

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, July 11th , 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 July 8th , 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:02am.
- II. Roll Call - All members present.
- III. The pledge of allegiance was led by James Hanning. The prayer was led by Carolyn Kusler.
- IV. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve minutes, with corrections, of Commission meeting held July 5th , 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. Transfers
 1. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the following transfer:
Highway M&O Account T2(1) to Highway Salary Account T-1, in the amount of \$279.84. With all members present, all voted aye. Motion Carried.
 2. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve the following transfer:
Excess Resale Account C-21-EX to Resale Account C-21, in the amount of \$601.75. With all members present, all voted aye. Motion Carried.

- C. Invoices
 - 1. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve payment to County Officers & Deputies Association for annual membership dues in the amount of \$592.00. With all members present, all voted aye. Motion Carried.
 - 2. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve payment to Muskogee Youth Services for in the amount of \$255.97. With all members present, all voted aye. Motion Carried.
 - 3. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve payment to Craig County Regional Detention Center in the amount of \$289.34. With all members present, all voted aye. Motion Carried.
 - 4. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve payment from the General Fund to Signaltek, Inc., in the amount of \$1,362.49. With all members present, all voted aye. Motion Carried.
- D. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve reimbursement for Detention Transportation for the month of June, 2011, in the amount of \$873.15. With all members present, all voted aye. Motion Carried.
- VI. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to accept the following reports with the exception of Item C. Engineer's report:
 - A. Planning and Zoning for the week of July 4th, 2011.
 - B. Emergency Management for the week of July 4th, 2011.
 - C. Engineer for the week of July 4th, 2011.
 - D. 911 for the week of July 4th, 2011.
 - E. 911 for the month of June, 2011.
 - F. Health Dept. for the month of June, 2011.
 - G. Tallahassee Volunteer Fire Department Run Report for the month of June, 2011.
 - H. Stone Bluff Fire Department Run Report for the month of June, 2011.
 - I. Fire Departments appropriation ledger for the month of June, 2011.

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

VII. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to forward the following legal items to the District Attorney:

- A. WCC#2011-06299-Q, Desiree Roberts vs. Wagoner County, et al.
- B. WC060074 Desiree Roberts vs. Wagoner County, et al.
- C. CJ-2011-312, Onewest Bank, FSB vs. County Commissioners, et al.

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

VIII. Action Items

A. Labor Waviers

1. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve: Clean out ditch and slope bank off County right-of-way around F.D. building at Main and Norfolk Streets, Town of Red Bird/Leo Townsell, Mayor, for District Three.

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

2. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve: Clean out ditch and slope bank, and other off County right-of-way at 301 N. Main St., Red Bird Fire Dept./Kenny Herd, Chief, for District Three.

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

3. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve: Stage for construction and dump dirt off County right-of-way at 8521 S. 273rd E. Ave., Steve McBride property, for District One. With all members present, all voted aye. Motion Carried.

B. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table ODOT Notification of County Mileage. With all members present, all voted aye. Motion Carried.

C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve designation of Requisition Officers FY2011-2012, for Account C35 Okay Fire Dept., as follows:

- 1. Chief Terry Gorman
- 2. Assistant Tony Fielder

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

D. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve designation of Receiving Officers for Account C35 Okay Fire Dept. FY2011–2012, as follows:

1. Stephanie Sprener
2. Mike Blackwell

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 following Utility Permits Nos. 1 and 2:

1. No. 2011–3006 Applicant Oklahoma Natural Gas for District Three.
2. No. 2011–3007 Applicant Oklahoma Natural Gas for District Three.

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

F. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table Lease Purchase Agreement between Chief Fire Safety and Wagoner County for Stone Bluff Fire Department until Board could ascertain information regarding payments. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Lease Purchase Agreement between Chief Fire Safety and Wagoner County for Stone Bluff Fire Department, first payment amount of \$405.02. With all members present, all voted aye. Motion Carried.

G. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve request to authorize seed money for Juvenile Offender’s Grant, in the amount of \$15,000.00, to be paid out of Commissioner’s Use Tax Fund. With all members present, all voted aye. Motion Carried.

H. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve request to authorize Charlie Burns to sign Grant Documents. With all members present, all voted aye. Motion Carried.

I. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table until notice, further discussion and possible action involving mobile home installation in mobile home parks. With all members present, all voted aye. Motion Carried.

- J. The Board discussed the condition of the road at 211th Street South in Porter, Oklahoma. Denise Mink, who requested this be placed on the Agenda, was not present. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to take no action regarding condition of road at 211th Street South in Porter, Oklahoma, and leave item off Agenda until the Board hears back from complainant. With all members present, all voted aye. Motion Carried.
 - K. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table until next week discussion and possible action regarding FEMA 48 hour time period and any other updates. With all members present, all voted aye. Motion Carried.
 - L. The Board discussed obtaining outside counsel for the real estate transaction at Yonkers tower site. Judy Elliott, E-911 reported that she had talked to Ken Hicks who would charge \$1,000 to \$2,000 to assist with completing this transaction. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table discussion and possible action regarding outside legal counsel to close Yonkers tower site real estate transaction to allow Judy Elliott, E-911, to obtain at least two more quotes. With all members present, all voted aye. Motion Carried.
- IX. Old Business
- A. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to award Bid #31, for a Standby Generator for E-911, to Power Ready in the amount of \$43,421.00. With all members present, all voted aye. Motion Carried.
 - B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Stone Bluff Senior Citizens Center Change Order #3 to add cabinets back in for \$10,315.00, bringing total cost \$273,794.00. With all members present, all voted aye. Motion Carried.
 - C. No action was taken regarding Estimate of Needs FY2011-2012.
 - D. The Board discussed Budget Maker FY2011-2012. Carolyn Kusler presented a letter from Turner and Associates clarifying the quote of \$5,000.00. Commissioner Hanning suggested the Board call Kerry Patten to clarify his quote of \$5,750.00. A call was made in open

meeting and the receptionist for Kerry Patten stated that she felt the total charge would probably be the \$5,750.00 as quoted. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to go with Kerry Patten. Commissioner Edwards voted nay. With two members voting, motion carried.

- E. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to table discussion and possible action regarding Green Country Communications Maintenance Contract and any other phone system issues to research all issues further. With all members present, all voted aye. Motion Carried. With all members present, all voted aye. Motion Carried.

X. Executive Session

A. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning at 11:35a.m to go into Executive Session to consider the following item:

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

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

- XI. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to reconvene at 11:54a.m. With all members present, all voted aye. Motion Carried.

- XII. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve Assistant District Attorney, John David Luton, to write a letter to 31st LLC for the Board's review. With all members present, all voted aye. Motion Carried.

XIII. New Business

Heath Underwood, Emergency Management Director, presented information regarding safety training by Indian Capital VoTech.

XIV. Announcements

Commissioner Kelley announced that the Porter Peach Festival will be held this week-end, beginning on Thursday to run through Saturday.

- XV. There was no public comment.

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 Kelley and seconded by Commissioner Edwards to approve Blanket Purchase orders #67, #127, #165, #166, #167, #168, #169, #203, and #223. With all members present, all voted aye. Motion Carried.

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

XVII. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to recess at 1:19p.m. With all members present, all voted aye. Motion Carried.

Presented and approved by the Wagoner County Commission on this 18th day of July, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER
WAGONER COUNTY CLERK
