

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, May 23rd, 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 May 20th, 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 Hanning. The prayer was led by Pam Wood.
- IV. Minutes
 - A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table minutes of Commission meeting held May 9th, 2011. With all members present, all voted aye. Motion carried.
 - B. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table minutes of May 16th, 2011. 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 Edwards and seconded by Commissioner Hanning to approve payroll. With all members present, all voted aye. Motion carried.
 - C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Highway Appropriations with a check on District One's numbers. With all members present, all voted aye. Motion carried.

D. Transfer of Appropriations for the Assessor's office were approved as follows:

1. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve transfer from Visual Inspection Travel Account to Visual Inspection M & O Account in the amount of \$3,000.00. With all members present, all voted aye. Motion Carried.

2. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve transfer from Assessor's Travel Account to M & O Account in the amount of \$900.00.

E. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table Assessor's request for transfer of funds from Capital Outlay to pay for two (2) CPUs. With all members present, all voted aye. Motion Carried.

F. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve the invoice from Tulsa County Juvenile Bureau for the month of March, 2011 in the amount of \$1,494.16.

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

VI. Reports

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to accept the following reports:

A. Planning and Zoning for the week of May 16th, 2011.

B. Engineer for the week of May 16th, 2011.

C. 911 for the week of May 16th, 2011.

D. Emergency Management for the week of May 16th, 2011.

E. Tullahassee Volunteer Fire Department from April 1, 2011 through April 30, 2011.

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

VII. Action Items

A. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Sheriff's Office request to designate Gary Handley as Requisition Officer for Accounts C43-Sheriff, C04, C06, C06-CS, C06 Donations, C15, C17, C18, C19, C20, C40, 04-1A thru 04-6, G6, OHSO Grant, and Jag Grant, effective May 12, 2011 for the fiscal year 2010-2011.

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

- B. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve request for the Emergency Management Office to designate the following People as Receiving Officers for Accounts C32-1A thru C32-2, effective May 18, 2011:
1. Heath Underwood
 2. Shoni Johnson

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

- C. A Motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Detention Services Agreement with Tulsa County Juvenile Bureau/Detention Home at the rate of \$39.32 per juvenile, per day.
- D. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve the following Labor Wavier:
1. Clean out ditch, clean fence row, slope bank, burn and bury brush off county right-of-way at 191st Street South and 218th E. Ave, Stone Bluff, Doug Owens Property.

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

- E. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the State-Local Disaster Assistance Agreement NOAA Weather Radio Project. With all members present, all voted aye. Motion Carried.
- F. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve memorandum of Agreement between the Board of County Commissioners and the Wagoner County Conservation District. With all members present, all voted aye. Motion Carried.
- G. Regarding Bid #29 for railroad tank car culvert for District One, the Board received one (1) bid from Railroad Yard Inc. for two (2) used railroad tank car culverts, in the amount of \$12,600.00. A motion was made by Commissioner to Hanning and seconded by Commissioner Kelley to accept the bid from Railroad Yard Inc. With all members present, all voted aye. Motion Carried.
- H. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to go out for bids on backup generator for E-911 dispatch center. With all members present, all voted aye. Motion Carried.

- I. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve request for OSU Extension to put up display in foyer for "Information Day at the Courthouse". With all members present, all voted aye. Motion Carried.

VIII. Old Business

- A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve Contract for Professional Services Agreement No. 1321T between Wagoner County and ODOT. With all members present, all voted aye. Motion Carried.
- B. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table Discussion and possible action regarding Stone Bluff Senior Citizens Center construction documents previously approved by the Trust as follows:
 1. Change Order #1, dated May 10, 2011.
 2. Submittal regarding concrete mix designs.
 3. Submittal regarding foundation and slab reinforcing drawings.

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

- C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards for Attorney Ken Hicks to perform the necessary legalities regarding Title/Ownership issue of the Stone Bluff Community Center Project, for a fee of \$1,500.00. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning to set aside \$500 to have available for updating the abstract.

Attorney Hicks indicated that the necessary amount could be \$1,000.

Commissioner Hanning then withdrew his motion. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to set aside \$1,000 from the Commissioners Use Tax Fund for publication and other costs. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to set aside \$1,500.00 for attorney fees to be paid out of the Use Tax Fund . With all members present, all voted aye. Motion Carried.

- D. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to hold off on the transfer of funds from Economic

Development to Stone Bluff Senior Citizens Center until legal title to the property is settled. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to take a ten minute break at 12:12p.m. With all members present, all voted aye. Motion Carried.

The meeting was reconvened at 12:22p.m.

- E. The Board discussed the expiration of warranty and technical support services on the Alcatel-Lucent phone system. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table the warranty and technical support contract for time to research and understand other options. With all members present, all voted aye. Motion Carried.

IX. Executive Session

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to go into Executive Session at 12:45 p.m. regarding the following item:

- 1. CJ-2010-212 31st LLC vs. Board of County Commissioners.

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

- X. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to reconvene into open session at 1:12 p.m. With all members present, all voted aye. Motion Carried.
- XI. Regarding Case No. CJ-2012-212, 31st LLC vs. Board of County Commissioners, a motion was made by Commissioner Hanning and seconded by Commissioner Kelley to request that Assistant District Attorney Luton correspond with the attorney for Renaissance Park owner indicating terms of acceptance of the roadways and conditions that should be met to settle the lawsuit and relieve the County of future liabilities, and after Assistant District Attorney Luton prepares the letter, to place it on the Board of County Commissioners Agenda for the Board to review. With all members present, all voted aye. Motion Carried.

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

Laura Miller presented a letter sent to Commissioner Hanning from Alicia Hibbets with Oklahoma Department of Commerce, regarding 13775 CDBG 09 Monitoring Visit, May 11, 2011.

XIII. Announcements

Monty Proctor, Wagoner County Engineer presented information regarding leaking windows in the courthouse and the repairs to be made.

XIV. Public Comment. There was none.

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to break for lunch at 1:20 p.m. for one hour. With all members present, all voted aye. Motion Carried.

At 2:35 p.m. Commissioner Hanning brought the meeting back into session.

Commissioner Hanning then went back to XII. New Business.

American Legion Auxiliary members held a children's' poster contest and requested to display those posters on the Courthouse windows for one week. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow the posters to be displayed. With all members present, all voted aye. Motion Carried.

XV. Purchase Orders

A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley 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 Hanning to approve blanket purchase orders #6589, and #6692. 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.

XVI. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to recess at 3:39 p.m.

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

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST CAROLYN KUSLER
WAGONER COUNTY CLERK

By: