

MINUTES OF MEETING  
WAGONER COUNTY BOARD OF COMMISSIONERS  
Monday, March 5<sup>th</sup>, 2012

The Board of Wagoner County Commissioners met with Tim Kelley, Chairman; Chris Edwards, Member; Carolyn Kusler, County Clerk; and Char Dubree, Secretary. Assistant District Attorney Holly Chapman was also present. James Hanning, Vice-Chairman was not present. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on March 2<sup>nd</sup>, 2012.

Location: Wagoner County Courthouse  
Commissioner's Meeting Room

- I. The meeting was called to order by Commissioner Kelley at 9:04 a.m.
- II. Roll Call – Roll was called with the following responses: Kelley, present; and Edwards, present. Commissioner Hanning was not present.
- III. The Prayer was led by Sandy Hodges and the Pledge of Allegiance was led by Commissioner Kelley.
- IV. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the minutes of Commission meeting held February 27<sup>th</sup>, 2012. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

Chairman Tim Kelley welcomed Assistant District Attorney Holly Chapman, who will fill the vacancy left by Assistant District Attorney John David Luton at the Board Meetings.

- V. Action Items
  - A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the following Labor Waivers:
    1. Dump dirt off County Right-of Way at 25757 E. 102<sup>nd</sup> St., Broken Arrow, Oklahoma, property of Judith Latus for District Two.

2. Clean out ditch, dump dirt, and slope bank off County Right-of-Way at 24965 E. 91<sup>st</sup> St, Broken Arrow, Oklahoma, Marvin Braunsteiner property for District Three.
3. Dump dirt and Install bridge (County to remove white fence posts) off County Right-of-Way at 32240 E. 181<sup>st</sup> St. So., Coweta, Oklahoma, Larry Dawson property for District Three.

County Engineer Monty Proctor noted that the fence posts on item #3 had already been removed.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Utility Permit(s):
  1. #3007-12; Applicant, Windstream Communications, for District Three.
  2. #1001-12; Applicant, Oklahoma Natural Gas, for District One.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve ODOT/SA&I Form 100 for Backhoe Loader for District Two. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- D. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve ODOT/SA&I Form 100 to purchase equipment on County Road Machinery and Equipment Revolving Fund for District Three.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- E. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Cancellation of Lease Agreement with Donald L. Maker, 12950 So. 257<sup>th</sup> East Ave., Coweta, Oklahoma.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- F. The Board opened bids submitted for Bid #16, Bridge Arch for District One, as follows:

1. Big R Bridge in the amount of \$12,672.00.
2. Dub Ross Company in the amount of \$26,300.00.
3. Fensco in the amount of \$28,383.00.
4. Dub Ross Company in the amount of \$31,800.00.

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table award of Bid#16 to allow review and recommendation by District One. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- G. The Board opened bids submitted for Bid #17, Lay Down of Aggregate Base for District One, as follows:

1. A & A Asphalt in the amount of \$0.40 per sq. yd., depth of 3".
2. Patton & Associates in the amount of \$0.62 per sq. yd., depth of 3".
3. Glover & Associates in the amount of \$0.75 per sq. yd., depth of 3".

A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to table award of Bid#17 to allow review and recommendation by District One. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- H. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve cancellation of Resolution #2012-003, Notice of Election of Fair Board Members.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- I. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve of the following appointments to the Fair Board:

1. Susan Williams for District Two.
2. Angie M. Adney for District One.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- J. The Board discussed item regarding Flat Rock Fire Department proposed Fire Station Outpost Improvements at Lake Crest. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow County Engineer Monty Proctor to assist Flat Rock Fire Department with

their plan for proposed improvements. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

VI. Old Business

- A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table discussion and possible action regarding Earth Quake Assessment Report as prepared by Madsen, Kneppers and Associates, Inc. (MKA). The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table discussion and possible action regarding a County-wide Hotel Tax to allow Assistant District Attorney Holly Chapman time to review, and prepare a Resolution to call for a vote of the people. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- C. The Board discussed item regarding donation to Wagoner Sr. Citizens. Commissioner Edwards had a list of names of people who participate at the Center, along with a document expressing a desire to build a structure that joins Eternity Fraternity Building. Commissioner Edwards also noted that the Center would like to have a monthly donation of approximately \$1,000.00 per month for utilities and upkeep. Three Wagoner County Senior Citizen Center members were present. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to table this item. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- D. The Board discussed item regarding Aerial Photographs of County. County Assessor Sandy Hodges presented information regarding this matter. Ms. Hodges stated that County Treasurer Dana Patten had agreed to make funds available from the Treasurer's Resale Account to allow Wagoner County to participate in the INCOG aerial flyover project in the amount of \$37,696.00. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to participate in the INCOG aerial flyover project in the amount of \$37,696.00 to be funded

by the Treasurer's Resale Account. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

- E. The Board discussed item regarding 31<sup>st</sup> LLC, Case #CJ-2010-212. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to have County Engineer Monty Proctor to get quotes from three engineers regarding costs to do required inspection. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- F. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table update on Harris Radio by Mark Ketchum. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

#### VII. Financial Matters

- A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve Deposits. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Appropriations. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.
- C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve request for Election Board reimbursement for the month of February, 2012. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

#### VIII. New Business

Emergency Management Director Heath Underwood presented a document he received Friday regarding an educational opportunity. Commissioner Edwards congratulated Heath for being selected for this Project. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow Heath Underwood to attend Northeastern State Universities' Certificate in Emergency Management and Planning, cost to be paid by Wagoner County with the understanding that such costs will be reimbursed through State and Local Assistance (SLA) Pilot Project Funds in the amount of

\$6,800.00. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

Mr. Underwood stated he had developed an Emergency Management Committee that includes private entities, and that one of those businesses, Bluebell Creamery, had made a request for him to conduct a CPR Class at their facility. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow Heath Underwood to teach the CPR Class at Bluebell Creamery. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

IX. Public Comment: There was none.

Commissioner Kelley then returned to New Business to consider quotes received by Scott Brians on Friday regarding the repair of the DAV building in Coweta. Two quotes were received as follows:

1. Childress Heating and Air in the amount of \$400.00.
2. Bowman Heating & Air Conditioning Company in the amount of \$262.50 for Freon only, as all other material and labor would be donated.

A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to accept the quote from Bowman Heating & Air Conditioning Company, to be paid out of Commissioner's Use Tax, in the amount of \$262.50. (This was the lowest quote). The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

X. Announcements

County Emergency Management Director Heath Underwood announced that Wagoner County was approved for the Storm Shelter Grant.

Flood Plain Administrator Monty Proctor stated that March is Flood Insurance Awareness Month.

XI. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to receive the following Reports:

- A. Planning and Zoning for the week of February 27<sup>th</sup>, 2012.
- B. Emergency Management for the week of February 27<sup>th</sup>, 2012 .
- C. Engineer for the week of February 27<sup>th</sup>, 2012.
- D. 911 for the week of February 27<sup>th</sup>, 2012 .
- E. County Clerk for the month of February, 2012.
- F. Court Clerk for the month of January, 2012.
- G. Assessor for the month of February, 2012.
- H. Sheriff for the month of February, 2012.
- I. Health Department for the month of February, 2012.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

XII. Legal

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to forward the following legal item to the District Attorney:

- 1. Case #CJ-07-173, Solomon, L. vs. Wagoner County.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

XIII. Purchase Orders

A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve cancellation of Purchase Orders to include Warrant #162 (Account C-27-1C). The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Blanket Purchase Orders:

#5338, #5339, #5341, #5342, #5349, 5350, #5351, #5441, #5442, #5477, #5501, #5544, #5545, #5546.

The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve calendar claims. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

XIV. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to recess at 12:10p.m. The motion was approved with the following votes cast: Edwards, aye; Kelley, aye.

Presented and approved by the Wagoner County Commission on this 12<sup>th</sup> day of March, 2012.

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TIM KELLEY, CHAIRMAN

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JAMES HANNING, VICE-CHAIRMAN

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CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER  
WAGONER COUNTY CLERK

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