

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, January 24th, 2011

The Board of Wagoner County Commissioners met with James Hanning, Chairman; Tim Kelley, Vice-Chairman; Carolyn Kusler, County Clerk; and Bobbi Fears, Secretary. Also in attendance was Assistant District Attorney John David Luton. Commissioner Chris Edwards was absent. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on January 21st, 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:04am.
 - II. Roll Call – James Hanning and Tim Kelley were present. Chris Edwards was absent.
 - III. The prayer was led by Pam Wood. The pledge of allegiance was led by Commissioner Hanning.
 - IV. Motion by Commissioner Hanning to accept minutes of Commission meeting held January 10th, 2011. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
 - V. Motion by Commissioner Hanning to table approval of Commission meeting held January 18th, 2011. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
 - VI. Financial Matters
 - A. Motion by Commissioner Kelley to accept deposits. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
 - B. Motion by Commissioner Hanning to table approval of payroll. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- Motion by Commissioner Kelley to schedule a Special Meeting on Thursday, January 27th, 2011 to approve payroll and highway appropriations. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.

- C. Motion by Commissioner Hanning to table approval of highway appropriations. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- VII. Motion by Commissioner Kelley to accept Topper's Fire Department report. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- VIII. Motion by Commissioner Hanning to forward Response in Solomon, L. versus Wagoner County in CJ-07-173 to the District Attorney's office. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

Commissioner Hanning requested that there be an agenda item regarding limiting access to the building until contracts and insurance are provided by the users of the facility.

IX. Action Items

- A. Motion by Commissioner Hanning to appoint Brian Barlow as a Fair Board member from District 1, and to have him go through the election process in February. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- B. Carolyn Kusler reviewed the process and presented options regarding the Fair Board election for 2011. The Board set dates for the filing period and election. Motion by Commissioner Hanning to accept Resolution 2011-004 regarding notice of filing period, and Resolution 2011-005 regarding notice of election. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- C. Carolyn Kusler informed the Board of details regarding the Crown Castle contract for easement for the tower in Catoosa. Crown Castle is requesting a long term contract to enable them to rent tower space. Motion by Commissioner Kelley to table any action to allow time for review by ADA John David Luton. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- D. Monty Proctor presented a report regarding RWD #4 waterline installation along Midway Road between 81st & 91st. Motion by Commissioner Hanning to accept the report. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

Commissioner Hanning stated this does not approve any work to be done at Midway at this time.

X. Old Business.

- A. Carolyn Kusler presented a draft of a letter requesting submissions of creation of a new Wagoner County seal. Question regarding gift from the county to the school and/or student with the winning submission needs to be answered by the auditor. Motion by Commissioner Hanning to table any action regarding the letter until an answer has been obtained by the auditor. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- B. Commissioner Hanning presented an idea regarding modifications to the County Commissioners meeting room, and opened the floor for more ideas and/or comments regarding his suggestion. At this time, neither Commissioner Hanning nor Commissioner Kelley are comfortable expending courthouse renovation dollars because of other needs. Motion by Commissioner Hanning to obtain a cost analysis from Monty Proctor, County Engineer, and Scott Brians, County Inspector for the following proposed renovation: extend south end of west wall of the current meeting room to the existing glass wall in dispatch area; remove hallway in dispatch office; relocate north end of west wall into the Treasurer's office to accommodate a table for the Board. All renovations must remain the least intrusive to the Treasurer's office, and maximize security for E-911/dispatch. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- C. Motion by Commissioner Hanning to table any action regarding chain of command for the Board of Commissioners offices and policy & procedures for offices. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- D. Motion by Commissioner Hanning to approve Resolution 2011-003 re-appointing Steve Butler to the Wagoner County Excise Board and Board of Equalization. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- E. An email was printed and presented to the Board regarding selection of vendor for Bid #16 for extrication equipment for StoneBluff Fire Department. The Board reviewed account information. Motion by

Commissioner Kelley to table any action regarding award of Bid #16 until a representative from StoneBluff can be present. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.

- F. Kenny Schwab, city of Broken Arrow engineer, spoke to the Board regarding the Interlocal Agreement for the Armed Forces Reserve Center road project. Upon approval of the agreement, the County can speak with ODOT and pull back if costs become too high. Commissioner Hanning suggested requesting that RWD #4 be contacted regarding help with this project.

Motion by Commissioner Hanning to split the agreement for engineering costs and utility costs. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

XI. New Business in accordance with 25 O.S. §311 A.

- A. Monty Proctor informed the Board that \$509,675 has been awarded for the Railroad Creek Project, and construction will begin soon.
- B. Monty Proctor informed the Board that two projects for debris removal from 2007 through ODOT remain open. Commissioner Hanning has roads in District 1 that still need to be cleaned. Mr. Proctor instructed him to go through the standard claim process to request money from ODOT.
- C. Jaison Scott, Emergency Management Director, informed that Board that federal money has been received for a \$20,000 weather radio project. A plan has not yet been set for distribution to the public of the approximately 800 radios, and the process must go out for bid.
- D. Monty Proctor stated that StoneBluff Senior Citizen Trust Authority has executed easement documents and needs to purchase construction supplies. This project is through a grant, so receipts must be turned in for reimbursement. Commissioner Kelley suggested purchasing items from District 3, with the reimbursement funds being sent back to District 3.

XII. Announcements.

- A. Carolyn Kusler informed the Board that the Excise Board meeting and Tax Roll Corrections meeting scheduled for this afternoon has been canceled. The Excise Board will meet in a Special Meeting on Thursday, January 27th,

2011 at 1:00pm. The Tax Roll Corrections meeting will be held February 7th, 2011.

- XIII. Public Comment: Limited to specific items listed on the Agenda or items related to County business or services. Each speaker is limited to three (3) minutes. – None.
- XIV. Executive Session.
 - A. Motion by Commissioner Kelley to enter into Executive Session pursuant to Title 25, O.S. §307(B)1 regarding the employment or demotion of the Wagoner County Emergency Management Director. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
 - B. Motion by Commissioner Kelley to reconvening into Open Session at 11:38am. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- XV. Motion by Commissioner Kelley to take no action regarding the employment or demotion of the Wagoner County Emergency Management Director. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- XVI. Motion by Commissioner Hanning to take no action act this time regarding the employment or hiring of the Wagoner County Emergency Management Director. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
Motion by Commissioner Hanning to recess for lunch until 12:45. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried. The Board reconvened at 12:48pm.
- XVII. Purchase Orders
 - A. Motion by Commissioner Hanning to cancel purchase order numbers 172, 3299, & 4228. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
 - B. Motion by Commissioner Hanning to approve blanket purchase order number 4147. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
 - C. Motion by Commissioner Hanning to approve calendar claims. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

XVIII. The Board met with the Courthouse Officers and department heads for the 2011 Personnel Manual review. The following items were discussed:

- Monetary over time versus comp time
- Sick time cap
- Definition of work day by hours, breaks, and lunch break
- Definition of exempt versus non-exempt employee
- Distribution of payroll monthly versus bi-monthly
- Payroll adjustment to avoid payment of wages before hours have been worked

Motion by Commissioner Kelley to award comp time versus monetary overtime to every office, with exception to the Election Board. This motion died due to lack of a second. The policy currently allows for this decision to be made by the elected official or department head.

Motion by Commissioner Hanning to implement a half hour unpaid lunch break, as well as two fifteen minute breaks for each office. Each official may implement a different schedule to accommodate an hour for lunch or grant combining break time with lunch time to allow for an hour. The latter will be done only on an exceptional basis. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

XIX. Motion by Commissioner Hanning to recess at 4:05pm. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

Presented and approved by the Wagoner County Commission on this 31st day of January, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

(not present)
CHRIS EDWARDS, MEMBER

ATTEST CAROLYN KUSLER
WAGONER COUNTY CLERK

By: