

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on August 19, 2021 at 4:14 p.m.)

MINUTES
Monday, August 23, 2021

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

Stan Sallee, Chairman, called the meeting to order at 9:35 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, CC 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 August 16, 2021

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

IV. REPORT

A. Assessor - Monthly Revolving Fund for 7/2021 (Clerk's Misc. File No. 20211910)

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

V. UNFINISHED BUSINESS

A. Bid Openings - (Sheriff) - Inmate E-Cigarettes

1. Custom Technologies, Inc. (Clerk's Misc. File No. 20211911)
2. JP Maxx, LLC dba Jail Puff Maxx (Clerk's Misc. File No. 20211912)
3. Precision Vapor - Bid Rejected - Documentation for FDA approval process not provided (Clerk's Misc. File No. 20211913)

Motion made by Karen Keith, seconded by Ron Peters, to refer the bids to the Sheriff and Procurement for analysis, review and recommendation on 8/30/2021. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

B. Addendum #1 - (TC Departments) - to the Notice to Bidders for Paper Products, CMF #20211751, with bids to be received by 8/27/2021, to answer vendor submitted questions and provide a revised bid form (Clerk's Misc. File No. 20211914)

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

- C. Change Order #8 - (Highways) - to the Project Agreement with Oklahoma Department of Transportation (ODOT) for intersection improvements at 116th Street North and 129th East Avenue, project STP-272B(278)CI, CMF #20200056, for excavation overruns. The contract time is unchanged and the contract sum will be increased in the amount of \$56,245.50 of which Tulsa County is responsible for ten percent (10%) per the original agreement (Clerk's Misc. File No. 20211915)

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

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 8/30/2021 (Clerk's Misc. File No. 20211916)

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

- B. Appointment - (Board of County Commissioners) - Michael Hicks to the Tulsa County Board of Adjustment for a three-year term with term to expire 9/15/2024 (Clerk's Misc. File No. 20211917)

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

- C. Requests for Approval

1. Engineers - Notice of Intent for stormwater discharge permit as required by ODEQ (Clerk's Misc. File No. 20211918)
2. Parks - for updated fee schedules for Parks Events, Parks Facility Users, Parks Vendors, and Case Tennis Complex fees and operation hours effective 7/1/2021 (Clerk's Misc. File No. 20211919)
3. Social Services - to accept donations of food, medications and various items for 7/2021 (Clerk's Misc. File No. 20211920)
4. TC Departments - to rescind the bid award for Trash Can Liners to Advanced Industrial Solutions, CMF #20210626, effective immediately and obtain quotes or utilize qualifying contracts available to Tulsa County for liner needs until such time that a new bid can be awarded. Advanced Industrial Solutions contacted the Procurement Department to advise that they are unable to honor their bid prices effective 8/19/2021 due to rising cost of raw materials for their manufacturer (Clerk's Misc. File No. 20211921)

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

- D. Resolutions

1. Assessor - to designate Leisa Weintraub as Requesting Officer replacing Tamara Stanley (Clerk's Misc. File No. 20211922)
2. Highways - to designate Kevin Summers as Receiving Officer replacing Joseph Herndon (Clerk's Misc. File No. 20211923)

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

- E. Agreements

1. Human Resources - Total Administrative Services (TASC) - Universal subscription agreement for administrative services through 12/31/2021, deferred from 8/16/2021 BOCC meeting - Deferred

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

2. Juvenile Bureau - Idemia Identity & Security USA LLC - for maintenance of LiveScan fingerprinting equipment and printer for the period of 9/24/2021 through 9/23/2022; cost of \$2,475 (Clerk's Misc. File No. 20211924)
3. Parks - Diversified Civil Contractors, LLC - for Project Performance Contract for the Chandler Park Lower Level Overlook Plaza (Clerk's Misc. File No. 20211925)

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

- F. Request for Approval - (Parks) - Notice to Proceed - for authorization for Diversified Civil Contractors, LLC to proceed with the scope of work for the Chandler Park Lower Level Overlook Plaza as defined in the approved agreement - Deferred

Motion made by Ron Peters, seconded by Karen Keith, to defer the request. Upon roll call, Yes- Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

- G. Requests to Advertise for Bids/Qualifications

1. Engineers - On-Call Engineering Services for Road and Bridge Construction (Clerk's Misc. File No. 20211926)
2. TC Departments - Paperstock for Printing (Clerk's Misc. File No. 20211927)

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

- H. Inventory Resolution - (IT) - Junked - Cubicles (Clerk's Misc. File No. 20211928)

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

- I. Sole Source - (Building Operations) - Lighthouse Integrated Systems - the only factory certified, trained, and authorized Farenhyt fire alarm dealer in the area (Clerk's Misc. File No. 20211929)

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

- J. Travel/Training

1. Board of County Commissioners - Mike Craddock:
 - a. to OSU Training class Fundamentals of Administration on 11/16/2021 (Clerk's Misc. File No. 20211930)
 - b. to OSU Training class Councils, Commissions, Boards & Trusts on 10/21/2021 (Clerk's Misc. File No. 20211931)
2. Engineers - Rebecca Dillingham - to encumber mileage reimbursement for travel to Highways District One site for office managerial duties on an interim basis for FY 2021-2022 (Clerk's Misc. File No. 20211932)

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

- K. CC Health Department Documents to Accept & File

1. Agreements
 - a. WEX Health, Inc. - for Cobra Administration from 7/1/2021 to 6/30/2022; cost of \$217.60/yr. (Clerk's Misc. File No. 20211933)

- b. Stanfield & O'Dell, P.C. - for Annual Financial Audit of TCCHD including preparation of required statements for FY 2020-2021 from 6/30/2021 to 12/31/2021; cost of \$38,750 (Clerk's Misc. File No. 20211934)
- c. Emergency Medical Service Authority (EMSA) - for service agreement for EMS standby services from 4/20/2021 to 6/13/2021; cost for \$29,767.50 (Clerk's Misc. File No. 20211935)
- d. Mobile Covid Testing - for agreement to provide COVID-19 testing from 8/01/2021 to 9/25/2021; cost of \$200 per test, up to 60 tests/wk. (maximum \$12,000/wk.) (Clerk's Misc. File No. 20211936)

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

2. Travel/Training (Clerk's Misc. File No. 20211937)

Motion made by Karen Keith, seconded by Ron Peters, to accept and file the travel/trainig requests. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

L. Claims to be Disallowed (payments cancelled as of 8/16-20/2021)

There were no claims to be disallowed.

M. Claims (payments for bills to be paid by 8/9-13/2021)

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

N. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 8/16-20/2021

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

O. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20211938)

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

- P. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-516 - Applicant: Mark DeMoss, Owner: Mark & Annabelle DeMoss, Location: West of the Southwest corner of West 26th Street & South 65th West Avenue. The request is to rezone from AG/IM to AG to permit agricultural uses. On the meeting date of 7/21/2021, TMAPC voted 6-0-0 to recommend that the County Commission approve rezoning of 24.09 ± acres from AG/IM to AG (Clerk's Misc. File No. 20211939)

Motion made by Ron Peters, seconded by Karen Keith, to enter into public hearing at 9:44 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Jay Hoyt with INCOG presented the zoning application. No members of the public were signed up to speak.

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

Motion made by Karen Keith, seconded by Ron Peters, to approve and authorize execution by the Chairman, zoning application and resolution CZ-516. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Q. 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.

- R. Discussion and possible action approving the appropriation and use of funds received from the U.S. Department of Treasury under the “Coronavirus Aid, Relief, and Economic Security (CARES) Act”, 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. 20211940)

Motion made by Ron Peters, seconded by Karen Keith, to defer the funding recommendation from Tulsa Parks and Recreation Department in the amount of \$210,000. Upon roll call, Yes- Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

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

S. Executive Sessions - (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, Jay McAtee, for the purpose of confidential communications concerning a pending claim, to-wit: *Brandon Hendrix*, Workers' Compensation Court No. 2020-04436H, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20211941)
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, Jay McAtee, for the purpose of confidential communications concerning a pending claim, to-wit: *Mariana Sanchez*, Workers' Compensation Non-Presented Claim, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20211942)
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, Jay McAtee, for the purpose of confidential communications concerning a pending claim, to-wit: *Ragan McLain*, Workers' Compensation Non-Presented Claim, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest (Clerk's Misc. File No. 20211943)

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

Executive Session commenced at 9:48 p.m.

Motion made by Karen Keith, seconded by Stan Sallee, to reconvene the regular meeting at 9:54 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

T. Discussion and Possible Action Regarding Executive Session Items

Motion made by Karen Keith, seconded by Ron Peters, to authorize settlement authority to Jay McAtee up to the amounts discussed in Executive Session, to-wit: *Brandon Hendrix*, Workers' Compensation Court No. 2020-04436H; *Mariana Sanchez*, Workers' Compensation Non-Presented Claim; *Ragan McLain*, Workers' Compensation Non-Presented Claim. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. 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 Ron Peters, seconded by Karen Keith, to adjourn the meeting. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

BOARD OF COUNTY COMMISSIONERS

Stan Sallee, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk