

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on December 1, 2022 at 3:16 p.m.)

MINUTES
Monday, December 5, 2022

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

Karen Keith, Chairman, called the meeting to order at 9:30 a.m., and the following business was transacted:

II. PLEDGE OF ALLEGIANCE

Led by Commissioner Kelly Dunkerley

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. MINUTES

A. Board of County Commissioner's Meeting of November 28, 2022

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

V. UNFINISHED BUSINESS

A. Bid Openings

1. Engineers - Hydraulic Hoses, Fittings, Assemblies and Repair
 - a. Ameriflex Hose & Accessories, LLC (Clerk's Misc. File No. 20222095)
 - b. Crow-Burlingame dba Bumper to Bumper (Clerk's Misc. File No. 20222096)
 - c. Lawson Products, Inc. (Clerk's Misc. File No. 20222097)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to refer the bids to Engineers and Procurement for analysis, review and recommendation on 12/12/2022. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

2. Sheriff - DLM Exterior Glass Replacement
 - a. Green Country Glass (Clerk's Misc. File No. 20222098)
 - b. Sweeper Metal Fabricators Corp. (Clerk's Misc. File No. 20222099)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to refer the bids to Sheriff and Procurement for analysis, review and recommendation on 12/12/2022. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

B. Bid Awards & Recommendations:

1. Sheriff - Uniforms and Accessories, to Cops Products, Galls, LLC and Oklahoma Police Supply, the lowest and best bids received. This award is good for one year beginning 12/14/2022 (Clerk's Misc. File No. 20222100)

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

C. Amendments - Engineers:

1. #1 to agreement with Cherokee Pride Construction, Inc., for the Replacement of Bridge 120 over Rock Creek, CMF# 20221230, to adjust the estimated quantities reflected in Exhibit C of the original agreement. The requested quantity adjustments have been field-verified and found reasonable. These revised quantities result in a Construction Estimate decrease of \$48,534.50 (Clerk's Misc. File No. 20222101)
2. #2 to the agreement with Meshek & Associate, LLC, CMF#20211873, to prepare the GIS Editing Application to enable County staff to view and edit data, provide on-site training and provide on-call support through 6/30/2023, increasing the original contract by \$33,080 for a total contract amount not to exceed \$111,930 (Clerk's Misc. File No. 20222102)

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

D. Change Orders

1. Juvenile Bureau - #1 to agreement with Magnum Construction, Inc., for Sheet Metal Installation, CMF #20221675, to modify the fabrication and installation technique of the metal corners to better meet the needs of the facility and to address safety concerns. The contract time will increase 6 to 8 weeks and the contract sum will be increased by this change order in the amount of \$28,272.82, which is within the allowable amount for change orders for this project as per Okla. Stat. tit. 61. The revised total contract sum is \$290,272.82 (Clerk's Misc. File No. 20222103)
2. Sheriff - #2 to agreement with Thompson Construction, Inc., for the Tulsa County Sheriff's Administration Campus Build-Out, CMF# 20221069, for PR #01 revisions and buyout packages. The contract time is unaffected by this change order. The contract will be decreased in the amount of \$2,957.13, for a revised total contract sum of \$7,049,871.87 (Clerk's Misc. File No. 20222104)

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

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 12/12/2022 (Clerk's Misc. File No. 20222094)

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

- B. Sign Contractor's Bond - (Engineers) - Ogden Resources of Oklahoma, as Principal, and Western Surety Company as Surety. Bond amount is \$10,000; time period is 10/26/2022 to 6/30/2023 (Clerk's Misc. File No. 20222105)

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

C. Requests for Approval

1. Building Operations - Asbestos Handler, Inc., establishing the responsibilities during asbestos inspection and reporting for the Tulsa County Courthouse. This form is required to be filed annually with the Oklahoma Department of Labor (Clerk's Misc. File No. 20222106)
2. Engineers:
 - a. Right of Way Easements/Purchase Offers:
 - 1) Jacque Lynn Paules, Michael Bruce Hale, and Jerry Steven Hale, Project J/P: 30132(05); BR 218 over Snake Creek, Parcel(s): 2,2.1 (Clerk's Misc. File No. 20222107)
 - 2) Raw Real Estate, LLC (LS-21496) (Clerk's Misc. File No. 20222108)
 - 3) The Jared Redyke Revocable Trust, Project J/P: 30132(05); BR 218 over Snake Creek, Parcel(s): 1,1.1 (Clerk's Misc. File No. 20222109)
 - b. to grant authority to Alex Mills, Tulsa County Engineer, to submit Transportation Alternative Program (TAP) grant applications for eligible projects on behalf of Tulsa County (Clerk's Misc. File No. 20222110)

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

D. Resolutions - Drainage District #12

1. Certificate of Assessment #22208, to correct the 2022 Tax Roll and to certify an omitted assessment for NXLVL, LLC, Parcel No.: 00000-52-20-01140; Item No.: 22-20-5002050-019-0; Assessed Value: \$8,141; Tax Amount \$38; Amount to Certify: \$79 (Clerk's Misc. File No. 20222111)
2. To Strike Assessment from the 2022 Tax Roll for Baird Valve & Regulators, LLC, Parcel No.: 00000-57-00-00499; Item No.: 22-20-5002340-001-5; Assessed Value: \$161,260; Tax Amount: \$1,563; Amount to Strike: \$1,563 (Clerk's Misc. File No. 20222112)

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

E. Agreements

1. Administrative Services - Standley Systems, LLC, for Rental of Savin 2500 Printer; cost of \$102.34

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

2. Board of County Commissioners - ARPA Beneficiary Agreements:
 - a. Circle Cinema Foundation, Inc., in the amount of \$16,700, CMF #20221944, for the replacement of lost revenue experienced by the nonprofit operating in a qualified census tract (Clerk's Misc. File No. 20222113)
 - b. Morton Comprehensive Health Services, Inc., in the amount of \$794,443, CMF #20221906, to address capital expenditures to improve their facility and

provide space for behavioral health services in a qualified census tract (Clerk's Misc. File No. 20222114)

- c. Rod Baker Ministries, dba Bridging Hunger, in the amount of \$100,000, CMF #20221963, for funding equipment and materials related to the expansion of a food program for impacted households (Clerk's Misc. File No. 20222115)

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

3. Sheriff - Invictus Apps, Inc., for subscription to Prepared™ Emergency Communications Service, a proprietary security and communications service, that provides the capability to view image, video and location information from citizen callers to emergency response dispatchers and emergency responders; cost of \$15,000/year (Clerk's Misc. File No. 20222116)

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

- F. Inventory Resolution -(Highways District #3) - Manually create asset, 2006 Gradall XL 3100-2 Excavator approved to be surplussed on 09/07/2021, CMF #20212040, so that it could be sold at auction. It has not been sold and has since been determined that Highway District 3 wishes to repair and utilize the asset. Since the asset was retired in Munis and not carried over to Workday, we cannot "re-activate" the asset and as such, we request approval to manually create this asset in Workday (Clerk's Misc. File No. 20222117)

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

G. Sole Sources

1. Engineers - Meshek & Associates, LLC, for their custom GIS dashboard, base map data (aerial imagery, districts, subdivisions, parcels, floodplains) and Tulsa County databases (projects, signals, driveways, stormwater and lights.) Meshek is the sole provider of any requested maintenance, updates/alterations, and support needed (Clerk's Misc. File No. 20222118)
2. Tulsa Area Emergency Management Agency (TAEMA) - Goddard Enterprises, for CentrAlert, Inc., hardware and software (Clerk's Misc. File No. 20222119)

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

H. Utility Permits - Engineers:

1. Cox Communications, to install fiber by crossing and paralleling N. 126th St. N., N. 122nd St. N., and N. 135th E. Ave., approximately .13 mi. W. of the Hwy 169 and E. 126th St. N. junction (Clerk's Misc. File No. 20222120)
2. East Central Oklahoma Electric Cooperative, Inc., to cross S. Yale Ave. approximately 0.27 and 0.48 mi. S. of the 171st St. S. & Yale Ave. junction (Clerk's Misc. File No. 20222121)

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

- I. Travel/Training - (IT) - Dan Pease to attend the Oklahoma Digital Government Summit on 12/13/2022 in Midwest City, OK; cost of \$150 (Clerk's Misc. File No. 20222122)

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

- J. Claims to be Disallowed (payments cancelled as of 11/28-12/2/2022)
There were no claims to be disallowed.

- K. Claims (payments for bills to be paid from 11/21-23/2022)

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

- L. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 11/28-12/2/2022

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

- M. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20222123)

Sales Tax/Bond Funded Projects Recommended for Payment

Creditor: Garver; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement;

Purpose: Construction; **Amt. Paid:** \$1,680

Creditor: Hunter CGC; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement;

Purpose: Testing/Inspections; **Amt. Paid:** \$1,795.50

Creditor: Cherokee Pride; **Fund:** H209W/PJ1029; **Item:** 209th W. Ave. Bridge Replacement; **Purpose:** Construction; **Amt. Paid:** \$126,284.10

Creditor: Stuart Irby Electrical Distributor; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt Paid:** \$5,341.57

Creditor: Stuart Irby Electrical Distributor; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt Paid:** \$166.48

Creditor: CDW LLC; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt Paid:** \$801.15

Creditor: Heatwave; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt. Paid:** \$480

Creditor: Locke Supply; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt Paid:** \$7,574.95

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

- N. 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. 20222124)

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

- O. Public Health Update

Tony Roda, Deputy Director of Tulsa Area Emergency Management Agency, gave an update.

P. Executive Session - District Attorney:

1. Requested by Nicholas Williams:

- a. 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: *James Richerson, Workers' Compensation Claim Court No. CM3-2022-02367M*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
- b. 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: *JoBeth Bortner, Workers' Compensation Non-Represented Claim*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
- c. Pursuant to 25 O.S. § 307(B)(3), the Board may meet in executive session for purposes of discussing the purchase or appraisal of real property

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

Executive Session Commenced at 9:47 a.m.

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to reconvene the regular meeting at 10:01 a.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to reconvene the regular meeting at 3:33 p.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

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

Executive Session commenced at 3:34 p.m.

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to reconvene the regular meeting at 3:37 p.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Items

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to grant settlement authority to Jay McAtee up to the amount discussed in Executive Session, to-wit: *James Richerson, Workers' Compensation Claim Court No. CM3-2022-02367M*, (Clerk's Misc. File No. 20222125) and *JoBeth Bortner, Workers' Compensation Non-Represented Claim*, (Clerk's Misc. File No. 20222126). Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to authorize the District Attorney to proceed as discussed in Executive Session regarding real property and to recess this meeting until 3:30 p.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20222127)

In reconvened Executive Session, motion made by Kelly Dunkerley, seconded by Stan Sallee, to authorize the District Attorney to proceed as discussed in Executive Session regarding real property. (Clerk's Misc. File No. 20222128)

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 Kelly Dunkerley, to recess the meeting until 3:30 p.m. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

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

BOARD OF COUNTY COMMISSIONERS

Karen Keith, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk