

MINUTES OF MEETING  
WAGONER COUNTY BOARD OF COMMISSIONERS  
Monday, August 6<sup>th</sup>, 2012

The Board of Wagoner County Commissioners met with Tim Kelley, Chairman; James Hanning, Vice-Chairman; Chris Edwards, Member; Lori Hendricks, County Clerk Elect; and Char Stevens, 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 August 3<sup>rd</sup>, 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 Sandy Hodges and the Pledge of Allegiance was led by Tim Kelley.
- IV. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve minutes of Commission Meeting held July 30<sup>th</sup>, 2012. 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 Edwards to approve Resolution #2012-036, Burn Ban for Wagoner County for a period of seven (s) days. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
  - B. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve signing Certification of Authorized Signatures for Oklahoma Department of Commerce. 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 Form 324A for Equipment from ODOT Revolving Fund for District Three. 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 Hanning to approve Planning and Zoning request for Zoning change as follows:

1. WCZ #5-12-DR Ross Clark, Owner and Applicant requesting a change of zoning from AGTO C-4 for a luxury pet resort and veterinary hospital, at 11278 S. 305<sup>th</sup> E. Ave, Coweta, Oklahoma.

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 Edwards to approve the following Utility Permit:

1. #1011-12, Applicant: Rural Water District #5, for District One.

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

F. The Board opened bids submitted for Bid #2, Bridge Arch for District Three as follows:

1. Dub Ross Company in the amount of \$10,800.00.
2. Fensco, Inc. in the amount of \$10,780.00.

A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to table this item for review and recommendation from District Three. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

This item was revisited later in the meeting. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to award Bid #2, Bridge Arch for District Three to Dub Ross Company in the amount of \$10,800.00, as the lowest bid did not provide manufacturer's specifications. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

G. The Board discussed item regarding furniture for break area. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve County Clerk Lori Hendricks getting quotes for the furniture. 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 getting quotes for replacing exterior

windows of OSU Extension Building. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- I. Alan Parnell with OSU Extension introduced Marci Brunger as the new 4-H Youth Development Educator and the Board welcomed her.
- J. The Board discussed purchasing Harris radios for the Wagoner County Sheriff. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve purchase of Harris radios for the Sheriff to be paid out of Courthouse Renovation Fund upon the approval of using such funds by Assistant District Attorney Holly Chapman, with the Sheriff's involvement regarding the selection of radios. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- K. The Board discussed item regarding newspaper publications. County Clerk Lori Hendricks said that in last week's meeting, several citizens indicated they do not see County meeting notices and added that response on some County bids is minimal and suggested the County advertise in the Coweta American rather than the Wagoner paper due to larger readership and equal cost. Commissioner Kelley asked that a cost estimate be provided for advertising in both. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table to allow time for additional information. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- L. The Board discussed the delivery of new air conditioning unit and removal and storage of old unit. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to allow Commissioner Edwards to furnish a trailer for removal of the old unit to be stored. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

## VI. Old Business

- A. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Resolution #2012-035, Travel Per Diem for Wagoner County, adoption of Federal Per Diem rates for travel.

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

- B. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the City of Wagoner request to relocate Garrison monument to the Courthouse lawn, providing the Board approves the placement of the monument. 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 table discussion and possible action regarding Tower Lease on County owned property. 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 table discussion and possible action regarding change of scope for County-Wide and District EODD REAP grants. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- E. The Board discussed item regarding possible public parking lot for Oak Grove Fire Department. No action was taken.

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 Edwards and seconded by Commissioner Kelley to approve Appropriations. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- C. Invoice(s):
  - 1. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve payment of invoice from Eastern Oklahoma Development District for annual membership dues in the amount of \$6,724.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
  - 2. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve payment of invoice from INCOG for

1<sup>st</sup> quarter membership dues for FY2012–13 in the amount of \$4,498.50. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

3. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve payment of invoice from Muskogee County Regional Juvenile Detention Center for the month of July, 2012, in the amount of \$395.59. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

VIII. New Business – There was none.

IX. Public Comment – There was none.

X. Announcements

Treasurer Dana Patten announced the passing of Cathy Graham’s mother and Stacy Fosberg’s brother.

County Clerk Lori Hendricks announced that the Wellness Committee will be holding a Health Fair October 4<sup>th</sup>.

Commissioner Hanning commended Oak Grove Fire Department for their participation in the recent fire-fighting efforts during the recent Creek County fires. Commissioner Kelley and County Clerk Lori Hendricks noted that nine of the Wagoner County fire departments had responded and participated.

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 July 30<sup>th</sup>, 2012.
- B. Emergency Management for the week of July 30<sup>th</sup>, 2012.
- C. Engineer for the week July 30<sup>th</sup>, 2012.
- D. 911 for the week of July 30<sup>th</sup>, 2012.
- E. Assessor for the month of July, 2012.
- F. County Clerk for the month of July, 2012.
- G. Health Department for the month of July, 2012.
- H. Sheriff for the month of July, 2012.
- I. Fire Departments Appropriation Ledgers for the month of July, 2012.
- J. Drug Asset Forfeiture Annual Report FY 2012 from District Attorney Brian J. Kuester.

K. Treasurer Allocation of Beverage Tax for July, 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 items to the District Attorney:

1. Docket No. IBIA 10-123 Wagoner Co. v. Bureau of Indian Affairs.
2. Claim of Bobby Hastings 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 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 cancellation of Warrant No. 002010 issued to NACE in error for the amount of \$465.00. 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 the following Blanket Purchase Order(s): #772, #773, #796, #800, #835, #836, #838, ##839, #841, #842 through #845, #847, #874 through #876.

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

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

IX. Executive Session.

A. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning at 10:05a.m. 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 31<sup>st</sup> LLC vs. Board of County Commissioners.

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

X. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to reconvene into open session at 10:35a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

XI. No action was taken regarding the following:

1. CJ-2010-212 31<sup>st</sup> LLC vs. Board of County Commissioners

XII. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to Recess at 12:25p.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 13<sup>th</sup> day of August, 2012.

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TIM KELLEY, CHAIRMAN

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JAMES HANNING, VICE-CHAIRMAN

ATTEST: LORI HENDRICKS  
WAGONER COUNTY CLERK

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CHRIS EDWARDS, MEMBER