board Of County Commissioners – CIV-08-1076, including but not limited to costs related to transcript reproductions of federal criminal case.

The Board returned at 11:15 a.m.

Commissioner Vaughn stated regarding the following item that the Directors were provided their evaluations. NO ACTION TAKEN

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Action regarding employment, appointment, promotion demotion, disciplining or resignation of Director of Emergency Management, Director of Social Services, County Engineer, and Director of Human Resources.

Johnson moved, Maughan seconded; motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session regarding **confidential communications with Board's attorney to discuss Tamika Colbert, et al v Board Of County Commissioners of the County of Oklahoma, et al. Case No. CIV-2008-1216 regarding present status of litigation, trial strategy and representation.**

Johnson moved, Maughan seconded; motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session regarding **possible settlement of claim by Robert Durrin, Claim TC-2009-062.**

Johnson moved, Maughan seconded; motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session regarding **Dawn White/Christopher Beckman v. Board of County Commissioners – CIV-08-1076, including but not limited to costs related to transcript reproductions of federal criminal case.**

Johnson moved, Maughan seconded, motion carried unanimously to **adjourn at 11:18 a.m. until 9:00 a.m., Wednesday, January 27, 2010.**

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Raymond L. Vaughn, Jr., Chairman

ATTEST:

Carolynn Caudill, County Clerk and Secretary to the Board