

**MINUTES OF MEETING  
WAGONER COUNTY BOARD OF COMMISSIONERS  
MONDAY, JUNE 6TH, 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. Assistant District Attorney Joy Mohorovicic was also present. Advance notice of the meeting was posted on bulletin boards and public entrances of the Wagoner County Courthouse on June 3<sup>rd</sup>, 2016.

- I. The Meeting was called to order by Commissioner Edwards at 9:05 a.m.
- II. Roll was called with the following responses: Hanning, present; Edwards, present; Kelley, present.
- III. Prayer was led by Sandy Hodges and Pledge of Allegiance was led by Monty Proctor.
- IV. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve minutes of commission meeting held May 31<sup>st</sup>, 2016. 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 Kelley and seconded by Commissioner Hanning to table action regarding Courthouse sewer issues. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.  
This item was revisited and discussed; no action was taken.
  - B. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve renewal of Lease/Purchase Agreements for FY16-17. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
  - C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to table action regarding Juvenile Detention Agreement FY16-17 between Wagoner County and Creek County Juvenile Justice Center in the amount of \$39.39 per juvenile per day. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.  
This item was revisited and a motion was made by Commissioner Kelley and seconded by Commissioner Edwards to approve Agreement. 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 Resolution #2016-31 Wagoner County Health Department to surplus one (1) Kenmore Refrigerator, Serial #20916466, to be junked. 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 Edwards to table action regarding mowing of County Fairgrounds; to include presentation by Tammie Beaty, Fair Board President. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
  - F. The Board opened bids received for Bid #2016-31 Six Month Bids for Commissioners. 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.
  - G. A motion was made by Commissioner Kelley and seconded by Commissioner Edwards to table action regarding the following Utility Permit(s):
    1. #1006-16 Applicant: Valor Telecom for District One
    2. #3025-16 Applicant: Oklahoma Natural Gas for District ThreeThe motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

This item was revisited and a motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve permits. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

VI. Financial Matters

- A. A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to approve deposit(s). 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 Appropriations with noted corrections. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.
- C. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley to approve Transfer from INCOG REAP Stone Bluff Fire Hydrant Grant Account G25 to Stone Bluff Fire Sales Tax Account C35 Stone Bluff in the amount of \$3,332.92. 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 Election Board request for reimbursement for the month of May, 2016 in the amount of \$3,901.48. 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 Hanning to approve Tulsa County Juvenile Bureau Invoice #268-592016 in the amount of \$1,760.00. The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

VII. New Business – There was none

VIII. Public Comment – There was none

IX. Announcements

Commissioner Hanning commended the County Engineer and his staff for their recent assistance, stating that they had done a “great job”.

Commissioner Edwards announced that Flat Rock Fire Department will hold their annual Fish Fry this Saturday, June 11<sup>th</sup>, 2016.

X. Reports – A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to receive the following reports, except B. Emergency Management:

- A. Cash Voucher
- B. Emergency Management
- C. Engineer
- D. Planning & Zoning
- E. E-911

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

XI. Legal – A motion was made by Commissioner Hanning and seconded by Commissioner Edwards to forward the following legal items to the District Attorney:

- A. Case No. 16-42529-399 United States Bankruptcy Court vs. Peabody Energy Corporation and Wagoner County, et al
  - B. Case No. CJ-2015-61 LSF8 Master Participation Trust vs. John and Shawn Birdsall and Wagoner County, et al
  - C. Case No. 16-60040 (DRJ) United States Bankruptcy Court vs. Linn Energy, LLC and Wagoner Co. et al
- The motion was approved with the following votes cast: Hanning, aye; Edwards, aye; Kelley, aye.

- XII. Purchase Orders
  - A. A motion was made by Commissioner Hanning and seconded by Commissioner Kelley to approve cancellation of Purchase Orders, to include Warrant #000040 which was issued to wrong vendor. 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 the following blanket purchase order(s): #7453, #7469, #7493, #7494, #7503, #7504, #7545, #7546, and #7549. 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.
- XIII. Executive Session – A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to go into Executive Session (at 9:09a.m.) Pursuant to Title 25, O.S. §307 §(B)1 and §(B)4 for discussion and possible action regarding only Item A. The motion was approved with the following votes cast: Hanning, nay; Edwards, aye; Kelley, aye.
  - A. Employment, hiring, appointment, promotion, demotion, disciplining or resignation of Planning and Zoning employees; to include County Engineer
  - B. 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
- XIV. A motion was made by Commissioner Kelley 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.
- XV. The Board discussed the following;
  - A. Employment, hiring, appointment, promotion, demotion, disciplining or resignation of Planning and Zoning employees; to include County Engineer. A motion was made by Commissioner Edwards and seconded by Commissioner Kelley confirming that the County Engineer shall continue to be the Director of Planning and Zoning; and, that those employees should continue to report directly to him. The motion was approved with the following votes cast: Hanning, nay; Edwards, aye; Kelley, aye.
- XVI. Recess – A motion was made by Commissioner Kelley and seconded by Commissioner Hanning to recess at 11:29a.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 13th day of June, 2016.

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CHRIS EDWARDS, CHAIRMAN

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JAMES HANNING, VICE-CHAIRMAN

ATTEST: LORI HENDRICKS  
WAGONER COUNTY CLERK

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TIM KELLEY, MEMBER