

MINUTES OF MEETING
WAGONER COUNTY BOARD OF COMMISSIONERS
Monday, December 10th, 2012

The Board of Wagoner County Commissioners met with Tim Kelley, Chairman; James Hanning, Vice-Chairman; Chris Edwards, Member; Lori Hendricks, County Clerk; and Char Stevens, Secretary. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on December 7th, 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 Lori Hendricks.
- IV. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve minutes of Commission Meeting held December 3rd, 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 the following Utility Permit(s):
 1. #1019-12, Applicant: Rural Water District #5, for District One.
 2. #1020-12, Applicant: Rural Water District #5, for District One.
 3. #1021-12, Applicant: Rural Water District #5, for District One.
 4. #1022-12, Applicant: Oklahoma Natural Gas, 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 Kelley and seconded by Commissioner Edwards to approve quote from Endex Inc. of Tulsa in the amount of \$4,810.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to pay this item from Courthouse Maintenance

Account. 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 Resolution #2012-052, Surplus Vehicle as follows for District Three:(Kelley)

1. One (1) 1977 Ford Truck, VIN# L91LVY71141

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

- D. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve Amended Resolution #2012-048, Surplus Equipment from Wagoner County Sheriff's Office, as follows:

1. One (1) 2006 Chevrolet Tahoe, VIN #1GNEC13Z96R145160 transferred to Toppers Fire Department, and

2. One (1) 2003 Chevrolet Tahoe, VIN #1GNEK13Z73R297517 transferred to Tullahassee Fire Department

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

- E. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to table approval or disapproval of Lease Agreement between Wagoner County and R. Kelley, Inc. 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 receive ODOT Authorization to Lease/Purchase Equipment through the County Road Machinery and Equipment Revolving Fund for District Two and District Three. 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 receive the EODD REAP County-Wide Grant FY2013, Provision of Rural Fire Protection and Public Safety Services, and accept the Grant in the amount of \$60,000. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- H. A motion was made by Commissioner Edwards and seconded by Commissioner Hanning to approve signing the Interstate 40 Crosstown

Beam Transfer Form for the following bridges: six (6) beams for Local 29 (Flat Rock Creek bridge) for District Two; and, five (5) beams for Local 58 (Billy Creek bridge) for District Two. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

I. A motion was made by Commissioner Hanning to table the Memorandum of Understanding between Muscogee Creek Nation and Wagoner County for road maintenance. After further discussion, Commissioner Hanning withdrew his motion. A motion was then made by Commissioner Kelley and seconded by Commissioner Hanning to accept and approve the Memorandum of Understanding. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

J. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve the following Labor Waiver:

1. Clean fence row, slope bank off County Right-of-Way, at East side of 305th E. Ave., from 41st Street going approximately 1/2 mile to the South, Jim Self property for District One.

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

K. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Wagoner County Economic Development Authority collateralized loan to RCF Enterprises in the amount of \$250,000.00 for a five year term. 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 Hanning and seconded by Commissioner Edwards to accept quote from Harris Radios in the amount of \$22,843.80, which included extra batteries, installation and best warranty for Bid#1, UPS for E-911. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

B. After presentation was made by Roger E. Ayres with Coweta Paintball, a motion was made by Commissioner Kelley and seconded Commissioner Hanning to approve Planning and Zoning request to change zoning from AG to C-4 for a Paintball Sport Complex at 26242 E. 121st Street, Coweta,

Oklahoma. 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 Kelley to approve the following Labor Waiver:

1. Slope bank off County Right-of-Way at 28281 East 72nd Street, Broken Arrow, Oklahoma, Don R. Hargis (should be Don R. Hargin) property, for District One.

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 Hanning to approve Special 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 Hanning to approve 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 Hanning to approve the following Transfer:

1. General Fund Account to 1Cent Sales Tax C43-1, in the amount of \$9,800.00.

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 for the following Invoice to be paid from Account #20-2:

1. Craig County Regional Detention Center for the month of November, 2012, in the amount of \$255.30.

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 Edwards to approve the following Invoice to be paid from Commissioner's Use Tax Account:

2. City of Broken Arrow in the amount of \$83,030.00 for Interlocal Cooperation Agreement Engineer Design Services.

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

F. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve Cancellation of lost Warrants #000898 in the amount of \$31.79, #001655 in the amount \$30.93, and #003296 in the amount of \$112.70; re-issued under Warrants #003423, #003424, and #003425, respectively. 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 – There were none.

A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to take a break at 10:30a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye. Commissioner Kelley reconvened the meeting at 10:47a.m.

XI. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to receive the following Reports except B., C., and D.:

A. Planning and Zoning for the week of December 3rd, 2012.

B. Emergency Management for the week of December 3rd, 2012.

C. Engineer for the week December 3rd, 2012.

D. 911 for month of November, 2012.

E. County Clerk for the month of November, 2012.

F. E-911 for the month of November, 2012.

G. Health Department for the month of November, 2012.

H. Assessor for the month of November, 2012.

I. Sheriff for the month of November, 2012.

J. Election Board for the month of November, 2012.

K. Treasurer for the month of November, 2012.

L. Treasurer's Allocation of Alcoholic Beverage.

M. Cash Voucher Expense Report for December 10th, 2012.

N. Fire Departments Appropriation Ledgers.

O. Toppers Fire Department for the month of November, 2012.

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

XII. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to forward the following Legal items to the District Attorney:

1. Case No. CJ-08-262, First Priority Bank v. Deborah Fisher Dunn and New Tulsa Properties, Notice of Sheriff's Sale.
2. Case No. CJ-08-263, First Priority Bank v. Deborah Fisher Dunn and New Tulsa Properties, Notice of Sheriff's Sale.
3. Case No. Cj-2012-0561, Charter One Bank, N.S. v. Larry and Lora L. Fleming and 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 Edwards and seconded by Commissioner Kelley to approve cancellation of Purchase Orders, to include Warrant #000051. 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 Order(s):

#3503, #3504, #3548, #3552, #3556, #3565, #3567, #3568, #3589, #3590, #3614, and #3632.

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 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 Edwards and seconded by Commissioner Hanning to Recess at 11:58a.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 20th day of December, 2012.

TIM KELLEY, CHAIRMAN

JAMES HANNING, VICE-CHAIRMAN

ATTEST: LORI HENDRICKS
WAGONER COUNTY CLERK

CHRIS EDWARDS, MEMBER
