

PENDING APPROVAL

March 10, 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., March 10, 2010, pursuant to adjournment of March 5, 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 by Ray Vaughn.

Notice of the meeting was posted Friday, March 5, 2010.

Prayer and Pledge of Allegiance led by Randy Grau, Second Deputy, District No. 3.

Johnson moved, Maughan seconded; motion carried unanimously to **approve the minutes of the meeting of Monday, March 1, 2010, and the Special Meeting of Friday, March 5, 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 \$6,738.96 for period ending March 2, 2010, pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

Employee Benefit Trust Warrant No. 492967 through 493465 for Oklahoma County in the amount of \$358,909.00 pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

Litigation:

Case No. 09-10720 Bankruptcy

Case No. 10-10250 Bankruptcy

Case No. BK-06-12867-WV Bankruptcy

Case No. CJ 2010-1604 Notice to Defendants and Petition

Case No. CS 2009-7781 Summons First Amended Counter Claim & Cross Petition

Case No. CJ 2010-1423 Summons and Petition

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Case No. CJ 2010-1203 Summons and Petition

Case No. CJ 2010-1516 Summons and Notice of Hearing and Petition to Vacate

Case No. CJ 2010-1484 Summons Entry of Appearance and Petition

Case No. CV 2010-213 Notice of Hearing on Application for Partial Vacation of Plat

TC 2010-009 Tort Claim

Tin Horn Pipe Extension, This item is in compliance with Resolution No. 118-08. Requested by Stacey Trumbo, P.E., County Engineer.

1-2010-77-----\$173.98

Monthly Report of Fees for the month of February, 2010

Juvenile Bureau \$544,863.28

Transcript of Proceedings from the County Treasurer on the sale of county property, acquired at RE-SALE, described as follows:

**LARRY G. TOOMBS 14-870-6010; UNPLTD PT SEC 07 13N 2W; PT SW4
SEC 7 13N 2W BEG 855FT S OF NE/C SW4 TH
W115FT SW35.36FT E140FT N25FT TO BEG**

JOHN S POOLE JR 19-628-4000; GREEN PASTURES ADDITION; LOT 840

**WONNA E CORNELSON 10-050-2480; COLLEGE HILL ADDITION; LOT 020;
BLOCK 008**

Authorize Chairman to execute County Re-Sale deeds conveying the above described real estate transactions. Requested by Forrest "Butch" Freeman, County Treasurer.

Johnson moved, Maughan seconded, motion carried unanimously to approve Resolution No. 28-10 authorizing the incurring of indebtedness by the Trustees of the Oklahoma County Finance Authority to be accomplished by the issuance of lease revenue bonds, notes or other evidences of indebtedness on a tax – exempt or taxable basis in the aggregate principal amount of not to exceed \$53,000,000.00 to provide funds to Independent School District No. 1, Oklahoma County, Oklahoma ("Putnam City Public Schools" or the "District") Required to complete the acquisition, construction, equipping, repairing and remodeling of school buildings, acquiring school furniture, fixtures and equipment and acquiring and improving school sites; establish a reserve fund, capitalize interest and pay costs of issuance and all matters related thereto, including but not limited to the waiver of competitive bidding thereof; and declaring an emergency.

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

11004553 – Snow Plows Award No.23-10

Total Truck and Trailer, LLC

CW10022-3A – Grocery Products Award No. 24-10

US Foodservice
Borden Dairy of Oklahoma
Ben E. Keith
IBC Sales Corporation

Johnson moved, Maughan seconded, motion carried unanimously to approve a contract between Oklahoma County and BMI Systems for a copier lease. This Agreement shall become effective upon execution by the Board of County Commissioners and shall terminate on June 30, 2010. Requisition No. 11005222 in the amount of \$1,500.00 has been issued to the BMI Systems from Highway Cash/Highway District No. 1/Equipment-Vendors Maintenance (1110/9100/54157), contingent upon encumbrance of funds.

Vaughn moved, Johnson seconded, motion carried unanimously to approve Memorandum of Understanding between Deer Creek Water Corporation and the Board of County Commissioners for extension of a water line in an unincorporated area of Oklahoma County. Oklahoma County shall waive the Utility Permit fee regularly charged for borings

Vaughn moved, Johnson seconded, motion carried unanimously to approve Resolution No. 29-10 of the Board of Directors of the Deer Creek Fire Protection District, including a consent and certification of a Citizens' Petition requesting inclusion of certain land described in the petition into the Deer Creek Fire Protection District, and setting a public hearing for March 31, 2010. Deer Creek Fire Protection District agrees to pay all costs of the required notice and election for the inclusion of the foregoing territory in the district.

Johnson moved, Maughan seconded, motion carried unanimously to receive the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2009, and prepared by the Finance Division of the Oklahoma County Clerk's Office.

Johnson moved, Maughan seconded, motion carried unanimously to approve Renewal of Memorandum of Understanding between Oklahoma County and Oklahoma City for shared use of the Emergency Operation Center facility at 4600 North Martin Luther

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King Boulevard. Requisition No. 11000054 has been issued to City of Oklahoma City in the amount of \$25,000.00 from General Fund/Emergency Management/Building Space (1001/5500/54102), contingent upon encumbrance of funds.

Maughan moved, Johnson seconded, motion carried unanimously for approval of Resolution No. 30-10 and Acknowledgement of Public Authority Responsibility requesting the following portions of roads within Oklahoma County to be placed on the Citizen Potawatomi Nation of Oklahoma Indian Reservation Road Inventory:

- 3.0 miles - SE 44th Street – Luther Road to Pottawatomie Road**
- 4.0 miles – SE 29th Street – Triple X Road to Harrah Road**
- 5.0 miles – SE 15th Street – Triple X to Pottawatomie Road**
- 5.0 miles - Reno Ave. – Triple X Road to Pottawatomie Road**
- 3.9 miles - NE 10th Street – Triple X Road to Harrah Road**
- 5.0 miles - Triple X Road - .5 North of SE 44th Street to NE 36th Street**
- 5.4 miles - Peebly Road – SE 44th Street to NE 36th Street**
- 5.5 miles - Luther Road – SE 44th Street to .5 miles South of NE 36th Street**
- 5.5 miles - Dobbs Road - .5 miles South of SE 44th Street to NE 23rd Street (U.S.-62)**

Johnson moved, Maughan seconded, motion carried unanimously to approve contract modification between the Board of Oklahoma County Commissioners on behalf of Oklahoma County Social Services and RPHS Inc. to provide relief pharmacist services for the Oklahoma County Pharmacy. Modification increases “not to exceed” amount of contract from \$15,000.00 to \$22,000.00. Requisition No. 11005066 in the amount of \$7,000.00 has been issued to RPHS Inc. from General Fund/Oklahoma Social Services/Services Other (1001/6100/54456), contingent upon encumbrance of funds. Modification effective upon approval by the Board of County Commissioners through June 30, 2010.

Johnson moved, Maughan seconded, motion carried unanimously to approve contract modification between the Board of Oklahoma County Commissioners on behalf of Department of Oklahoma County Social Services and RSVP of Central Oklahoma to provide transportation to Oklahoma County elderly residents, without other means of transportation, to scheduled medical appointments and treatments for persons eligible under the agreement. Amount payable under this contract shall remain the same. Modification allows funds to be used for volunteer mileage reimbursement, staff support and insurance for FY 2009-2010. Modification to be effective upon approval by the Board of Oklahoma County Commissioners through June 30, 2010.

Vaughn moved, Johnson seconded, motion carried unanimously to approve Resolution No. 31-10 to amend the existing zoning from RA-Acreage Residential District to SUP-2008-02 Special Use Permit on a tract of land described as follows, and as provided in Title 19 O.S., §868.16: Part of the Northeast Quarter of Section Twenty-four (24), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma and more particularly described as follows: Beginning at a FIP being the Southeast Corner of said NE/4 thence South 89°35'00” East a

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distance of 50.00 feet to the POINT OF BEGINNING; thence South 89°35'00" West a distance of 125.32 feet ; thence North 28°33'05" West a distance of 455.20 feet to a point on a curve to the left; thence along said curve a distance of 44.52 feet, said curve having radius of 130.00 feet, and a delta of 19°37'24", a chord bearing North 51°38'13" East a distance of 44.31; thence South 72°07'20" East a distance of 323.76 feet; thence South 00°00'03" East a distance of 327.04 feet to the POINT OF BEGINNING containing 2.0001 acres more or less. Location: North May Ave & NW 206th (Covell Rd.) (County Highway District No. 3). The Planning Commission previously approved the application with restrictions to accommodate the development of the Antlers Farms subdivision and recommends approval by the Board of County Commissioners.

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. 32-10 Blanket Purchase Orders as submitted by each department, list available for inspection in the office of the County Clerk, Room 201.

No Citizen participation.

No Commissioners Comments/General Remarks.

No New business:

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

CW10039 – Truck & Cargo Van Rental

Enterprise Commercial Trucks
Capps Van & Truck Rental
Penske Truck Leasing Company

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

- a. Pursuant to title 25 O.S. § 307(B)(4) for confidential communications with board's attorney to discuss status, settlement, and any other relevant matters, and to appoint a representative of the BOCC to attend a judicial settlement conference currently set for March 18, 2010, in the case of Betty Morgan, Larry Morgan, deceased v. Board of County Commissioners, Et Al, Case No CIV-08-1317.

Johnson moved, Maughan seconded, motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session and appoint Commissioner

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Maughan as the Representative and Commissioner Johnson as alternate **regarding confidential communications with Board's attorney to discuss status, settlement, and any other relevant matters, and to appoint a representative of the BOCC to attend a judicial settlement conference currently set for March 18, 2010, in the case of Betty Morgan, Larry Morgan, deceased v. Board of County Commissioners, Et Al, Case No CIV-08-1317.**

Johnson moved, Maughan seconded, motion carried unanimously to **adjourn at 10:29 a.m. until 9:00 a.m., Wednesday, March 17, 2010.**

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Raymond L. Vaughn, Jr., Chairman

ATTEST:

Carolynn Caudill, County Clerk and Secretary to the Board