

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Tuesday, May 31st, 2011

The Board of Wagoner County Commissioners met with James Hanning, Chairman; Tim Kelley, Vice-Chairman; Chris Edwards, member; Lori Hendricks, First Deputy 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 27th, 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:01 am.
- II. Roll Call – All members present.
- III. The pledge of allegiance was led by Laura Miller. The prayer was led by Commissioner Edwards.
- IV. Minutes
 1. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve minutes of Commission meeting held May 9th, 2011. With all members present, all voted aye. Motion carried.
 2. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve minutes of Commission meeting held May 16th, 2011. With all members present, all voted aye. Motion Carried.
 3. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve minutes of Commission meeting held May 23rd, 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. Transfer of Appropriations as follows:

1. A motion by Commissioner Edwards and seconded by Commissioner Hanning to approve a transfer for Purchasing M & O Account #24-2 to Purchasing Salary Account #24-1A in the amount of \$510.00. With all members present, all voted aye. Motion Carried.
 2. In regard to the request by the Assessor's Office to transfer from General Government Capital Outlay Account #20-3 to Assessor's M&O Account #16-2 in the amount of \$2,969.70, a motion was made by Commissioner Hanning and seconded by Commissioner Kelley to address the \$2,969.70 shortfall at Budget time. Commissioner Edwards pointed out that the Board needs to approve or disapprove as it is listed on the Agenda. Commissioner Hanning then stated he would like to reword his motion to say to disapprove for now the transfer and address it at Budget time. Commissioner Kelley then rescinded his second to the first motion, then seconded the second motion. With all members present, all voted aye. Motion Carried.
 3. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve transfer from Assessor's Visual Inspection Salary Account #17-1A to Assessor's Visual Inspection Insurance and Retirement Account #17-6, in the amount of \$5,000.00. With all members present, all voted aye. Motion Carried.
 4. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve transfer from Election Board M&O Account #22-2 to Election Board Salary Account #22-1A, in the amount of \$2,000.00. With all members present, all voted aye. Motion Carried.
- C. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve the Election Board Salary Reimbursement for the month of April, 2011 in the amount of \$3907.50. With all members present, all voted aye. Motion Carried.
- VI. Reports
- A. Planning and Zoning for the week of May 23rd, 2011.
 - B. Engineer for the week of May 23rd, 2011.
 - C. 911 for the week of May 23rd, 2011.
 - D. Emergency Management for the week of May 23rd, 2011.

E. Oakgrove Fire Department Run Report from January 1, 2011 through April 30, 2011.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to receive reports. With all members present, all voted aye. Motion Carried.

VII. Legal

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to forward the following to the District Attorney's Office:

- A. Case No. CJ-2011-0261, Arvest Bank vs. Howard Custom Homes, LLC and Board of County Commissioners, et al.
- B. Case No. CJ-2008-262 and No. CJ-2008-263, First Priority Bank vs. New Tulsa Properties, LLC and Board of County Commissioners, et al.
- C. Case No. SC-2011-229 Jeff Edwards vs. Wagoner County.
With all members present, all voted aye. Motion Carried.

VIII. Action Items

A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the following Juvenile Detention Contracts for the fiscal year 2011-2012:

- 1. Youth Services of Osage County, Inc. in the amount of \$27.05 per juvenile per day.
- 2. Texas County Juvenile Detention in the amount of \$29.36 per juvenile per day.

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

B. A motion to table Approving or disapproving signing the Amended Decree regarding vacation of roadway approved by Resolution Number 2010-60 was made by Commissioner Edwards. A motion to approve signing the Amended Decree was made by Commissioner Hanning. Commissioner Edwards then rescinded his motion and seconded Commissioner Hanning's motion. With all members present, all voted aye. Motion Carried.

C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the request of Red Bird Fire

Department to designate Clifford Edwards and Ray Holmes as Requisition Officers for Account C35 Red Bird F.D., effective May 10, 2011. With all members present, all voted aye. Motion Carried.

- D. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the request of District one to designate Laura Miller and Noel Crow as receiving officers. With all members present, all voted aye. Motion Carried.
- E. Minutes and audio recording of meetings was discussed by the Board. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to take no action. With all members present, all voted aye. Motion Carried.
- F. The Board discussed Highway Appropriation numbers not matching payroll. Lori Hendricks explained this item to the Board's satisfaction. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to take no action. With all members present, all voted aye. Motion Carried.
- G. Regarding Agreement for Enhanced Emergency Number (E-911) Service, A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table the item so that the Department head can be aware of what is going on and any documents like that need to go to the Department head in the future. With all members present, all voted aye. Motion Carried.
- H. The Board discussed amendments to Subdivision Regulations for posted speed limits in neighborhoods. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to address signs in neighborhoods on a case by case basis. With all members present, all voted aye. Motion Carried.
- I. The Board discussed Declaration of State of Emergency for Wagoner County and participating in State and Federal Assistance. During discussion regarding assistance Commissioner Hanning requested to the Board that a member be present during the briefing of such programs. Commissioner Hanning stated we should take no money from the Federal and State until we know what strings are attached. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to take no action. With all members present, all voted aye. Motion Carried.

IX. Old Business

- A. The Board discussed the following Stone Bluff Senior Citizens Center construction documents previously approved by the Trust:
1. Change Order #1, dated May 10, 2011.
 2. Submittal regarding concrete mix designs.
 3. Submittal regarding foundation and slab reinforcing drawings.
- A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table item A-1,2,and 3. With all members present, all voted aye. Motion Carried.
- B. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table Discussion and possible action regarding legalities of Title/Ownership of Stone Bluff property. With all members present, all voted aye. Motion Carried.
- C. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to put the D.A.V. building (roof) out for bid. With all members present, all voted aye. Motion Carried.
- D. Regarding the expiration of warranty and technical support services provided by Green Country Communications on the Alcatel-Lucent phone system, a motion was made by Commissioner Kelley and seconded by Commissioner Hanning to do research on another Company. With all members present, all voted aye. Motion Carried. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to allow Judy Elliott to meet with other Departments to assess their needs and give her information when researching other prospective companies. With all members present, all voted aye. Motion Carried.
- E. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table discussion and possible action regarding Gray, Blodgett & Company, PLLC audit of the Home Finance Authority and the Wagoner County Development Authority so the Commissioners can be apprised of this item. With all members present, all voted aye. Motion Carried.
- F. The Board discussed OPERS charge of \$6,576.83 to honor full retirement for Billy Laudett. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve payment to OPERS. With all members present, all voted aye. Motion Carried.

- G. The Board discussed Budget and Budget process. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to give Commissioner Hanning the “ok” to dive into that. (*On 06-06-2011 at the Board of County Commissioners Meeting, Commissioner Kelley clarified this motion, stating his understanding was in agreement with Commissioner Hanning that this motion should include fact finding, gathering, procedures, whatever was needed to be done to present to the Board.*) Special Board of County Commissioners Meeting will be held on June 8th , 2011 at 9a.m. to allow elected County Officials to present their estimate of needs for the Budget to the Board of County Commissioners. With all members present, all voted aye. Motion Carried.
- H. Timm Smith with Architectural Materials gave an update on Courthouse window installation and stated that if they get the last windows from the manufacturer, they will complete project this week. Commissioner Hanning asked Mr. Smith to check the drilled holes for weeping. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table any action. With all members present, all voted aye. Motion Carried.
- I. A motion was made by Commissioner Kelley and seconded by Chairman Hanning to sign letter regarding already approved 2011 REAP grant from INCOG for construction at Stone Bluff Senior Citizens Center. With all members present, all voted aye. Motion Carried.
- J. The Board discussed the claim filed with ACCO for Green Country Communications. ACCO will pay the claim if the Board approves it. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve payment by ACCO. With all members present, all voted aye. Motion Carried.
- X. Executive Session
- A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to go into Executive Session Pursuant to Title 25, O.S. §307(B)1 for confidential communications with the attorney regarding employment of the Courthouse Maintenance Supervisor at 10:25 a.m. With all members present, all voted aye. Motion Carried.

XI. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to reconvene into open session at 11:12a.m. With all members present, all voted aye. Motion Carried.

XII. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to take no action regarding the employment of Courthouse Maintenance Supervisor. With all members present, all voted aye. Motion Carried.

XIII. New Business

Mr. Bob Hampton addressed the Board regarding a Housing addition (Voss Valley View) causing flooding on his property. Monty Proctor was familiar with the location and had looked at it last week. The Board told Mr. Hampton that Monty would look at it again and make an assessment. Commissioner Kelley stated to Mr. Hampton that they would see what they can come up with.

XIV. There were no Announcements.

XV. There was no Public Comment.

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to break for one hour at 1:12p.m. With all members present, all voted aye. Motion Carried.

Commissioner Hanning brought the meeting back into session at 2:28p.m.

XVI. Purchase Orders.

A. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning 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 to approve the following blanket purchase orders:

#6695, #6696, #6710, 6847, #6849, #6850, #6851, #6852, #6853, #6854, #6855, #6865, #6866, #6867, #6868, #6869, #6870, #6871, #6872, #6873, 6874, #6875, #6876, #6877, #6878, #6879, #6880, #6881, #6882, #6883, #6884, #6885, #6886, #6887, #6888, #6889, #6890, #6891, #6901, #6902, #6903, #6905, #6906, #6907, #6908, #6909, #6922, and #6923. With all members present, all voted aye. Motion Carried.

C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve calendar claims.

XVII. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to adjourn at 3:42p.m. With all members present, all voted aye. Motion Carried.

Presented and approved by the Wagoner County Commission on this 13th day of June, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST CAROLYN KUSLER
WAGONER COUNTY CLERK

By: