

PENDING APPROVAL

March 24, 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 24, 2010, pursuant to adjournment of March 17, 2010, with the following members present: Ray Vaughn, Chairman; Brian Maughan, Member and Mike Sullivan, Chief Deputy, on behalf of Willa Johnson, Vice Chairman. Minutes of the meeting were taken by the Office ofCarolynn Caudill, County Clerk and Secretary to the Board.

Call to order by Ray Vaughn, Chairman.

Notice of the meeting was posted Friday, March 19, 2010.

Prayer and Pledge of Allegiance led by David Barnes, Director of Emergency Management.

Maughan moved, Sullivan seconded; motion carried unanimously to approve the minutes of the meeting of Wednesday, March 17, 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.

Maughan moved, Sullivan seconded; motion carried unanimously to approve/receive the following items:

Workers' Compensation claim payments from Consolidated Benefits Resources in the amount of \$20,598.95 for period ending March 16, 2010, pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

Employee Benefit Trust Warrant No. 493939 through 494706 for Oklahoma County in the amount of \$509,170.26 pending notification of encumbrance to Donna Lovelace, County Treasurer's Office.

District Attorney Opinion regarding Request for Legal Opinion-Supplemental Appropriations and Use of Special Revenue to balance General Budget Fund Budget.

Resolution No. 36-10 for disposing of scrap materials, to wit: the sale of 8,620 pounds of scrap metal by Highway District No. 3 to Standard Iron & Metal Company, Inc., for a total price of \$866.20 deposited to the Highway Cash Fund.

Cancelled Check: Sherri S. Grubbs, Check No. 401005515 dated March 17, 2010, in the amount of \$576.00. This check was issued from the wrong fund and will be reissued on March 24, 2010.

Litigation:

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Case No. CJ 2010-2014 Summons and Petition

Case No. CJ 2010-1961 Summons and Petition

Case No. CJ 2010-1932 Summons and Notice of Hearing and Petition to Vacate

Case No. CJ 2010-262 Summons Petition to Quiet Title

Case No. CJ 2009-6620 Affidavit of Mailing and Agreed Application and Agreed Order

TC 2010-010 Tort Claim

Receive Monthly Report of Officers for the month of February, 2010:

Juvenile Bureau

9N Restitution \$20,949.33

9J Restitution \$ 2,286.26

JJC Emergency \$ 1,896.26

Election Board \$26,046.16

Board of County Commissioners

Comm/Culvert Pipe Sales Fund 8206 \$557.77

Total \$557.77

Maughan moved, Sullivan seconded; motion carried unanimously to approve Resolution No. 37-10 disposing of equipment from the Inventory of Oklahoma County District No. 2. These items have been declared surplus and with the requested disposal will be sold in the upcoming Department of Central Services (“DCS”) State Auction in accordance with the provisions set forth in O.S. Title 19 Section 421.1.

One (1) 1992 Chevrolet ¾ ton pickup, c/n DB301-00248, s/n 1GBGC24K1NE147617, acquired 12/4/91 from Boyd Chevrolet, 5000 W. Reno, Oklahoma City, OK 73127, for \$13,916.00.

One (1) 1977 Ford Dump truck, c/n DB302-00219, s/n W81DVY 26864, acquired 7/19/77 from Sooner Ford, Oklahoma City, OK, for \$33,500.38.

One (1) 1986 Ford Dump truck, c/n DB302-00234, s/n 1FDYU8OU6GVA04233, acquired 12/18/85 from Sooner Ford, Oklahoma City, OK, for \$38,778.92.

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One (1) 1991 Ford Dump truck, c/n DB302-00240, s/n 1FDXK84A5MVA13731, acquired 11/29/90 from Sooner State Ford, 2500 W. Reno, Oklahoma City, OK 73147, for \$31,893.00.

One (1) 1991 Ford Dump truck, c/n DB302-00241, s/n 1FDXK84A7MVA13732, acquired 11/29/90 from Sooner State Ford, 2500 W. Reno, Oklahoma City, OK 73147, for \$31,893.00.

