

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on May 6, 2022 at 8:05 a.m.)

MINUTES
Monday, May 9, 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: Interim Commissioner Vicki Adams, Chief Deputy Keri Fothergill and Commissioner Stan Sallee. Others present: County Clerk Michael Willis.

Stan Sallee, Chairman Pro Tem, 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, Tulsa City-County 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. MINUTES

A. Board of County Commissioner's Meeting of May 2, 2022

Motion made by Vicki Adams, seconded by Keri Fothergill, to approve the minutes. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

IV. REPORT

A. County Departments - (Election Board) - Monthly for 4/2022 (Clerk's Misc. File No. 20220767)

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

V. UNFINISHED BUSINESS

A. Bid Awards & Recommendations:

1. Sheriff - Qualifications for Construction Management At Risk for Tulsa County Sheriff's Office Administration Buildout to Thompson Construction, Inc., as the most qualified and responsive firm (Clerk's Misc. File No. 20220768)

Motion made by Keri Fothergill, seconded by Vicki Adams, to approve the qualification recommendation. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

2. Sheriff and Juvenile Bureau - Correctional-Institutional Supplies - Deferred

Motion made by Vicki Adams, seconded by Keri Fothergill, to defer the award. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

B. Addendums: Treasurer

1. #1 to RFP for Financial Software, to provide answers to vendor questions (Clerk's Misc. File No. 20220769)
2. #1 to RFP for Tax Roll Software, to provide answers to vendor questions (Clerk's Misc. File No. 20220770)

Motion made by Vicki Adams, seconded by Keri Fothergill, to approve the addendums. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

C. Request for Approval: Board of County Commissioners - of Purchase and Sale Agreement between Board of County Commissioners of the County of Tulsa and Zamboni, LLC for the real property and improvements located at 12000 E. Skelly Drive, Tulsa, Oklahoma, 74128 and additional parcels - Deferred from 5/2/2022 Agenda

Motion made by Keri Fothergill, seconded by Vicki Adams, to strike the agreement. Upon roll call, Yes - None. No - None. Abstain - None. Motion carried.

VI. ACTION ITEMS

A. Gasoline & Diesel Fuel Quotes for week ending 5/16/2022 (Clerk's Misc. File No. 20220766)

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

B. Requests for Approval

1. County Clerk - of letter to Workman Forensics designating the following Tulsa County employees to receive documents and information from Workman Forensics, LLC, in the performance of Workman's audit of Restore Hope Ministries: Michael Willis, Jennifer Pottorf, Aaron Wiedman, Miyuki Dwyer, Kenneth (Kenner) Yates and Kelly Young (Clerk's Misc. File No. 20220771)

Motion made by Keri Fothergill, seconded by Vicki Adams, to approve the letter of designation. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

2. Human Resources:

- a. CommunityCare Life & Health Insurance Company - of Group Application for HMO large employer group coverage effective 7/1/2022 (Clerk's Misc. File No. 20220772)
- b. Community Care HMO - of renewal rates for Active Employees, effective 7/1/2022 (Clerk's Misc. File No. 20220773)
- c. Community Care HMO - of renewal rates for Early Retirees effective 7/1/2022 (Clerk's Misc. File No. 20220774)

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

3. Engineers - Acceptance of Right of way Easements

- a. for Denny L. Bullington Revocable Trust (LS-21364) (Clerk's Misc. File No. 20220776)
- b. for JB & RB Properties (LLA-427) (Clerk's Misc. File No. 20220775)

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

4. Sheriff - for Clarke Hess, to retain peace officer status and be designated as a Peace Officer, Retired, with full rights as authorized under Title 19 Oklahoma Statutes Sections 553 and 554, effective May 20, 2022 (Clerk's Misc. File No. 20220777)

Motion made by Vicki Adams, seconded by Keri Fothergill, to approve the request. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

C. Resolutions

1. Engineers - to designate Megan Blackford to replace Barbara Pursell as Receiving Officer (Clerk's Misc. File No. 20220778)
2. Highway Construction - to designate Richie Martinez as Receiving Officer (Clerk's Misc. File No. 20220779)

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

D. Agreements

1. Board of County Commissioners - INCOG:
 - a. C-PACE Assessment with Greenworks Lending, LLC, (capital provider) and A & S Multi-Family, LLC, (property owner) for \$651,268 for energy efficiency and water conservation building improvements at 5020 S. 67th E. Avenue, Tulsa, OK 74145 (Clerk's Misc. File No. 20220780)
 - b. Rural Economic Action Plan (REAP) Funds, for Transportation for the Funding Period of 12/14/2018 to 9/30/2022 for Industrial Park Road Improvements, in the amount of \$60,000 (Clerk's Misc. File No. 20220781)

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

2. District Attorney - Family & Children's Services (subrecipient) for Domestic Violence Diversion Initiative grant, to provide a case manager who will support domestic violence offender screening for alternative prosecution and related activities, in order to reduce recidivism in Tulsa County, from 4/1/2022-9/30/2024 (Clerk's Misc. File No. 20220782)

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

3. Human Resources - CareATC, Inc., to provide employees enrolled in the Tulsa County Community Care health plan healthcare services at multiple clinic locations in the surrounding area with no copays and free on-site generic prescriptions. The estimated annual cost is \$931,392, based on the monthly eligible employee count (Clerk's Misc. File No. 20220783)

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

E. Agreement Renewals

1. County Clerk:
 - a. Open Gov, Inc., for renewal of CMF #20210801 for FY 2022-2023 (Clerk's Misc. File No. 20220784)

- b. Smith Brothers Title & Abstract Co., for renewal of CMF #20210858 for FY 2022-2023 (Clerk's Misc. File No. 20220785)
- c. Zillow Group, Inc., for renewal of CMF #20210927 for FY 2022-2023 (Clerk's Misc. File No. 20220786)

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

2. Human Resources:

- a. CompTeam, LLC, for renewal of CMF #20211291 for FY 2022-2023 (Clerk's Misc. File No. 20220787)
- b. Gradar, LLC, for renewal of CMF #20210924 for FY2022-2023 (Clerk's Misc. File No. 20220788)
- c. United Safety & Claims, for renewal of CMF #20210872 for FY 2022-2023 (Clerk's Misc. File No. 20220789)

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

F. Request to Advertise for Bids - (Sheriff) - Tulsa County Sheriff's Office Administration Campus Build-out: Maintenance Building (Clerk's Misc. File No. 20220790)

Motion made by Keri Fothergill, seconded by Vicki Adams, to approve the request to advertise. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Saltee. No - None. Abstain - None. Motion carried.

G. Inventory Resolutions

- 1. Administrative Services - junked; computers (Clerk's Misc. File No. 20220791)

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

- 2. Engineers - sold at auction; Roscoe Pro Patcher Truck

Motion made by Keri Fothergill, seconded by Vicki Adams, to strike the inventory resolution. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Saltee. No - None. Abstain - None. Motion carried.

H. Sole Source - (Building Operations) - Fluke Corporation, dba eMaint Enterprises, for its SaaS based Computerized Maintenance Management Software (CMMS) used by Tulsa County Building Operations and Fleet Maintenance (Clerk's Misc. File No. 20220792)

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

I. Utility Permits - Engineers:

- 1. Cox Communications, Inc., to parallel E. 76th St. N. approximately .75 mi. E. of the E. 76th St. N. & Hwy 11 junction (Clerk's Misc. File No. 20220793)
- 2. Okmulgee County Rural Water District #6:
 - a. to cross 161st St. approximately .15 mi. E. of the Yale and 161st St. junction (Clerk's Misc. File No. 20220794)
 - b. to cross 161st St. approximately .20 mi. E. of the Yale and 161st St. junction (Clerk's Misc. File No. 20220795)
 - c. to cross South Yale approximately .15 mi. S. of the 161st St. junction (Clerk's Misc. File No. 20220796)

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

J. Claims to be Disallowed (payments cancelled as of 5/2-6/2022)

There were no claims to be disallowed.

