

(Agenda of meeting was posted outside of the Tulsa County Headquarters Building and on the Tulsa County website at [www.tulsacounty.org](http://www.tulsacounty.org) on November 17, 2022 at 3:07 p.m.)

MINUTES  
Monday, November 21, 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: Commissioner Kelly Dunkerley, Commissioner Stan Sallee and Commissioner Karen Keith. Others present: County Clerk Michael Willis.

Karen Keith, 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. PROCLAMATION

- A. Proclaiming Saturday, November 26, 2022 as SMALL BUSINESS SATURDAY and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year (Clerk's Misc. File No. 20222027)

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

IV. MINUTES

- A. Board of County Commissioner's Meeting of November 14, 2022

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

V. REPORTS

- A. Elected Officials - Court Clerk:

1. Monthly for 10/2022 (Clerk's Misc. File No. 20222028)
2. Management and Preservation Monthly for 10/2022 (Clerk's Misc. File No. 20222029)

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

## VI. UNFINISHED BUSINESS

### A. Bid Awards & Recommendations - Sheriff:

1. TSCO Campus Buildout - Flood Plain Grading, to Cherokee Pride Construction, Inc., in the total amount of \$188,000 which includes the Base Bid. This was the lowest and best bid received (Clerk's Misc. File No. 20222030)

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

### 2. Uniforms and Accessories - Deferred

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

### B. Addendum - (Sheriff) - to the request to advertise for Glass Replacement at David L. Moss, to answer vendor questions and update specifications (Clerk's Misc. File No. 20222031)

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

### C. Amendments

1. Board of County Commissioners - Lilly Architects, PLLC, for Architectural and Engineering Services for the Tulsa County Courthouse, CMF# 20221790, to allow for Courthouse foot traffic analysis and Courthouse phasing strategy; cost of \$49,533 (Clerk's Misc. File No. 20222032)

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

2. Engineers - #2 with Garver, LLC, for professional services related to the replacement of the Edison Street Bridge over the Unnamed Tributary of Harlow Creek, CMF #244623, for expanded scope of services in the amount of \$14,000 (Clerk's Misc. File No. 20222033)

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

3. Parks - #1 with GH2 Architects, for Tennis Courts at LaFortune Park Tennis Center, to add fee proposal for the new Croquet Facility in the amount of \$250,000 (Clerk's Misc. File No. 20222034)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve as amended to the amount of \$19,000. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

### D. Change Orders

1. Board of County Commissioners - ML Jones, LLC, for door and hardware changes to Lobby Areas of Court Services and Public Defenders Office, an increase of \$4,023, for a new contract sum of \$260,855.06, with no change to completion date (Clerk's Misc. File No. 20222035)
2. Sheriff - #3 to the agreement with Thompson Construction, Inc., for the Build-Out of TSCO Office Administration Building, CMF# 20221069, for addition of a 4" data communications extension. The contract sum will be increased in the amount of \$16,340.58 which is within the allowable amount for change orders for this project as per Okla. Stat. Title 61. The revised total contract sum is \$7,069,169.58, with no change to the contract time (Clerk's Misc. File No. 20222036)

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

## VII. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 11/28/2022 (Clerk's Misc. File No. 20222026)

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

- B. Resolution on Disposition of Funds/Cash Fund Estimate of Needs (Clerk's Misc. File No. 20222039)

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

- C. Appointment/Reappointments - Commissioner Keith

1. Appointment of James Rea to the Metropolitan Environmental Trust, replacing John Fothergill, effective immediately, to complete his term which expires 6/30/2024 (Clerk's Misc. File No. 20222040)
2. Reappointments to Tulsa County Juvenile Justice Trust Authority, terms to expire 9/30/2027:
  - a. Nancy Rothman (Clerk's Misc. File No. 20222041)
  - b. Thomas Curren (Clerk's Misc. File No. 20222042)

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

- D. Memorandum of Understanding - (Board of County Commissioners), City of Tulsa for the provision of a dispute mediation program (Clerk's Misc. File No. 20222043)

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

- E. Requests for Approval

1. Board of County Commissioners - of Tulsa Regional Chamber One Voice 2023 Regional Legislative Agenda (Clerk's Misc. File No. 20222044)
2. Building Operations - for renewal of the ASE Certifications for Darren Hensley and the Stationary Engineering License for Jeff Mann, Jim Neff and James Wilson; cost of \$375 (Clerk's Misc. File No. 20222045)
3. Engineers - Acceptance of Right of Way Easement for Russell Harrison and Rebecca Harrison (LS-21497) (Clerk's Misc. File No. 20222046)
4. Human Resources - of amendment to allow increase in Health FSA contribution limit and carryover, effective 1/1/2023 (clerk's misc. file no. 20222047)
5. Juvenile Bureau - of increase in Fleet size from 12 to 15 vehicles to accommodate the Intensive Supervision Program, the Detention Center and the Probation Department (Clerk's Misc. File No. 20222048)
6. Procurement - to rescind the bid award for Paper Products to HD Supply Facilities Maintenance, LTD, CMF #20221636, and instead use the Omnia Purchasing Cooperative Contract 22-07 in which HD Supply Facilities Maintenance, LTD is an approved supplier (Clerk's Misc. File No. 20222049)

7. Social Services - to Accept Donations:

- a. from Hasty Bake, Inc., of a 256 Grill/Smoker, valued at \$1,200 (Clerk's Misc. File No. 20222050)
- b. of Food, Medicines and Various items from July - October, 2022 (Clerk's Misc. File No. 20222051)

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

F. Resolutions - Drainage District #12 - To Strike Assessments from the 2021 and 2022 Tax Roll:

1. A2Z Traylor: (Clerk's Misc. File No. 20222052)
  - a. Parcel No. 00000-52-00-00414; Item No. 21-20-5001620-020-5; Assessed Value: \$29,224; Tax Amt: \$327; Amt. to Strike: \$291
  - b. Parcel No. 00000-52-00-00414; Item No. 22-20-5001520-020-6; Assessed Value: \$31,659; Tax Amt: \$307; Amt. to Strike: \$275
2. Solos Extract Company LLC: (Clerk's Misc. File No. 20222053)
  - a. Parcel No. 00000-52-00-01395, Item No. 21-20-5001770-020-7; Assessed Value \$30,664; Tax Amt: \$343; Amt. to Strike: \$164
  - b. Parcel No. 00000-52-00-01395; Item No. 22-20-5001640-020-1; Assessed Value: \$33,219; Tax Amt: \$322; Amt. to Strike: \$155
3. Triple G Organics, LLC: (Clerk's Misc. File No. 20222054)
  - a. Parcel No. 00000-52-10-00353; Item No. 21-20-5002010-001-0; Assessed Value \$23,713; Tax Amt: \$266; Amt. to Strike: \$266
  - b. Parcel No. 00000-52-10-00353; Item No. 22-20-5001840-001-4; Assessed Value \$25,868; Tax Amt: \$251; Amt to Strike: \$251

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

G. Agreements

1. Assessor - for exhibit space rental at the Green Country Home and Garden Show, from 1/27-29/2023; cost of \$1500 (Clerk's Misc. File No. 20222055)

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

2. Board of County Commissioners:

- a. ARPA Beneficiary Agreements:
  - 1) Counseling & Recovery Services of Oklahoma Inc., in the amount of \$418,000, CMF #20221906, for funding to address capital improvements to facilities that provide mental health services (Clerk's Misc. File No. 20222056)
  - 2) Stand in the Gap, Inc., in the amount of \$25,000, CMF #20221944, for the replacement of lost revenue experienced by a nonprofit (Clerk's Misc. File No. 20222057)

- 3) Tulsa Air and Space Museum in the amount of \$25,000, CMF #20221687, for the replacement of lost revenue experienced by a nonprofit (Clerk's Misc. File No. 20222058)

- b. Collinsville Rural Fire Protection District, for \$2,500 for current fiscal year's maintenance and operation of the helipad located at the Collinsville Rural Fire Station, 1018 S. 12th St., Collinsville, OK 74021 (Clerk's Misc. File No. 20222059)

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

3. Juvenile Bureau - Circa, Inc., for maintenance and support of two Eaton Uninterruptible Power Systems (serial numbers EN202UJJ02 and EN184UJJ07) which are located at the Tulsa County Family Center for Juvenile Justice at 500 W. Archer, Tulsa, Oklahoma 74103 (Clerk's Misc. File No. 20222060)

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

4. Sheriff - RapidSOS, for browser-based tool providing mapping solution for all emergency responses

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

5. Tulsa Area Emergency Management Agency (TAEMA) - Oklahoma Office of Homeland Security 2020 Homeland Security Grant Program, for Cyber Security Enhancements, in the amount of \$32,600 (Clerk's Misc. File No. 20222061)

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

- H. Agreement Renewal - Human Resources - Rapid Learning, a BTS Company, for renewal of CMF #20212512 for FY 2023 (Clerk's Misc. File No. 20222062)

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

- I. Request to Advertise for Bids - (Engineers) - Pavement Striping Services (Clerk's Misc. File No. 20222037)

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

- J. Inventory Resolution - (Sheriff) - junked; 2 Speed Queen Washers (Clerk's Misc. File No. 20222063)

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

- K. Sole Source - (County Clerk) - with Mid-West Printing, the exclusive dealership for Enduro replacement binders (Clerk's Misc. File No. 20222064)

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

- L. Utility Permits - Engineers:

1. Oklahoma Natural Gas - to parallel N. Memorial Dr., approximately 0.39/2.04 mi. S/E of the US-75 & SH-20 junction (Clerk's Misc. File No. 20222065)

2. Creek County Rural Water District #2:

- a. to cross E. 171st St. S. approximately .49 mi. E. of the S. Elwood Ave. & W. 171st St. S. junction (Clerk's Misc. File No. 20222066)
- b. for two crossings of E. 171st St. S. approximately .22 mi. W. of the S. Peoria Ave. & E. 171st St. S. junction (Clerk's Misc. File No. 20222067)
- c. to cross E. 171st St. S. approximately .10 mi. W. of the S. Peoria Ave. & E. 171st St. S. junction (Clerk's Misc. File No. 20222068)
- d. to cross 33rd W. Ave. approximately .31 mi. N. of the 33rd W. Ave. & W. 101st St. S. junction (Clerk's Misc. File No. 20222069)
- e. to cross 33rd W. Ave. approximately .28 mi. S. of the 33rd W. Ave. & W. 111th St. S. junction (Clerk's Misc. File No. 20222070)

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

- M. Travel/Training - (OSU Extension) - Stacey Jones to the SE/NE District Meeting on 12/5-6/2022; in OKC, OK; cost of \$450. (Clerk's Misc. File No. 20222071)

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

- N. Claims to be Disallowed (payments cancelled as of 11/14-18/2022)

There were no claims to be disallowed.

- O. Claims (payments for bills to be paid from 11/7-10/2022)

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

- P. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 11/14-18/2022

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

- Q. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20222072)

**Sales Tax/Bond Funded Projects Recommended for Payment**

**Creditor:** Wagoner County Rural Water & Sewer #4; **Fund:** H193E/PJ1028;

**Item:** 193rd St. Roundabouts at 31st, 41st, 51st; **Purpose:** Construction - Utilities; **Amt. Paid:** \$155,650.51

**Creditor:** Scovil & Sides Hardware Company; **Fund:** HERJR/PJ1085; **Item:** Ray Jordan Renovation - BOPS Basement; **Purpose:** Materials; **Amt. Paid:** \$1,264.50

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

R. Executive Sessions - District Attorney:

1. Requested by Andrew Mihelich - 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, to wit: *EEOC Complaint 564-2022-01737: Trenton Smith v. Tulsa County Juvenile Bureau* 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 Michael 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 case, to wit: *Thrasher v. BOCC, Case No. CJ-2021-1906, pending in Tulsa County District Court*, 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 Nicholas Williams:
  - a. 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 (1)
  - b. 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 (2)

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

Executive Session commenced at 9:47 a.m.

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to reconvene the regular meeting at 10:23. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried.

S. Discussion and Possible Action Regarding Executive Session Items

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to grant full settlement authority to Commissioner Keith, represented by James Rea as discussed in Executive Session, to-wit: *EEOC Complaint 564-2022-01737: Trenton Smith v. Tulsa County Juvenile Bureau*. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. #20222073)

Motion made by Kelly Dunkerley, seconded by Stan Sallee, to authorize the District Attorney to proceed as discussed in executive session, to-wit: *Thrasher v. BOCC, Case No. CJ-2021-1906*. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. (Clerk's Misc. File No. #20222074)

Motion made by Stan Sallee, seconded by Kelly Dunkerley, to approve the extension of purchase and sale agreement to 12/5/2022. Upon roll call, Yes - Kelly Dunkerley, Stan Sallee, Karen Keith. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. #20222038)

No action taken on Executive Session Item 3 b regarding real property.

VIII. 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.

IX. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Karen Keith, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk