

MINUTES OF WAGONER COUNTY COMMISSION MEETING
Monday, July 25th , 2011 and Thursday, July 28th , 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 22nd , 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 Laura Miller.

Commissioner Hanning then immediately went to XIII. New Business on the Agenda to address an emergency issue. The Wagoner County Courthouse was without water. City Mayor Jennings stated that due to mechanical problems the City was unable to safely chlorinate the water, so by DEQ regulations they were forced to shut down the water supply.

A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to acquire 6 porta-pottys for use by the Sheriff's Office. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to close the Wagoner County Courthouse for the remainder of Monday, July 25th and Tuesday, July 26th , due to lack of water. With all members present, all voted aye. Motion Carried.

Commissioner Hanning then went to IX. Old Business Item G. on the Agenda. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to leave Cross Town Steel Beam Resolution #2011-043 as is, attach

descriptions and move forward, with clarification that we can use beams where they are needed. With all members present, all voted aye. Motion Carried.

Commissioner Hanning then went to IX. Old Business Item H. on the Agenda. The Board discussed re-districting of Wagoner County. Rich Briere, with INCOG presented options for re-districting to the Board and stated that it must be done by October 1st , 2011. The Board received the information and options for their review.

IV. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve minutes of Commission meeting held July 18th , 2011, with correction of date and additional information about Windstream. 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 Kelley 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 all members present, all voted aye. Motion Carried.

D. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve payment of \$250 cremation costs to Serenity Funerals and Crematory for indigent person, Mr. Robert Douglas Cowan, 10473 N. 60th Street East, Wagoner, Oklahoma 74467. With all members present, all voted aye. Motion Carried.

E. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the following Invoice:

1. INCOG in the amount of \$3,500.00 for Stormwater Management Annual Fee for FY2011-2012.

- F. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve transfer from County Clerk M&O Account #10-2 to Court Clerk M&O Account #14-2, in the amount of \$135.00. With all members present, all voted aye. Motion Carried.
- G. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve request for Election Board Reimbursement for the month of June, 2011, in the amount of \$3,907.50. With all members present, all voted aye. Motion Carried.

VI. Reports

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to receive the following reports, with the exception of Item B. Emergency Management report:(Emergency Management report for the week of July 18th , 2011 was received by the Board at the meeting on July 28th , 2011)

- A. Planning and Zoning for the week of July 18th , 2011.
- B. Emergency Management for the week of July 18th , 2011.
- C. Engineer for the week of July 18th , 2011.
- D. 911 for the week of July 18th , 2011.

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

VII. Legal Items

- A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to forward to the District Attorney Case No. 10-30696-DOT, United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, in re: Movie Gallery, Inc., et al. 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 Resolution #2011-044 Burn Ban for Wagoner County for seven days. With all members present, all voted aye. Motion Carried.

B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following labor wavier:

1. Stock pile road material behind the Depot Flea Market, Bruce Heller property.

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

C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Technical Service Support Agreement for defibrillator for Broken Arrow Fire Department, Bid #21. With all members present, all voted aye. Motion Carried.

Commissioner Hanning then rescinded his motion and made the motion to approve Technical Service Support Agreement for defibrillator for Broken Arrow Fire Department, Bid #21, said Agreement to be submitted for re-approval annually. Motion was seconded by Commissioner Edwards. With all members present, all voted aye. Motion Carried.

D. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table Judge Shepherd's request of rearrangement of built-in laminate countertops, re-using existing countertops. With all members present, all voted aye. Motion Carried.

E. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve request from County Clerk to hold a Wellness Fair for County employees on September 8th, 2011. With all members present, all voted aye. Motion Carried.

F. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve press release to announce Wagoner County's website. With all members present, all voted aye. Motion Carried.

G. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to take in the following road into the County Road System:

1. Approximately 575 feet on 289th, between 15th and 16th streets. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table all remaining items until Thursday, July 28th, 2011, at 9:00 a.m. With all members present, all voted aye. Motion Carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to recess until Thursday, July 28th, 2011, at 9:00 a.m. With all members present, all voted aye. Motion Carried.

Commissioner Hanning reconvened the meeting at 9:04 a.m. on Thursday, July 28th, 2011, with all members present. Also present was Carolyn Kusler, County Clerk; John David Luton, Assistant District Attorney; and Char Dubree, Secretary.

Commissioner Hanning went to Action Item VIII.D. on the Agenda. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Judge Shepherd's request of re-arrangement of build-in laminate countertops, re-using existing countertops and to pay Bob's Home Repair (to do the re-arrangement) out of the Courthouse Renovation Fund in the amount of \$350.00. 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 approve ODOT Notification of County Mileage according to documentation provided by the County Engineer. 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 FEMA 48 hour time period and any other updates until Monday, August 1st, 2011.

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

C. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table discussion and possible action regarding publication of Estimate of Needs for FY2011-2012. With all members present, all voted aye. Motion Carried.

- D. Green Country Communications Maintenance Contract and any other phone system issues were discussed by the Board. Green Country has withdrawn their offer of a maintenance contract. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow Judy Elliott, E-911, to contact Alcatel/Lucent to see what our options are. With all members present, all voted aye. Motion Carried.
- E. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve allowing a sign for the Cowboy Church on Fair Ground property. With all members present, all voted aye. Motion Carried.
- F. Monty Proctor, County Engineer gave a final update on the Courthouse window replacement project, stating that the drilled weep holes would not void the warranty with the manufacturer of the windows. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the close out of Courthouse Window Replacement Project. With all members present, all voted aye. Motion Carried.

Monty Proctor gave an update on the need for repair or replacement of Courthouse capstones to avoid future leaks, and to pressure wash the remainder. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to allow Monty to get quotes to have the work done. With all members present, all voted aye. Motion Carried.

X. Executive Session.

- A. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to go into Executive Session Pursuant to Title 25, O.S. §307(B)4 for confidential communications with the attorney regarding 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 Hanning and seconded by Commissioner Edwards to reconvene into open session at 10:02 a.m. With all members present, all voted aye. Motion Carried.

XII. Regarding Cj-2010-212 31st LLC vs. Board of County Commissioners, a motion was made by Commissioner Hanning and seconded by Commissioner Edwards to allow Monty Proctor, County Engineer, to assemble a list of Contractors and submit to 31st LLC and go out for quotes of engineering inspection of same. With all members present, all voted aye. Motion Carried.

XIII. New Business.

The Board discussed the Coweta Fire deadline of August 15th, and again stated that nothing has changed regarding this issue.

XIV. There were no Announcements.

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 Hanning to approve Blanket Purchase orders #428, #481, #482, #483, #484, #485, #511, #512, #513, #527, #528, #529, #530, #531, #532, #533, #534, #535, #536, #537, #538, #539, #540, #541, #542, #543, #544, #545, #546, #547, #548, #549, #550, #551, #552, #553, #554, #555, #556, #557, #558, #570, and #586, #616, #617, #618, #619, and #620.

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

C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve calendar claims, noting that PO#263 stated on invoice from Green Country that the problem was not fixed. With all members present, all voted aye. Motion Carried.

XVII. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to adjourn at 12:16.m. With all members present, all voted aye. Motion Carried.

Presented and approved by the Wagoner County Commission on this 1st day of August, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER
WAGONER COUNTY CLERK