K. Claims (payments for bills to be paid from 4/25-29/2022)

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

L. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 5/2-6/2022

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

M. Consideration and Approval of Construction Program Payments

1. Vision 2025: **Creditor:** Myers-Cherry Construction; **Trust#** 719384-K2; **Item:** 10,425-The Herd @ LaFortune; **Purpose:** Construction; **Amt Paid:** \$38,966.19 (Clerk's Misc. File No. 20220797)
2. Vision Tulsa County: SALES TAX/BOND FUNDED PROJECTS
RECOMMENDED FOR PAYMENT: **Creditor:** Spring Creek Nursery; **Fund** #PCP02; **Item:** Chandler Park Project Area B; **Purpose:** Materials; **Amt Paid** \$1,088.25 (Clerk's Misc. File No. 20220798)

Motion made by Vicki Adams, seconded by Keri Fothergill, to approve the construction program payments. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

- N. Zoning Application Hearing and Possible Action - (Tulsa Metropolitan Area Planning Commission) - CZ-530 (Related to TCCP-9) - Applicant: Donald Leblanc; Owner: Semper Irrev Trust c/o Muriel Catherine Leblac; Location: Southeast corner of South 81st West Avenue and West 18th Street South to rezone 0.64 ± acres from RM-2 to IM to permit a wrecker service. On meeting date of April 6, 2022, TMAPC voted 9-0-0 to recommend that the County Commission approve rezoning of 0.64 ± acres from RM-2 to IM and to adopt and recommend that the County Commission approve Resolution No. 2863:1036, an Amendment to the Tulsa Metropolitan Area Comprehensive Land Use Plan designation from Residential to Industrial/Regional Employment at a property located on the southeast corner of South 81st West Avenue and West 18th Street South. This request is accompanied by a concurrent rezoning request (CZ-530), which proposes a zoning change on the subject tract from RM-2 to IM in order to allow for the development of a new industrial project (Clerk's Misc. File No. 20220799)

Motion made by Keri Fothergill, seconded by Vicki Adams, to enter into public hearing at 9:44 a.m.. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

Jay Hoyt, representing Tulsa Metropolitan Area Planning Commission, presented the zoning request and related TCCP-9. There were no members of the public who wished to speak.

Motion made by Vicki Adams, seconded by Keri Fothergill to close the public hearing at 9:46 a.m. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

Motion made by Vicki Adams, seconded by Keri Fothergill, to approve zoning request CZ-530 and related TCCP-9, as presented. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

O. 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.

P. Executive Sessions - 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, Jay McAtee, for the purpose of confidential communications concerning a pending claim, *to-wit: Brian McClelland, Workers' Compensation Non-Litigated Claim*, 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, Jay McAtee, for the purpose of confidential communications concerning a pending claim, *to-wit: Chris Hagar, Workers' Compensation Court No. CM-2021-03584X*, 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)(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: Kevin Layton, Workers' Compensation Non-Litigated Claim (Claim # 37063-20-100)*, 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 Vicki Adams, seconded by Keri Fothergill, to go into Executive Session. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:47 a.m.

Motion made by Keri Fothergill, seconded by Vicki Adams, to reconvene the regular meeting at 9:55 a.m. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

2. Requested by James Rea: 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 Keri Fothergill, seconded by Vicki Adams, to strike Executive Session #2. Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Items

Motion made by Vicki Adams, seconded by Keri Fothergill, to grant settlement authority to Jay McAtee up to the amount as discussed in Executive Session, *to-wit: Brian McClelland, Workers' Compensation Non-Litigated Claim* (Clerk's Misc. File No. 20220800), *Chris Hagar, Workers' Compensation Court No. CM-2021-03584X* (Clerk's Misc. File No. 20220801), and *Kevin Layton, Workers' Compensation Non-Litigated Claim (Claim # 37063-20-100)* (Clerk's Misc. File No. 20220802). Upon roll call, Yes - Vicki Adams, Keri Fothergill, Stan Sallee. No - None. Abstain - None. Motion carried.

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 Vicki Adams, seconded by Keri Fothergill, to adjourn the meeting. Upon roll call, Yes - None. No - None. Abstain - None. Motion carried.

BOARD OF COUNTY COMMISSIONERS

Stan Sallee, Chairman Pro Tem

ATTEST:

Michael Willis, Tulsa County Clerk