

June 15, 2010  
Guthrie, Oklahoma  
9:00 A.M.

The Board of Logan County Commissioners met in Regular Session with Chairman Mark Sharpton presiding, Member Monty Piearcy present and Member Mike Pearson present and transacted the following:

The Agenda was posted at 3:47 P.M. on June 11, 2010 and was posted at the Courthouse and Annex.

Present at the meeting were: Ken Stoops, Roland Taylor, Willis Doggett, Paul F. Johnston, Tom Stafford, Bobby Anderson and Mark Ward.

The meeting was called to Order by the Chairman.

The flag salute was given.

### **MOTION ADOPTED TO APPROVE MINUTES**

Mike Pearson made the motion which was duly seconded by Monty Piearcy with the voting as follows: Sharpton-AYE, Piearcy-AYE and Pearson-AYE;

THAT, the minutes of June 7, 2010 be approved.

Discussion was held regarding the ¼ cent sales tax for the fire departments. District Attorney Rob Hudson said that the Board has two resolutions to consider. One Resolution would submit to the voters extending the ¼ cent sales tax for a period of five years, the second would submit to the voters to reduce the sales tax to 1/5 cent for a period of five years.

Monty Piearcy asked the fire departments in attendance if they could take less sales tax. Roland Taylor said a lot of good has come from the sales tax. He said new equipment and upgrades have brought a better ISO rating which saves the public money on their insurance.

Mark Sharpton said that he spoke with Lester Branch about discussing lowering the sales tax if possible. Willis Doggett said that less funding would hurt the departments.

Mark Sharpton said according to tax figures, sales have increased almost 22% in the last 10 years. He said lowering the tax to 1/5 would in effect leave the departments at the same amounts they were when they first started receiving the sales tax. He said as development continues the funds received will increase.

Ken Stoops said that it would hurt the departments to lower the sales tax. He said the cost of equipment and maintenance continues to increase. Funds are needed to meet the increased costs.

Mike Pearson said that at times less sales tax is more as it promotes growth in the community.

Monty Piearcy said that the hospital lowered the amount of their sales tax and haven't seen a drastic reduction of income.

Rob Hudson said that the City of Guthrie, state agencies and all other departments have been faced with funding cuts.

Ken Stoops said the departments have planned community meetings to educate the public on the departments' use of the sales tax.

Mark Sharpton asked the departments to keep the Board of Commissioners informed as to their plans and large expenditures. He said when the departments are saving to acquire large items it assists the Board to be able to answer why large dollar amounts are in the fire department accounts.

Ken Stoops said that it is in the best interest of the departments to maintain the sales tax at ¼ cent for continued improvement and growth.

Mike Pearson said the reduction would be from .25 to .20. The county clerk said that it would be a reduction of approximately .05 per 100 dollars of sales. She said that sales have continued to increase in each year.

Mark Sharpton said that he believes a reduction would sell to the public but that he would support the fire departments in asking for the ¼ cent. He also said that he appreciates the departments who continue fund raising on their own.

Paul Johnston said that the departments have continued to improve the fire fighting side and would now like to improve the EMS side of the departments.

**MOTION ADOPTED TO APPROVE RESOLUTION TO EXTEND THE LEVY AND ASSESSMENT OF THE EXISTING ONE FORTH OF ONE PERCENT COUNTY TAX FOR THE COUNTY FIRE DEPARTMENTS AND TO SET THE ELECTION FOR AUGUST 22, 2010.**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Resolution extending the levy and assessment of an existing county sales tax levying and assessing one-fourth of one percent county tax for the county fire departments and calling a special election to be held on August 24, 2010 for the purpose of submitting the proposition to the registered voters be approved.

There was no action taken on meeting with Jeffrey Dixon from Mehlburger Brawley and claims for engineering fees.

**MOTION ADOPTED TO APPROVE AGREEMENT WITH OSAGE COUNTY JUVENILE DETENTION CENTER FOR JUVENILE DETENTION SERVICES FOR FY 2010-2011**

Mark Sharpton made the motion which was duly seconded by Monty Pearcy with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, an agreement with Osage County Juvenile Detention Center to provide juvenile detention services for FY 2010-2011 be approved.

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENTS WITH WELCH STATE BANK FOR FY 2010-2011 FOR EQUIPMENT FOR DISTRICT #1 AND DISTRICT #2**

Mike Pearson made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, Lease Renewals with Welch State Bank for the following equipment be approved.

Trail King Lowboy Hydraulic Tail Trailer - District #1  
Volvo G940 Motor Grader SN #40711 - District #2  
Volvo G940 Motor Grader SN #40713 - District #2

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH ODOT FOR FY 2010-2011 FOR EQUIPMENT FOR DISTRICT #2**

Mike Pearson made the motion which was duly seconded by Monty Pearcy with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, Lease Renewals with ODOT for the following equipment be approved.

John Deere 6430 tractor with MX8 cutter - District #2

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENTS WITH WARREN POWER AND MACHINERY FOR FY 2010-2011 FOR EQUIPMENT FOR DISTRICT #1 AND DISTRICT #2**

Mike Pearson made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, Lease Renewals with Warren Power and Machinery for the following equipment be approved.

2007 Caterpillar 140H SN #3331 - District #2  
2007 Caterpillar 140H SN #3332 - District #2  
2007 Caterpillar 140H SN #3333 - District #2

2006 Caterpillar 938G SN#2062 - District #2

Caterpillar 140H SN #3316 - District #1

Caterpillar 140H SN #3317 - District #1

Caterpillar 140H SN #3322 - District #1

Caterpillar 140H SN #3323 - District #1

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH KIRBY SMITH AND MACHINERY, INC/BANK OF NICHOLS HILLS FOR FY 2010-2011 FOR DISTRICT #2**

Mark Sharpton made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, Lease Renewal with Kirby Smith Machinery, Inc/Bank of Nichols Hills for the following equipment be approved.

Komatsu D41E-6C Crawler Dozer SN #2045

Komatsu PC200LC-8 Excavator SN #600171

No action was taken on renewal of mining agreements. (Agenda items 11-14)

**MOTION ADOPTED TO APPROVE CONTRACT WITH THE OKLAHOMA DEPARTMENT OF REHABILITATION SERVICES FOR FY 2010-2011**

Mike Pearson made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the contract with the Oklahoma Department of Rehabilitation Services for FY 2010-2011 be approved.

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH IKON OFFICE SOLUTIONS FOR FY 2010-2011 FOR DISTRICT #2**

Mark Sharpton made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Lease Renewal with Ikon Office Solutions for the following equipment be approved.

Ricoh 1224C Copier SN #94640

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH ODOT FOR FY 2010-2011 FOR DISTRICT #3**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Lease Renewal with ODOT for the following equipment be approved.

2008 Flameshield Above Ground Storage Tank SN #16436

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH OKLAHOMA STATE BANK FOR FY 2010-2011 FOR DISTRICT #3**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Lease Renewal with Oklahoma State Bank for the following equipment be approved.

2009 Mack CHN 613 Truck SN #3672

2009 Mack CHN 613 Truck SN #3673

2009 Mack CHN 613 Truck SN #3674

2009 Mack CHN 613 Truck SN #3675

No action was taken on agreements with Alcohol and Drug Testing, Inc.

**MOTION ADOPTED TO APPROVE LEASE RENEWAL AGREEMENT WITH WARREN POWER AND MACHINERY FOR FY 2010-2011 FOR DISTRICT #3**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Lease Renewal with Warren Power and Machinery for the following equipment be approved.

Caterpillar 140H SN #3306  
Caterpillar 140H SN #3307  
Caterpillar 140H SN #3308  
Caterpillar 140H SN #3309  
Caterpillar 140H SN #3311  
Caterpillar 140H SN #3312  
Caterpillar 140H SN #3313

**MOTION ADOPTED TO APPROVE RESOLUTION DETERMINING MAXIMUM MONTHLY HIGHWAY EXPENDITURES**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Resolution Determining the Maximum Monthly Highway Expenditures for the month of June 2010 in the amount of \$613,558.81 be approved.

**MOTION ADOPTED TO APPROVE RESOLUTION ESTABLISHING 9-1-1 EMERGENCY TELEPHONE FEE FOR FY 2010-2011**

Mark Sharpton made the motion which was duly seconded by Monty Pearcy with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

**MOTION ADOPTED TO ACCEPT ROADS FOR MAINTENANCE IN CEDAR CREEK I, INCLUSIVE OF CEDAR CREEK TERRACE, RED CEDAR LANE AND CEDAR CREEK DR, AS TIME AND MONEY ALLOW**

Mark Sharpton made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, roads in Cedar Creek I, inclusive Of Cedar Creek Terrace, Red Cedar Lane and Cedar Creek Dr, be accepted for maintenance as time and money allow.

**MOTION ADOPTED TO APPROVE CONTRACT AGREEMENT PAYMENT EXTENSION FOR ETR FUND**

Mark Sharpton made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the contract agreement payment extension ETRCR5-42-1(01)09 for District #1 is renewed to May 26, 2011.

**MOTION ADOPTED TO APPROVE CONSORTIUM OPERATIONS AGREEMENT WITH CENTRAL OKLAHOMA WORKFORCE INVESTMENT AREA FOR FY 2010-2011**

Monty Pearcy made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, the Consortium Operations Agreement with Central Oklahoma Workforce Investment Area for FY 2010-2011 is approved.

There were no resolutions appointing receiving or requisitioning officers.

**MOTION ADOPTED TO ADOPT, APPROVE AND ACCEPT THE FOLLOWING ITEMS ON THE CONSENT AGENDA**

Monty Pearcy made the motion which was duly seconded by Mark Sharpton with the voting as follows: Pearcy-AYE, Sharpton-AYE and Pearson-AYE,

THAT, the following items on the Consent Agenda be approved, accepted and adopted:

Approve Payroll for 1<sup>st</sup> half of June 2010

(See pages beginning 252-A)

Transfer of Appropriations within various accounts:  
(See pages beginning 252-TR-1)

Cash Fund Appropriation for Rural Water #1 CDBG Grant

Monthly Reports of County Officers:

- Court Clerk
- Sheriff
- Treasurer
- County Clerk
- Assessor

Accept checks due and owing the County

Blanket Purchase Orders #105413 - #105468

Sheriff's Board of Prisoners Report

Election Board Report

Health Department Report

**MOTION ADOPTED TO APPROVE CLAIM FOR COUNTY EXPENDITURES  
JUNE 2010**

Mark Sharpton made the motion which was duly seconded by Monty Pearcy with the voting as follows: Pearcy-AYE, Sharpton-AYE and Pearson-AYE;

THAT, the printout of claims for County Expenditures for June 2010 be approved and signed. The County Clerk is instructed to issue warrants for said claims in stated amounts. (See pages beginning 252-1).

Open Sealed Bid #2010-23 for Chip and Seal approximately two miles of Santa Fe north from the intersection of Santa Fe and Highway 33. Bids were received from:

Wood & Sons Paving, Inc.	\$38,692.19 without Prime
	\$53,534.09 with Prime

**MOTION ADOPTED TO AWARD BID #2010-23 FOR CHIP AND SEAL APPROXIMATELY  
TWO MILES OF SANTA FE NORTH FROM THE INTERSECTION OF SANTA FE AND  
HIGHWAY 33 TO WOOD & SONS PAVING, INC.**

Monty Pearcy made the motion which was duly seconded by Mike Pearson with the voting as follows: Sharpton-AYE, Pearcy-AYE and Pearson-AYE;

THAT, Bid #2010-23 for Chip and Seal approximately two miles of Santa Fe north from the intersection of Santa Fe and Highway 33 to Wood & Sons Paving, Inc. as the best and only bid.

Open Sealed Bid #2011-1 for welding services for FY 2010-2011. Bids were received from:

Kevin Leach Welding & Construction	\$40.00 in shop \$45.00 on location 2 hour minimum
Wehr Welding	\$50.00 in shop \$55.00 on location 2 hour minimum
Mark Ward	\$45.00 in shop \$55.00 on location 4 hour minimum
K&O Const. & Supply	\$65.00 in shop \$65.00 on location 3 hour minimum



Open Sealed Bid #2011-5 for Tires/Tubes. Bids were received from:

Hercules Tire Sales  
T & W Tire  
Southern Tire Mart  
(varying prices based on size and type of tires/tubes)

Awarding Bid #2011-5 was tabled until June 30, 2010.

There were no citizens desiring to be heard.

The Commissioners worked jointly to complete the County Officers Annual Report and Estimate of Needs for FY 2010-2011 for the following accounts:

Commissioners - all 0800 accounts	Total \$205,808.64
General Govt - all 200 accounts	Total \$747,205.00
Insurance Benefits & Matching Funds - all 2300 accounts to include matching retirement for highway employees	Total \$695,016.00
Emp Health Ins -	Total \$600,00.00
Charity - all 2800 accounts	Total \$1200.00
Highway Levy - creation of new account in the amount of \$150,000 to be evenly divided to the three highway districts.	

There was no new business to come before the Board.

#### **MOTION TO ADJOURN**

Mark Sharpton made the motion which was duly seconded by Monty Piearcy with the voting as follows: Piearcy-AYE, Sharpton-AYE and Pearson-AYE,

THAT, there being no further business to come before the board the meeting was adjourned until a 9:00 A.M. June 30, 2010.

ATTEST: \_\_\_\_\_  
Logan County Clerk

\_\_\_\_\_  
Chairman, Board of County Commissioners