

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Tuesday, February 22nd, 2011

The Board of Wagoner County Commissioners met with James Hanning, Chairman; Tim Kelley, Vice-Chairman; Chris Edwards, member; Carolyn Kusler, County Clerk; and Bobbi Fears, 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 February 18th, 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:00am.
- II. Roll Call – All members present.
- III. The pledge of allegiance was led by Commissioner Edwards. The prayer was led by Charlie Gann.
- IV. The Board discussed the following minutes of Commission meetings:
 - A. Motion by Commissioner Hanning to approve minutes of Regular meeting held January 31st, 2011. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
 - B. Motion by Commissioner Kelley to approve minutes of Emergency meeting held February 7th, 2011. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
 - C. Motion by Commissioner Hanning to approve minutes of Regular meeting held February 14th, 2011. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- V. Financial Matters
 - A. Motion by Commissioner Kelley to approve deposits. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
 - B. Motion by Commissioner Edwards to approve payroll. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.

- C. Motion by Commissioner Hanning to approve special payroll. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- D. Motion by Commissioner Kelley to approve highway appropriations. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- E. Motion by Commissioner Edwards to approve Detention Transportation Claim for January 2011 in the amount of \$732.24. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
- F. The Board discussed the income to debt ratio for Taylor Ferry Fire Department. Motion by Commissioner Hanning to approve James Hodge Ford Lincoln Mercury, Inc. lease purchase agreement for a 2011 Ford F450 DRW for the Taylor Ferry Fire Department. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- G. Motion by Commissioner Edwards to approve payment of \$4,750.00 to USDA for Wildlife Damage Management for October–December 2010. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.
- H. Motion by Commissioner Edwards to approve \$250 burial assistance to Add’Vantage Funeral and Cremation Service for services of Louis D. Sweeden. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
- I. Motion by Commissioner Kelley to approve payment of the following invoices for juvenile services in January 2011:
 - 1. Craig County Regional Detention Center in the amount of \$1,633.92.
 - 2. Muskogee County Regional Juvenile Detention Center in the amount of \$721.37.
 - 3. Sac & Fox Nation in the amount of \$654.41.
 - 4. Sequoyah Enterprises, Inc, Talihina (located in LeFlore County) in the amount of \$441.94.
 - 5. Tulsa County Detention Home in the amount of \$157.28.Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.

- VI. Motion by Commissioner Edwards to receive January 2011 reports for the following:
- A. Court Clerk
 - B. E-911
 - C. StoneBluff Fire Department
 - D. Tallahassee Volunteer Fire Department
 - E. Wagoner Fire Department
- Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
- VII. Motion by Commissioner Hanning to send third amended petition in Deutsche Bank National Trust Company versus Wagoner County in case no: CJ-2010-568 to the District Attorney's office. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- VIII. Action Items
- A. Motion by Commissioner Edwards to approve Resolution 2011-018 to surplus an overhead projector from the County Clerk. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
 - B. The Board discussed the fairgrounds facility and the OSU Extension offices, including construction or remodel.
Alan Parnell, OSU Extension, informed the Board that a plumber determined the waterlines on the facility are in working order. The pumper was clogged, but has been cleaned & the issue is now resolved. Portable commodes were not used.
Susan Williams, Fair Board, informed the Board that the leaking is from deteriorated toilet rings. The toilets are old and need to be replaced. In addition, the distance of the waterlines to city's line is lengthy and the flow is not always downhill.
Commissioner Hanning suggested evaluating the pros and cons of continuing with this facility and requested ideas regarding the possibility of an offsite facility for the fair barn. Mr. Parnell suggested that Wagoner communities work together to design a multi-use facility. Commissioner Kelley suggested a facility such as the Pittsburg County Expo.

Motion by Commissioner Kelley to allow Commissioner Hanning to look at funding resources, and conduct a feasibility study for an all-purpose event center. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.

- C. Ben Adams addressed the Board regarding the need for emergency funding for water bills due to busted water lines in the Town of Tullahassee, as well as funding for waterline upgrades. Mr. Adams informed the Board of recent incidents causing a financial strain on the town. Commissioner Kelley suggested the use of grants through the town council. Mr. Adams stated that grant provisions have been frozen until an audit is performed, which has not been done due to a lack of funds. Jim Hargrove stated the former Board of Commissioners gave Tullahassee \$1,000 to get the audit done.

Commissioner Edwards suggested the use of an engineer to do a study on the lines to prevent additional problems. Commissioner Hanning agreed, stating that more information is needed regarding Tullahassee's financial status before any decision can be made.

Motion by Commissioner Hanning to utilize the County Engineer to determine waterline usage capacity and meter mapping, and ask ADA John David Luton to assist in getting the audit conducted. Motion seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

- D. The Board discussed the following regarding the Alcatel-Lucent phone system:

1. Equipment and maintenance issues.
2. Service calls.
3. Cost savings.
4. Recent damage to the installation.
5. Operation and service of the phone system.

Commissioner Hanning questioned Bode Wilson, President of Green County Communications and VIP Technologies, regarding installation of the phone system. Savings promised to the County were not provided until five months after installation. Windstream Communications provides phone service to the Courthouse and it is their responsibility to disconnect lines that are no longer in use. Mr. Whitlock, who is no longer

with Green County Communications, had informed the County that he would handle the Windstream Communications account. Mr. Wilson stated he would get an authorization letter from the County and review the accounts for savings.

Commissioner Hanning expressed concern that service calls would become more than the savings. Mr. Wilson explained that in the prior year, the County paid \$18K for service calls versus the \$14K in the first year that services were provided by Green Country Communications and that we should realize a payback on our investment within six years. Transition to the barns will equal another savings.

He expressed a need to have a solo point of contact with the Courthouse. Motion by Commissioner Kelley to utilize Judy Elliot as lead contact with Green Country Communications. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried. Ms. Elliot will provide access to the telecommunications closet whenever it is needed.

Mr. Wilson informed the Board of the \$13,000–15,000 cost for damage repairs from the winter storm. This should be covered by ACCO.

Commissioner Hanning suggested training someone for in house technical repairs. Ms. Elliot is to go over the maintenance contract and include the savings we would realize if we provide the diagnostic services in house.

- E. Motion by Commissioner Kelley to participate in the ODOT Trash Off on April 16th, 2011. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.
- F. Judy Elliot, E-911 Coordinator, addressed the Board regarding appointment of a County Commissioner on the county 911 Advisory Board. Motion by Commissioner Hanning to continue use of Commissioner Edwards to serve in that capacity. Motion seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.
- G. Motion by Commissioner Kelley to approve labor waiver of agreement for discarded rock at 924 West 90th St N in Wagoner. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.

H. Commissioner Hanning explained the need for acceptance into county road system of additional 400' of 91st west of the water facility entrance. RWD#4 has agreed to assist with the cost to improve that road system. Motion by Commissioner Edwards to accept the additional 400' of 91st as described by Commissioner Hanning. Motion seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

Motion by Commissioner Hanning to recess at 11:28am for five minutes. Seconded by Commissioner Kelley. Motion carried. The meeting came back into session at 11:34am.

I. The Board discussed bore crossings for RWD#4 road project with Scott Brians, County Inspector. Mr. Brians has approved four additional permit requests. Motion by Commissioner Hanning to approve all bore crossings except on 71st. Motion seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.

J. Monty Proctor, County Engineer, updated the Board regarding the current five year bridge plan. Commissioner Hanning would like to participate with District 1 funds and work with District 3 in rebuilding the 91st Street bridge. Mr. Proctor presented building options and quotes for the work, including time frames for completion. A meeting with Commissioner Kelley, Tim Weaver, and Mr. Proctor was set for Thursday for discussion of details.

IX. Old Business.

A. Motion by Commissioner Hanning to accept extension of the filing period for the Fair Board election through February 25th, 2011. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

B. Carolyn Kusler presented quotes to the Board for snow removal for Courthouse premises, to include the Election Board lot. A citizen in the gallery informed the Board of a possible vender located in Coweta. Mrs. Kusler will obtain contact information.

C. Motion by Commissioner Kelley to table any action regarding a tractor for the Courthouse. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.

- D. The Board discussed the Wagoner County Educational Facilities Authority audit and Board membership. The process needs to begin for the annual audit due March 2011. This audit will be paid by the Bixby school system.

Jim Hargrove informed the Board of the need for a resignation letter from Jerry Hefner. Laura Miller is still active as the secretary for the authority. Mr. Hargrove suggested appointing two trustees to the authority.

Motion by Commissioner Hanning to table any action until a board is established for the authority. Seconded by Commissioner Edwards. With all members present, all voted aye.

- E. The Board discussed the following annual audit:
1. Wagoner County Educational Facilities Authority annual audit fees. This item was tabled with item 9D.
 2. State auditor fees. Carolyn Kusler informed the Board that the \$6,686.03 invoice has been paid. The audit was requested to clarify concerns regarding the school being built in Tulsa County.

- F. The Board discussed award of Bid #21 for a heart monitor/defibrillator for the Broken Arrow Fire Department. The only bid received by the due date was a decline to bid. The following day, an additional bid was received. It arrived late due to mailing delays from the snow storm. Verification was provided showing the package was sent on February 8th, 2011 for overnight delivery. The following bid was opened:

- PhysioCorporation, Inc. \$40,540.00

Motion by Commissioner Hanning to table any action to allow time for the fire department to review. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

- G. Motion by Commissioner Kelley to accept the final plans for the StoneBluff Senior Citizen Center. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.

- H. The Board discussed the Fire Sales tax, City of Coweta's proposal to reduce their fire response area, and the possibility of an additional fire station. Coweta citizens were present to voice their concerns and inquire what the County is doing to help. The County has been in contact with the City of Coweta to work towards a solution. Commissioner Hanning shared ideas and goals, including the possibility of using grant funds and

other resources to build one or two additional stations. He assured those present that their fire protection will not be lost.

Commissioner Hanning is meeting with Coweta on Thursday.

Jackie Carner from EODD stated that jurisdiction within the void needs to be determined to ensure immediate coverage. The current fire districts will assume the territory. An agreement between the Board of Commissioners and City of Coweta is needed so that all calls coming from outside the city can be routed to the Wagoner County call center. All the mutual aid agreements need to be reviewed and updated.

Mr. Carner will gather information regarding the number of fire calls made by Coweta to see if they can quantify the line they set. If they cannot, they need to pull back to their city limits. Commissioner Hanning will set up a special meeting with the fire department and Coweta City Council to work out the re-districting boundaries and to consider utilizing Coweta's fire sales tax monies.

Motion by Commissioner Hanning to have the County Clerk office notify the Chairman of the Board when Coweta attempts to encumber funds from the fire sales tax. Motion seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

- I. Tom Knutson addressed the Board regarding the costs for environmental testing for property of Clifford West. Mr. Knutson presented a proposal to evaluate the facility, collect soils & ground water samples, and identify any potential hazards leaving the site. Commissioner Hanning stated more information will be gathered, and this item will be placed on the next agenda to approve scheduling of site reconnaissance. Costs will be anywhere from \$3,500-\$7,500.

The Board discussed who should be responsible for payment of the study. Commissioner Edwards stated concern regarding tax dollars already lost due to lack of permitting and improper zoning on the part of Mr. West.

Motion by Commissioner Hanning to recess 45 minutes for lunch at 2:00pm. Seconded by Commissioner Edwards. With all members present, all voted aye. Motion carried.

The meeting was called back into session at 3:04pm.

- X. New Business in accordance with 25 O.S. §311 A. - None.

- XI. Announcements.
- A. Carolyn Kusler informed the Board that Blue Cross Blue Shield has not yet entered insurance information for the new year. For this reason, employees are being told they are not covered when they visit the doctor. Dyan Marrs can be contacted when this occurs, and can fax over documents to prove coverage.
- Also, the problem with retirees was due to a Blue Cross Blue Shield employee holding checks. Kim Fulps has requested for that employee to be off the Wagoner County account.
- B. The storage give-away public view was held today, and no one viewed the items. An employee from OSU Extension submitted the only bid received for the items. ADA John David Luton suggested holding the bid due to legal concerns.
- Any remaining items from the give-away can be donated to Goodwill.
- Motion by Commissioner Kelley to cancel special meeting scheduled for Wednesday, February 23, 2011. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
- XII. 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.
- XIII. Purchase orders
- A. Motion by Commissioner Edwards to cancel purchase order numbers 3001 & 4573. Seconded by Commissioner Hanning. With all members present, all voted aye. Motion carried.
- B. Motion by Commissioner Hanning to approve blanket purchase order numbers 4691, 4699, 4734–4738, & 4757. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.
- C. Motion by Commissioner Edwards to approve calendar claims. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried
- XIV. Motion by Commissioner Hanning to recess at 5:35pm. Seconded by Commissioner Kelley. With all members present, all voted aye. Motion carried.

Presented and approved by the Wagoner County Commission on this 28th day of February, 2010.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST CAROLYN KUSLER
WAGONER COUNTY CLERK

By: