

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on December 15, 2023 at 8:34 a.m.)

MINUTES
Monday, December 18, 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: Chief Deputy James Rea, representing 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. 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 Meeting of October 12, 2023
- B. Management Conference Special Meeting Minutes of November 13, 2023
- C. Board of County Commissioner's Meeting of December 11, 2023
- D. Management Conference Meeting Minutes of December 14, 2023

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

IV. REPORTS

- A. Elected Official - (Assessor) - Monthly for 11/2023 (Clerk's Misc. File No. 20232037)

Motion made by Stan Sallee, seconded by James Rea, to approve the report. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

V. UNFINISHED BUSINESS

- A. Bid Openings

- 1. Parks - Request for Qualifications for Chandler Park Improvements
 - a. Copeland Design Collective, PLLC (Clerk's Misc. File No. 20232038)
 - b. GH2 Architects, LLC (Clerk's Misc. File No. 20232039)
 - c. LandPlan Consultants, Inc. (Clerk's Misc. File No. 20232040)
 - d. Native Strategies, LLC (Clerk's Misc. File No. 20232041)
 - e. Tunnell-Spangler-Walsh & Associates, Inc., dba TSW (Clerk's Misc. File No. 20232042)

f. Wallace Design Collective, PC (Clerk's Misc. File No. 20232043)

Motion made by Stan Sallee, seconded by James Rea, to refer the bids to Parks and Procurement for analysis, review and recommendation on 1/2/2024. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

B. Amendments

1. Board of County Commissioners - City of Broken Arrow - 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: Amendment to Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma and the City of Broken Arrow, Oklahoma (Broken Arrow Elm Place & New Orleans Improvements Project) (Clerk's Misc. File No. 20232044)
2. Engineers - #1 to Terry A. Baxter and Barry S. Baxter, Trustees of the Baxter-Hensley Trust. The original offering of compensation was approved on 4/24/2023, CMF #20230601 in the amount of \$20,900. This amendment serves to remove the compensation amount of \$1,782 for fence replacement by the landowner for a revised negotiated amount of \$19,118 for parcels 3, 3.1 and 3A to acquire permanent right of way of .54 acres m/1 plus damages affected by the widening of 51st St. from 161st to 177th (Clerk's Misc. File No. 20232045)

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

- C. Notice of Correction: to the agenda that was published for the December 11, 2023 Board of County Commissioners meeting, take notice that Agenda Item V(C)(1)(b), Notice of Sale of Real Estate, and approved as CMF #20232015, contained a scrivener's error mistakenly stating the final date to submit bids for the property as December 28, 2023 at 5 p.m. The correct deadline for submitting bids is December 29, 2023, at 4 p.m. This error was only in the agenda, and the correct notice, as was published, is attached to this item (Clerk's Misc. File No. 20232046)

Motion made by Stan Sallee, seconded by James Rea, to approve the correction. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 1/2/2024 (Clerk's Misc. File No. 20232036)

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

- B. New or Replacement Procurement Officer - (Administrative Services) - designating Matthew Spassov as Requisitioning Officer to replace Gary Fisher, effective 12/18/2023 (Clerk's Misc. File No. 20232047)

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

- C. Resolution on Disposition of Funds/Cash Fund Estimate of Needs (Clerk's Misc. File No. 20232048)

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

D. Appointments/Reappointments - Board of County Commissioners:

1. Appointments:

- a. Commissioner Dunkerley - of Troy Fugate, to the Tulsa Metropolitan Area Planning Commission (TMAPC), effective 1/1/2024, for a three-year term to expire 12/31/2026 (Clerk's Misc. File No. 20232049)
- b. Commissioner Keith - of Emily Fuller to the Vision Sales Tax Overview Committee, effective 1/1/2024 for three-year term to expire 12/31/2026. She is replacing Val Childers who passed away during the term of his service (Clerk's Misc. File No. 20232050)

Motion made by James Rea, seconded by Stan Sallee, to approve the appointments. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

2. Reappointments - Commissioner Stan Sallee:

- a. of Mayor Larry Shafer to the Tulsa County Vision Authority, effective 1/1/2024, with term to expire 12/31/2024 (Clerk's Misc. File No. 20232051)
- b. of Robert Whitlock to the Tulsa Metropolitan Area Planning Commission, effective 1/18/2024, with term to expire 1/17/2027 (Clerk's Misc. File No. 20232052)

Motion made by Stan Sallee, seconded by James Rea, to approve the reappointments. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

E. Requests for Approval

1. Board of County Commissioners - Fraternal Order of Police Lodge 93, to rescind the offer of 6/28/2023 to purchase a portion of property known as J/P:30885(05); 51st St. 161st to 177th; Tulsa County; Parcel(s) 1A a tract of Land that is part of the SW4 of Section 26, Township 19 North, Range 17 East, Tulsa County, State of Oklahoma. It has since been determined that the subject property is not needed (Clerk's Misc. File No. 20232053)

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

2. Engineers:

- a. Forum Properties, LLC. An offer of \$1,430 was proposed on 4/24/2023, CMF #20230594. Forum Properties, LLC, declined the original offer and proposed a counteroffer of compensation in the amount of \$3,938 for parcel 10A to acquire permanent right of way of .04 acres m/l plus damages affected by the widening of 51st St. from 161st to 177th (Clerk's Misc. File No. 20232054)
- b. Oklahoma Department of Emergency Management and Homeland Security, commitment letter and application of grant match for FEMA DR-4575-0013, Tulsa County Phased Flood Infrastructure Project, for funding assistance through FEMA's Hazard Mitigation Grant Program. Tulsa County hereby commits to providing \$6,037.50 in non-federal funds as a local cost share for Phase I of this project and \$1,683,967.78 in non-federal funds as a local cost share for Phase II of this project. This brings the total cost share for Tulsa County to \$1,690,005.28, which is 17.25% of the total award amount. Tulsa County is committing additional match funds OVER the required 10% due to the lack of available funds in the DR for the project. Funding is available through county cash accounts and is available throughout the duration of the award period. Should an unforeseen cost increase require additional local cost-share, Tulsa County is prepared to cover those costs through additional, non-federal, county funding sources (Clerk's Misc. File No. 20232055)

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

3. Human Resources - of TCP 140 Personnel Files policy (Clerk's Misc. File No. 20232056)

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

4. Sheriff - to rescind the award for Uniforms and Accessories to Hard Hat Safety & Glove, CMF #20232008. After further review of the products in Category A, Section 4, the Sheriff's Office found that the products awarded to Hard Hat Safety & Glove will not meet the standards of their current uniforms. This request is to award these items to Galls, LLC (Clerk's Misc. File No. 20232057)

Motion made by Stan Saltee, seconded by James Rea, to rescind the award. Upon roll call, Yes - James Rea, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

F. Resolutions

1. Drainage District #12:
 - a. to Strike the Assessment from the 2020 Tax Roll: Studio B Hair and Nail Salon Parcel #00000-51-30-01427 Item #20-20-2001040-000-0 Assessed Value: \$111 Tax Amount \$5 Amt. to Strike: \$5 (Clerk's Misc. File No. 20232058)
 - b. to Strike Assessment from the 2021, 2022 and 2023 Tax Rolls: Brightwaters Apartments QLA
Parcel #00000-51-80-02040 Item #21-20-5001510 Assessed Value: \$4,385 Tax Amount \$49 Amt. to Strike: \$49
Parcel #00000-51-80-02040 Item #22-20-5001430 Assessed Value: \$4,824 Tax Amount \$47 Amt. to Strike: \$47
Parcel #00000-51-80-02040 Item #23-20-5035990 Assessed Value: \$6,621 Tax Amount \$62 Amt. to Strike: \$62 (Clerk's Misc. File No. 20232059)

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

2. Treasurer - to designate Legacy Bank and Trust as an official depository for the Tulsa County Treasurer and the Tulsa County Treasurer is hereby authorized to execute all necessary banking agreements and forms to implement this Resolution (Clerk's Misc. File No. 20232060)

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

G. Agreements

1. Assessor - Tulsa County Home & Garden Show, for 2024 Exhibitor Booth Rental for the Greater Tulsa Home & Garden Show on 3/7-10/2024, cost of \$2,020 (Clerk's Misc. File No. 20232061)
2. Board of County Commissioners - U.S. Department of Agriculture and the University of Oklahoma on behalf of its Cooperative Extension Service for FY 2023-2024 (Clerk's Misc. File No. 20232062)
3. Building Operations - SGA Design Group, P.C. to perform professional architectural services consisting of the replacement of the roof system that was damaged by the storm of June 18, 2023, at Chandler Park Recreation Center located at 6501 West 21st Street Tulsa, Oklahoma (Clerk's Misc. File No. 20232063)
4. District Attorney - Axon Enterprise, Inc., for seven-year Justice Premier software subscription, in the total amount of \$1,693,755.00, payable annually, and the Justice

Full Service tech and training support in the amount of \$18,447.89 payable in January 2024 (Clerk's Misc. File No. 20232064)

5. Human Resources - Rapid Learning, a BTS Company, for Rapid Learning® Modules, customized QuickTake™ plans, and effective assessment methods for 1/1-12/31/2024, in the amount of \$2,000 (Clerk's Misc. File No. 20232065)
6. Inspections - Brightly Software, Inc., for SmartGov software subscription and support at an annual rate of \$28,216.55 through 6/30/2024, with optional twelve-month renewals (Clerk's Misc. File No. 20232066)
7. Parks - JSJ, Inc., for professional golf services for LaFortune and South Lakes Golf Courses from 1/1-6/30/2024 (Clerk's Misc. File No. 20232067)

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

- H. Agreement Renewal - (Parks) - M&M Tennis, Melissa McCorkle, for renewal of CMF #20231648 for 1/1-31/2024 (Clerk's Misc. File No. 20232068)

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

- I. Requests to Advertise for Bids - Highways:

1. Asphalt & Emulsions (Clerk's Misc. File No. 20232069)
2. Concrete Mixes & Related Products (Clerk's Misc. File No. 20232070)
3. Guard Rail (Clerk's Misc. File No. 20232071)
4. HP Storm Pipe (Clerk's Misc. File No. 20232072)
5. Reinforced Concrete Pipe & Boxes (Clerk's Misc. File No. 20232073)
6. Road Structure Materials & Road Salt (Clerk's Misc. File No. 20232074)

Motion made by Stan Sallee, seconded by James Rea, to approve the requests to advertise. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

- J. Inventory Resolutions

1. IT - Asset Transfer to Parks: computer equipment (Clerk's Misc. File No. 20232075)
2. Parks - Asset Disposal: junked - computer equipment, mower (Clerk's Misc. File No. 20232076)
3. Sheriff - Asset Disposal: junked - computer equipment (Clerk's Misc. File No. 20232077)

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

- K. Sole Sources

1. Assessor - Harris Systems USA, Inc., the producer and maintenance provider of RealWare Software, the Assessor's CMAA system and Matix, the Assessor's mapping software. Harris Systems USA, Inc. is also the sole provider of the service to input Marshall & Swift tables in the RealWare table format as required for calculating a cost value in the RealWare product (Clerk's Misc. File No. 20232078)
2. Building Operations - Midwest Machinery, for Cleaver Brooks new equipment and OEM parts (Clerk's Misc. File No. 20232079)

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

L. Utility Permits - Engineers:

1. Cimmaron Telephone Company, for the crossing and paralleling of the road beginning at approximately 0.24 miles N. of Jct Hwy 51 (Clerk's Misc. File No. 20232080)
2. Cox Communications, for the cross and parallel of S. 77th W. Ave., approximately 0.05 mi. S. of Charles Page Blvd. & S. 77th W. Ave. junction (Clerk's Misc. File No. 20232081)
3. ONE Gas, Inc., for the crossing of 11110 N. Yale Avenue, approximately 5.51 mi. W. & 0.47 S. of the Jct US 169 & SH 20 (Clerk's Misc. File No. 20232082)

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

M. Travel/Training

1. Engineers - for an additional \$1,000 in travel expenses for fiscal year 2023-2024, for a total of \$6,000. As with the original request, (CMF #20231157), expenses may include, but are not limited to, registration, lodging, per diem, airfare, and general transportation (Clerk's Misc. File No. 20232083)

Motion made by James Rea, seconded by Stan Sallee, to approve the increase. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

2. IT - Kyle Broderick and Alan Vanderburg to attend the ATD Conference in New Orleans, LA on 5/19-24/2024; cost \$8,500 (Clerk's Misc. File No. 20232084)

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

N. Payroll Claims

1. Bi-Weekly for 12/2-15/2023
2. Monthly for 11/21-12/20/2023

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

O. Claims (payments for bills to be paid from 12/4-8/2023)

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

P. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 12/11-15/2023

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

Q. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20232085)
Sales Tax/Bond Funded Projects Recommended for Payment
Creditor: Stava Building Corp., LLC; Fund HERJR/PJ1085; Item: Ray Jordan
Renovation - BOPS Basement; Purpose: Construction - Final; Amt. Paid: \$9,086

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

R. Board of County Commissioners - Emergency response updates and authorization for County-wide actions to aid citizens following the historic storm damage on June 18, 2023

Joe Kralicek, Director of the Tulsa Area Emergency Management Agency, (TAEMA), said there was nothing to report.

- S. Executive Session - (District Attorney) - Requested by Douglas Wilson: 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 a pending claim to wit: *Norris Harris v. Tulsa County, Tort Claim No. TC-2023-74*, 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 Stan Sallee, seconded by James Rea, to go into Executive Session. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:47 a.m.

Motion made by Stan Sallee, seconded by James Rea, to reconvene the regular meeting at 10:07 a.m. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

T. Discussion and Possible Action Regarding Executive Session Item

Motion made by James Rea, seconded by Stan Sallee, to grant settlement authority to Douglas Wilson up to the amount discussed in Executive Session, to-wit: *Norris Harris v. Tulsa County, Tort Claim No. TC-2023-74*.

Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20232086)

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 James Rea, to adjourn the meeting. Upon roll call, Yes - James Rea, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

BOARD OF COUNTY COMMISSIONERS

Kelly Dunkerley, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk