

MINUTES OF WAGONER COUNTY COMMISSION MEETING

Monday, August 22nd, 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 August 18th, 2011.

Location: Wagoner County Courthouse
County Commissioner's Meeting Room

- I. The meeting was called to order by Chairman Hanning at 9:04am.
- II. Roll Call – All members present.
- III. The pledge of allegiance was led by James Hanning. The prayer was led by Doug Lawson.
- IV. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve minutes, with noted additions, of Commission meeting held August 15th, 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 Kelley to approve deposits. With all members present, all voted aye. Motion carried.
 - B. Invoices:
 1. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve payment to Tulsa County Juvenile Bureau for juvenile detention in the amount of \$1,572.80. With all members present, all voted aye. Motion Carried.
 2. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve payment to INCOG FY-2011 total assessment, which includes Dues in the amount of \$17,994, and

Green County Stormwater Alliance in the amount of \$3,500, for a total amount of \$21,494.

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

VI. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to accept the following reports:

- A. Planning and Zoning for the week of August 15th, 2011.
- B. Emergency Management for the week of August 15th, 2011.
- C. Engineer for the weeks of August 8th and August 15th, 2011.
- D. 911 for the week of August 15th, 2011.
- E. Flat Rock Fire Department for the month of July, 2011.
- F. Toppers Fire Department for the month of July, 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. Case No. SC-2011-229, Jeff Edwards vs. Wagoner County.
- B. Case No. CJ-2011-0416, RCB Bank vs. Robert R. Roberts, Jr. and Wagoner County, et al.
- C. Case No. CJ-2011-204, U.S. Bank National Association vs. Randall White and Wagoner County, et al.

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

VIII. Action Items

- A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the following Labor Waivers:
 - 1. Dump dirt, dump rock, and dump wood chips off County Right-of-Way at 17110 S. 241st E. Ave., Steve Swaringim property, for District Three. (Kelley)
 - 2. Install tin horn off County Right-of-Way at 41315 Hwy 51B, Porter, Oklahoma, Buddy Southerland property, for District Three. (Kelley)
 - 3. Dump dirt off County Right-of-Way at 19838 S. 413th E. Ave., Porter, Oklahoma, Theodore Parker property, for District Three. (Kelley)

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

- B. B. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve Resolution #2011-048, Burn Ban for Wagoner County for seven (7) days.
With all members present, all voted aye. Motion Carried.
- C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table 2010 REAP Contract Closeout Certification. With all members present, all voted aye. Motion Carried.
- D. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table approval or disapproval of signing Lease/Purchase Agreement with ODOT for Equipment for District Three.
With all members present, all voted aye. Motion Carried.
- E. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Utility Permits:
1. 2011-3013 for District Three, Applicant: Wagoner Gathering LLC.
 2. 2011-3012 for District Three, Applicant: Oklahoma Natural Gas.
 3. 2011-2011 for District Two, Applicant: Wagoner Gathering LLC.
- With all members present, all voted aye. Motion Carried.
- F. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to choose Option 1, lump sum payment from Crown Castel for the purchase of a tower owned by Wagoner County in Rolling Hills. With two members voting aye, and Commissioner Kelley voting No, motion carried.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to take a ten minute break at 1:55p.m. With all members present, all voted aye. Motion Carried.

Commissioner Hanning reconvened the meeting at 2:10p.m.

- G. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve joining the national moment of remembrance of the 10th anniversary of September 11th, by Resolution, to approve the sounding of sirens. With all members present, all voted aye. Motion Carried.

- H. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve annual Contract for opening and closing graves for District Three. With all members present, all voted aye. Motion Carried.
 - I. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to take no action regarding Commissioners Sale and 80% of FMV Rule, as requested by Roman Goncharov, RG Consulting, LLC. With all members present, all voted aye. Motion Carried.
 - J. The Board received Abstract of County Government publication from Alan Parnell, OSU Extension.
 - K. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve a Board of County Commissioners Special Meeting on August 30th , 2011, at 1 p.m., in order to attend the Excise Board Meeting with Budget Maker regarding Budget for FY-2011-2012. With all members present, all voted aye. Motion Carried.
- IX. Old Business
- A. Okay Fire Chief Terry Gorman requested to reject bid submitted in Bid #5, for a pumper truck, as the bid did not meet their criteria, i.e. cannot deliver within 60 days, hours and mileage not correct and bidder wanted a down payment. Chief Gorman also requested that Bid #5 be re-bid. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to reject the bid. With all members present, all voted aye. Motion Carried.
 - B. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table discussion and possible action regarding Harris Radio System. With all members present, all voted aye. Motion Carried.
 - C. Rolling Hills Fire Department Chief Bryon Fox requested approval to go out for bids for three trucks. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to go out for bids for three trucks for Rolling Hills Fire Department. With all members present, all voted aye. Motion Carried.
 - D. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table discussion and possible action regarding

- Budget and Budget Process for FY2011–2012. With all members present, all voted aye. Motion Carried.
- E. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table discussion and possible action regarding Courthouse Phone system. With all members present, all voted aye. Motion Carried.
 - F. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table discussion and possible action regarding Mobile Home installation in mobile home parks. With two members voting aye, and Commissioner Hanning voting no, motion Carried.
 - G. The Board discussed Coweta rural fire coverage at the request of Larry Miller. Chris Elliott and Larry Miller gave updates. The Board took no action.
 - H. The Board discussed re–districting of Wagoner County. Rich Briere and Barbara Gibson from INCOG presented different re–districting plans they had prepared and adjusted those plans as requested by Board Members. A motion was made by Commissioner Kelley to adopt Plan 5. Commissioner Kelley restated his motion to adopt Plan 5, and motion died for lack of second. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to allow Wagoner County Election Board to review Plan 5 and Plan 6B. With all members present, all voted aye. Motion Carried.
 - I. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to table discussion and possible action regarding Lojack system for Wagoner County. With all members present, all voted aye. Motion Carried.
 - J. The Board discussed replacement of several capstones on the Wagoner County Courthouse. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to get a total count of capstones for the Courthouse and replace all if the money is available. With all members present, all voted aye. Motion Carried.
 - K. The Board discussed the Stone Bluff Senior Citizens project. A motion was made by Commissioner Hanning and seconded by Commissioner

Edwards to table this item for more research. With all members present, all voted aye. Motion Carried.

- L. The Board discussed the creation or establishment of Lone Star Fire Protection District that included petition notice, public hearing and other further considerations. Dave Hermesch gave an update regarding petitions. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table this item. With all members present, all voted aye. Motion Carried.
- X. New Business – There was none.
- XI. Announcements – There were no announcements.
- XII. There was no public comment.
- XIII. 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 #1125, #1146, and #1159. 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.

Commissioner Kelley left the meeting at 3:20 p.m.

- XIV. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to recess at 3:22 p.m. With two members present, both voted aye, motion carried.

Presented and approved by the Wagoner County Commission on this 29th day of August, 2011.

JAMES HANNING, CHAIRMAN

TIM KELLEY, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER
WAGONER COUNTY CLERK
