

MINUTES OF MEETING
WAGONER COUNTY BOARD OF COMMISSIONERS
Monday, June 25th, 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. Assistant District Attorney Holly Chapman was also present. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on June 22nd, 2012.

Location: Wagoner County Courthouse
Commissioner's Meeting Room

- I. The meeting was called to order by Commissioner Kelley at 9:05 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 Chris Edwards and the Pledge of Allegiance was led by James Hanning.
- IV. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table the minutes of meeting held on June 18th, 2012, to allow time to add the explanation from Court Clerk regarding her monthly report. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
This item was revisited after the explanation was added to the minutes. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the minutes, with the additions, of meeting held on June 18th, 2012. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- V. Action Items
 - A. A presentation was made by two of the following Vendors:
 1. Blue Sky Supply Vending.
 2. Imperial Vending
 3. Canteen

Mike Dougherty with Imperial Vending and Edwin Cruise with Canteen presented information regarding their companies and how they could best provide vending service at the Courthouse. A representative for Blue Sky Supply Vending was not present. Norman Adams, who is the present

vendor, also presented information. After discussion, a motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table this item to allow time for review. 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 OSU Extension Service Contract with Darla Heller for FY2012-13. 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 approve Resolution #2012-027, ACCO-SIG, for Wagoner County Public Buildings Authority (Health Dept. Bldg(s)) in the amount of \$3,778.00; with Health Department selecting Option #1, payment in full to be paid by Health Department in the amount of \$3,778.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

D. The Board opened the following bids submitted for Bid#25, Communications Tower Design and Manufacture for E-911:

1. Allstate Tower, Inc. in the amount of \$36,214.00.
2. Texoma Contracting, Inc. in the amount of \$35,800.00.
3. Sabre Communications Corporation in the amount of \$37,069.00.
4. Rogers Consulting, Ltd Co. in the amount of \$37,091.25.
5. Eastpointe Industries, Inc. in the amount of \$40,566.00.
6. S and S Communication Specialists, Inc. in the amount of \$41,580.00.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to forward bids submitted to E-911 Coordinator Judy Elliott for review. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

E. The Board opened the only bid submitted for Bid #29, Janitorial Services for Health Department for FY2012-13, as follows:

1. Office Express Janitorial Service, Inc. in the amount of \$640.00 per month.

Debbie Black with the Health Department recommended the award of this bid, as Office Express Janitorial Service, Inc. is also the present provider of this service. A motion was made by Commissioner

- Hanning and seconded by Commissioner Edwards to award Bid #29, for Janitorial Services for the Health Department for FY2012–13 to Office Express Janitorial Service, Inc. in the amount of \$640.00 per month. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- F. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve renewal of Lease and Lease Purchase Agreements for FY2012–13. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- G. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Lease Purchase Agreement between Red Bird Fire Department and Emergency Vehicle Resources L.L.C. for 1988 Mack Pumper Tanker, in the amount of \$40,000.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- H. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Labor Waiver:
1. Clean out ditch, dump debris, and dump dirt off County Right-of-Way at 161st North 225th, Coweta, Oklahoma, Carl McKittrick property, for District Three.
- The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- I. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the following Utility Permit(s):
1. #1008–12, Applicant: RWD#5 for District One.
 2. #3018–12, Applicant: Oklahoma Natural Gas for District Three.
- The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- J. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the appointment of Howard Davis to the Wagoner County Fair Board, for District Two. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- K. The Board discussed discrepancies in the Court Clerk’s monthly reports presented to the County Commissioners. Commissioner Hanning stated

he had talked with Brenda Warren of the Oklahoma Supreme Court network and State Auditor Gary Jones about these discrepancies and they are of the opinion that they should not exist. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to request a written statement from Court Clerk Rhonda Vincent as to the reason for the discrepancies and what course of action is going to be taken to fix it. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, nay.

VI. Old Business

- A. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to accept all bids submitted for Bid#28, Wagoner County Six Month Bids, for availability and accessibility. 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 Hanning to table discussion and possible action regarding repair of earthquake damage in the Courthouse jail, to allow time for County Engineer to Monty Proctor to coordinate with Sheriff Bob Colbert regarding repairs. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- C. After County Clerk Carolyn Kusler reported that ACCO is revising the Drug Policy, a motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table approval or disapproval of Drug Policy for Personnel Handbook to wait for the proposed revision. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- D. The Board discussed Lawn Maintenance for OSU Extension Service. OSU Extension Director Alan Parnell presented quotes he received for the lawn service. Upon his recommendation, a motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve E-Z Lawn Care for the service in the amount of \$150.00 per service bi-monthly or \$100.00 per service weekly, service choices to be at the discretion of Alan Parnell, to be paid out of Account 20-2. The

