

MINUTES
Monday, February 6, 2023

APPROVED
02/13/2023

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 Karen Keith, Commissioner Stan Sallee and Commissioner Kelly Dunkerley. Others present: County Clerk Michael Willis.

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

II. PLEDGE OF ALLEGIANCE

Commissioner Dunkerley led the pledge of allegiance.

III. ANNOUNCEMENTS

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

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

IV. MINUTES

A. Board of County Commissioner's Meeting of January 30, 2023

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

V. UNFINISHED BUSINESS

A. Bid Openings

1. Parks - RFQ for Construction Manager at Risk Services for Case Tennis Center at LaFortune Park
 - a. Brewer Construction Company of Eastern Oklahoma Inc. (Clerk's Misc. File No. 20230157)
 - b. CMSWillowbrook, Inc. (Clerk's Misc. File No. 20230158)
 - c. Flintco, LLC (Clerk's Misc. File No. 20230159)
 - d. LDKC, Inc., dba LDKerns Contractors (Clerk's Misc. File No. 20230160)
 - e. Merak Group, LLC (Clerk's Misc. File No. 20230161)
 - f. Myers Cherry Construction (Clerk's Misc. File No. 20230172)
 - g. Nabholz Construction Corporation (Clerk's Misc. File No. 20230162)
 - h. Smith & Pickel Construction (Clerk's Misc. File No. 20230163)

- i. Stava Building LLC, dba Stava Building Corporation (Clerk's Misc. File No. 20230164)
- j. Thompson Construction, Inc. (Clerk's Misc. File No. 20230165)
- k. Timberlake Construction Company, Inc. (Clerk's Misc. File No. 20230166)

Motion made by Stan Saltee, seconded by Karen Keith, to refer the bids to Parks and Procurement for analysis, review and recommendation on 2/13/2023. Motion made by Karen Keith, seconded by Stan Saltee, to approve and authorize execution by the Chairman. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

- B. Amendment - (Engineers) - #2 to award for On-Call Surveying Services, to Geodeca LLC, Guy Engineering Services, Inc., Meshek & Associates, LLC, and Tanner Consulting, LLC, CMF #20220340. It is the recommendation of the Tulsa County Engineering Department to exercise the option to renew the proposal award with Geodeca LLC, Guy Engineering Services, Inc., Meshek & Associates, LLC, and Tanner Consulting, LLC, for an additional one-year period beginning 3/9/2023, with no changes to the terms of this proposal (Clerk's Misc. File No. 20230167)

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

- C. Agreement - (Administrative Services) - Getty Images (US), Inc., for premium access use of photos, illustrations, vectors, and video clips for one (1) year in the amount of \$3,300 - deferred from 1/30/2023 (Clerk's Misc. File No. 20230168)

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

- D. Sign Contractors Bond - (Inspections) - A-Max Sign Company Inc., as Principal, and Ohio Casualty Insurance Company, as Surety. Bond amount \$2,000; time period from 10/1/2022-10/1/2023 - deferred from 1/30/2023 (Clerk's Misc. File No. 20230169)

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

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 2/13/2023 (Clerk's Misc. File No. 20230156)

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

- B. Memorandum of Understanding - (Human Resources) - Tulsa Technology Center, for use of Lemley Campus for Confined Space Entry Training on 2/24/2023 for eight hours at a rate of \$45.00/hour, total cost \$360 (Clerk's Misc. File No. 20230170)

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

- C. Requests for Approval

- 1. Assessor - Claim for Reimbursement for Additional Homestead Exemption Allowed Certain Classes of Taxpayers for Tax Year 2022 (Clerk's Misc. File No. 20230171)
- 2. Board of County Commissioners - Stava Building, LLC, of Certificate of Substantial Completion for the ninth (9th) floor Commissioners' suite (Clerk's Misc. File No. 20230173)

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

- D. Resolution - (IT) - to authorize the transfer of sales tax proceeds from the previous encumbrances as follows: HQ4TCHQ 4th Floor Training Center Computer Replacement (CMF# 20220220) transferring to a new fund for the following purpose: HQ Miscellaneous IT - various small IT capital expenditures for the HQ facilities in the amount of \$7,702.26 (Clerk's Misc. File No. 20230174)

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

E. Agreements

1. Board of County Commissioners - INCOG, for Rural Economic Action Plan Funds:
 - a. Berryhill Fire Department Building driveway and rear apron paving, amount not to exceed \$60,000 (Clerk's Misc. File No. 20230175)
 - b. Oakhurst Road Improvements, not to exceed \$111,600 (Clerk's Misc. File No. 20230176)
 - c. Storm Siren purchase and installation, in the amount of \$20,942 (Clerk's Misc. File No. 20230177)
2. Engineers - Explorer Pipeline Company, to improve E. 51st and 193rd roundabout which will include removing 24" pipeline casing under E. 51st St. and wax-fill pipeline casing under County Line Road for a total cost of \$328,140 (Clerk's Misc. File No. 20230178)
3. Sheriff - City of Tulsa, for funds from the Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$20,373, to be used through 9/30/2023 to provide additional personnel, equipment, supplies, contractual support, training, technical assistance and information systems for law enforcement programs (Clerk's Misc. File No. 20230179)

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

F. Inventory Resolutions

1. Assessor:
 - a. Junked; 2 cameras (Clerk's Misc. File No. 20230180)
 - b. Stolen; Hilti measuring laser, Dell laptop and Coolpix camera (Clerk's Misc. File No. 20230181)
2. Highways District #1 - surplus; Dump Trucks, Spreaders, Snowplows and Mowers (Clerk's Misc. File No. 20230182)
3. Public Defender - junked; 2 shredders (Clerk's Misc. File No. 20230183)
4. Sheriff - junked; laptops and chargers (Clerk's Misc. File No. 20230184)

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

- G. Sole Source - (Sheriff) - Black Creek Integrated Systems Corporation, for the Black Creek Super Display Touchscreen Control System for the David L. Moss Correctional Center touchscreen security control system, for upgrades, service, equipment, and security

components for full integration within the facility, from 3/13/2023-3/12/2024 (Clerk's Misc. File No. 20230185)

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

H. Utility Permits - Engineers:

1. AT&T, for the crossing and paralleling of S. 45th W. Ave. approximately 0.02 mi. S. of the W. 49th St. S. & S. 45th W. Ave. junction (Clerk's Misc. File No. 20230186)
2. Cox Communications, for the crossing of Whirlpool Drive approximately 0.10 mi. S. of the E. 76th St. N. & Whirlpool Dr. junction (Clerk's Misc. File No. 20230187)
3. Oklahoma Natural Gas Company, for the paralleling and crossing of E. 181st St. S. approximately 0.30 mi. W. of the S. Memorial Dr. & E. 181st St. S. junction (Clerk's Misc. File No. 20230188)
4. Washington County Rural Water District #3, for the crossing of N. Lewis Ave. approximately 0.40 mi N. of the Hwy 20 & N. Lewis Ave. junction (Clerk's Misc. File No. 20230189)

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

I. Travel/Training - (Board of County Commissioners) - Chief Deputy James Rea to attend Tulsa Regional Chamber's OneVoice Day at the Capitol 2023 on 3/6-7/2023, OKC, OK; cost of \$567.55 (Clerk's Misc. File No. 20230190)

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

J. Claims (payments for bills to be paid from 1/23-27/2023)

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

K. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 1/30-2/3/2023

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

L. Consideration and Approval of Construction Program Payments

1. Vision 2025 (Clerk's Misc. File No. 20230191)
Creditor: R & L Construction; **Trust** #719384-H9; **Item:** 10,470-Owasso Sports Park Project #2; **Purpose:** Sports Park Improvements; **Amt. Paid:** \$145,164.60
2. Vision Tulsa County (Clerk's Misc. File No. 20230192)
Creditor: Locke Supply; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt Paid:** \$281.14
Creditor: M&M Lumber Co.; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt Paid:** \$1209.60
Creditor: Economy Lumber Co.; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt Paid:** \$1305.96
Creditor: Johnstone Supply of Tulsa, Inc.; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt Paid:** \$448.38

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

M. Public Health Update

Adam Austin, representing CC Health Department, gave an update on COVID-19 and flu season in Tulsa County

N. Executive Session - (District Attorney) - Requested by Nicholas Williams

1. Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, for the purpose of confidential communications concerning a pending claim, to-wit: *Chris Bales, Workers' Compensation Non-Represented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
2. Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, for the purpose of confidential communications concerning a pending claim, to-wit: *John Harris, III, Workers' Compensation Commission File No: CM3-2022-02596P, Claim # 37063-21-13*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
3. Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney, for the purpose of confidential communications concerning a pending claim, to-wit: *Keith Lawson, Workers' Compensation Non-Represented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest

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

Executive Session commenced at 9:43 a.m.

Motion made by Stan Sallee, seconded by Karen Keith, to reconvene the regular meeting at 10:43 a.m. Upon roll call, Yes - Stan Sallee, Karen Keith, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

O. Discussion and Possible Action Regarding Executive Session Items

Counsel requested that items 1 and 3 be heard first.

Motion made by Karen Keith, seconded by Stan Sallee, to grant settlement authority to Jay McAtee up to the amount as discussed in Executive Session, to-wit: Chris Bales, Workers' Compensation Non-Represented Claim, (Clerk's Misc. File No. 20230193) and Keith Lawson, Workers' Compensation Non-Represented Claim (Clerk's Misc. File No. 20230194) Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

Motion made by Karen Keith, seconded by Stan Sallee, to approve the recommendation of counsel, Jay McAtee as discussed in Executive Session, to wit: *John Harris, III, Workers' Compensation Commission File No: CM3-2022-02596P, Claim # 37063-21-13* (Clerk's Misc. File No. 20230195) Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

VII. 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.

VIII. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS


Kelly Dunkerley, Chairman

ATTEST:


Michael Willis, Tulsa County Clerk