

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on February 16, 2023 at 2:24 p.m.)

MINUTES
Tuesday, February 21, 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: Commissioner Stan Sallee and Commissioner Kelly Dunkerley. Others present: Recording Secretary Georgeann Hiebert representing 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, 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.

III. MINUTES

A. Board of County Commissioner's Meeting of February 13, 2023

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

IV. REPORTS

A. Elected Official - Court Clerk:

1. Monthly for 1/2023 (Clerk's Misc. File No. 20230225)
2. Management and Preservation Monthly for 1/2023 (Clerk's Misc. File No. 20230226)

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

V. UNFINISHED BUSINESS

A. Bid Openings

1. Engineers - Road Materials
 - a. Anchor Stone Company (Clerk's Misc. File No. 20230254)
 - b. APAC Central, Inc. (Clerk's Misc. File No. 20230255)
 - c. Core & Main LP (Clerk's Misc. File No. 20230256)
 - d. Crafcro, Inc. (Clerk's Misc. File No. 20230257)
 - e. Dub Ross Company, Inc. (Clerk's Misc. File No. 20230258)
 - f. Enviorntech Services, Inc. (Clerk's Misc. File No. 20230259)
 - g. Ergon Asphalt & Emulsions, Inc. (Clerk's Misc. File No. 20230260)

- h. Fensco, Inc. (Clerk's Misc. File No. 20230261)
- i. Millennial Asphalt (Clerk's Misc. File No. 20230262)
- j. NSG Logistics, LLC (Clerk's Misc. File No. 20230263)
- k. Scotwood Industries, LLC (Clerk's Misc. File No. 20230264)
- l. Tulsa Asphalt, LLC (Clerk's Misc. File No. 20230265)
- m. Vance Brothers, Inc. (Clerk's Misc. File No. 20230266)
- n. Wright Asphalt Products Company LLC (Clerk's Misc. File No. 20230267)

Motion made by Stan Sallee, seconded by Karen Keith, to refer the bids to Engineers and Procurement for analysis, review and recommendation on 2/27/2023. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

B. Bid Awards & Recommendations:

- 1. Parks - RFQ for Construction Manager at Risk Services for Case Tennis Center at LaFortune Park - Deferred

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

- C. Amendment - (Engineers) - #1 to award for Tree Trimming and Removal to Custom Cuts Tree Care, Inc., CMF #20220371, to exercise the option to renew the award for an additional one-year period beginning 3/13/2023 with no changes to the terms (Clerk's Misc. File No. 20230227)

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

- D. Request for Approval - Board of County Commissioners - of letter requesting the Historic Greenwood District be designated a national monument, deferred from 2/13/2023

Motion made by Karen Keith, seconded by Stan Sallee, to strike the request until the document language can be amended. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

VI. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 2/27/2023 (Clerk's Misc. File No. 20230224)

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

- B. Resolution on Disposition of Funds/Cash Fund Estimate of Needs (Clerk's Misc. File No. 20230228)

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

- C. Request to Accept and File - (Board of County Commissioners) - Additional closing documents for the purchase of real property for the Election Board located at 12000 E. Skelly Drive, Tulsa, OK, (CMF #20230093), including the original Owner's Policy of Title Insurance No. 27306-229523266 issued by Fidelity National Title Insurance Company, original recorded Special Warranty Deed, original recorded First Amendment to Memorandum of Lease, original Bill of Sale and General Assignment and original Estoppel Certificate (Clerk's Misc. File No. 20230229)

Motion made by Stan Sallee, seconded by Karen Keith, to accept and file the closing documents. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

D. Requests for Approval

1. Assessor - of the Tulsa County Assessor's proportionate purchase of the 2023 Tulsa County aerial photographs, in the amount of \$12,325 (Clerk's Misc. File No. 20230230)
2. Human Resources - of BOK Portal User Access Form for CAS employees Autumn Reddell and Marlena Karjala (Clerk's Misc. File No. 20230231)

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

- E. Resolution - (Board of County Commissioners) - Authorizing BOCC Chairman, Commissioner Kelly Dunkerley, to sign necessary closing documents for the Contract for Sale of Real Estate, CMF #20230134, regarding the Tulsa County Carol Crowson Annex Building located at 211 S. Houston Ave., Tulsa, OK 74103 (Clerk's Misc. File No. 20230232)

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

F. Agreements

1. Parks:
 - a. Cotton Candy Land, LLC, for concession services at Chandler Park from 3/2 - 10/2/2023; fee \$100/mo. (Clerk's Misc. File No. 20230233)
 - b. SESAC, LLC, to grant the non-exclusive right and license to publicly perform non-dramatic renditions of all musical compositions; fee based on population size of 669,279 (Clerk's Misc. File No. 20230234)

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

G. Sole Sources

1. Court Services - Siemens Healthcare Diagnostics, the sole manufacturer of SYVA EMIT Reagents, which utilize homogenous enzyme immunoassay technology for Drugs-of-Abuse Testing and Therapeutic Drug Monitoring. Siemens is the exclusive distributor of the Viva-PROE Drug Testing System. Siemens is also the exclusive United States distributor of the Beckman Coulter AU Family of Chemistry Systems for high volume toxicology laboratories. This includes the AU480, Dx C AU700 and AU5800 series of high-volume instrument platforms (Clerk's Misc. File No. 20230235)
2. Engineers:
 - a. CitiTech Systems, Inc., the sole provider of CitiTech Management Software (CMS) and the only company authorized to provide maintenance, updates and support (Clerk's Misc. File No. 20230236)
 - b. O.M.T. Enterprises, Inc., the only company in this area that owns machines that will grind rock, road materials and recycle waste concrete with one machine, giving a finished ground useable product on site (Clerk's Misc. File No. 20230237)

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

H. Utility Permits - Engineers:

1. City of Owasso Public Works:
 - a. for the paralleling of E. 68th St. N. approximately 0.01 mi. E. of the E. 68th St. N. & N. 115th E. Ave. junction (Clerk's Misc. File No. 20230238)

- b. for the paralleling of N. 117th E. Ave. approximately 0.01 mi. S. of the E. 69th St. N. & N. 117th E. Ave. junction (Clerk's Misc. File No. 20230239)

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

2. Oklahoma Natural Gas Company, for the crossing of 16703 S. 1st E. Ave. approximately 1.6 mi. S. and 1.28 mi. E. of the US Hwy. 75 & ST Hwy. 67 junction (Clerk's Misc. File No. 20230240)

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

3. Okmulgee County Rural Water District #6, for the crossing of E. 171st St. S. approximately 0.20 mi. W. of the E. 171st St. S. & S. Sheridan Ave. junction (Clerk's Misc. File No. 20230241)

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

I. Travel/Training

1. Board of County Commissioners - Chief Deputy Darren Gantz to the NACo High Performance Leadership Academy 12-week online training; cost of \$1,995 (Clerk's Misc. File No. 20230242)
2. Human Resources - Workday Learning Fundamentals online classes through the remainder of FY2023 for Human Resources employees, Gerri Mooney, Leslie Fisher, Yuri Toledo, Va Chang, Peter Chang and Jennifer Kupiec; total cost \$16,800 (Clerk's Misc. File No. 20230243)
3. OSU Extension:
 - a. Jan Dawson to FCS In-service and OEAFCS Meeting in OKC, OK on 4/4-6/2023; cost of \$500 (Clerk's Misc. File No. 20230244)
 - b. Lisa Nicholson:
 - 1) to 4-H Conference in Weatherford, OK on 5/2-4/2023; cost of \$600 (Clerk's Misc. File No. 20230245)
 - 2) to Contest Days in Stillwater, OK on 6/6-7/2023; cost of \$400 (Clerk's Misc. File No. 20230246)
 - 3) to Livestock Training in Stillwater, OK on 5/16-17/2023; cost of \$300 (Clerk's Misc. File No. 20230247)
 - 4) to Multi-County Camp in Gore, OK on 6/19-21/2023; cost of \$300 (Clerk's Misc. File No. 20230248)
 - 5) to Vet Science Short Course in Stillwater, OK on 5/22-24/2023; cost of \$400 (Clerk's Misc. File No. 20230249)

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

J. Claims to be Disallowed (payments cancelled as of 2/13-17/2023)

1. **Fund #: 403 PO #: 112867 Vendor Name (Number):** Oxford House Purpose (31227) **Warrant #: 500062230 Amt. Paid:** \$508

Fund #: 403 PO #: 112869 Vendor Name (Number): Oxford House Purpose (31227) **Warrant #: 500062230 Amt. Paid:** \$625

Invoice 118675 for \$508 should have been cancelled, Invoice 118670 for \$625 needs to be reissued (Clerk's Misc. File No. 20230250)

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

K. Claims (payments for bills to be paid from 2/6-10/2023)

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

L. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 2/13-17/2023

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

M. Consideration and Approval of Construction Program Payments

1. Vision 2025 (Clerk's Misc. File No. 20230251)

Creditor: R & L Construction; **Trust** #719384-H9; **Item:** 10,472-Owasso Sports Park Project # 2; **Purpose:** Sports Park Improvement; **Amt. Paid:** \$486,466.20

Creditor: Program Management Group; **Trust** #816421-59; **Item:** 10,471-V2025 Program Management; **Purpose:** Program Administration; **Amt. Paid:** \$30,074.35

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

2. Vision Tulsa County (Clerk's Misc. File No. 20230252)

SALES TAX/BOND FUNDED PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Bright Lighting, Inc.; **Fund:** HEDSO/PJ1037; **Item:** Edison Bridge Replacement; **Purpose:** Construction; **Amt. Paid:** \$151,406.74

Creditor: Stuart C. Irby; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt. Paid:** \$867.33

Creditor: The Home Depot; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt. Paid:** \$316.05

Creditor: The Home Depot; **Fund:** PCP02/PJ1066; **Item:** Chandler Park Project B; **Purpose:** Materials; **Amt. Paid:** \$1,971.10

SALES TAX FUNDED PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Program Management Group, LLC; **Fund:** ADMIN/PJ1001; **Item:** Vision Tulsa County Administration; **Purpose:** Administration; **Amt. Paid:** \$18,396.82

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

N. Public Health Update

Joseph Kralicek, Director of Tulsa Area Emergency Management Agency, gave an update on COVID-19 and flu season in Tulsa County

O. Executive Session - (District Attorney) - Requested by Nicholas Williams - 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, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the

public interest, to wit: *Tort Claim TC-2023-03: Empire Paper Co. v. Board of County Commissioners of Tulsa County, Oklahoma*

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

Executive Session commenced at 9:45 a.m.

Motion made by Karen Keith, seconded by Stan Sallee, to reconvene the regular meeting at 9:53 a.m. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

P. Discussion and Possible Action Regarding Executive Session Item

Motion made by Karen Keith, seconded by Stan Sallee, to grant settlement authority to Nicholas Williams, Assistant District Attorney, up to the amount discussed in Executive Session, to-wit: *Tort Claim TC-2023-03: Empire Paper Co. v. Board of County Commissioners of Tulsa County, Oklahoma*. Upon roll call, Yes - Karen Keith, Stan Sallee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20230253)

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

BOARD OF COUNTY COMMISSIONERS

Kelly Dunkerley, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk