

## MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, April 11<sup>th</sup>, 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 April 8<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 - All members present.
- III. The pledge of allegiance was led by Carolyn Kusler. The prayer was led by Judy Elliott.
- IV. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve minutes of Commission meeting held April 4<sup>th</sup>, with a correction to Item IX - B, paragraph 2, to replace the words "Commissioner Edwards proposed" with: "Commissioner Edwards presented a proposal on behalf of his constituents", and with the correction of Item XVII, to read: "Seconded by Commissioner Edwards". With all members present, all voted aye. Motion carried.
- V. Financial Matters
  - A. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards 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 appropriations. With all members present, all voted aye. Motion carried.
  - C. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve Appropriation Ledger for Fire Departments. With all members present, all voted aye. Motion carried.

D. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to transfer funds for the Election Board as follows:

1. \$5000.00 from Part Time to Salary.
2. \$5000.00 from Maintenance and Operations to Capital Outlay

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

#### VI. Reports

A motion by Commissioner Kelley and seconded by Commissioner Edwards to approve reports for the following:

- A. Planning and Zoning Financial Report for the month of March 2011.
- B. Engineer Report for the week of April 4<sup>th</sup>, 2011
- C. 911 Report for the month of March 2011
- D. Tullahassee and Flat Rock for the month of March 2011
- E. Assessor Report for the month of March 2011
- F. County Clerk Report for the month of March 2011
- G. Treasurer Report for the month of March 2011
- H. Sheriff Report for the month of March 2011

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

#### VII. Legal Items

A motion by Commissioner Hanning and seconded by Commissioner Edwards to forward Case No. CV-2011-34 to the District Attorney. With all members present, all voted aye. Motion Carried.

#### VIII. Action Items

A. A motion by Commissioner Kelley and seconded by Commissioner Hanning to approve Labor Waiver Agreements as follows:

1. Clean Fence Row and Dump Dirt along 231<sup>st</sup> Street and 2 miles South along 251<sup>st</sup> Street South

B. Dump Wood Chips at 5685 South 281<sup>st</sup> East Ave.

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

C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve a request from County Clerk to hold a bake sale on Thursday, April 14<sup>th</sup>, in the Courthouse hallway at 7:45 A.M. to raise funds for Relay for Life. With all members present, all voted aye. Motion Carried.

D. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the Sheriff Department's request for renewal for Oklahoma Highway Safety Office grant for traffic enforcement. With all members present, all voted aye. Motion Carried.

IX. Old Business.

A. A motion was made by Commissioner Edwards to approve the request of the Excise Board to transfer \$6,500.00 from (C-37) Economic Development Fund. The motion died due to lack of a second. A motion was made by Commissioner Kelley to approve the transfer of \$6500.00 from Commissioners Use Tax to Juvenile Drug Court to fund Juvenile Drug Court through the end of this fiscal year. With all members present, all voted aye. Motion Carried.

B. No action was taken regarding CJ-2010-212 31<sup>st</sup> LLC vs. Board of County Commissioners and item will be removed from the Agenda until further notice.

C. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to choose the top five applicants for the position of Wagoner County Emergency Management Director at Board of County Commissioners Meeting on April 18<sup>th</sup>, 2011, and post a Special Meeting of the Board of County Commissioners April 26<sup>th</sup>, 2011 to interview those applicants. With all members present, all voted aye. Motion Carried.

D. The Board discussed temporary location for the Rolling Hills Fire Department.

A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to request a letter of approval to move equipment to the temporary location from the Board of the Rolling Hills Fire Department and that letter be submitted to the Board of County Commissioners. With all members present, all voted aye. Motion Carried.

Larry Miller updated the Board regarding the progress of getting signatures for the Petitions to create new Fire Districts. Assistant District Attorney John David Luton stated that only land owners could sign the petitions; and only residents living in the affected area could vote on the

matter. All signatures must be validated before proceeding with any County-wide publication (along with a map of the affected area).

Larry Miller announced that there will be a meeting regarding this matter on April 21<sup>st</sup>, 2011, at 7 P. M. at the Shahan Church and a meeting for the East side will be held on April 14<sup>th</sup>, 2011, at the Lone Star Baptist Church.

- E. Regarding the Lease Agreement between Wagoner County and Rolling Hills Community Center, Inc., Assistant District Attorney John David Luton stated that he had reviewed the Lease and the Lease is in order. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the Lease Agreement between Wagoner County and Rolling Hills Community Center, Inc. With all members present, all voted aye. Motion Carried. Commissioner Hanning will secure the Rolling Hills Community Center signatures.
- F. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve language in the Personnel Handbook to reflect the ACCO policy regarding continuation of health insurance benefits while on disability for up to twelve months. With all members present, all voted aye. Motion Carried.
- G. The Board discussed the proposed Personal Days Off policy. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the document with the changes as follows: Eliminate sentence in reference to 10 days off, and add the wording "at the discretion of the elected official", at the end of the statement regarding half-day increments. With all members present, all voted aye. Motion Carried.
- H. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve the letter of reprimand for Brenda Robertson. Commissioner Edwards objected to the wording, voting nay. Motion carried.

X. There was no New Business in accordance with 25 O.S. §311 A.

XI. Announcements.

Commissioner Kelley stated that there are concerns about whether to adopt fire bans in the County. Commissioner Kelley further stated that he had talked to 10 out of 14 Fire Departments and it was recommended that the

County should adopt a fire ban. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to place this item on the April 18<sup>th</sup>, 2011, Agenda. With all members present, all voted aye. Motion Carried.

XII. There was no Public Comment.

XIII. Purchase Orders

A. A motion was made by Commissioner Hanning 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 Hanning and seconded by Commissioner Kelley to approve the following blanket purchase orders: #5857, #5858, #5859, #5782, #5783, #5784, #5830, #5821, and #5839. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to disapprove blanket purchase order #5841. With all members present, all voted aye. Motion Carried.

C. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve Calendar claims. With all members present, all voted aye. Motion Carried.

XIV. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to recess the meeting at 12:32 P.M. With all members present, all voted aye. Motion Carried.

Presented and approved by the Wagoner County Commission on this 25<sup>th</sup> day of April, 2011.

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JAMES HANNING, CHAIRMAN

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TIM KELLEY, VICE-CHAIRMAN

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CHRIS EDWARDS, MEMBER

ATTEST CAROLYN KUSLER  
WAGONER COUNTY CLERK

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By: