

**MINUTES OF MEETING
WAGONER COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 23RD, 2016**

The Board of Wagoner County Commissioners met in the Wagoner County Courthouse Commissioners Meeting Room. Chairman Chris Edwards; Vice-Chairman James Hanning; Member Tim Kelley; and, County Clerk Lori Hendricks were present. District Attorney Brian Kuester and Assistant District Attorney Joy Mohorovicic were also present. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on May 20th, 2016.

- I. The Meeting was called to order by Commissioner Edwards at 9:10 a.m.
- II. Roll was called with the following responses: Hanning, present; Edwards, present; Kelley, present.
- III. Prayer was led by Lori Hendricks and Pledge of Allegiance was led by Commissioner Kelley.
- IV. A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to approve minutes of commission meeting held May 16th, 2016. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, abstain
- V. Action Items
 - A. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve Resolution #2016-028 ACCO SIF Workman's Compensation FY2016-17; to include choice of payment option (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 Resolution #2016-029 Election Board Request for County Clerk to Reimburse General Fund for FY2016-2017. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
 - C. The Board opened the only bid submitted for Bid #2016-27 Equipment for Brush Truck for Stone Bluff Fire Department, which was from Hesselbein in the amount of \$7,980.20. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to table action. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
This item was re-visited and a motion was made by Commissioner Kelley and seconded by Commissioner Hanning to table action. 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 #2016-28 Engine Truck for Okay Fire Department:

BID RESULTS - ENGINE FOR OKAY FD			
VENDOR	BID	TRADE-IN	NET PRICE
Fire Master Fire Apparatus	\$ 90,000.00	\$ -	\$ 90,000.00
Jon's Mid America	\$ 131,900.00	\$ 12,800.00	\$ 119,100.00

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

E. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve the following Utility Permit(s):

1. #2011-16 Applicant: Rural Water #5 for District Two
2. #3023-16 Applicant: Valor Telecom for District Three
3. #3024-16 Applicant: Oklahoma Natural Gas for District Three

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 Hanning to approve the following labor waiver(s):

1. Clean out ditch, dig rock, dump rock, slope bank, stock pile road materials off County Right-of-Way at 25521 E. 67th St., Broken Arrow, Ok.; property owner Mark A. Watson for District One
2. Clean fence row off County Right-of-Way at S34-T16N-R17E, 445 North of 241, Porter, Ok.; property owner Leonard Saunders for District Three
3. Clean fence row off County Right-of-Way at 445 North of 241, Porter, Ok.; property owner Carla Morse Anderson for District Three

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 recommendation of Oak Grove Fire Department and award Bid #2016-25, Metal Building for Oak Grove Fire Department, to Moorehead Construction, which was the lowest bid. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, abstain.

B. Regarding Bid #2016-26 Pumper/Tanker for Toppers Fire Department, both bids were rejected by Toppers. No action was taken.

C. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to disapprove Resolution #2016-022 Planning and Zoning Change from AG to RS-1 (Case No. 6-16 Block One Communities, LLC). 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 signing Turtle Creek VI Final Plat which was approved on May 2nd, 2016. 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 Edwards and seconded by Commissioner Kelley to approve deposit(s). The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

B. A motion as made by Commissioner Kelley and seconded by Commissioner Hanning 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 Hanning to approve Transfer \$5,000.00 from Election Board Salary Account 22-1A to M&O Account 22-2 in the amount of \$4,500.00 and to Travel Account 22-1C in the amount of \$500.00; and, Transfer \$3,900.00 from Election Board Part-Time Help Account 22-1B to M&O Account 22-2. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- E. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve Transfer from Sheriff Travel Account 04-1C to Sheriff Salary Account 04-1A in the amount of \$17,500.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- F. The Commissioners discussed item regarding shortfall in the following accounts: E-911 Salary Account C27-1A, Stormwater Management Salary Account 07-1A, Emergency Management Salary Account C-42-03-1A, General Government Salary Account 20-1A, Judges Secretary Salary Account C-42-02-1A, and Juvenile Drug Court Account C-45; to include appropriate Transfers.
A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to pay needed amount out of General Government 1Cent Sales Tax Account C43-Gov to General Government Salary Account 20-1A; and, to approve Transfer from Commissioner's Use Tax Account C-42 to Judges Secretaries Salary Account C42-02-1A in the amount of \$792.37; to Engineer Salary Account C42-01-1A in the amount of \$349.20; and, to Emergency Management Salary Account C42-03-1A in the amount of \$1,207.77. 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 Transfer from Commissioners Use Tax Account C-42 to E-911 Salary Account C27-1A in the amount of \$7,387.57. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- G. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve Juvenile Detention Transportation Claim for April, 2016 in the amount of \$757.98. 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 – Assistant District Attorney Joy Mohorovicic introduced Haley Weaver, a new intern in the District Attorney's office
Lori Hendricks reminded everyone that the Courthouse will be closed on Monday, May 30th, in observance of Memorial Day and the next Commissioner's meeting will be held on Tuesday, May 31st.
- XI. Reports – A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to receive the following reports:
 - A. Cash Voucher
 - B. Emergency Management
 - C. Engineer
 - D. Planning & Zoning
 - E. E-911The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- XII. Legal – A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to forward the following legal items to the District Attorney:
 - A. Case No. CJ-2015-61 LSF8 Master Participation Trust vs. John E. and Shawn D. Birdsall and Wagoner County, et al
 - B. Case No. CV-2016-53 William and Lena Blackwell and Lorena Dennis vs. Town of Okay and Wagoner County, et al
 - C. Case No. CV-16-52 Julia Sills vs. Wagoner County, et alThe 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.
 - B. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve the following blanket purchase order(s): #7132, #7133, #7139, #7140, #7142, #7143, #7153, #7154, #7183. 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 calendar claims. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- XIV. Executive Session – A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to go into Executive Session (at 10:40a.m.) Pursuant to Title 25, O.S. §307 §(B)4 for discussion and possible action regarding:
- A. Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.
- The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- XV. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to reconvene into Open Session at 11:14a.m. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- XVI. No action was taken regarding the following;
- A. Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest
- XVII. Recess – A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to recess at 1:45p.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 31st day of May, 2016.

CHRIS EDWARDS, CHAIRMAN

JAMES HANNING, VICE-CHAIRMAN

ATTEST: LORI HENDRICKS
WAGONER COUNTY CLERK

TIM KELLEY, MEMBER