

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at www.tulsacounty.org on November 16, 2023 at 3:24 p.m.)

MINUTES
Monday, November 20, 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: Chief Deputy James Rea, representing Commissioner Karen Keith, Commissioner Stan Sallee and Commissioner Kelly Dunkerley. Others present: 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, 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, Public Defender, 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 November 13, 2023

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

IV. UNFINISHED BUSINESS

A. Bid Openings

1. Sheriff - Uniforms & Accessories

- a. Baysingers Police Supply (Clerk's Misc. File No. 20231915)
- b. Galls Parent Holdings, LLC, dba Galls, LLC (Clerk's Misc. File No. 20231916)
- c. Hard Hat Safety & Glove (Clerk's Misc. File No. 20231917)
- d. Oklahoma Police Supply, LLC (Clerk's Misc. File No. 20231918)

Motion made by Stan Sallee, seconded by James Rea, to refer the bids to Sheriff and Procurement for analysis, review and recommendation on 11/27/2023. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

2. Tulsa Area Emergency Management Agency (TAEMA) - Demolition Contractors Voluntary Buyout Program - Request approval to rescind in order to modify the process and the bid documentation (Clerk's Misc. File No. 20231914)

Motion made by James Rea, seconded by Stan Sallee, to approve the request to rescind the Request for Proposal in order to make modifications to the process and documentation. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

B. Bid Awards & Recommendations:

1. Assessor - Request for Proposals for Commercial Real Estate Appraisal Data Source Subscription - Deferred

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

2. Board of County Commissioners - Qualifications for Construction Management - At Risk Services for the Tulsa County HQ 3rd and 6th Floor Renovation, to Ross Group Construction Corporation, LLC, the most qualified and responsive firm (Clerk's Misc. File No. 20231919)
3. Sheriff - David L. Moss Master Control Room & Operations Desk, to Scissor Tail Construction in the total amount of \$274,901, which includes the Base Bid and two alternates, the lowest and best bid received (Clerk's Misc. File No. 20231920)

Motion made by Stan Sallee, seconded by James Rea, to approve the recommendations. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- C. Amendment - (TC Departments) - #2 to the award for Bermuda Grass Sod to Riverview Sod Ranch, CMF #20220112, the most recent renewal, CMF #20222183, to exercise the option to renew for an additional one-year beginning 2/10/2024 with no changes to the terms (Clerk's Misc. File No. 20231921)

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

- D. Decision on Zoning Application - (Tulsa Metropolitan Area Planning Commission) - CZ-543 and Related PUD-867 - Applicant: Nathan Cross, Owner: Greenhill Properties, LLC - Requesting Rezone from present use Agricultural to Proposed use Commercial, AG to IM, a tract of 35 ± acres on the Northeast corner of Highway 169 and East 56th Street North. On meeting date May 17, 2023, TMAPC voted 4-3-1 to recommend that the County Commission Approve rezoning of 35 ± acres from AG to IM. The related PUD-867 from present Agricultural to Proposed Mining/Commercial a tract of 225 ± acres. On meeting date of May 17, 2023, TMAPC voted 4-3-1 to recommend that the County Commission Approve rezoning of 225 ± acres from AG to PUD-867. A public hearing was held on 11/6 and again on 11/13/2023. The decision is deferred to 11/20/2023. (Clerk's Misc. File No. 20231922)

Motion made by James Rea, seconded by Stan Sallee, to approve and authorize execution by the Chairman, with the Declaration of Use Restrictions and supplemental language for the PUD as follows: Greenhill Properties, LLC, Mining Reclamation Plan, as required by the Oklahoma Department of Mines, will acknowledge the Applicant's intent for the mined out quarry to become a water impoundment/flood mitigation feature. The surrounding land of Applicant which is zoned AG could be available for recreation uses related to such water feature, and the Uses Sanitary Landfill and Sewage Disposal Facility shall not be allowed on any portion of the Subject Property. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- E. Requests for Approval - (Engineers) - of Right of Way Easements - deferred from 11/13/2023

1. from Anthony Zeiler (CLS-16) (Clerk's Misc. File No. 20231923)
2. from Konpheng and Anthony Lor (CLS-14) (Clerk's Misc. File No. 20231924)
3. from Washington County Childcare Foundation, LLC (CLS-12) (Clerk's Misc. File No. 20231925)

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

V. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 11/27/2023 (Clerk's Misc. File No. 20231913)

Motion made by Stan Sallee, seconded by James Rea, to approve the fuel quote. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- B. Resolution on Disposition of Funds/Cash Fund Estimate of Needs (Clerk's Misc. File No. 20231926)

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

- C. Reappointment - (Board of County Commissioners) - Commissioner Dunkerley - of Daryl Woodard to the Tulsa County Public Facilities Authority, effective 1/1/2024, for a two-year term expiring 1/1/2026 (Clerk's Misc. File No. 20231927)

Motion made by Stan Sallee, seconded by James Rea, to approve the reappointment. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- D. Requests for Approval

1. Alternative Courts - of letter of support for the Oklahoma Department of Mental Health and Substance Abuse Services (ODMHSAS) RFP/Solicitation #4520011467 (Clerk's Misc. File No. 20231928)

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

2. Engineers:

- a. Acceptance of Right-of-Way Easement in Tulsa County from Danny and J. Carol Taylor (CLLA-6)

Motion made by James Rea, seconded by Stan Sallee, to strike the acceptance of right-of-way easement. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- b. Acceptance of Right-of-Way Easement in Tulsa County from Freedom Property Group, LLC (CLS-17) (Clerk's Misc. File No. 20231929)

- c. Oklahoma Department of Emergency Management and Homeland Security, for FEMA's FY22 Building Resilient Infrastructure and Communities Program, requesting \$8,092,231.80 from federal funding with a match of nonfederal funding of \$1,686,900.28, for the 102st & Garnett Flood Infrastructure Project (Clerk's Misc. File No. 20231930)

Motion made by James Rea, seconded by Stan Sallee, to approve with amended project name for item c., Oklahoma Department of Emergency Management and Homeland Security, to read 101st & Garnett Flood Infrastructure Project. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

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

3. Human Resources - of TCP 103, establishing starting salaries, salary increases and changes, position classifications, stipends and other elements of the Salary Administration Program administered by HR (Clerk's Misc. File No. 20231931)

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

4. Tulsa Area Emergency Management Agency (TAEMA) - Oklahoma Department of Emergency Management and Homeland Security - of Acknowledgement of the federal procurement requirements for the Shelter Capability Project under the Hazard Mitigation Plan, to install new water fountains at designated shelters to make water

readily available during unforeseen disasters. If approved, the total estimated cost for the proposed project is \$21,050 with the County's commitment to meet the fund requirement of \$11,150 (Clerk's Misc. File No. 20231932)

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

- E. Notice to Proceed - (Engineers) - to Ira M. Green Construction Company, CMF #20231781, with the Hager Creek Levee Improvements & West 81st Street Reconstruction, as defined in the approved agreement, CMF #20231897 (Clerk's Misc. File No. 20231933)

Motion made by Stan Sallee, seconded by James Rea, to approve the notice to proceed. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- F. Resolutions - Drainage District #12:

1. To Strike Assessment from the 2023 Tax Roll - Logic Heating & Air Parcel #00000-52-30-00672 Item #23-20-5002250-000-0 Assessed Value \$9,466 Tax Amt. \$92 Amt. to Strike \$3 (Clerk's Misc. File No. 20231934)
2. To correct the 2023 Tax Roll and to Certify an Omitted Assessment - Business Personal Accounts for Drainage 12 - Certificate of Assessment of Omitted Personal Property: United Rentals, Inc., No 8245, P0000052300245, 8200 W. Charles Page Blvd, Assessed Value \$731,343 Tax Charges \$6,897 (Clerk's Misc. File No. 20231935)

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

- G. Agreements

1. Assessor - Moyers Martin, LLP, to provide mediation services in an Ad Valorem Tax Assessment dispute between the Tulsa County Assessor and ARC SRTULOK001, LLC, each paying an equal share of all fees at a rate of \$425/hr (Clerk's Misc. File No. 20231936)
2. Board of County Commissioners - Tulsa Airports Improvement Trust, ARPA Beneficiary, in the amount of \$7,000,000, CMF #20212403, to provide capital funding to address negative economic impacts caused by the COVID 19 pandemic in Tulsa County (Clerk's Misc. File No. 20231937)
3. Court Clerk - Kofile Technologies, Inc., for the imaging, processing, clean up, and enhancement of Historical Records (Clerk's Misc. File No. 20231938)
4. IT - CoxCom, LLC, for installation and activation of internet service for the Tulsa County Drainage District 12 building located at 1202 E. Pecan St., Sand Springs, OK 741063, cost of \$99/month through 6/30/2024 (Clerk's Misc. File No. 20231939)

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

- H. Utility Permit - Engineers:

1. Flock Safety, (on behalf of Glenpool Police Department), for the installation of a new 12' Flock pole at approximately 0.7 miles W. of the W. 141st St. S. and Union Ave. junction (Clerk's Misc. File No. 20231940)
2. ONE Gas, Inc., for the crossing of 16128 S. Elwood Ave. approximately 1.09 mi. S. & 1.01 mi. E. of the Jct US 75 & SH 67 (Clerk's Misc. File No. 20231941)

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

- I. Travel/Training - (OSU Extension) - Brian Jervis to Biennial Conference, in Stillwater, OK on 1/10-12/2024; cost \$600 (Clerk's Misc. File No. 20231942)

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

J. Claims to be Disallowed (payments cancelled as of 11/13-17/2023)

1. Fund #450 PO #123044 Vendor Name/Number: Praetoria Group LLC Warrant #500067725 Amount Paid: \$4,751.14 Reason: Duplicate payment, will reissue with the correct amount (Clerk's Misc. File No. 20231943)
2. Fund #100 PO #119253 Vendor Name/#: Russell Isreal and Billy Griffin S501213 Warrant #500065569 Amount Paid: \$5,435.10 Reason: The supplier's name needs to be adjusted (Clerk's Misc. File No. 20231944)
3. Fund #430 PO #118061 Vendor Name/#: Bliss Lowe S500532 Warrant # 500065097 Amount Paid: \$270.07 Reason: Employee did not attend (Clerk's Misc. File No. 20231945)
4. Fund #100 PO #108042 Vendor Name/Number: Michael Craddock 4682 Warrant #500065065 Amount Paid: \$235.75
Fund #100 PO #109381 Vendor Name/Number: Michael Craddock 4682 Warrant #500065065 Amount Paid: \$113.75
Total: \$367.50 Reason: Travel did not occur (Clerk's Misc. File No. 20231946)
5. Fund #200 PO #123828 Vendor Name/Number: OK Turnpike Authority 6645 Warrant #123828 Amount Paid: \$2.85 Reason: Duplicate payment (Clerk's Misc. File No. 20231947)
6. Fund #100 PO #125920 Vendor Name/Number: Stillwater Holdings LLC S501648 Warrant #500068390 Amount Paid: \$321.00 Reason: Employee will not be traveling to Stillwater for the class (Clerk's Misc. File No. 20231948)

Motion made by Stan Sallee, seconded by James Rea, to cancel and disallow the claims. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

K. Claims (payments for bills to be paid from 11/6-9/2023)

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

L. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 11/13-17/2023

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

M. Consideration and Approval of Construction Program Payments

1. Vision 2025 (Clerk's Misc. File No. 20231949)
Creditor: Program Management Group; Trust 816421-59; Item: 10,503-V2025
Program Management; Purpose: Program Administration; Amt. Paid: \$36,674.10
2. Vision Tulsa County (Clerk's Misc. File No. 20231950)
Sales Tax Funded Projects Recommended for Payment
Creditor: Stava; Fund HERJR/PJ1085; Item: Ray Jordan Renovation – Jury Room;
Purpose: Construction; Amt Paid: \$8,837.10

Creditor: Stava; Fund HERJR/PJ1085; Item: Ray Jordan Renovation – Alt. Courts;
Purpose: Construction; Amt Paid: \$4,427.04

Creditor: Stava; Fund HERJR/PJ1085; Item: Ray Jordan Renovation – Record
Preservation Storage; Purpose: Construction; Amt Paid: \$13,514.46

Creditor: Interworks; Fund: ITSSE/PJ1503; Item: Misc. IT for HQ; Purpose:
Construction; Amt Paid \$112,611.12

Creditor: Program Management Group, LLC; Fund ADMIN/PJ1001; Item: Tulsa County Administration; Purpose: Administration; Amt Paid \$9,256.60

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

- N. Board of County Commissioners - Emergency response updates and authorization for County-wide actions to aid citizens following the historic storm damage on June 18, 2023

Joe Kralicek, Director of the Tulsa Area Emergency Management Agency, (TAEMA), reported that there is no new information.

- O. Executive Session - (District Attorney) - Requested by Andrew Mihelich - 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: James Deatherage, Workers' Compensation Case CM3-2023-02647K, 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. 20231951)

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

Executive Session commenced at 9:52 a.m.

Motion made by Stan Sallee, seconded by James Rea, to reconvene the regular meeting at 9:58 a.m. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried.

- P. Discussion and Possible Action Regarding Executive Session Item

Motion made by James Rea, seconded by Stan Sallee, to grant settlement authority to Jay McAtee, up to the amount discussed in Executive Session, to-wit: *James Deatherage, Workers' Compensation Case CM3-2023-02647K*. Upon roll call, Yes - James Rea, Kelly Dunkerley, Stan Sallee. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20231951)

VI. 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.

VII. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Kelly Dunkerley, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk