

MINUTES
Monday, September 26, 2022

APPROVED
10/3/2022

I. CALL TO ORDER

The Board of County Commissioners (BOCC) met at the hour of 9:30 a.m., with the following members present: Commissioner Kelly Dunkerley, Commissioner Stan Sallee and Commissioner Karen Keith. Others present: County Clerk Michael Willis.

Karen Keith, Chairman, called the meeting to order at 9:30 a.m., and the following business was transacted:

II. ANNOUNCEMENTS

County Events and Status Updates for Comment and Discussion from: Administrative Services, Building Operations, Court Services, Election Board, Human Resources, Information Technology, Parks, Purchasing, Social Services, Engineering, Highways, Inspections, Sheriff, Assessor, County Clerk, Court Clerk, Treasurer, District Attorney, Presiding Judge, Juvenile Justice, Expo Square, INCOG, Tulsa Area Emergency Management Agency, OSU Extension, CC Library, Tulsa City-County Health Department, River Parks Authority, Levee Drainage District #12, Board of County Commissioners Chief Deputies, Director of Governmental Affairs

Chairman advised the announcements and County Events and Status updates were open for comment and discussion. The departments with information gave a report.

III. MINUTES

A. Board of County Commissioner's Meeting of September 19, 2022

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

IV. UNFINISHED BUSINESS

A. Bid Openings

1. Board of County Commissioners - to sell surplus County Property, to wit: the certain tract of land, together with all improvements, located in the vicinity of North Wheeling Avenue and East 63rd St. North, Turley, Oklahoma 74130, identified as Parcels #54225-03-06-05360 and #54225-03-06-05370, more particularly described as: Lot Thirteen (13), Block Two (2), Stebbins Resubdivision of Block eight (8) and Part of Block Seven (7), Tulsa County, Oklahoma, according to the recorded Plat No. 1444, located in the Northeast Quarter of Section 06, Township 20, Range 13; and Lot Fourteen (14), Block Two (2), Stebbins Resubdivision of Block eight (8) and Part of Block Seven (7), Tulsa County, Oklahoma, according to the recorded Plat No. 1444, located in the Northeast Quarter of Section 06, Township 20, Range 13

- a. Mark Groves and Mary Groves (Clerk's Misc. File No. 20221778)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to refer the bids to the Board of County Commissioners for analysis, review and recommendation on 10/3/2022. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

2. Sheriff - TCSO Headquarters Sanitary Sewer

- a. Apex Plumbing, Heating & Piping, Inc. (Clerk's Misc. File No. 20221779)

b. Ellsworth Construction, LLC (Clerk's Misc. File No. 20221780)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to refer the bids to Sheriff and Procurement for analysis, review and recommendation on 10/3/2022. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

B. Bid Awards & Recommendations:

1. TC Departments - Paperstock for Printing

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to defer the award. Upon roll call, Yes- Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

C. Amendment - (Treasurer) - #7 to award to Automated Mail Service, CMF #239468, most recent renewal, CMF #20212162, to renew for an additional year beginning 11/6/2022 with no changes to the terms (Clerk's Misc. File No. 20221781)

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

D. Appointment - (Commissioner Dunkerley) - of Scott Houston to the TC Board of Adjustment, effective immediately, to complete Kelly Dunkerley's term expiring 9/15/2024 - Deferred from 9/19/2022

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to defer the appointment. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

E. Resolution - (Board of County Commissioners) - Declaring a Tulsa County Burn Ban, for a period not to exceed seven days. If extreme fire danger conditions persist, subsequent resolutions may be considered for passage, previously approved on 8/15, 8/22, 8/29, 9/6, 9/12 and 9/19/2022, CMF #20221588, #20221628, #20221661, #20221696, #20221735 and #20221758 (Clerk's Misc. File No. 20221782)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Commission. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

V. ACTION ITEMS

A. Gasoline & Diesel Fuel Quotes for week ending 10/3/2022 (Clerk's Misc. File No. 20221777)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve the fuel quotes. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

B. Memorandum of Understanding - (Sheriff) - Tulsa Area Emergency Management Agency (TAEMA), for transfer of \$300,000 to a special project fund to provide a permanent storage facility of like kind, quality and cost and in a suitable location that compliments TAEMA's mission as the building occupied by TAEMA located at 6098 E 66th St. North, Tulsa, Oklahoma 74117 and adjacent to the Tulsa County Sheriff's Training Center, until the Sheriff took possession in July 2022 (Clerk's Misc. File No. 20221783)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

C. Requests for Approval

1. Board of County Commissioners - Letter of Support from Board of County Commissioners for JusticeLink's 2023 Emil Gumpert Award application (Clerk's Misc. File No. 20221784)

2. Engineers - authorizing the filing of the NORTH TULSA COMMERCE CENTER plat. This plat meets all the requirements for filing of plats under Title 19 O.S., Section 288.1 of the Oklahoma Statutes (Clerk's Misc. File No. 20221785)
3. Human Resources:
 - a. CommunityCare Senior Health Plan (HMO), of 2023 Renewal rates for Retirees (Clerk's Misc. File No. 20221786)
 - b. of TCP 125: Background Checks of Job Applicants (Clerk's Misc. File No. 20221787)
4. Parks - of donation from The William K. Warren Foundation, for trees valued at \$29,930, to be placed in all three district parks and golf courses either to beautify areas in need or replace trees that are no longer viable (Clerk's Misc. File No. 20221788)

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution, as needed. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

- D. Resolution - (Board of County Commissioners) - Authorizing Application for Rural Economic Action Plan (REAP) grant from the Indian Nations Council of Governments (INCOG) (Clerk's Misc. File No. 20221789)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

E. Agreements

1. Board of County Commissioners:
 - a. Lilly Architects, PLLC, for the Tulsa County Courthouse Renovation (Clerk's Misc. File No. 20221790)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

- b. Parent Child Center of Tulsa, Inc., as a beneficiary of ARPA Funds, in the amount of \$100,000

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to defer the agreement. Upon roll call, Yes- Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

2. District Attorney - ImageNet Consulting, LLC, for lease and service of four (4) Konica Minolta 458e, one (1) Konica Minolta 658e, one (1) Konica Minolta 808 and one (1) Konica Minolta C450i through 6/30/2023; cost \$1,226.88 monthly (Clerk's Misc. File No. 20221791)
3. Parks:
 - a. Community Service Council, for use of LaFortune Park for a celebration with clients of the Healthy Start Program on 9/30/2022 from 11:00 a.m. to 2:00 p.m.; fee of \$200 (Clerk's Misc. File No. 20221792)
 - b. North American Tennis Championship, for the ITA Men's All American Tennis Championship to be held at the LaFortune Park Case Tennis Center from 9/30-10/5/2022 (Clerk's Misc. File No. 20221793)

4. Sheriff:

- a. SHI International Corp., for software to access social media account information and credit reports of new applicants, in the amount of \$68,028.04 (Clerk's Misc. File No. 20221794)
- b. Summit Food Services, LLC, for inmate food preparation services through 6/30/2023; rates based on the number of inmates being served (Clerk's Misc. File No. 20221795)
- c. Tulsa Public Schools, for educational services for qualified residential students placed in David L. Moss through 6/30/2023 (Clerk's Misc. File No. 20221796)
- d. USFleetTracking, for monthly service of 11 GPS devices for FY 2022-2023; cost of \$439.45/month (Clerk's Misc. File No. 20221797)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

F. Inventory Resolution - (Highway Construction) - surplus; miscellaneous equipment & vehicles (Clerk's Misc. File No. 20221798)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

G. Utility Permits - Engineers:

1. Cox Communications, Inc., RB-15142, to cross and parallel 136th St. N. at the junction of 136th St. N. and Highway 169 (Clerk's Misc. File No. 20221799)
2. Ford Homes, Inc., to cross E. 129th St. S. and parallel 121st E. Ave. approximately 0.21/0.47 mi. N/W of the 131st St. S. and 129th E. Ave. intersection (Clerk's Misc. File No. 20221800)

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

H. Travel/Training

1. IT - Dan Pease to attend OSU's MSIS Advisory Board/Curricular Advisory Panel in Stillwater, OK on 10/21/2022; cost is mileage only less than \$100 (Clerk's Misc. File No. 20221801)
2. Juvenile Bureau - for 5 staff members: Stephen Brown, Kierra James, Kelly Lavine, Andraous Cunningham, and Cortez Tunley to attend the OJDA Conference in Hulbert, OK on 10/19-21/2022; cost \$2,000 (Clerk's Misc. File No. 20221802)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve the travel/training. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

I. Claims to be Disallowed (payments cancelled as of 9/19-23/2022)

There were no claims to be disallowed.

J. Claims (payments for bills to be paid from 9/12-16/2022)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Commission. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

K. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 9/19-23/2022
Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution by the Commission. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

L. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20221803)

SALES TAX/BOND FUND PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Core & Main LP; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt Paid:** \$1,007.75

Creditor: ABC Equipment Rental, Inc.; **Fund:** HERJR/PJ1086; **Item:** Ray Jordan Bldg. Renovations-BOPS Basement; **Purpose:** Construction; **Amt Paid:** \$119

SALES TAX FUND PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Program Management Group, LLC; **Fund:** ADMIN/PJ1001; **Item:** Vision Tulsa County Administration; **Purpose:** Administration; **Amt Paid:** \$26,622.23

USE TAX FUND PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Hunter CGC, LLC; **Fund:** H209/PJ1029; **Item:** 209th W. Ave. Bridge Replacement; **Purpose:** Testing; **Amt Paid:** \$1,385

Creditor: Hunter CGC, LLC; **Fund:** H209/PJ1029; **Item:** 209th W. Ave. Bridge Replacement; **Purpose:** Testing; **Amt Paid:** \$1,275

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

- M. Zoning Application Hearing and Possible Action - (TMAPC) - CZ532 (Related to TCCP-10) Applicant & Owner: Troy Wilstead; Location: East of the southeast corner of East 126th Street North and North 97th East Avenue; Present Use: Rural Residential; Proposed Use: Mini-Storage; Request to Rezone from AG to IL to permit a mini-storage facility. On Meeting Date of August 3, 2022 TMAPC voted 6-2-0 to recommend that the County Commission Approve rezoning of 2.75 ± acres from AG to IL

TCCP-10: Resolution No. 2871:1037 (Related to CZ-532) - Amendment to the Tulsa Metropolitan Area Comprehensive Land Use Plan designation from Commercial to Industrial at a property located east of the southeast corner of East 126th Street North and North 97th East Avenue. This request is accompanied by a concurrent rezoning request (CZ-532), which proposes a zoning change on the subject tract from AG to IL to permit a mini-storage facility. Note: According to O.S. Title 19 § 863.7, the Board of County Commission must act on this item within 45 days of receipt. If no action is taken, the amendment will be officially approved. TMAPC voted 6-2-0 to adopt and recommend that the County Commission approve Resolution No. 2871:1037 (Clerk's Misc. File No. 20221804)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to enter into public hearing at 9:45 a.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Jay Hoyt, representing the Tulsa Metropolitan Area Planning Commission (TMAPC), presented zoning application CZ-532 and the related TCCP 10: Resolution No. 2871:1037

There were no members of the public who wished to speak.

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to close the public hearing at 9:48 a.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve and authorize execution by the Chairman. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

N. COVID-19 Virus Discussion and Update

Joseph Kralicek, Director of Tulsa Area Emergency Management Agency, gave an update on COVID-19 numbers in Tulsa County.

- O. Discussion and possible action approving the appropriation and use of funds received from the U.S. Department of Treasury under the “Coronavirus Response and Relief Supplemental Appropriations Act of 2021”, the “Emergency Rental Assistance Program”, and/or the “American Rescue Plan Act of 2021” and the “Coronavirus State and Local Fiscal Recovery Fund” contained therein (Clerk's Misc. File No. 20221805)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve the appropriation. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

P. Executive Sessions - (District Attorney) - Requested by Nicholas Williams

1. Pursuant to 25 O.S. § 307(B)(4), I am requesting that this matter be discussed in Executive Session between the Board and its attorney, for the purpose of confidential communications concerning possible official action regarding a pending claim, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest, to wit: *Tort Claim TC-2022-19: Brant Johnson v. Board of County Commissioners of Tulsa County, Oklahoma* - Deferred from 9/19/2022
2. Pursuant to 25 O.S. § 307(B)(4), I am requesting that this matter be discussed in Executive Session between the Board and its attorney, for the purpose of confidential communications concerning possible official action regarding a pending claim, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest, to wit: *Tort Claim TC-2022-20: Jim Roddy v. Board of County Commissioners of Tulsa County, Oklahoma* - Deferred from 9/19/2022

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to go into Executive Session. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:50 a.m.

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to reconvene the regular meeting at 9:55 a.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Items

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to deny the tort claims, to wit: Tort Claim TC-2022-19: *Brant Johnson v. Board of County Commissioners of Tulsa County, Oklahoma* (Clerk's Misc. File No. 20221806) and Tort Claim TC-2022-20: *Jim Roddy v. Board of County Commissioners of Tulsa County, Oklahoma* (Clerk's Misc. File No. 20221807). Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

VI. NEW BUSINESS

In accordance with the Open Meeting Act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

There was no new business.

VII. ADJOURN

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to adjourn the meeting. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

BOARD OF COUNTY COMMISSIONERS

A handwritten signature in black ink, appearing to read "Stan Sallee", written in a cursive style.

Stan Sallee, Chairman Pro Tem

ATTEST:

A handwritten signature in black ink, appearing to read "Michael Willis", written in a cursive style.

Michael Willis, Tulsa County Clerk