

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, August 15th , 2011

The Board of Wagoner County Commissioners met with James Hanning, Chairman; Tim Kelley, Vice-Chairman; Chris Edwards, member; Carolyn Kusler, County Clerk; and Char Dubree, Secretary. Also in attendance was Assistant District Attorney John David Luton. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on August 12th , 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:01 am.
- II. Roll Call - All members present.
- III. The pledge of allegiance was led by Carolyn Kusler. The prayer was led by Sandy Hodges.
- IV. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve minutes of Commission meeting held August 8th , 2011, with addition of phrase "at a later date" after last sentence of item VIII.D. With all members present, all voted aye. Motion carried.
- V. Financial Matters
 - A. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve deposits. With all members present, all voted aye. Motion carried.
 - B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Appropriation for Stone Bluff Senior Citizen Center CDBG Account (G-13), in the amount of \$82,866.30. With all members present, all voted aye. Motion Carried.
 - C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve following Transfer:
 1. Stone Bluff Senior Citizens CDBG (G-13) to REAP Grant (G-8) in the amount of \$162.00, and to Highway D-3 (T2(3) in the amount of \$33,173.97, and Stone Bluff Senior Citizens Trust Authority in the

amount of \$59,403.53, for a total transfer amount of \$92,739.50. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve the following Transfer:

2. Stone Bluff Senior Citizens EODD (G-12) to Highway Account D-3 (T2(3) in the amount of \$13,825.27. With all members present, all voted aye. Motion Carried.

D. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve OJA Detention Transportation Claim, for July, 2011, in the amount of \$773.01. With all members present, all voted aye. Motion Carried.

E. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the following invoice:

1. Sac & Fox Nation for juvenile detention services for the month of July in the amount of \$21.11.

With all members present, all voted aye. Motion Carried.

VI. Reports

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following reports, excluding C. Engineer report.

A. Planning and Zoning for the week of August 8, 2011.

B. Emergency Management for the week of August 8, 2011.

C. Engineer for the week of August 8, 2011.

D. 911 for the week of August 8, 2011.

E. Court Clerk for the month of July, 2011.

F. Assessor for the month of July, 2011.

With all members present, all voted aye. Motion Carried.

VII. Legal

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to forward the following legal item to the District Attorney:

1. Case Number CJ-07-173, Soloman, L. vs. Wagoner County.

With all members present, all voted aye. Motion Carried.

VIII. Action Items

- A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve Memorandum of Agreement between Cherokee Nation and Wagoner County, Road/Bridge Construction Projects. With all members present, all voted aye. Motion Carried.
- B. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve Resolution 2011-047, Burn Ban for Wagoner County for a period of seven days. With all members present, all voted aye. Motion Carried.
- C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the following Labor Waviers:
1. Dump debris off County Right-of-Way at 75787 South 320 Road, Wagoner, OK, Sharron Biffle property, for District Two. (Edwards)
 2. Dump dirt off County Right-of-Way at 36035 191st Street South, Red Bird, Raleigh G. Stockton property, for District Three. (Kelley)
 3. Install tin horn and stock pile road materials off County Right-of-Way approximately 1 ¼ mi. East of 193rd on 161st, Rick Krumsiek property, for District Three. (Kelley)
 4. Dump dirt off County Right-of-Way between 191st and 405th, Bill and Mary Sue Tedder property, for District Three.
- With all members present, all voted aye. Motion Carried.
- D. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Utility Permit #2011-3011; Applicant: Oklahoma Natural Gas Company, for District Three. With all members present, all voted aye. Motion Carried.
- E. The Board opened the following bids submitted for Bid#5, Pumper Truck for Okay Fire Department:
1. Brinlee Mountain Fire Apparatus, in the amount of \$ 69,000.00.
 2. Brinlee Mountain Fire Apparatus, in the amount of \$ 85,000.00.
 3. Brinlee Mountain Fire Apparatus, in the amount of \$125,000.00.
 4. Brinlee Mountain Fire Apparatus, in the amount of \$159,000.00.
 5. Brinlee Mountain Fire Apparatus, in the amount of \$234,000.00.
- A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to table Bid#5, to allow review and recommendation

- by Okay Fire Department. With all members present, all voted aye. Motion Carried.
- F. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve procuring and installing two bio-hazard containers in County Courthouse, one in the Treasurer's office for employees only and one in the Maintenance closet. With all members present, all voted aye. Motion Carried.
- G. Heath Underwood, Wagoner County Emergency Management Director presented information regarding Muskogee Vo-Tech Safety Training Program to the Board. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the use of Muskogee Vo-Tech Safety Training. With all members present, all voted aye. Motion Carried.
- H. Roy Shepherd, an electrical Contractor, presented information to the Board regarding his experiences with Dale Green and Scott Brians with Planning and Zoning. No action was taken regarding this item.
- IX. Old Business
- A. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to award Bid #4 to Draeger Safety for Flashover Simulator for Broken Arrow Fire Department, in the amount of \$33,195.00.
With all members present, all voted aye. Motion Carried.
- B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table until next week discussion and possible action regarding Lojack System. With all members present, all voted aye. Motion Carried.
- C. The Board discussed the Harris Radio System and that the Courthouse Renovation Account cannot fund the radio units. Mark Ketchum, with the City of Broken Arrow was present to answer questions and demonstrated that the 800 radio can talk to someone using a different type of radio and vice versa. Mark Ketchum also pointed out that the Harris 800 radios have a built-in GPS system as well as mobile data capabilities that can be purchased at a one-time cost for the interface. No action was taken regarding this item.

- D. A motion was was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Change Order #5 reducing cost from \$1,000.00 to \$500.00 for the stainless steel sink for the Stone Bluff Senior Center. With all members present, all voted aye. Motion Carried.
- E. The Board discussed CJ-2010-212 31st LLC vs. Board of County Commissioners. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table this item until Assistant District Attorney John David Luton could rejoin the meeting. With all members present, all voted aye. Motion Carried.
- After Assistant District Attorney John David Luton's presentation, a motion was made by Commissioner Hanning and seconded by Commissioner Kelley to authorize inspection of the repair of storm sewer by an independent inspector, and to take in roads when completed. With all members present, all voted aye. Motion Carried.
- F. The Board received copies of letters to Rolling Hills Fire Protection from First Bank & Trust Company, re: Delinquency of Note(s) #88789 and #87226. Chief Bryon Fox indicated that the accounts were now current. Assistant District Attorney John David Luton pointed out that the Oklahoma Constitution forbids the County from soliciting loans directly . A motion was made by Commissioner Hanning to go out for bid for two trucks for Rolling Hills Fire Department. Commissioner Hanning revised his motion to included a third truck. Motion died for lack of second.
- G. There were no updates regarding Budget and Budget Process for FY-2011-2012. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table this item. With all members present, all voted aye. Motion Carried.
- H. The Board discussed Green Country Communications Maintenance Contract and any other phone system issues. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to remove this item from future Agendas, and replace it with discussion and possible action regarding Courthouse phone system on the next Agenda. With all members present, all voted aye. Motion Carried.
- I. The Board discussed re-districting. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table

until Monday, August 22nd further discussion and possible action regarding re-districting of Wagoner County, and to invite Rich Briere and Barbara Gibson from INCOG to attend. With all members present, all voted aye. Motion Carried.

- J. The Board discussed mobile home installation in mobile home parks. Russ Wagoner, R & R Rentals asked for an exception to Wagoner County Code Enforcement for all mobile home parks. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table this item for further research. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to break for lunch at 12:08 p.m. With all members present, all voted aye. Motion Carried.

Commissioner Hanning reconvened the meeting at 1:27 p.m.

- K. No action was taken regarding City of Coweta Resolution No. 2011-18, regarding fire service to rural residents.
- L. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table item regarding Coweta fire coverage until next Monday (when Larry Miller could be present to speak). With all members present, all voted aye. Motion Carried.
- X. New Business.
Commissioner Kelley requested approval or disapproval of signing ODOT Form 324A for 2011 John Deere 7230 Cab Tractor and John Deere CX15 Rotary Cutter and Tiger Boom Mower in the amount of \$115,807.44, which he did not receive until Friday afternoon. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve signing Form 324A. With all members present, all voted aye. Motion Carried.
- XI. Announcement. Judy Elliott announced that the dispatchers have moved upstairs.

- XII. Public Comment. Bryon Fox, Rolling Hills Fire Chief, asked if he should leave his trucks in the County facility. Commissioner Hanning stated the Rolling Hills Fire Department Board needs to make that decision.
- X. Purchase Orders
- A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve cancellation of purchase orders. With all members present, all voted aye. Motion Carried.
- B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Blanket Purchase orders #982, #1023, #1035, and #1053. With all members present, all voted aye. Motion Carried.
- C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve calendar claims. With all members present, all voted aye. Motion Carried.
- XI. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to recess at 4:14 p.m. With all members present, all voted aye. Motion Carried.

Presented and approved by the Wagoner County Commission on this 22nd day of August, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER
WAGONER COUNTY CLERK
