

## MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, March 14<sup>th</sup>, 2011

The Board of Wagoner County Commissioners met with James Hanning, Chairman; Tim Kelley, Vice-Chairman; Carolyn Kusler, County Clerk; and Bobbi Fears, Secretary. Chris Edwards, Member, was absent. 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 March 11<sup>th</sup>, 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 - Commissioner Hanning and Commissioner Kelley were present. Commissioner Edwards was absent.
- III. The pledge of allegiance was led by Bobbi Fears, Secretary. The prayer was led by Carolyn Kusler, County Clerk.
- IV. The Commissioner's reviewed the following minutes of Commission meetings:
  - A. Motion by Commissioner Kelley to approve the amended minutes from February 22<sup>nd</sup>, 2011. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  - B. Motion by Commissioner Kelley to approve the amended minutes from February 28<sup>th</sup>, 2011. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  - C. Motion by Commissioner Hanning to approve the minutes from March 7<sup>th</sup>, 2011. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- V. Financial Matters
  - A. Motion by Commissioner Kelley to approve deposits. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  - B. The Board sought legal council from ADA John David Luton regarding District 2 a assuming Lease Purchase Agreement from Atoka County through Warren CAT for a Caterpillar Grader. Motion by Commissioner

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Kelley to table any action to allow ADA John David Luton more time for review. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.

- VI. Motion by Commissioner Hanning to receive February 2011 reports for the following:
- A. E-911
  - B. Election Board
- Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- VII. Motion by Commissioner Kelley to send Motion to reconsider in Solomon, L. versus Wagoner County in Case No. CJ-07-173 to the District Attorney's office. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- VIII. Action Items
- A. Sandy Hodges requested four reserved spaces for Visual Inspection vehicles in the parking lot. Commissioner Kelley expressed concern for lack of parking for citizens if four spots were permanently reserved in the south lot, especially considering that these four spots would likely be empty during working hours. Four spots may be able to be marked in the east lot, near the Storage Facility. Mrs. Hodges stated she will discuss this with her staff and speak with the Board again if necessary. No action was taken.  
Larry Wilkenson, Election Board Secretary, asked the Board to consider the lot north of the Election Board. It could be used for additional parking for Courthouse operations.
  - B. Motion by Commissioner Kelley to make the following appointments to the Wagoner County Fair Board from District 3:
    - 1. Nana Snow for a 3-year term.
    - 2. Dan David for a 2-year term.Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  - C. Motion by Commissioner Kelley to accept resignation of Emergency Management Director as of 03-18-2011. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.

- D. Motion by Commissioner Hanning to approve Labor Waiver of Agreement to dump dirt off county right-of-way at 7291 S 273<sup>rd</sup> E Ave in Broken Arrow. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- E. Tom Campbell from the DAV addressed the Board regarding the need for installation of insulation in DAV building. Projected cost is estimated to be \$300-\$500. Motion by Commissioner Hanning to approve installation of insulation to be paid out of the Use Tax account. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- Sheriff Bob Colbert offered the use of volunteers from his department to possibly reduce the labor cost.
- F. Motion by Commissioner Hanning to approve Form 100 for purchase of equipment on County Road Machinery and Equipment Revolving Fund for District 3. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- G. The Board opened and received the following bids for Bid #22 (re-bid) for Extrication Equipment for Stone Bluff Fire Department:
- Chief Fire and Safety           \$15,510.00
  - Wayest Safety, Inc               \$20,117.00
- Motion by Commissioner Hanning to table any action and forward the bids to Stone Bluff for review. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- H. Barbara Albritton spoke to the Board and all present regarding the following items for the 2011 CDBG:
1. A public hearing for application was opened. After no comments or questions, Commissioner Kelley made a motion to close the public hearing. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  2. Motion by Commissioner Kelley to adopt the Citizen Participation Plan. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
  3. Motion by Commissioner Hanning to select an additional fire station for the 2011 CDBG project. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

4. Motion by Commissioner Hanning to adopt CDBG Resolution 2011-022. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
5. Motion by Commissioner Kelley to authorize Chairman Hanning to execute any additional 2011 CDBG application documents. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.

Barbara Albritton spoke with the Board regarding Wagoner County 2009 INCOG REAP project. The project formerly applied for in 2009 was for a 911 call center. However, the qualifying project must only serve an unincorporated portion of the County and serve a population under 7,500. Motion by Commissioner Kelley to utilize this grant for a tower in Yonkers instead. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried. The next step is to perform an income survey. 51% of the beneficiaries of this grant must be low income.

IX. Old Business.

- A. Motion by Commissioner Kelley to appoint himself as member of the Wagoner County Board of Health, and sign the oath. Motion seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- B. Motion by Commissioner Hanning to table any action regarding Green Country Communications maintenance contract, including the telecommunications authorization letter. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- C. Motion by Commissioner Hanning to table any action regarding the BKL proposal for the Courthouse project. The Commissioners would like to review the budget for the Renovation Account. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- D. Motion by Commissioner Hanning to accept receipt of acceptance letter to award Bid #19 for a pull truck/tractor for District 2 to Mack Truck. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

- E. The Board spoke with Scott Brians, County Inspector, regarding Planning & Zoning Commission. Commissioner Hanning requested a report of permits that have been requested and also those that have been issued. Mr. Brians submitted the reports. Motion by Commissioner Hanning to table any action. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- F. Sheriff Bob Colbert explained the need for funding for additional personnel and equipment for the Sheriff's department. \$300K was authorized for the Sheriff's Department from the Use Tax account in 2009. \$175K was transferred and used; \$125K was left to be used as needed. The use of \$125K would bring the Sheriff current and serve to replace the missing personnel. The Excise Board has approved the request. \$53K is needed for each employee with equipment, and there is currently \$594K in the account with \$1K coming out per month for donation to Wagoner Area Neighbors.  
Motion by Commissioner Hanning to approve request for two additional personnel for the Sheriff's Department, including equipment to outfit the new personnel. Funds are to be paid from the Use Tax account. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- G. Motion by Commissioner Hanning to table any action regarding the Armed Forces Reserve Center road project, including revised Interlocal Agreement. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
- H. The Board discussed options regarding Rolling Hills Fire District current coverage area and possible expansion of the ad valorem base. Carolyn Kusler spoke with the Treasurer and stated that once boundaries are set by the vote of the people, and as houses are added within the area, the ad valorem automatically is applied. There was a petition for some sections to be removed, but was not technically voted out by the people.
- I. Bryan Fox, Rolling Hills Fire Chief, submitted a proposal to expand Rolling Hills coverage area to fill the void created by Coweta pulling back their response area. There is a building available for lease which could serve as a fire station in the 257<sup>th</sup> and 141<sup>st</sup> St. area. Commissioner Hanning gave an overview of the proposal and the ideal location for the new station is on LoneStar between Highway 51 and 111<sup>th</sup> . or one mile

north. These stations, along with one at the District One Maintenance Facility, will meet the 5-mile radius requirements. Rolling Hills FD wants to add the new territory to their ad valorem base. This would be easier than creating a new Title 19 Fire Department. To establish one new fire station rather quickly, the County could lease the building in question for one year. Utilities and maintenance of the facility would be the responsibility of the Fire Department and the Fire Trust Authority.

Commissioner Kelley made a motion to table this decision until he could look at the building. Commissioner Hanning seconded the motion. With two members present, both voted aye. Motion carried.

Larry Miller stated concern that some citizens may not approve of the station being Rolling Hills, and that he is researching funding through the Creek Nation.

A letter will be drafted and sent out stating Wagoner County is creating a solution for the void, and verifying that Coweta will continue services as they currently are until May 16<sup>th</sup>, 2011, as previously agreed.

- J. The Board continued discussion from item IX-H, including the Coweta fire line, possible new coverage area, and possible new fire station.

Motion by Commissioner Hanning to accept the recommendation of all the fire departments regarding the new service areas. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

Motion by Commissioner Hanning to begin investigation of cost associated with establishing a fire station at the District 1 maintenance facility. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

X. Executive Session

- A. Motion by Commissioner Hanning to consider Executive Session at 10:10am, pursuant to Title 25, O.S. §307(B)4, regarding a pending Planning & Zoning claim or action against the County. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

- B. Motion by Commissioner Hanning to reconvene into Open Session at 11:03am. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

XI. New Business in accordance with 25 O.S. §311 A. – None.

- XII. Announcements. – None.
- 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.  
Motion by Commissioner Hanning to recess one hour at 12:03pm for lunch. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.  
Motion by Commissioner Hanning to reconvene at into open session at 1:15pm.
- XIV. Purchase orders
  - A. Motion by Commissioner Hanning to disapprove cancellation of purchase orders due to an error on the agenda. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
  - B. Motion by Commissioner Hanning to approve blanket purchase order number 5196. Motion seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.
  - C. Motion by Commissioner Kelley to approve calendar claims. Seconded by Commissioner Hanning. With two members present, both voted aye. Motion carried.
- XV. Motion by Commissioner Hanning to recess at 2:25pm. Seconded by Commissioner Kelley. With two members present, both voted aye. Motion carried.

Presented and approved by the Wagoner County Commission on this 21<sup>st</sup> day of March, 2011.

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JAMES HANNING, CHAIRMAN

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TIM KELLEY, VICE-CHAIRMAN

ATTEST CAROLYN KUSLER  
WAGONER COUNTY CLERK

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CHRIS EDWARDS, MEMBER

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By: