

(Amended Agenda of meeting was posted on the Tulsa County website at www.tulsacounty.org on March 19, 2021 at 8:42 a.m.)

MINUTES
Monday, March 22, 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 appearing in person, Commissioner Karen Keith appearing in person and Commissioner Stan Sallee appearing in person. Others present: County Clerk Michael Willis.

Stan Sallee, 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, 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. 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.

IV. MINUTES

A. Management Conference Meeting of February 11, 2021

B. Board of County Commissioner's Meeting of March 15, 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.

V. REPORTS

A. Court Clerk:

1. Monthly for 2/2021 (Clerk's Misc. File No. 20210517)
2. Records Management and Preservation from 1/2020 to 2/2021 (Clerk's Misc. File No. 20210518)

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. UNFINISHED BUSINESS

A. Bid Award & Recommendations - (Highways) - Construction of Concrete Headwalls - to 3 Angels Construction, LLC and R&L Construction, LLC, the lowest and best bid responses. This award is from 3/22/2021 to 1/3/2022 (Clerk's Misc. File No. 20210519)

Motion made by Ron Peters, seconded by Karen Keith, to approve the bid award. 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 Trash Can Liners, set to open 3/29/2021, to provide answers to vendor questions (Clerk's Misc. File No. 20210520)

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

C. Amendments

1. Board of County Commissioners:

- a. to the extension agreement with Program Management Group, LLC for management of the Vision Tulsa County Program, CMF #20201749, for amended and restated Schedule 1, increasing the funding for required program duties for the fiscal year ending 6/30/2021 from \$255,000 to \$395,000 - Deferred

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

- b. to the agreement with Town of Sperry for infrastructure improvements, CMF #20203087, to increase amount by \$37,854.23 from FY 2019 Tulsa County CDBG funds (Clerk's Misc. File No. 20210521)

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.

2. Engineers:

- a. #1 to the bid award for Testing Services to EST, Inc., HCGC, LLC and Terracon, CMF #20200755, to extend the award for one year beginning 4/13/2021 with no changes to terms and conditions (Clerk's Misc. File No. 20210522)
- b. #3 to the bid award for Mowing on County Levees to MTS Brush Hogging Dozer and Lawn, LLC, CMF #244480, to extend the bid award for one year beginning 5/1/2021 with no changes to pricing or terms of the original bid (Clerk's Misc. File No. 20210523)

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.

3. Human Resources - #1 to the agreement with Discovery Benefits, Inc., for administrative services related to COBRA health insurance, CMF #229360, to transfer all rights, interests, and obligations of the above-referenced agreement from Discovery Benefits, Inc. to Wex Health, Inc. (Clerk's Misc. File No. 20210524)

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.

4. TC Departments - #2 to the bid award for Lumber and Building Materials to Economy Lumber Company, Inc., CMF #247562, to extend the bid award for one year beginning 4/16/2021 with no changes to original terms or pricing (Clerk's Misc. File No. 20210525)

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.

- D. Public Hearing - (INCOG) - at 9:30 a.m., March 22, 2021 in the Tulsa County Headquarters Building, Room 132 at 218 W. 6th Street, Tulsa, to receive recommendations on housing needs for the 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. Tulsa County anticipates receiving \$1,129,626 in FY 2021 HOME funds and \$1,463,125 in FY 2021 CDBG funds from the Department of Housing and Urban Development (Clerk's Misc. File No. 20210526)

Motion made by Ron Peters, seconded by Karen Keith, to enter into public hearing at 9:35 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

Claudia Brierre, Community & Economic Development Planner with INCOG, reported that Tulsa County anticipates receiving \$1,129,626 in FY 2021 HOME funds and \$1,463,125 in FY 2021 CDBG funds from the Department of Housing and Urban Development. There were no members of the public who wished to speak.

Motion made by Karen Keith, seconded by Ron Peters, to close the public hearing at 9:38 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

VII. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 3/29/2021 (Clerk's Misc. File No. 20210527)

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. Request for Approval - (Highways) - for renewal of memberships to the International Municipal Signal Association (IMSA) for 13 employees; cost of \$80 per employee (Clerk's Misc. File No. 20210528)

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

C. Resolutions

1. Board of County Commissioners:

- a. for partial distribution of sales tax funds for reimbursement of temporary supplemental appropriation for the Court Clerk for improvements and renovations to the Ray Jordan Administrative Building for a new jury room and storage back to sales tax funds in the amount of \$560,000. We are utilizing CARES Act funding for this project which was approved on March 8, 2021 (Clerk's Misc. File No. 20210529)
- b. for the partial distribution of sales tax funds via bond proceeds for improvements and renovations to the property at 218 W. 6th St., Tulsa, OK to become the HQ (Administration Building) for Tulsa County Administration Departments, increasing the previous encumbrance of \$22,960,000 dated October 5, 2020 to \$23,000,000 for the additional work being completed on the ninth floor (Clerk's Misc. File No. 20210530)
- c. approving and authorizing an amended Trust Indenture of the Metropolitan Environmental Trust, which provides for clarification of the language of the Trust Indenture, and which further provides for the addition of the City of Wagoner, Oklahoma as a beneficiary, and finding that such sections are in the best interest of the beneficiaries and the acceptance form consenting and agreeing to the Amended Trust Indenture of the Metropolitan Environmental Trust, dated August 5, 1988 (Clerk's Misc. File No. 20210531)

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.

2. Drainage District #12 - to strike assessments from the 2020 Tax Roll:

- a. Lyndia Lewis and Laura Maxey, Parcel No. 20625-92-04-06810, Item No. 20-20-5012130-001-2, Assessed Value \$2,222, Tax Amount \$22, Amount to Strike \$22 (Clerk's Misc. File No. 20210532)
- b. South Tulsa Baptist Church, Parcel No. 20625-92-04-06120, Item No. 20-20-5011460-001-9, Assessed Value \$550, Tax Amount \$5, Amount to Strike \$5; Parcel No. 20625-92-04-06130, Item No. 20-20-5011470-001-4, Assessed Value \$550, Tax Amount \$5, Amount to Strike \$5 (Clerk's Misc. File No. 20210533)

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.

3. Engineers - authorizing the filing of 181 Harvard Private Subdivision plat, as required under Title 19 O.S., § 288.1 (Clerk's Misc. File No. 20210534)

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.

4. Parks - to designate Charles Wall as Receiving Officer replacing Pat Ward (Clerk's Misc. File No. 20210535)

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.

D. Agreements

1. Board of County Commissioners - The Center for Housing Solutions, Inc. - for sixth renewal and extension of lease for the former Tulsa County Juvenile Detention Center, CMF #20202118, to extend lease to 4/30/2021 (Clerk's Misc. File No. 20210536)
2. Human Resources - CommunityCare:
 - a. for HMO large employer group coverage effective 7/1/2021 (Clerk's Misc. File No. 20210537)
 - b. for the Tulsa County Active wo Health group insurance plan effective 7/1/2021 (Clerk's Misc. File No. 20210538)
 - c. for the Tulsa County Early Retirees group insurance plan effective 7/1/2021 (Clerk's Misc. File No. 20210539)
3. Parks - Jeremy Henshaw/BAYB 6U Heroes - for use of Haikey Creek Park Baseball Field #3 on Wednesdays from 5:30 to 6:30 p.m. beginning 4/7/2021 to 6/16/2021; cost of \$20 per hour per field (Clerk's Misc. File No. 20210540)

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.

- E. Agreement Renewal - (Employees' Retirement System of Tulsa County) - BOKF, NA - for renewal of CMF #20200618 for FY 2021-2022 (Clerk's Misc. File No. 20210541)

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. Requests to Advertise for Bids - TC Departments

1. Automotive Batteries (Clerk's Misc. File No. 20210542)
2. Commercial Flat Glass (Clerk's Misc. File No. 20210543)
3. Deodorizing Agents and Cleaners (Clerk's Misc. File No. 20210544)

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

G. Inventory Resolutions

1. Administrative Services:

- a. Junked - Misc. Office Items (Clerk's Misc. File No. 20210545)
- b. Transferred to IT - HP Computer (Clerk's Misc. File No. 20210546)

2. Treasurer - Junked - Desk (Clerk's Misc. File No. 20210547)

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.

H. Sole Source - (Engineers) - OMT Enterprises, Inc. - for machines that grind rock, road materials and recycle waste concrete with one machine giving a finished ground usable product on site (Clerk's Misc. File No. 20210548)

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. Utility Permit - (Engineers) - TTA Construction, LLC - to cross Mingo Road between 131st St. S. and 136th St. S. (Clerk's Misc. File No. 20210549)

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:

- a. Keri Fothergill to OSU County Training Overview of County Government on 4/29/2021 (Clerk's Misc. File No. 20210550)
- b. Keri Fothergill to OSU County Training Inventory Tracking and Disposal on 6/10/2021 (Clerk's Misc. File No. 20210551)
- c. Keri Fothergill to OSU County Training Basic Accounting 1 and 2 from 6/15-16/2021 (Clerk's Misc. File No. 20210552)
- d. Mike Craddock to OSU County Training Basic Accounting 1 on 4/27/2021 (Clerk's Misc. File No. 20210553)

2. Inspections - Teresa Tosh to Virtual OFMA Spring Technical Workshop on 4/1/2021 (Clerk's Misc. File No. 20210554)

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

K. Personnel Actions

- 1. Court Services (Clerk's Misc. File No. 20210555)
- 2. Election Board (Clerk's Misc. File No. 20210556)
- 3. Highways (Clerk's Misc. File No. 20210557)
- 4. IT (Clerk's Misc. File No. 20210558)

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

L. Juvenile Bureau Personnel Actions to Accept & File (Clerk's Misc. File No. 20210559)

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

M. CC Health Department Documents to Accept & File

- 1. Agreements

- a. Morton Comprehensive Health Services, Inc. - for services of Nurse Practitioner at CCHI from 11/1/2020 to 10/31/2021; cost of \$10,000/mo. max. (Clerk's Misc. File No. 20210560)
 - b. Teledyne Instruments, Inc. - for TOC Service Agreement on Tekmar Fusion S/N 16095006 from 4/8/2021 to 4/7/2022; cost of \$6,564/yr. (Clerk's Misc. File No. 20210561)
 - c. St. John Health System, Inc. - for Take Charge Program, Mammograms & Chest X-rays services from 7/1/2020 to 6/30/2021; cost of \$25,000 max. per year (Clerk's Misc. File No. 20210562)
2. Personnel Actions (Clerk's Misc. File No. 20210563)
 3. Travel/Training (Clerk's Misc. File No. 20210564)

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

N. Claims to be Disallowed (payments cancelled as of 3/15-19/2021)

1. PO #2116609, Vendor: Amazon, Warrant #500039422, Amount Paid \$259.95 (Clerk's Misc. File No. 20210565)
2. PO #2115915 & #2115916, Vendor: ONEOK, Inc., Warrant #500039662, Amount Paid \$2,086.48 (Clerk's Misc. File No. 20210566)

Motion made by Ron Peters, seconded by Karen Keith, to cancel and disallow the purchase orders. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Sallee. No - None. Abstain - None. Motion carried.

O. Claims (payments for bills to be paid by 3/8-12/2021)

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.

P. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 3/15-19/2021

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.

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

There were no CARES funding requests.

S. Executive Sessions - District Attorney

1. Requested by James Rea, 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: *Bradley Johnson*, 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
2. Requested by James Rea, 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:

Michael Hutton, 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

3. Requested by James Rea, 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: *Seth Williams*, 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
4. Requested by Mike Shouse, 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, Tort Claim TC-2020-35, *Ebony Wilson v. Tulsa County*, 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 Ron Peters, seconded by Karen Keith, to go into Executive Session. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:46 a.m.

Motion made by Ron Peters, seconded by Karen Keith, to reconvene the regular meeting at 10:24 a.m. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried.

T. Discussion and Possible Action Regarding Executive Session Items

Motion made by Ron Peters, seconded by Karen Keith, to authorize Jay McAtee settlement authority up to the amount discussed in Executive Session, to-wit: *Bradley Johnson*, Workers Compensation Non-Represented Claim. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210567)

Motion made by Karen Keith, seconded by Ron Peters, to authorize Jay McAtee settlement authority up to the amount discussed in Executive Session, to-wit: *Michael Hutton*, Workers Compensation Non-Represented Claim. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210568)

Motion made by Ron Peters, seconded by Karen Keith, to authorize Jay McAtee settlement authority up to the amount discussed in Executive Session, to-wit: *Seth Williams*, Workers Compensation Non-Represented Claim. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210569)

Motion made by Karen Keith, seconded by Ron Peters, to authorize the District Attorney's Civil Division to settle any and all claims by Ebony Wilson for up to amount discussed in Executive Session, to-wit: Tort Claim TC-2020-35, *Ebony Wilson v. Tulsa County*. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20210570)

VIII. ADJOURN

Motion made by Ron Peters, seconded by Karen Keith, to adjourn the meeting. Upon roll call, Yes - Ron Peters, Karen Keith, Stan Saltee. No - None. Abstain - None. Motion carried.

Board of County Commissioners

Stan Sallee, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk