

MINUTES OF MEETING  
WAGONER COUNTY BOARD OF COMMISSIONERS  
Monday, April 16<sup>th</sup>, 2012

The Board of Wagoner County Commissioners met with Tim Kelley, Chairman; James Hanning, Vice-Chairman; Chris Edwards, Member; Carolyn Kusler, County Clerk; and Char Dubree, Secretary. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on April 13<sup>th</sup>, 2012.

Location: Wagoner County Courthouse  
Commissioner's Meeting Room

- I. The meeting was called to order by Commissioner Kelley at 9:02 a.m.
- II. Roll Call – Roll was called with the following responses: Hanning, present; Kelley, present; and Edwards, present.
- III. The Prayer was led by Commissioner Edwards and the Pledge of Allegiance was led by Commissioner Kelley.
- IV. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve the minutes of Commission meeting held April 9<sup>th</sup>, 2012. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve minutes of Special Meeting held April 10<sup>th</sup>, 2012 (with correction). The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- V. Action Items
  - A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the following Utility Permit(s):
    1. #2010-12, Applicant: Windstream Communications, for District Two.
    2. #1002-12, Applicant: Lake Region Electric Coop, for District One.
    3. #3013-12, Applicant: Oklahoma Natural Gas, for District Three.
    4. #1003-12, Applicant: Oklahoma Natural Gas, for District One.
    5. #1004-12, Applicant: Westbrook Development LLC., for District One.The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- B. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve request of Toppers Fire Department to designate Receiving Officers for Account C-35, as follows:

1. Royce Richards
2. Gary Tichenor

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

- C. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Resolution #2012-017, Treasurer request to Surplus Equipment to be transferred to Judge Shepherd's Office, as follows: One (1) Secretarial Chair #C-102.13

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

- D. The Board discussed item regarding Flood Damage Prevention Ordinance as follows:

1. Receive Planning Commission recommendation, and approve or disapprove adoption of Ordinance.
2. Approve or disapprove Resolution #2012-018, Adoption of the Flood Prevention Ordinance.

Brenda Robertson stated that the Planning Commission recommended 6-0 to pass the Ordinance.

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve items #1. and #2. The motion was approved with the following votes cast: Hanning, Nay; Edwards, aye; Kelley, aye.

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to take a five minute break at 10:55a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

Commissioner Kelley reconvened the meeting at 11:02a.m.

- E. The Board discussed item regarding Circuit Engineering District #2 request for three (3) bridge replacement projects and any revisions to CIRB projects for CED #2 Eight Year Plan. District Two selected Bull Creek Bridge; District Three selected Local 104 Bridge; and District One

selected 61<sup>st</sup> Street Bridge. County Engineer also added that the CIRB project on 91<sup>st</sup> Street be changed to 101<sup>st</sup>. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve those selections and to approve the change for CIRB project. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- F. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table further discussion and possible action regarding donation to Wagoner Area Neighbors, to give Assistant District Attorney Holly Chapman to review and recommend. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- G. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve rental Agreement between Wagoner County Health Department and the Wagoner Hospital Authority for office space in the amount of \$429.00 per month. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- H. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Design Contract and Geotech Contract on Salt Creek Bridge NBI #09485. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- I. The Board discussed item regarding Lone Star Fire District Petition, setting Public Hearing and matters regarding Lone Star Fire District formation. Dave Hermish presented twelve separate petitions for verification by the County Clerk. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table this item. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- J. Commissioner Hanning stated that discussion and possible action regarding Flood Action Plan County Engineer submitted to Planning & Zoning on Tuesday, 4-10-12 had been covered in a previous item. No action was taken.

VI. Old Business

A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table discussion and possible award of the following bids (until Red Bird Fire Department Board meets):

1. Bid #19, Engine/Pumper for Red Bird Fire Department.
2. Bid #20, Rescue Truck for Red Bird Fire Department.

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

B. A motion was made by commissioner Edwards and seconded by Commissioner Kelley to table discussion and possible action regarding donation to Wagoner Sr. Citizens. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

C. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table discussion and possible action relating to the establishment of a Hotel/Motel tax, specifically to the rate of such tax, the purpose for which the revenues will be used, the target date for election and other related matters. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to break for lunch at 11:20a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

Commissioner Kelley reconvened the meeting at 12:51p.m.

## 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: Hanning, aye; Edwards, aye; Kelley, aye.

B. Approve or disapprove the following invoice(s):

1. No action was taken regarding ODOT CBRI Project ID: BRF-173c (093) CO, in the amount of \$3,120.15.
2. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve invoice from Tulsa County Juvenile Bureau for the month of March, 2012, in the amount of \$1,454.84.

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

- C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Juvenile Detention Transportation Claim for the month of March, 2012, in the amount of \$878.94. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- VIII. New Business – County Clerk Carolyn Kusler presented an Appropriation for Juvenile Offenders Program REAP Grant in the amount of \$138.38 for approval or disapproval by the Board. The Treasurer had inadvertently omitted this Appropriation from the Appropriations approved April 9<sup>th</sup>, 2012, and had discovered the omission on Friday, April 13<sup>th</sup>. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the Appropriation. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- County Clerk Carolyn Kusler presented three invoices from Castlecom that was received by email on Friday, April 13<sup>th</sup>. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the invoices to be paid out of County funds. The motion was approved with the following votes cast: Hanning, abstain; Edwards, aye; Kelley, aye.
- IX. Public Comment: – Pam Wood asked a question in regard to issues of a creek in the Kenosha Corridor as impacted by Flood Plain Ordinance, and was advised she could prepare a Agenda Item Request.
- X. Announcements – There were none.
- XI. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to receive the following Reports:
- A. Planning and Zoning for the week of April 9<sup>th</sup>, 2012.
  - B. Emergency Management for the week of April 9<sup>th</sup>, 2012 .
  - C. Engineer for the week of April 9<sup>th</sup>, 2012.
  - D. 911 for the week of April 9<sup>th</sup>, 2012 .
  - E. Election Board for the month of March, 2012.
- The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- XII. 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, L. Solomon vs. Wagoner County.

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

XIII. Purchase Orders

A. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve cancellation of Purchase Orders. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Blanket Purchase Orders: #6328, #6329, #6332, and #6368.

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

XIV. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to Recess at 2:45p.m.

Presented and approved by the Wagoner County Commission on this 23<sup>rd</sup> day of April, 2012.

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TIM KELLEY, CHAIRMAN

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JAMES HANNING, VICE-CHAIRMAN

ATTEST: CAROLYN KUSLER  
WAGONER COUNTY CLERK

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CHRIS EDWARDS, MEMBER

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