

July 30, 2010
Guthrie, Oklahoma
9:00 A.M.

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

The Agenda was posted at 3:38 P.M. on July 28, 2010 and was posted at the Courthouse and Annex.

Present at the meeting were: Cheryl Downs, Cathie Cordis, Phil Nichols, Lana Pearcy, Steve Winters, Belinda Ramsey, Nixie Goff, Jim Morton, Sherri Longnecker, Hollie Chappell, Jeffrey Dixon, Gail Taylor, Don Gatlin and Mary Murphey.

The meeting was called to Order by the Chairman.

The flag salute was given.

MOTION ADOPTED TO APPROVE MINUTES

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, the minutes of July 15, 2010 be approved.

No action was taken on approving updated City Emergency Operation Plan as it was not properly agendized.

Mark Sharpton said that he is asking the board to seek legal clarification of statute O.S. Title 60§178.8 (Mr. Sharpton read the statute) that pertains to a conflicts of interest of a trustee of a public trust. He said that there is an Ochs Real Estate sign on property located on Highway 74 that is owned by the hospital. He said he would like the District Attorney for an opinion on this issue.

MOTION ADOPTED TO SEEK LEGAL OPINION FROM DISTRICT ATTORNEY REGARDING O.S. TITLE 60§178.8, CONFLICT OF INTEREST OF A TRUSTEE OF A PUBLIC TRUST, PERTAINING TO OCHS REAL ESTATE ACTING AS REAL ESTATE AGENT FOR THE SALE OF HOSPITAL OWNED PROPERTY

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 Board of County Commissioner seek a legal opinion from the District Attorney to clarify O.S. Title 60§178.8, conflict of interest of a trustee of a public trust, pertaining to Ochs Real Estate acting as the real estate agent for the sale of hospital owned property located on Highway 74.

Mark Sharpton said that he is asking the board to seek legal clarification of statute O.S. Title 60§176 (Mr. Sharpton read the statute) that pertains to financing arrangements being entered into by a public trust must be approved by two-thirds of the governing body of the beneficiary of that trust. Mr. Sharpton said that this refers to the filing of mortgages in the County Clerk's office. He gave the board a list of loans that hospital currently has in effect. He said he isn't certain that the mortgages could be entered two thirds approval of the Board of County Commissioners.

MOTION ADOPTED TO SEEK LEGAL OPINION FROM DISTRICT ATTORNEY REGARDING O.S. TITLE 60§176, PUBLIC TRUST ENTERING FINANCING ARRANGEMENTS NEEDING TWO THIRDS APPROVAL OF THE GOVERNING BOARD OF THE BENEFICIARY, PERTAINING TO MORTGAGES ENTERED INTO BY LOGAN HOSPITAL AND MEDICAL CENTER

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 Board of County Commissioners seek legal opinion from the District Attorney if mortgages entered into by Logan Hospital and Medical Center without a two thirds approval of the Board of County Commissioners is in compliance with O.S. Title 60§176.

MOTION ADOPTED TO POST NOTICES THAT THE BOARD OF LOGAN COUNTY COMMISSIONERS ARE ACCEPTING APPLICATIONS FOR THE POSITION OF TRUSTEE TO SERVE ON THE LOGAN HOSPITAL AND MEDICAL CENTER BOARD

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

THAT, the Board of Logan County Commissioners post notices that the Board is accepting applications for the position of Trustee to serve on the Logan Hospital and Medical Center Board of Trustees.

MOTION ADOPTED TO APPROVE RENTAL AGREEMENT WITH PITNEY BOWES FOR MAILING MACHINE IN THE COMMISSIONERS/ASSESSOR'S OFFICE FOR FY 2010-2011

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

THAT, the rental agreement with Pitney Bowes for mailing machine used by the Commissioners' Office and the Assessor's Office be approved for FY 2010-2011.

Monty Piarcy said that a road will not drain without digging a water way on across the land owner's property. Mr. Piarcy said that the District Attorney advised an agreement with the property owner be approved by the Board.

MOTION ADOPTED TO APPROVE AGREEMENT WITH MRS. CAROL ANN DUKE FOR DISTRICT #3 TO ENTER HER PROPERTY TO DIG A WATER WAY TO AID IN DRAINING A COUNTY ROAD

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

THAT, an agreement with Mrs. Carol Ann Duke for District #3 to enter her property to dig a water way to aid in the draining of a county road be approved.

MOTION ADOPTED TO APPROVE RESOLUTIONS AND AGREEMENTS WITH ODOT FOR BRIDGE PROJECT NO. STP-142D(106)AG, BRIDGE OVER SPRING CREEK ON SIMPSON RD AND STP-142D(107)AG BRIDGE OVER COTTONWOOD CREEK ON COUNCIL ROAD IN DISTRICT #1

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

THAT, Resolutions and Agreements with ODOT for bridge project no. STP-142D(106)AG, bridge over Spring Creek on Simpson Rd and STP-142D(107)AG bridge over Cottonwood Creek on Council Road in District #1 be approved.

MOTION ADOPTED TO APPROVE ALTERNATIVES TO DETENTION/TRANSPORTATION CLAIM IN THE AMOUNT OF \$1221.25 FOR THE MONTH OF JUNE 2010

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

THAT, the Alternatives to Detention/Transportation claim in the amount of \$1225.25 for the month of June 2010 be approved.

No action was taken on proposals from Kellpro for software upgrades.

MOTION ADOPTED TO APPROVE CONTRACT WITH ACOG FOR REAP GRANT AWARDS FOR DISTRICT #1, DISTRICT #2 AND DISTRICT #3

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

THAT, the following contracts with ACOG for Reap Grant awards be approved.

District #1 \$50,000 for road repair on Pine from Industrial to Prairie Grove

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|-------------|---|
| District #1 | \$50,000 to purchase and install two storm sirens at Forrest Hills/SH74 Seward/May |
| District #2 | \$47,950 to purchase and install two storm sirens at Woodcrest Fire Dept. and Sooner Fire Dept. |
| District #2 | \$50,000 for road repair on Pine form Charter Oak to Simpson |
| District #3 | \$34,647.34 for road repair on CR69 from Hwy 74 to Penn |

MOTION ADOPTED TO APPROVE AGREEMENT BETWEEN LOGAN COUNTY SHERIFF AND GUTHRIE JOB CORPS FOR WORK BASED LEARNING PROGRAM

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

THAT, an agreement between the Logan County Sheriff's Dept. and Guthrie Job Corps for a Work Based Learning Program be approved.

MOTION ADOPTED TO APPROVE MAINTENANCE AGREEMENTS WITH STILLWATER TYPEWRITER FOR EQUIPMENT AT THE LOGAN COUNTY HEALTH DEPT. FOR FY 2010-2011

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

THAT, maintenance agreements with Stillwater Typewriter for FY 2010-2011 for copiers, typewriters and printers at the Logan County Health Dept. be approved.

MOTION ADOPTED TO APPROVE INVOICE TO ODOT IN THE AMOUNT OF \$2845.57 FOR 2009-2010 BRIDGE INSPECTION PROJECT, STATE J/P NO. 12996(12) AND TO PAY INVOICE FROM CBRI FUND, ACCOUNT #6150-2290

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

THAT, an invoice to ODOT in the amount of \$2845.57 for 2009-2010 Bridge Inspection Project, State J/P No. 12996(12) is approved and payment of invoice is authorized from CBRI Fund, Account #6150-2290.

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

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

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

Approve Payroll for 2nd half of July 2010
(See pages beginning 271-A)

Transfers of Appropriations
(See pages beginning 271-TR-1)

There were no Cash Fund Appropriations

Accept checks due and owing the County

Approve Blanket Purchase Orders #110579 - #110608

Sign State Election Board Claim for Salary Expenses of Election Board Salary

Sign Claim of Logan County Court Clerk of County's portion of utilities

Allocation of Alcoholic Beverage Tax

MOTION ADOPTED TO APPROVE RESOLUTION DETERMINING MAXIMUM MONTHLY HIGHWAY EXPENDITURES

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

THAT, the Resolution Determining the Maximum Monthly Highway Expenditures for the month of July 2010 in the amount of \$687,983.43 be approved.

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

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, the printout of claims for County Expenditures for July 2010 be approved and signed. The County Clerk is instructed to issue warrants for said claims in stated amounts. (See pages beginning 272-1).

Open Sealed Bid #2011-6 for one or more used vibratory pad foot compactor. Bids were received from:

C.L. Boyd	2007 Dynapac CA150PD	\$42,945.00
Kirby Smith	2008 Bomag BW177-PDH-40	\$83,858.00
Warren Cat	2005 Caterpillar CP433E	\$35,330.00
Vermeer	No bid	

Awarding bid was tabled until the Board of County Commissioners meeting on August 13, 2010.

There were no citizens to be heard.

There was no new business.

MOTION TO ADJOURN

Monty Piearcy made the motion which was duly seconded by Mike Pearson 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. August 2, 2010.

ATTEST: _____
Logan County Clerk

Chairman, Board of County Commissioners