

MINUTES
Monday, April 3, 2023

APPROVED
4/17/2023

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 Kelly 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. PROCLAMATION

- A. Proclaiming April 19, 2023 in Tulsa County as OneOK's EnviroExpo Day (Clerk's Misc. File No. 20230454)

Commissioner Kelly Dunkerley read the Proclamation. 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.

V. MINUTES

- A. Board of County Commissioner's Meeting of March 27, 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.

VI. UNFINISHED BUSINESS

- A. Bid Openings

1. TC Departments - Paperstock for Printing, from Midland Paper Company (Clerk's Misc. File No. 20230455)

Motion made by Karen Keith, seconded by Stan Sallee, to refer the bids to TC Departments and Procurement for analysis, review and recommendation on 4/17/2023. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

- B. Bid Awards & Recommendations:

1. Engineers - Road Materials to OK Precast, LLC (Clerk's Misc. File No. 20230456)

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

2. Parks - Request for Qualifications:

- a. Architect & Engineering Services for HVAC System Replacement
- b. Architect & Engineering Services for O'Brien Park Improvements

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

C. Addendums - Engineers:

1. #1 - to the request to advertise for the Haikey Creek Levee Retaining Wall Replacement, CMF #20230308, to provide answers to vendor questions (Clerk's Misc. File No. 20230457)
2. #1 - to the request to advertise for Traffic Signal Equipment and Parts, CMF #20230344, to provide answers to vendor questions (Clerk's Misc. File No. 20230458)

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

VII. ACTION ITEMS

A. Gasoline & Diesel Fuel Quotes for week ending 4/17/2023 (Clerk's Misc. File No. 20230453)

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

B. Appointment - (Board of County Commissioners) - Commissioner Keith - of Mariah Judd to the River Parks Authority, replacing Derek Martin, for a 3-year term expiring 4/30/2026 (Clerk's Misc. File No. 20230459)

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

C. Request to Accept and File - (County Clerk) - Oklahoma State Treasurer Mineral Interest Report, as required by §658.1 of Title 60, for 2020, 2021 and 2022 (Clerk's Misc. File No. 20230460)

Motion made by Stan Sallee, seconded by Karen Keith, to accept and file the report. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

D. Resolution - (Board of County Commissioners) - for Sale of Surplus Real Property to the Town of Sperry, described in that certain County Treasurer's Resale Deed vesting title in Grantor recorded on June 16, 2015, and recorded as Document No. 2015053004, in the Office of the Tulsa County Clerk (Clerk's Misc. File No. 20230461)

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.

E. Requests for Approval:

1. Tulsa Emergency Management Agency - The recently awarded Voluntary Buyout Program funded with federal CDBG-DR funds awarded to Tulsa County from the State of Oklahoma requires a review of all environmental laws and regulations in accordance with documents and procedures established by the Federal Department of Housing and Urban Development (HUD). As participating buyout locations are unknown at this time, the County is approving the Tier I Environmental Assessment (EA) which documents full compliance with the laws and executive orders that can be reviewed at the county level, and identifies which environmental compliance areas will be reviewed on a site-specific basis. Upon Approval of this Tier I Environmental

Assessment, the County will publish a notice of a Finding of No Significant Impact for the public to comment on. Upon completion of the 15-day public comment period, the County will authorize and sign the HUD form 7015.15 Request for Release of Funds, which is submitted to the State. The State will review and issue an Authorization to Use Grant Funds. The public comment period begins April 5, 2023 (Clerk's Misc. File No. 20230462)

2. Board of County Commissioners - of Quit Claim Deed with Town of Sperry for conveying a tract of certain real property of approximately 2,500 sq. ft., located in the city limits of Sperry to the Town of Sperry, more particularly described by the Tulsa County Assessor as Parcel #91214-12-14-02490, Also described in that certain County Treasurer's Resale Deed vesting title in Grantor recorded on June 16, 2015, and recorded as Document No. 2015053004, in the Office of the Tulsa County Clerk as follows: BEG 178S NEC SE SE TH S20 W141.5 N20 E141.5 POB LESS E16.5 FOR ST SEC 14 21 12 TR 3 .06AC UNPLATTED, An Addition to the Town of Sperry, Tulsa County, State of Oklahoma, according to the recorded Plat thereof (Clerk's Misc. File No. 20230463)

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. Tort Claim - TC-2023-21 Claimant: Alberto Moreno Casas, in the amount of \$425 for incident on 3/8/2023 (Clerk's Misc. File No. 20230464)

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

G. Agreements

1. Board of County Commissioners - WalMart, Walgreens, CVS - Opioid Retailer Settlement

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

2. Building Operations - Schneider Electric
 - a. for Resource Advisor Services for FY 2023-2024, for an annual fee of \$816.74 (Clerk's Misc. File No. 20230465)
 - b. for a variety of services to assist Tulsa County in reducing energy and operating costs at the Tulsa County Courthouse through 3/31/2024, cost of \$18,101 (Clerk's Misc. File No. 20230466)

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.

3. Court Clerk
 - a. CoxCom, LLC, for internet service to 2929 E. Apache St #B and County HQ; cost \$1,430/mo. plus \$980 set-up fees (Clerk's Misc. File No. 20230469)
 - b. JDYoung, Think Healthy Systems:
 - 1) for rental and service of a water filtration system, model 3i, serial number 1445M20548, at a monthly rate of \$46.95 (Clerk's Misc. File No. 20230467)
 - 2) for rental and service of a water filtration system, model PW1R Black, serial number 0942226122, at a monthly rate of \$45.95 (Clerk's Misc. File No. 20230468)

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.

4. Parks - Tulsa Sports and Events, for use of Haikey Creek field 2 every Sunday from 4/2/2023 - 6/4/2023 from 1:00 p.m. to 5:00 p.m. to hold a Men's Flag Football League; fee of \$400 (Clerk's Misc. File No. 20230470)

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.

- H. Agreement Renewal - (Sheriff) - Fraternal Order of Police, for renewal of CMF #20221014 for FY 2023-2024 (Clerk's Misc. File No. 20230471)

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.

- I. Utility Permit - (Engineers) - for Public Service Company of Oklahoma for the multiple overhead transmission line crossings of S. 33rd W. Ave. and W. 21st St. S. and Reservoir Rd. at approximately 0.25-miles E/S of the S. 33rd W. Ave. and W. 21st St. S. junction (Clerk's Misc. File No. 20230472)

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.

- J. Inventory Resolutions

1. Assessor - junked; 14 Surface Pro computers (Clerk's Misc. File No. 20230473)
2. County Clerk - junked; computer (Clerk's Misc. File No. 20230474)
3. District Attorney - junked; computers and equipment (Clerk's Misc. File No. 20230475)

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.

- K. Travel/Training

1. Court Services:
 - a. Court Services Officer, Paul Casteel, to the Glock Armorer's Course in Grove, OK, on 4/18/2023; cost of \$250 (Clerk's Misc. File No. 20230476)
 - b. Court Services Officer, Paul Casteel, and Assistant Chief Court Services Officer, Debra Richardson, to attend the 2023 OGIA Gang Conference in Tulsa, OK, on 6/19-23/2023; cost \$500 (Clerk's Misc. File No. 20230477)

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

2. OSU Extension - Brittany Woods
 - a. to Cross Timber Conference in Kellyville, OK, on 4/10/2023; cost \$40 (Clerk's Misc. File No. 20230478)
 - b. to Semoron Pesticide Conference in Perry, OK, on 4/4/2023; cost \$140 (Clerk's Misc. File No. 20230479)
 - c. to STEP training in Stillwater, OK on 4/11/2023; cost \$110 (Clerk's Misc. File No. 20230480)
 - d. Unplanned travel from March to June 2023; cost \$300 (Clerk's Misc. File No. 20230481)

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

- L. Claims (payments for bills to be paid from 3/20-24/2023)

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

M. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 3/27-31/2023
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.

N. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20230482)

SALES TAX/BOND FUND PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Bright Lighting, Inc.; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement; Purpose: Construction; **Amt. Paid:** \$151,719.85

Creditor: ODOT; H137E/PJ1025; **Item:** Horsepen Creek Bridge Replacement; Purpose: Construction; **Amt. Paid:** \$251,236

Creditor: Builders Supply; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; Purpose: Materials; **Amt. Paid:** \$7,432

Creditor: Amazon Com LLC; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; Purpose: Materials; **Amt. Paid:** \$539.94

Creditor: Garver; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement; Purpose: Construction; **Amt. Paid:** \$1,453.27

USE TAX FUND PROJECTS RECOMMENDED FOR PAYMENT

Creditor: ODOT; H137E/PJ1025; **Item:** Horsepen Creek Bridge Replacement; Purpose: Final Payment; **Amt. Paid:** \$18,056.25

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.

O. Public Health Update

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

P. 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. 20230483)

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

Q. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-539 - Applicant: Todd Harmon, Owner: David Leo and Jerri Ann Sandridge, Location: South of the Southeast corner of East 106th Street North and North Garnett Road. The request is to Rezone 4.36 ± acres from RE to CG to permit a mini-storage facility. On meeting date of March 1, 2023 TMAPC voted 8-0-0 to recommend that the County Commission Approve rezoning of 4.36 ± acres from RE to CG (Clerk's Misc. File No. 20230484)

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

Jay Hoyt, representing TMAPC presented the zoning application. There were no members of the public signed up to speak.

Motion made by Karen Keith, seconded by Stan Sallee, to close the public hearing at 9:50 a.m. 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 and authorize execution by the Chairman. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

R. Executive Sessions

1. Requested by Nicholas Williams - Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney(s) for the purpose of confidential communications concerning a pending claim, to-wit: *Board of County Commissioners of Tulsa County v. Purdue Pharma L.P. et al., Case No. 19-OP-45352-DAP, pending in the U.S. District Court for the Northern District of Ohio, State of Ohio*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
2. Requested by Douglas Wilson on behalf of Commissioner Stan Saltee: Pursuant to 25 O.S. § 307(B)(1), I am requesting that this matter be discussed in Executive Session among the Board members for the purpose of confidential discussions concerning the employment, promotion, demotion, disciplining or resignation of the Parks Director, the Inspections Director and the Parks Department Construction and Projects Manager, all three of whom are individual salaried public officers or employees

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

Executive Session commenced at 9:51 a.m.

Motion made by Karen Keith, seconded by Stan Saltee, to reconvene the regular meeting at 11:50 a.m. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

S. Discussion and Possible Action Regarding Executive Session Items

Motion made by Stan Saltee, seconded by Karen Keith, to schedule a Special BOCC Executive Session on Thursday, April 6, 2023 at 2:30 p.m., to wit: *Board of County Commissioners of Tulsa County v. Purdue Pharma L.P., et al, Case No.19-OP-45352-DAP, pending in the U.S. District Court for the Northern District of Ohio, State of Ohio*. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20230485)

Motion made by Karen Keith, seconded by Stan Saltee, to accept the resignation of Scott Aneshansley, Parks Construction and Projects Manager. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. Motion made by Karen Keith, seconded by Stan Saltee, to suspend the Parks Director with pay until further notice. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20230486)

VIII. 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.

IX. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS


Kelly Dunkerley, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read "Michael Willis". The signature is fluid and cursive, with a small dot at the end.

Michael Willis, Tulsa County Clerk