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

- E. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve Resolution #2012-026, Property & Liability Insurance with ACCO-Self Insurance Group FY2012-13, with Option #1, total amount of \$164,513.00 to be paid in full by July 3^{1st}, 2012. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- F. The Board discussed request for funds for the Fair Board. A motion was made by Commissioner Kelley to approve the amount of \$3,500.00. Alan Parnell with Economic Development Board reported that they would pay up to \$2,500.00 if the Board of County Commissioners matched the amount. After further discussion, Commissioner Kelley withdrew his motion. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve funds for the Fair Board in the amount of \$4,000.00 to be paid from Commissioners Use Tax. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- G. E-911 Coordinator reported that Mark Ketchum was unavailable today to give an update. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table the update of Harris Radio System. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- H. The Board discussed item regarding State Statute Title 19, Chapter 21, Section 901.2 in connection with concerned citizens and their legal representation Jim Melton for the approval or disapproval of Lone Star Fire District. Attorney Jim Melton was not present. Dave Hermish asked the Board to approve this item since he felt it was a public safety issue. Mr. Hollingshed stated that such action could affect the public safety of the rest of the area, noting that the issue had been voted down by the people once. Commissioner Kelley and Commissioner Edwards expressed their concern regarding public safety for the residents should the action cause the residents to lose their EMSA service. Commissioner Kelley also stated his concern that the funding for the Fire District would not be

adequate. Coweta Fire Chief Hal Bumgardner expressed a concern that if Lone Star Was formed, there was a possibility that the residents might lose their EMSA service. Commissioner Kelley stated that he would like to wait on the Opinion of the Attorney General regarding the Fire Tax and whether it could be modified by the Board to include Lone Star. Commissioner Edwards agreed. Commissioner Hanning made a motion to send the matter to the vote of the people as presented by the petition for the Lone Star Fire District. After further discussion, Commissioner Hanning restated his motion. More citizens spoke regarding this matter, then Commissioner Hanning restated his motion. After further lengthy discussion, Commissioner Kelley said the record should reflect that the motion died due to lack of a second. No action was taken regarding this item.

- I. The Board discussed item regarding update on radios requested in February for District #1. Commissioner Hanning asked County Clerk Carolyn Kusler if a copy of the first request for a Purchase Order (which was a request for a P.O. number to purchase the radios from BCI in the amount of \$10,310.08) had been found. She replied that it had not as there was no need to keep it. Commissioner Hanning stated he was still waiting on a response from State Auditor Gary Jones. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table this item. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

VII. Financial Matters

- A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Deposits. 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 Payroll. 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 Highway Appropriations. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

D. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve the following Transfer(s):

1. Assessor Visual Inspection Payroll (Account #17-1A) to Visual Inspection M&O (Account #17-2) in the amount of \$28,500.00; and Assessor Administration Payroll (Account #16-1A) to Assessor Administration M&O (Account #16-2) in the amount of \$5,000.00 .

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

VIII. New Business in accordance with 25 O.S. §311 A.

Renaeh Ehler with the Sheriff's Office presented an Equitable Sharing Agreement and Certification which she received today for approval or disapproval of the Board. The current Agreement ends on June 30th, 2012. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve the Equitable Sharing Agreement between the Federal Government, the Sheriff's Office and the Board of County Commissioners. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

IX. Public Comment – There was none.

X. Announcements

Commissioner Hanning commended E-911 for their participation in handling a recent hostage situation. With the CAD system, E-911 assisted in determination of the location and assisted in the quick response by the Sheriff's Office in locating the hostage.

Commissioner Edwards reported that he had received the Cross-Town Beams had been delivered to his barn last week and that he was expecting more.

A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to break for lunch at 11:52a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye. Commissioner Kelley reconvened the meeting at 1:14p.m.

- XI. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to receive the following Reports, expect for B. Emergency Management for the week of June 18th, 2012.
- A. Planning and Zoning for the week of June 18th, 2012.
 - B. Emergency Management for the week of June 18th, 2012.
 - C. Engineer for the week June 18th, 2012.
 - D. 911 for the week of June 18th, 2012.
 - E. Toppers Fire Department for Jan through June, 2012.
 - F. Stone Bluff Senior Citizens Report.
 - G. Election Board for the month of May, 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 Hanning to forward the following Legal items to the District Attorney:
- 1. Case No. CJ-2012-267, Estate of Noah Thomas Mainard vs. Wagoner County, et al.
 - 2. Case No. CJ-12-235, Derek Walker vs. Wagoner County, et al.
- 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 Kelley and seconded by Commissioner Edwards to approve cancellation of Purchase Orders. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye. This motion was then withdrawn and a motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve cancellation of Purchase Orders with the exception of #6594 and #6513. After information was received on #6594 and #6513, a motion was made by Commissioner Kelley and seconded by Commissioner Hanning 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 Blanket Purchase Order #7821. 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 Hanning and seconded by Commissioner Edwards to Adjourn at 2:33p.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

Presented and approved by the Wagoner County Commission on this 2nd day of July, 2012.

TIM KELLEY, CHAIRMAN

JAMES HANNING, VICE-CHAIRMAN

CHRIS EDWARDS, MEMBER

ATTEST: CAROLYN KUSLER
WAGONER COUNTY CLERK
