

(Agenda of meeting was posted in the central lobby and outside of the Ray Jordan Tulsa County Administration building on February 28, 2020 at 9:24 a.m.)

MINUTES  
Monday, March 2, 2020

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 Vicki Adams, Commissioner Karen Keith, Commissioner Stan Saltee; Others present: Michael Willis, County Clerk.

Stan Saltee, Chairman Pro Tem, called the meeting to order at 9:30 a.m. and the following business was transacted:

II. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by George Brown.

III. 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 Pro Tem advised the announcements and County Events and Status updates were open for comment and discussion. The Departments with information gave a report.

IV. 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.

V. MINUTES

A. Board of County Commissioner's Meeting of February 24, 2020

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

VI. REPORT

A. Elected Official - (Court Clerk) - monthly for 1/2020 (Clerk's Misc. File No. 20200458)

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

VII. UNFINISHED BUSINESS

A. Bid/Proposal Openings

1. Engineers - On-Call Surveying Services

- a. CEC Corporation (Clerk's Misc. File No. 20200513)
- b. EST, Inc. (Clerk's Misc. File No. 20200514)
- c. Guy Engineering Services Inc. (Clerk's Misc. File No. 20200515)

- d. Pinnacle Consulting Management Group, Inc. (Clerk's Misc. File No. 20200516)
- e. Tanner Consulting, LLC (Clerk's Misc. File No. 20200517)

Motion made by Karen Keith, seconded by Vicki Adams, to refer the bids to Engineers and Procurement for analysis, review and recommendation on 3/9/2020. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Saltee. No - None. Abstain - None. Motion carried.

2. TC Departments - Office Supplies:

- a. Admiral Express, LLC (Clerk's Misc. File No. 20200518)
- b. Empire Paper Company (Clerk's Misc. File No. 20200519)
- c. Merrifield Office Supply (Clerk's Misc. File No. 20200520)
- d. Office Depot, Inc. (Clerk's Misc. File No. 20200521)
- e. Staples Contract & Commercial LLC (Clerk's Misc. File No. 20200522)

Motion made by Vicki Adams, seconded by Karen Keith, to refer the bids to TC Departments and Procurement for analysis, review and recommendation on March 9, 2020. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Saltee. No - None. Abstain - None. Motion carried.

3. TC Departments - Print Cartridges:

- a. W.M. Corp dba Beyond Technology (Clerk's Misc. File No. 20200523)
- b. Office Depot, Inc. - Bid Rejected, Bid Form not Included (Clerk's Misc. File No. 20200524)
- c. Empire Paper Company (Clerk's Misc. File No. 20200525)
- d. Merrifield Office Supply (Clerk's Misc. File No. 20200526)
- e. Office Depot, Inc. (Clerk's Misc. File No. 20200527)
- f. Staples Contract & Commercial LLC (Clerk's Misc. File No. 20200528)
- g. Dahill Office Technology Corporation dba Xerox Business Solutions Southwest (Clerk's Misc. File No. 20200529)

Motion made by Karen Keith, seconded by Vicki Adams, to refer the bids to TC Departments and Procurement for analysis, review and recommendation on March 9, 2020. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Saltee. No - None. Abstain - None. Motion carried.

B. Amendments

- 1. Board of County Commissioners - #9 to the Professional Services Agreement with Selser Schaefer Architects for the Tulsa County Family Center for Juvenile Justice CMF #215021, for reimbursement of electrical engineering services required for audio-visual system changes to the Court (Clerk's Misc. File No. 20200459)

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

- 2. TC Departments - #3 to the award for Restaurant, Kitchen and Concessionary Supplies to Ben E Keith Foods, CMF #247293, to extend award for one year beginning 3/30/20 (Clerk's Misc. File No. 20200460)

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

C. Change Orders - Board of County Commissioners:

- 1. #2 - to the construction management agreement with Flintco, LLC for the Tulsa County "HQ" Administration Building Renovations, CMF #246777, to include 3.5 months of general conditions fees required to accommodate the revised construction schedule. The contract time will be increased by one hundred and nine (109) days. The contract sum will be increased by \$194,058 with a new total contract sum of \$1,549,977 (Clerk's Misc. File No. 20200461)

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

2. #16 - to the agreement with Crossland Construction Company, Inc. for the construction of the Family Center for Juvenile Justice, CMF #244492, to include wall panels for art in Courts Building, electrical revisions for revised laundry equipment and light switch locations, kitchen changes requested by health department inspector, and engineering services required for security electronics pre-test. The contract sum amount will be increased by \$52,027.52 with a new revised total contract sum of \$31,309,155.94 (Clerk's Misc. File No. 20200462)

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

### VIII. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 3/9/2020 (Clerk's Misc. File No. 20200463)

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

- B. Documents for Sale of County Property - (Treasurer) - Parcel #01900-03-19-01040, LT 11, BLK 4, APACHE PLACE SECOND ADDN, to Joyce A Brown (Clerk's Misc. File No. 20200464)

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

- C. Requests for Approval

1. Juvenile Bureau - for credit application and agreement with Anixter, Inc., to establish an account (Clerk's Misc. File No. 20200465)

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

2. Sheriff:
  - a. for systems acceptance certificate with Motorola Solutions, Inc., for final project acceptance (Clerk's Misc. File No. 20200466)
  - b. Deputy Joe Byars, to retain peace officer status and be designated as a Peace Officer, Retired under Title 19 O.S. Sec 553 & Sec 554. Retirement effective 2/29/2020 (Clerk's Misc. File No. 20200467)
  - c. Deputy Ralph Duncan, to retain peace officer status and be designated as a Peace Officer, Retired under Title 19 O.S. Sec 553 & Sec 554. Retirement effective 2/29/2020 (Clerk's Misc. File No. 20200468)

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

3. Social Services - to accept donations from Community Food Bank, various nursing homes and various individuals of food, medications and various items for 1/2020 (Clerk's Misc. File No. 20200469)

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

- D. Request for Public Hearing - (INCOG) - on March 23, 2020 at 9:30 a.m., to receive recommendations on housing needs for cities and counties within the Metropolitan Tulsa HOME Consortium and non-housing community development needs for the cities within the Tulsa county CDBG Urban County in order to file the Annual Action Plan for HUD and authorize advertisement in the Tulsa World (Clerk's Misc. File No. 20200470)

Motion made by Karen Keith, seconded by Vicki Adams, to approve the request for Public Hearing. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

E. Agreements

1. Board of County Commissioners - Workday, Inc. - for subscription to Workday's software-as-a-service applications beginning 7/1/2020 (Clerk's Misc. File No. 20200471)

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

2. Election Board - Southwest Solutions Group - for service and maintenance plan on the Lektriever ELF 120 Vertical Carousel located at the Election Board from 2/13/2020 to 2/12/2021 (Clerk's Misc. File No. 20200472)

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

3. IT - American Registry for Internet Numbers, LTD. (ARIN) - for registration services (Clerk's Misc. File No. 20200473)

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

4. Parks:

- a. Next Level Bixby 8U - for use of Haikey Creek Baseball Field from 3/24/20 to 6/16/20; fee of \$30/hr. per field

Motion made by Karen Keith, seconded by Vicki Adams, to strike the agreement with Next Level Bixby 8U. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

- b. Tulsa Sports and Events Inc. - for use of Haikey Creek Park softball complex from 3/12/2020 through 6/30/2020; fee of \$12/hr. per field (Clerk's Misc. File No. 20200474)

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

F. Agreement Renewals

1. Building Operations - Schneider Electric - for renewal of CMF #246781 & #246782 for FY 20-21 (Clerk's Misc. File No. 20200475)
2. Highways - ImageNet Consulting, LLC - for renewal of CMF #248142 for FY 20-21 (Clerk's Misc. File No. 20200476)

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

G. Requests to Advertise for Bids/Proposals

1. Building Operations - Tulsa County Central Garage Roof Replacement (Clerk's Misc. File No. 20200477)
2. Engineers - Geotechnical Testing Services (Clerk's Misc. File No. 20200478)

3. TC Departments:
  - a. Commercial Flat Glass (Clerk's Misc. File No. 20200479)
  - b. Deodorizing Agents and Cleaners (Clerk's Misc. File No. 20200480)
  - c. Paperstock for Printing (Clerk's Misc. File No. 20200481)
  - d. Trash Can Liners (Clerk's Misc. File No. 20200482)

Motion made by Karen Keith, seconded by Vicki Adams, to approve the Requests to Advertise. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

#### H. Inventory Resolutions

1. Assessor - junked - miscellaneous items (Clerk's Misc. File No. 20200483)
2. Board of County Commissioners - junked - Dell computers (Clerk's Misc. File No. 20200484)
3. IT:
  - a. junked - miscellaneous computers and tablets (Clerk's Misc. File No. 20200485)
  - b. transferred to Parks - computers (Clerk's Misc. File No. 20200486)
4. Juvenile Bureau:
  - a. junked - computers (Clerk's Misc. File No. 20200487)
  - b. transferred to IT - computers (Clerk's Misc. File No. 20200488)
5. OSU Extension - junked - computers (Clerk's Misc. File No. 20200489)
6. Parks:
  - a. junked - computers (Clerk's Misc. File No. 20200490)
  - b. junked - miscellaneous items (Clerk's Misc. File No. 20200491)
7. Sheriff - retire to Joseph Byars - body armor (Clerk's Misc. File No. 20200492)

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

#### I. Sole Sources - CC Health Department:

1. Emergenetics International - for Emergenetics Profile, Emergenetics Selection Profile, Power of WE Training Applications, and all materials associated with the training and delivery of Emergenetics (Clerk's Misc. File No. 20200493)
2. Teledyne Tekmar Instruments - for TOC Fusion Analyzer and associated parts and components (Clerk's Misc. File No. 20200494)

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

#### J. Utility Permits - (Engineers) - Washington County Rural Water Dist. #3:

1. to cross E. 126th St. N. (Clerk's Misc. File No. 20200495)
2. to cross N. Peoria Ave. (Clerk's Misc. File No. 20200496)

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

#### K. Travel/Training

1. Building Operations - Donald Jones and Tyler Razo - to FLIR ITC Level 1 Thermography training (Clerk's Misc. File No. 20200497)
2. OSU Extension - Augustus Holland - for Unplanned Travel (Clerk's Misc. File No. 20200498)

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

L. Personnel Actions

1. Building Operations (Clerk's Misc. File No. 20200499)
2. Election Board (Clerk's Misc. File No. 20200500)
3. Parks (Clerk's Misc. File No. 20200501)

Motion made by Vicki Adams, seconded by Karen Keith, to approve the personnel actions. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

M. Juvenile Bureau Personnel Actions to Accept and File (Clerk's Misc. File No. 20200502)

Motion made by Karen Keith, seconded by Vicki Adams, to accept and file the Juvenile Bureau personnel actions. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

N. CC Health Department Documents to Accept & File

1. Personnel Actions (Clerk's Misc. File No. 20200503)
2. Travel/Training (Clerk's Misc. File No. 20200504)

Motion made by Vicki Adams, seconded by Karen Keith, to accept and file the CC Health Department documents. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

O. Claims to be Disallowed (payments cancelled as of 2/24-28/20)

There were no claims to be disallowed.

P. Claims (payments for bills to be paid by 2/18-21/20)

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

Q. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 2/24-28/20

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

R. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-499 - Applicant: Tanner Consulting LLC, Owner: Blevins, Curtis, Location: East of the southeast corner of Weaver Road & South 157th West Avenue. This request is to rezone from AG to AG-R to permit single family homes. On meeting date of January 22, 2020 TMAPC voted 7-0-0 to recommend the County Commission Approve rezoning of 3 +/- acres from AG to AG-R (Clerk's Misc. File No. 20200505)

Motion made by Karen Keith, seconded by Vicki Adams, to enter into public hearing. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

Public hearing commenced at 9:50 a.m.

Dwayne Wilkerson with INCOG presented the application. No members of the public signed up to speak.

Motion made by Karen Keith, seconded by Vicki Adams, to close the public hearing at 9:52 a.m. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

Motion made by Karen Keith, seconded by Vicki Adams, to approve and authorize execution by the Chairman Pro Tem, Zoning Application and Resolution CZ-499. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

S. Executive Sessions - District Attorney:

1. Requested by Douglas Wilson - 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: Enforcement of 57 O.S. § 38, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
2. Requested by James Rea - 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 pending litigation, Tort Claim TC-2019-13; Kendall Bonner v. American Environmental Landfill, Inc. & Board of County Commissioners of Tulsa County, Oklahoma, pending in Osage County, Oklahoma as Case No. CJ 2019-141 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. 20200506)
3. Requested by Marianna McKnight - 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 in Tort Claim TC-2020-3, Brandt Brock, 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. 20200507)
4. Requested by Nicholas Williams - 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: Ali v. Lambert, et al., Case No. 16-CV-0027-CVE-FHM, 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. 20200508)

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

Executive Session commenced at 9:53 a.m.

Motion made by Karen Keith, seconded by Vicki Adams, to reconvene the regular meeting at 10:33 a.m. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

T. Discussion and Possible Action Regarding Executive Session Items

No action taken on Executive Session item #1

Motion made by Karen Keith, seconded by Vicki Adams, to hire Gene Dennison to represent the County, to-wit; Tort Claim TC-2019-13; Kendall Bonner v. American Environmental Landfill, Inc. & Board of County Commissioners of Tulsa County, Oklahoma, pending in Osage County, Oklahoma as Case No. CJ 2019-141. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

Motion made by Vicki Adams, seconded by Karen Keith, to pay the amount discussed in Executive Session, to-wit; Tort Claim TC-2020-3, Brandt Brock. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

Motion made by Karen Keith, seconded by Vicki Adams, for Commissioner Sallee to attend the hearing with the ability to offer settlement up to the amount discussed in Executive Session, to-wit; Ali v. Lambert, et al., Case No. 16-CV-0027-CVE-FHM. Upon roll call, Yes - Karen Keith, Vicki Adams, Stan Sallee. No - None. Abstain - None. Motion carried.

IX. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Stan Sallee, Chairman Pro Tem

ATTEST:

Michael Willis, Tulsa County Clerk