

(Agenda of meeting was posted in the central and outside lobby of the Tulsa County Administration Building on July 1, 2009 at 4:26 p.m.)

MINUTES  
Monday, July 6, 2009

The Board of County Commissioners for Tulsa County met at the hour of 9:30 a.m. with the following members present: John Smaligo, Chairman; Karen Keith, Member, Fred R. Perry, Member, and Earlene Wilson, Tulsa County Clerk, represented by Kathy Hall.

John Smaligo, Chairman presiding, called the meeting to order at 9:32 a.m., and the following business was transacted:

Brian Edwards led the Pledge of Allegiance.

Moved by Keith, seconded by Perry, to approve the minutes for the Board of County Commissioners Meeting of June 29, 2009. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve the following Bid/Proposal Awards and Recommendations:

1. Liberty Area Fire Association - Tanker Body, to Arrowhead Truck Equipment. (Clerk's Misc. File No. 215081)
2. Parks - Septic Tank Service, to Roto-Rooter Septic Tank Service, the only bid received, however, this vendor has been awarded this bid in the past and they have been very satisfactory. This award is for one year beginning 7/14/09. (Clerk's Misc. File No. 215082)
3. TC Departments - Automotive Glass Replacement, to Safelite Autoglass, the lowest overall bid received. This award is for one year beginning 7/14/09. (Clerk's Misc. File No. 215083)
4. TC Departments - Energy Savings Performance Contracting Program - **DEFERRED**.
5. TC Employees' Retirement System - Investment Management Consultant, to Gregory W. Group, in the amount of \$80,000; although this was the sole proposal received it meets all the criteria. (Clerk's Misc. File No. 215084)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Per section 7 of the Resolution authorizing and directing the establishment of a 2003 Sales Tax Overview Committee for Vision 2025, A.F. Ringold, Chairman, emailed the monthly report for the 2003 STOC, citing the following: The 2003 Sales Tax Overview Committee (STOC) was called to order at 10:00 a.m. on June 18, 2009, by Tony Ringold, Chairman, at the LaFortune Community Center, 5202 South Hudson, Tulsa, Oklahoma.

1. A quorum was present. There were five excused and three unexcused absences.
2. A guest in attendance was David Arnett, Public Information Officer for PMg.
3. The minutes of the May 21, 2009 meeting were approved.
4. The Chairman advised that he filed the requisite monthly report for May with the BOCC.
5. Kirby Crowe presented comments on the current written PMg Vision 2025 Report previously sent to the committee members. He noted that current sales tax collections continue to be significantly less than estimated, but total sales tax collections are still on target. PMg has modified its report on the cover page of the financial section to summarize the status of the bond proceeds, payments, interest and estimated outstanding interest expense. For fiscal year 2010 estimate, Dr. Piercey used a 2% growth factor, which will require average monthly sales tax receipts of \$4,840,000 to meet the estimate. Mr. Crowe also advised that PMg continues to work on a newsletter which will describe the status of both Vision 2025 and 4 to Fix County projects. He plans to allot one-half page to STOC, and will have a photographer at the July 16 meeting. The Chairman urged the members to contact him with suggestions for topics to be presented by STOC in the newsletter. Mr. Crowe then reported on the status of several Vision 2025 projects, including OSU Tulsa-enhancement to the clean rooms in the Advanced Technology Center; LaFortune Park tennis courts; Route 66; Downtown Neighborhood projects in Collinsville, Owasso and Tulsa; Mohawk Park and Haikey Creek - both awaiting 404 environmental permits; and the Arkansas River Low Water Dams funding process. Mr. Crowe then responded to questions from the committee members, after which his report was accepted.

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6. Bob Hyer presented a supplemental financial report for the Financial Review Sub-Committee. He stated that he had reviewed the sales tax estimates and agreed with Mr. Crowe's comments. The latest total sales tax estimate is \$761 million. \$576 million of this total is for the original budgeted projects and \$143 million is the current estimate for total interest expense. This leaves \$42 million in projected additional funds, and this assumes the sales tax estimates are valid. \$40 million is in the required reserve fund for debt service. With more than eight years remaining for sales tax collections, it is much too early to discuss the probability of any additional projects. Actual sales tax collections through May 2009 were \$276 million; \$140 million of this has been used to make principal payments on the bonds and \$80 million has been paid in interest expense. The remaining \$56 million is being used for pay-as-you-go projects. Project payments are slowing down. May payments were \$2.2 million, and \$1.7 million of this was for the Convention Center. The Chairman announced that the next meeting would be held on July 16 at the new Broken Arrow Community Center. The meeting adjourned.

Moved by Keith, seconded by Perry, to approve the above report. Upon roll call, Perry, yes;

Keith, yes; Smaligo, yes. Motion carried. (Clerk's Misc. File No. 215085)

Moved by Perry, seconded by Keith, to approve the gasoline and diesel fuel quotes for the week ending July 13, 2009. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried. (Clerk's Misc. File No. 215086)

Request from Purchasing for Certificate of Substantial Completion for Roof Replacement and Wall Waterproofing for the Oklahoma Jazz Hall of Fame, a Vision 2025 Project, from Atwell Roofing Company, Inc. - **DEFERRED**

Moved by Keith, seconded by Perry, to approve and authorize execution by the Chairman, to consider and adopt the following resolutions from Hilborne & Weidman ratifying and affirming the following agreements:

1. The Tulsa County Industrial Authority:
  - a. Operation and Maintenance Agreement dated December 1, 1992 relating to the Authority's Recreational Facilities Revenue Bonds, Series 2002 and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215087)
  - b. Projects Agreement dated December 1, 1997 relating to the Authority's Health Facilities Revenue Bonds, Series 1997 and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215088)
  - c. Lease Agreement dated June 1, 2005 relating to the Authority's Lease Payment Revenue Bonds, Refunding Series 2005 and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215089)
  - d. Projects Agreement dated August 1, 2006 relating to the Authority's Capital Improvements Revenue Bonds, Series 2003A and Series 2003B and the Authority Capital Improvements Revenue Bonds, Series 2005A and Series 2005B and Series 2005C and the Authority Capital Improvements Revenue Bonds, Series 2006B and Series 2006C and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215090)
  - e. Projects Agreement dated October 1, 2006 relating to the Authority's Capital Improvements Revenue Bonds, Series 2006A and Series 2006D and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215091)
2. The Tulsa County Public Facilities Authority:
  - a. Projects Agreement dated December 1, 1999 relating to the Authority's Capital Improvements Revenue Bonds, Series 1999 and other obligations of the Authority therein described as therein provided; (Clerk's Misc. File No. 215092)
  - b. Projects Agreement dated June 16, 2003 relating to the Authority's Recreational Facilities Refunding Revenue Bonds, Series 2003 and other obligations of the Authority therein described as therein provided. (Clerk's Misc. File No. 215093)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Perry, seconded by Keith, to approve and authorize execution as needed, the following Agreements:

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1. Board of County Commissioners/TC Central Garage - CC Library, for vehicle maintenance, for FY 2009/10. (Clerk's Misc. File No. 215094)
2. Board of County Commissioners/TC Central Garage - District Attorney, for renewal of CMF #210473, vehicle maintenance, for FY 2009/10. (Clerk's Misc. File No. 215095)
3. Board of County Commissioners/TC Central Garage - District Attorney, for vehicle lease, maintenance and user agreement, for FY 2009/10. (Clerk's Misc. File No. 215096)
4. Board of County Commissioners/TC Central Garage - District Attorney/ Restitution, for renewal of CMF #210475, vehicle maintenance, for FY 2009/10. (Clerk's Misc. File No. 215097)
5. Board of County Commissioners/TC Central Garage - INCOG, for renewal of CMF #210605, for vehicle lease, maintenance and user agreement, for FY 2009/10. (Clerk's Misc. File No. 215098)
6. Board of County Commissioners/TC Central Garage - River Parks Authority, for vehicle maintenance and user agreement, for FY 2009/10. (Clerk's Misc. File No. 215099)
7. Board of County Commissioners/TC Central Garage - Tulsa Area Emergency Management Agency, for renewal of CMF #210606, for vehicle maintenance and user agreement, for FY 2009/10. (Clerk's Misc. File No. 215100)
8. Board of County Commissioners /TC Central Garage - United States Marshals Service, for vehicle maintenance and user agreement, for FY 2009/10. (Clerk's Misc. File No. 215101)
9. County Clerk - Get Imaging, for renewal of CMF #211126 for FY2009/10. (Clerk's Misc. File No. 215102)
10. County Clerk - Vault Management, for renewal of CMF #211127, for FY2009/10. (Clerk's Misc. File No. 215103)
11. County Clerk - Xerox, for renewal of CMF #211129 for FY2009/10. (Clerk's Misc. File No. 215104)
12. County Clerk - Xerox, for renewal of CMF #211130, for FY2009/10. (Clerk's Misc. File No. 215105)
13. County Clerk - Xerox, for renewal of CMF #211131, for FY2009/10. (Clerk's Misc. File No. 215106)
14. County Clerk - Xerox, for renewal of CMF #211132, for FY2009/10. (Clerk's Misc. File No. 215107)
15. Employees' Retirement System of Tulsa County - HoganTaylor, LLP, for auditing services for FY2008/09. (Clerk's Misc. File No. 215108)
16. Employees' Retirement System of Tulsa County - Milliman Consultants and Actuaries, for renewal of CMF #211203 for FY 2009-10. (Clerk's Misc. File No. 215109)
17. Engineers - Keystone Services, Inc., for Haikey Creek Levee Tie Wall Replacement. (Clerk's Misc. File No. 215110)
18. IT - First American Document Solutions, for remote access to computerized records in the Tulsa County Treasurer, Assessor and County Clerk's offices. (Clerk's Misc. File No. 215111)
19. Juvenile Bureau - City of Tulsa, for renewal of CMF #207243 for FY2009/10. (Clerk's Misc. File No. 215112)
20. Parks - Sonitrol, for installation, service, and maintenance of the security system for the new LaFortune Park Golf Course Clubhouse. (Clerk's Misc. File No. 215113)
21. Sheriff - Union Public Schools, for law enforcement services for FY 2009/10. (Clerk's Misc. File No. 215114)
22. Sheriff - Tulsa Technology Center, for law enforcement services for FY 2009/10. (Clerk's Misc. File No. 215115)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Perry, seconded by Keith, to approve and authorize execution as needed,

the following Agreement:

23. Tulsa County Criminal Justice Authority/Sheriff - City of Tulsa, for Detention System at David L. Moss Correction Facility from 7/1/09 thru 6/30/14. (Clerk's Misc. File No. 215116)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Perry, seconded by Keith, to approve and authorize execution as needed,

the following Agreement:

24. Treasurer - Cox Radio, Inc., for exhibit at Expo Square 2009 Home and Garden Expo of Oklahoma, from 7/24-26/09. (Clerk's Misc. File No. 215117)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve the following Request to

Advertise for Bids:

1. Parks - Kitchen Equipment for the LaFortune Park Golf Clubhouse. (Clerk's Misc. File No. 215118)

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Bids to open 7/27/09 at 9:30 a.m.

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve and authorize execution by the Chairman, the following Inventory Resolutions:

1. Highways - lost: Motorola hand held radio, SN 205CEN1072, purch. 7/30/04 for \$2,484.00. (Clerk's Misc. File No. 215119)
2. Treasurer - junked: Canon fax machine, SN UYG16807, purch. 1/20/99 for \$1,754.00. (Clerk's Misc. File No. 215120)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve and authorize execution by the Chairman, the Sole Source from Purchasing for Lektron, Inc., the only distributor and manufacturer of LED Components for the Dynamic light fixtures. (Clerk's Misc. File No. 215121)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve the Travel/Training request from Engineers, for John Remington, to attend US Army Corps of Engineers Infrastructure Systems Conference in Cleveland, OH, from 7/20-24/09; cost not to exceed \$1,900.00. (Clerk's Misc. File No. 215122)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Perry, seconded by Keith, to approve the following Personnel Actions:

A. Name	B. Action	C. Salary	D. Eff. Date
<u>Highways:</u>			
Campbell, James L. (Clerk's Misc. File No. 215123)	End FMLA w/pay	\$3,431.96	6/29/09
<u>Parks:</u>			
Farley, Andy Ray	Provis.	\$1,733.60	7/1/09
Wilson, Danae	Pttime.	\$7.50/hr.	6/30/09
Carson, Justin	Dschrg.		6/24/09
Eicher, Paul	End of Temp. Empl.		6/24/09
Smith, Jaime	End of Temp. Empl.		6/24/09
Spiegel, Zachery	End of Temp. Empl.		6/24/09
Green, Raven	Resign.		6/26/09
Robinson II, Gregory	Sal. Adj.	\$7.50/hr.	6/20/09
Haas, Shelby (Clerk's Misc. File No. 215124)	Resign.		6/21/09

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to accept and file the following CC Health Documents:

Personnel Actions:

A. Name	B. Action	C. Salary	D. Eff. Date
Brown, Lamar (Clerk's Misc. File No. 215126)	Temp.	\$15.00/hr.	6/26/2009

Travel/Training:

a) Barbara Cargill has attended "T-3 & Pipe Training" in OKC, OK on 6/23/09; cost not to exceed \$441. b) Scott Meador to "NACCHO National Conference" in Orlando, FL from 7/28-31/09; cost not to exceed \$1,477.50. c) Corrina Jackson & Su Phipps to "Interconception Care Learning Community (ICC-LC) Annual Meeting" in Washington, DC on 8/2-5/09, at a cost not to exceed \$2,493.44. (Clerk's Misc. File No. 215127)

Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, to approve and authorize execution by the Commission, Blanket Purchase Orders and Emergency Purchase Orders submitted from 7/1-2/09. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

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Request for Executive Session from David Iski, Assistant District Attorney, pursuant to 25 O.S. § 307 (B) (4), I am requesting this matter be discussed in Executive Session between the Board and its attorneys for the purpose of confidential communications concerning possible official action regarding a claim, disclosure of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest, to wit: for the purpose of discussing: the upcoming court scheduled settlement conference for the following case: McClellan v. Tulsa School District, et al., Northern District of Oklahoma Case No. 07. (Clerk's Misc. File No. 215128)

Moved by Keith, seconded by Perry, to go into Executive Session. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Executive Session commenced at 9:40 a.m.

Moved by Keith, seconded by Perry, that Executive Session end. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Executive Session ended at 9:57 a.m.

The regular meeting reconvened at 9:58 a.m.

Moved by Perry, seconded by Keith, to appoint Commissioner Smaligo to attend the settlement conference for case: McClellan v. Tulsa School District, et al., Northern District of Oklahoma Case No. 07, on July 16, 2009, with full settlement authority, as discussed in Executive Session. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Keith, seconded by Perry, for David Iski, Assistant District Attorney, to respond to the offer for case: McClellan v. Tulsa School District, et al., Northern District of Oklahoma Case No. 07, as discussed in Executive Session. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

Moved by Smaligo, seconded by Perry, that this meeting be adjourned. Upon roll call, Perry, yes; Keith, yes; Smaligo, yes. Motion carried.

BOARD OF COUNTY COMMISSIONERS

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John Smaligo, Chairman

ATTEST:

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Earlene Wilson, County Clerk  
(DETAILS OF THE ABOVE ARE AVAILABLE IN THE OFFICE OF THE COUNTY CLERK.)