One (1) 1998 Chevrolet Dump truck & utility bed, c/n DB302-00245, s/n 1GBP7H1C7WJ109161, acquired 4/16/98 from Reliable Chevrolet, 8130 E. Skelly Dr. Tulsa, OK 74159, for \$53,336.00.

One (1) 1998 Chevrolet Dump truck, c/n DB302-00246, s/n 1GBP7H1C3WJ111036, acquired 7/7/98 from Reliable Chevrolet, 8130 E. Skelly Dr. Tulsa, OK 74159, for 46,700.00.

One (1) 1998 Chevrolet Dump truck, c/n DB302-00247, s/n 1GBP7H1C9WJ112093, acquired 8/28/98 from Reliable Chevrolet, 8130 E. Skelly Dr. Tulsa, OK 74159, for 46,700.00.

One (1) 1999 Chevrolet Dump truck & utility bed, c/n DB302-00248, s/n 1GBT7H4C7XJ106644, acquired 6/21/99 from Reliable Chevrolet, 8130 E. Skelly Dr. Tulsa, OK 74159, for \$61,731.57.

One (1) 1999 Chevrolet Dump truck, c/n DB302-00249, s/n 1GBT7H4C8XJ106653, acquired 6/21/99 from Reliable Chevrolet, 8130 E. Skelly Dr. Tulsa, OK 74159, for \$58,750.00.

One (1) Etnyre Chip spreader, c/n DB310-00203, s/n K3718, acquired 5/30/73 from Bert Smith Machinery, Oklahoma City, OK, for \$23,905.00.

One (1) Etnyre Chip spreader, c/n DB310-00207, s/n K3673, acquired 11/27/02 from Bert Smith Machinery, Oklahoma City, OK, for \$24,224.77.

One (1) Roscoe Roller, c/n DB320-00214, s/n 500, acquisition and vendor unknown for estimated \$5,000.00.

One (1) Ferguson Roller, c/n DB320-00218, s/n 220, acquired 2/14/83 from Bert Smith Machinery, Oklahoma City, OK, for \$36,000.00.

One (1) Mauldin Roller, c/n DB320-00219, s/n 3-5-2-86-117, acquired 12/17/85 from Midwesco, 15 SW 29th, Oklahoma City, OK, for \$12,836.00.

One (1) Fontaine Spreader, c/n DB325-00204, s/n SC4434, acquired 3/9/89 from Fruehauf Trailer Operations, Box 82518, Oklahoma City, OK, for \$6,629.17.

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One (1) Swenson Tail Gate spreader, c/n DB325-00206, s/n 86100, acquired 4/14/99 from Perfection Equipment, 5100 W. Reno, Oklahoma City, OK 73127, for \$1,947.00.

One (1) Swenson Tail Gate spreader, c/n DB325-00208, s/n 87796, acquired 9/21/99 from Perfection Equipment, 5100 W. Reno, Oklahoma City, OK 73127, for \$1,947.00.

One (1) Swenson Tail Gate spreader, c/n DB325-00209, s/n 87795, acquired 9/21/99 from Perfection Equipment, 5100 W. Reno, Oklahoma City, OK 73127, for \$1,947.00.

One (1) Henderson Spreader, c/n DB325-00210, s/n FSH-21797, acquired 12/27/01 from Frontier Equipment Sales, Box 850114, Yukon, OK 73085-0114, for \$7,550.00.

One (1) Trailer 5000 gallon, c/n DB334-00212, s/n 0341/OMG960380, acquired 6/22/92 from Okla State Surplus, 3100 Creson, Oklahoma City, OK 73136, for \$15,000.00.

One (1) Winch Rig Up, c/n DB335-00204, s/n 1MZAA14X31W134308, acquired 11/7/00 from Perfection Equipment, 5100 W. Reno, Oklahoma City, OK 73127, for \$16,231.50.

One (1) Lincoln welder, c/n DB404-00203, s/n 732192, acquired 12/18/73 from A Welders Supply, Oklahoma City, OK, for \$1,300.00.

One (1) Cub Z Lawn mower, c/n DB430-00213, s/n 0B0532800SS, acquired 5/7/03 from Juda Equipment Co., 1106 N. Broadway, Hinton, OK 73047, for \$5,200.00.

One (1) Gravely mower, c/n DB430-00217, s/n 00638250, acquired 1/21/93 from a transfer from the County Treasurer, for \$3,668.00.

One (1) Yazoo riding mower, c/n DB430-00221, s/n 017700095, acquired 3/15/06 from Springer Tractors, & Trailers, 103000 SE 29th, Oklahoma City, OK, for \$1,400.00.

Maughan moved, Sullivan seconded; motion carried unanimously to approve Resolution No. 38-10 accepting Oklahoma County Project E-2010-A, Installation of Sliding Glass Doors in the Visitor's Entrance at the Oklahoma County Jail as completed and final payment in the amount of \$32,000.00 be made to Atlas Glass and Mirror.

Maughan moved, Sullivan seconded; motion carried unanimously to approve Resolution No. 39-10 revising the building permit and building code inspection fees for the

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unincorporated areas of Oklahoma County, pursuant to Oklahoma State Statutes Title 59 §1000.25; Title 19 § 868.4; and Title 19 § 868.17a.

Maughan moved, Sullivan seconded; motion carried unanimously to renew Agreement for Sub-Grant of Emergency Management Performance Grant Program Funds between the Oklahoma Department of Emergency Management and Oklahoma County, to receive a portion of the funds awarded to the State of Oklahoma under the FEMA Emergency Management Preparedness Grant Program. If approved, Oklahoma County Emergency Management is to receive \$36,637.00 with payment made on a quarterly basis. The Director of Oklahoma County Emergency Management shall be designated as agent for the sub-grant. This agreement shall commence upon approval of the Board and approval of State Emergency Management, and shall terminate September 30, 2010.

Maughan moved, Sullivan seconded; motion carried unanimously for approval of Agreement between C. H. Guernsey & Company and Oklahoma County for Project No. E-2005-M, to provide mechanical, electrical and plumbing inspection services for the remodel of the Oklahoma County Courthouse, not to exceed \$50,000.00. Requisition No. 11005543 has been issued to C. H. Guernsey & Company in the amount of \$50,000.00 from County Bonds/County Building Projects/Other Services (2032/1206/55370), contingent upon encumbrance of funds.

Maughan moved, Sullivan seconded; motion carried unanimously for approval of Reaccreditation Contractual Agreement between the American Correctional Association and the Oklahoma County Juvenile Bureau. The American Correctional Association will conduct an audit of the Juvenile Bureau's Court Services unit for reaccreditation on June 7, 2010 through June 9, 2010. The fee for reaccreditation is \$10,500.00. Half payment is due before the audit and the balance is due after the audit is complete. Requisition No. 11005343 in the amount of \$5,250.00 has been made out to American Correctional Association, from Juvenile Grant Fund / Title IV-E / Professional Services Other (1233/5216/54455), contingent upon encumbrance of funds. Requisition No. 11005344 in the amount of \$5,250.00 has been made out to American Correctional Association, from Juvenile Grant Fund / Title IV-E / Professional Services Other (1233/5216/54455), contingent upon encumbrance of funds.

Maughan moved, Sullivan seconded; motion carried unanimously for approval of a renewal contract with Thimgan & Associates for fiscal year 2009-2010. Requisition No. 11005299 in the amount of \$13,900.00 has been made out to Thimgan & Associates, from General Fund/Assessor Revaluation/Professional Services Other (1001/1400/54455), contingent upon encumbrance of funds.

Maughan moved, Sullivan seconded; motion carried unanimously to approve the Interlocal Cooperative Agreement, between Oklahoma County and the Department of Central Services ("DCS") to dispose of surplus property through the DCS surplus

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property program in accordance to the provisions set forth in O.S. Title 74, Section 62.1. This item was approved by the Budget Board on March 18, 2010.

Maughan moved, Sullivan seconded; motion carried unanimously to approve support of the Oklahoma Blood Institute “Be the Match Registry” for bone marrow donors. In future Oklahoma Blood Institute blood drives, employees will have an opportunity to be tested and registered. This item was approved by the Budget Board on March 18, 2010.

Maughan moved, Sullivan seconded; motion carried unanimously, to approve an application to the Oklahoma Highway Safety Office the Administrator of the National Highway Traffic Safety Administration Funds. Nine years ago concluded federal funding of a five man traffic safety division. This application is for continued funding of an additional deputy/instructor for the Rollover Simulator and CRASH’s Court. The application will also include overtime for deputies working traffic safety in Oklahoma County in an effort to continue reduction of injuries and deaths on Oklahoma County roadways. It also includes funds to place wireless video cameras in 5 of the Sheriff’s Office Patrol Units, a Tahoe and equipment to replace the Tahoe for Crash’s Court and Rollover Deputy, and other equipment necessary for the investigation of accidents. The total request of funds is for \$359,203.00. There are no matching funds required.

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

Maughan moved, Sullivan seconded; motion carried unanimously to approve Resolution No. 40-10 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.

No Commissioners Comments/General Remarks.

No New business.

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

CW10056 – Sheriff’s Office Uniforms

Patrol Technology
Setina Police Equipment
Bob Barker Company
COPS Products
Orchid Uniform Retail Sales

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Red the Uniform Tailor
Outdoor Outfits
Special Ops.

Maughan moved, Sullivan 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, including but not limited to: travel and related expenses to deposition of plaintiff's experts in Denver, Colorado, appointment of representative at trial and additional discussion regarding appointment of a representative of the BOCC to attend a judicial settlement conference currently set for 3-30-2010, in the case of Betty Morgan, Larry Morgan, deceased v. Board of County Commissioners, et al, case no. CIV-08-1317.

b. Pursuant to Title 25 O.S. § 307(b)(4) for confidential communications with Board's attorney to discuss and possible action concerning Oklahoma Employment Security Commission's decision regarding Steven L. Johnson and David G. Blount.

The Board returned at 10:32 a.m.

Maughan moved, Vaughn seconded; motion carried unanimously to defer the following item until 1:30 p.m. today, Wednesday, March 24, 2010:

Action regarding communications with Board's attorney to discuss status, settlement, and any other relevant matters, including but not limited to: travel and related expenses to deposition of plaintiff's experts in Denver, Colorado, appointment of a representative at trial and additional discussion regarding appointment of a representative of the BOCC to attend a judicial settlement conference currently set for 3-30-2010, in the case of Betty Morgan, Larry Morgan, deceased v. Board of County Commissioners, et al, case no. CIV-08-1317.

Maughan moved, Vaughn seconded; motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session **regarding discussion and possible action concerning Oklahoma Employment Security Commission's decision regarding Steven L. Johnson and David G. Blount.**

Maughan moved, Sullivan seconded; motion carried unanimously to adjourn until 1:30 p.m. today, March 24, 2010, when Executive Session will reconvene.

The Board returned at 1:35 p.m., with Commissioner Willa Johnson in attendance.

Johnson moved, Maughan seconded; motion carried unanimously to reconvene into Executive Session.

The Board returned at 2:06 p.m.

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Johnson moved, Maughan seconded; motion carried unanimously to direct the District Attorney to proceed as discussed in Executive Session **regarding communications with Board's attorney to discuss status, settlement, and any other relevant matters, including but not limited to: travel and related expenses to deposition of plaintiff's experts in Denver, Colorado, appointment of a representative at trial and additional discussion regarding appointment of a representative of the BOCC to attend a judicial settlement conference currently set for 3-30-2010, 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 2:08 p.m. until 9:00 a.m., Wednesday, March 31, 2010.**

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Raymond L. Vaughn, Jr., Chairman

ATTEST:

Carolynn Caudill, County Clerk and Secretary to the Board