

APPROVED
2/5/2024

MINUTES
Monday, January 29, 2024

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

Stan Sallee, 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, 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, Public Defender, 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.

III. MINUTES

A. Management Conference Minutes of January 11, 2024

B. Board of County Commissioner's Meeting of January 22, 2024

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

IV. UNFINISHED BUSINESS

A. Bid Awards & Recommendations:

1. Engineers:

- a. Asphalt & Emulsions - Deferred
- b. Concrete Mixes & Related Products - Deferred
- c. Guard Rail - Deferred
- d. HP Storm Pipe - Deferred
- e. Reinforced Concrete Pipe & Boxes - Deferred
- f. Road Structure Materials & Road Salt - Deferred

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

2. Parks - Request for Qualifications for Chandler Park Improvements - to LandPlan Consultants, Inc., the most qualified and responsive firm (Clerk's Misc. File No. 20240151)

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

- B. Addendum - (Engineers) - #1 to the Request to Advertise for Cold Milling Services, set to open on 2/5/2024, to provide answers to vendor questions and to modify specifications of the item descriptions within the Bid Form (Clerk's Misc. File No. 20240152)

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

C. Amendments

1. Board of County Commissioners:
 - a. # 1 to the agreement with ADG Blatt, P.C., CMF #20220868, for project management services in relation to the Tulsa County Courthouse Renovation, to extend through 12/31/2024 (Clerk's Misc. File No. 20240153)
 - b. City of Jenks - Consider and take action on the approval or disapproval of certain form of Agreement presented to this meeting in connection with Vision 2025, authorizing the Chairman upon advice of counsel to make changes to the form of such Agreement and to execute and deliver this Agreement and all documents and agreements as may be necessary or required: Fourth Amendment to Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma and the City of Jenks, Oklahoma (Jenks Trail System Extension Project) (Clerk's Misc. File No. 20240154)
2. Engineers - #11 to the agreement with Dewberry Engineers Inc., for the widening and improvements of Garnett Road from 81st Street to 101st Street, CMF #207780. This agreement has been modified with the most recent Amendment 10 being approved on 12/12/2022, for redevelopment of the floodplain and floodway in a phased approach per coordination with the Federal Emergency Management Agency (FEMA) at Garnett Road, 81st Street to 101st Street, CMF #20222138. This Amendment includes an addition fee to perform the tasks associated with Amendment 10, due to the time delay in authorizing the notice to proceed. Approval of this amendment will increase the cost of engineering services by \$9,000 for a total contract amount of \$532,774.32 (Clerk's Misc. File No. 20240155)

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

V. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 2/5/2024 (Clerk's Misc. File No. 20240150)

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

- B. New Receiving Officer - (Engineers) - designating Jessica Freeman for CC2300 Highway Maintenance (Clerk's Misc. File No. 20240156)

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

- C. Documents for Sale of County Property - (Treasurer) - Parcel #43300-03-29-15190, LT 564 & 20 VAC STREET ADJ ON N BLK 44 TULSA HGTS, to Mickayla Fisher (Clerk's Misc. File No. 20240157)

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

D. Requests for Approval

1. Assessor - of Claim for Reimbursement for Additional Homestead Exemption Allowed Certain Classes of Taxpayers for Tax Year 2023 (Clerk's Misc. File No. 20240158)
2. Board of County Commissioners - Tulsa Regional Chamber, endorsement of OneVoice 2024 Regional Legislative Agenda (Clerk's Misc. File No. 20240159)
3. Human Resources:
 - a. of TCP 004 County Vehicle Usage Policy (Clerk's Misc. File No. 20240160)
 - b. of TCP 034 COVID-19 Policy (Clerk's Misc. File No. 20240161)
4. INCOG - of Certification of Consistency with Tulsa County Consolidated Plan for HUD Section 811 Program Competition - A New Leaf for Project, The Village, A Pathway to Independence, Phase 2 located at 8535 N. Memorial, Owasso, OK (Clerk's Misc. File No. 20240162)
5. Tulsa Area Emergency Management Agency - (TAEMA)
 - a. Oklahoma Department of Emergency Management & Homeland Security - of Commitment Letter to satisfy the local matching fund requirement for the Tulsa Mitigation Partnership Program through the Building Resilient Infrastructure in Communities grant program. The local cost share of \$75,854.48 is anticipated to be met by in kind contributions provided by the Tulsa Area Emergency Management Agency and other Community Partners equaling 25% of the total \$303,417.91 grant request. (Clerk's Misc. File No. 20240163)
 - b. Dr. Kary Stackelbeck, State Archaeologist, Oklahoma Archaeological Survey, University of Oklahoma - Section 106 consultation for Tulsa County Voluntary Buy-Out Program (VBP) (Clerk's Misc. File No. 20240164)
 - c. State Historic Preservation Office of the Oklahoma Historical Society - of Section 106 Consultation for Tulsa County Voluntary Buy-out Program (VBP) (Clerk's Misc. File No. 20240165)
 - d. Tribal Historic Preservation Officer of Muscogee Nation - Section 106 Consultation for Tulsa County Voluntary Buy-out Program (VBP) (Clerk's Misc. File No. 20240166)

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

E. Agreements

1. Board of County Commissioners - JE Dunn Construction Manager for Tulsa County Courthouse Renovation, CMF #20230115

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

2. Parks:

- a. HOLA!, LLC, for use of several Tulsa County Parks for Spanish Through Art Program from 2/1/2024 - 1/31/2025, fee of 20% of the paid enrollment (Clerk's Misc. File No. 20240167)
- b. Joe Spring, Bixby Wild Bunch Boxing Club, for use of several Tulsa County Parks for Boxing and Karate lessons meeting as requested by the instructor, fee of 20 percent of paid enrollment (Clerk's Misc. File No. 20240168)
- c. Melissa McCorkle, dba, M & M Tennis, LLC, for professional tennis services at LaFortune Park (Clerk's Misc. File No. 20240169)
- d. Robea Long, for use of O'Brien Park/Pavilion 2 for a Block Party on 5/4/2024, from 9:00 a.m. to 8:00 p.m., fee of \$600 (Clerk's Misc. File No. 20240170)
- e. USA Table Tennis, for the use of South County Recreation Center for Essential Table Tennis Program every Monday from 4:30 to 8:30 p.m. from 1/8/2024 through 12/30/2024; fee of \$1,200 (Clerk's Misc. File No. 20240171)

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

3. Treasurer - Home Builders Association of Greater Tulsa Inc., for a booth rental at the SageNet Center at Expo Square for the Home and Garden Show 3/7-10/2024, cost of \$2,020 (Clerk's Misc. File No. 20240172)

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

F. Agreement Renewal - (County Clerk) - Harris Recording Solutions, for renewal of CMF #20222019 for FY 2023 - 2024 (Clerk's Misc. File No. 20240173)

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

G. Inventory Resolutions

1. Building Operations - Asset transfer to Parks - Chevy Silverado Truck (Clerk's Misc. File No. 20240174)
2. Drainage District #12 - Asset disposal: junked - projector (Clerk's Misc. File No. 20240175)
3. Parks - Asset disposal: junked - solar energy panels (Clerk's Misc. File No. 20240176)

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

H. Travel/Training - (Human Resources) - Cheryl King to attend the Workers' Compensation Continuing Education Seminar on 2/27/2024 in Edmond, OK; cost \$332.28 (Clerk's Misc. File No. 20240177)

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

I. Claims

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

J. Payroll claims - Monthly for January 2024

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

K. Blanket Purchase Orders and Emergency Purchase Orders

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

L. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-549 Applicant: Lou Reynolds, Owner: Scout Investments - Location: South and West of the intersection of East 76th St. N. and N. Whirlpool Drive. Request to Rezone from IL to IM to permit Industrial Moderate uses. On Meeting Date of December 20, 2023, TMAPC voted 8-0-0 to recommend that the County Commission Approve rezoning of 14.87 ± acres from IL to IM (Clerk's Misc. File No. 20240178)

Motion made by Karen Keith, seconded by Kelly Dunkerley, to enter into public hearing at 9:43 a.m. Upon roll call, Yes - Kelly Dunkerley, Karen Keith, Stan Sallee. 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 Kelly Dunkerley, seconded by Karen Keith, to close the public hearing at 9:45 a.m. Upon roll call, Yes - Kelly Dunkerley, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

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

M. Executive Sessions - (District Attorney) - Requested by Douglas Wilson:

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 pending claims in the above-referenced matters, to wit: *Ashleigh Horton, Alanah Horton, Justin Horton v. Board of County Commissioners of Tulsa County, Oklahoma, Case No. CJ-2023-2452 pending in the Tulsa County District Court*
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: *Oklahoma Department of Corrections v. Byrd, et al., 2023 OK 97, Appellate Case Nos. 119,908 and 119,907, consolidated, pending before the Oklahoma Supreme Court*

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

Executive Session commenced at 9:45 a.m.

Motion made by Karen Keith, seconded by Kelly Dunkerley, to reconvene the regular meeting at 10:56 a.m. Upon roll call, Yes - Kelly Dunkerley, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

N. Discussion and Possible Action Regarding Executive Session Items

Motion made by Kelly Dunkerley, seconded by Karen Keith, to authorize settlement authority to District Attorney up to the amount discussed in Executive Session, to-wit: *Ashleigh Horton, Alanah Horton, Justin Horton v. Board of County Commissioners of Tulsa County, Oklahoma*, Case No. CJ-2023-2452. Upon roll call, Yes - Kelly Dunkerley, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20240179)

Motion made by Karen Keith, seconded by Kelly Dunkerley, to authorize the District Attorney to proceed as discussed in Executive Session, to-wit: *Oklahoma Department of Corrections v. Byrd, et al.*, 2023 OK 97, Appellate Case Nos. 119,908 and 119,907, consolidated, pending before the Oklahoma Supreme Court. Upon roll call, Yes - Kelly Dunkerley, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20240180)

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

BOARD OF COUNTY COMMISSIONERS



Stan Sallee, Chairman

ATTEST:



Michael Willis, Tulsa County Clerk