

(Agenda of meeting was posted in the central lobby and outside of the Ray Jordan Tulsa County Administration Building and on the Tulsa County website at www.tulsacounty.org on November 24, 2020 at 2:33 p.m.)

MINUTES
Monday, November 30, 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: Commissioner Karen Keith, Commissioner Stan Sallee and Commissioner Ron Peters. Others present: County Clerk Michael Willis.

Ron Peters, 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. PROCLAMATION

A. Board of County Commissioners - Proclaiming December 3, 2020 as National Family & Consumer Sciences Day and FCS Dine-In Day (Clerk's Misc. File No. 20202904)

Commissioner Keith read and presented the proclamation to Michelle Bonicelli with OSU Extension.

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

V. MINUTES

A. Board of County Commissioner's Meeting of November 23, 2020

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

VI. REPORT

A. Court Clerk - Monthly for 10/2020 (Clerk's Misc. File No. 20202905)

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

VII. UNFINISHED BUSINESS

A. Bid Awards & Recommendations:

1. Board of County Commissioners - Ray Jordan Administration Building Renovations - Deferred - Award will not be made within thirty days of the opening date as required by Okla. Stat. tit. 61 § 111. Request for a fifteen day extension pursuant to the above-referenced statute to allow for completion of funding decisions for this project (Clerk's Misc. File No. 20202906)
2. Sheriff - Uniforms and Accessories - Deferred
3. TC Departments - Food Service Requirements - Deferred

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

B. Amendments

1. Board of County Commissioners - #1 for changes to the lease agreement with Tulsa Little League Baseball, Inc., CMF #234290 (Clerk's Misc. File No. 20202907)
2. Engineers - #1 to the agreement 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 additional services in the amount of \$23,909 (Clerk's Misc. File No. 20202908)

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

VIII. ACTION ITEMS

A. Gasoline & Diesel Fuel Quotes for week ending 12/7/2020 (Clerk's Misc. File No. 20202909)

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

B. Requests for Approval

1. Board of County Commissioners:
 - a. Employee Performance Evaluations Policy, TCP 100 - establishing policies for employee performance in divisions under the Board of County Commissioners and for those other Elected Officials' departments and County-affiliated agencies which choose to participate (Clerk's Misc. File No. 20202910)
 - b. Radiation Safety Management Program Policy, TCP 030 - establishing policies and procedures for Tulsa County's Radiation Safety Management Program, based upon Oklahoma Department of Environmental Quality (DEQ) requirements for managing X-ray machines and protecting the public and employees of Tulsa County from injury by radiation (Clerk's Misc. File No. 20202911)
2. Highways - Certificate of Substantial Completion from A.C. Owen Construction, LLC for Tulsa County Maintenance Facilities in District 1. Substantial completion was reached on November 19, 2020 (Clerk's Misc. File No. 20202912)

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

C. Resolution - (Engineers) - Ordering Certain Maximum Vehicle Speed Limits on Tulsa County Highway System - on West 41st Street South between S. 157th West Ave. and S. 137th West Ave., maximum speed limit revised to 40 miles per hour (Clerk's Misc. File No. 20202913)

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

D. Agreements

1. Engineers - Terracon Consultants, Inc. - for proposal for geotechnical engineering services for Avery Drive Slopes on West 21st St. to Oklahoma State Highway 97 (Clerk's Misc. File No. 20202914)
2. Human Resources - Travelers Casualty and Surety Company of America - for Employee Crime and Theft Policy Renewal (Clerk's Misc. File No. 20202915)
3. IT - OneNet - for statement of work for Datacenter Colocation (Clerk's Misc. File No. 20202916)
4. Parks - Dana Boone - for aerobic dance classes (Zumba) at Chandler Park from 10/5/2020 to 10/5/2021 (Clerk's Misc. File No. 20202917)

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

E. Inventory Resolutions

1. Highways - Junked - Misc. Office Furniture (Clerk's Misc. File No. 20202918)
2. Sheriff:
 - a. Junked - 7 Speed Queen Washers and 2 Tasers (Clerk's Misc. File No. 20202919)
 - b. Retire as Surplus - Sewing Machine and Electric Cart (Clerk's Misc. File No. 20202920)
 - c. Retire to Sue Nye - Glock 17 and Point Blank Body Armor (Clerk's Misc. File No. 20202921)
3. Treasurer - Junked - Epson Check Scanner (Clerk's Misc. File No. 20202922)

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

F. Utility Permits - (Engineers) - Rural Water District #6, Okmulgee County:

1. to cross 211th St. S. (Clerk's Misc. File No. 20202923)
2. to cross Yale Ave. (Clerk's Misc. File No. 20202924)

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

G. Travel/Training

1. Election Board - for Zach Hoge, Terry Starling, David Casey and Randy Bercher to attend Forklift Operator training on 12/16/2020 (Clerk's Misc. File No. 20202925)
2. OSU Extension - Lisa Nicholson to Farm to You Program on 12/10/2020 (Clerk's Misc. File No. 20202926)

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

H. Personnel Actions

1. Election Board (Clerk's Misc. File No. 20202927)
2. Highways (Clerk's Misc. File No. 20202928)

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

I. Juvenile Bureau Personnel Actions to Accept & File (Clerk's Misc. File No. 20202929)

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

J. CC Health Department Agreements to Accept & File

1. Burnside & Associates, Ltd. - for inspection and risk assessment for lead paint hazard and clearance testing from 11/1/2020 to 10/31/2021; cost \$635 per residence + \$175-300 for clearance testing (Clerk's Misc. File No. 20202930)
2. Synergetic Strategies, LLC - for management of grant-funded COVID testing pilot at TPS from 11/1/2020 to 10/31/2021; cost of \$6,000/mo. (Clerk's Misc. File No. 20202931)
3. Oklahoma Department of Agriculture - 10 Pesticide Application License Renewals; cost of \$50/each (Clerk's Misc. File No. 20202932)

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

K. Claims to be Disallowed (payments cancelled as of 11/23-25/2020)

There were no claims to be disallowed.

L. Claims (payments for bills to be paid by 11/16-20/2020)

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

M. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 11/23-25/2020

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

N. 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.

O. Discussion and Possible Action regarding COVID-19 CARES Funding Requests/Reports/CARES Funding Agreements and Approval of Tulsa County RESET Loan Applications (Clerk's Misc. File No. 20202933)

Motion made by Karen Keith, seconded by Stan Sallee, to approve the CARES funding requests and RESET Loan Applications. Upon roll call, Yes - Karen Keith, Stan Sallee, Ron Peters. No - None. Abstain - None. Motion carried.

P. Executive Sessions - (District Attorney) - Requested by Douglas Wilson:

1. Pursuant to 25 O.S. § 307(B)(4), I am requesting on behalf of Mr. Fortney that this matter be discussed in Executive Session between the Board and its attorney, the firm of Brewster & De Angelis, P.L.L.C., for the purpose of confidential communications concerning possible official action regarding a pending lawsuit, to-wit: *McCaffrey v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
2. Pursuant to 25 O.S. § 307(B)(4), I am requesting on behalf of Mr. Fortney that this matter be discussed in Executive Session between the Board and its attorney, the firm of Brewster & De Angelis, P.L.L.C., for the purpose of confidential communications concerning possible official action regarding a pending lawsuit, to-wit: *Young v.*

Glanz, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma, 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 Karen Keith, seconded by Stan Sallee, to go into Executive Session. Upon roll call, Yes - Karen Keith, Stan Sallee, Ron Peters. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:46 a.m.

Motion made by Karen Keith, seconded by Stan Sallee, to reconvene the regular meeting at 10:26 a.m. Upon roll call, Yes - Karen Keith, Stan Sallee, Ron Peters. No - None. Abstain - None. Motion carried.

Q. Discussion and Possible Action Regarding Executive Session Items

Motion made by Karen Keith, seconded by Stan Sallee, to authorize Commissioner Peters settlement authority up to the amount discussed in Executive Session, to-wit: *McCaffrey v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma. Upon roll call, Yes - Karen Keith, Stan Sallee, Ron Peters. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20202934)

Motion made by Karen Keith, seconded by Stan Sallee, to authorize Commissioner Peters settlement authority up to the amount discussed in Executive Session, to-wit: *Young v. Glanz*, Case No. 13-cv-00315-JED-TLW, pending in the United States District Court for the Northern District of Oklahoma. Upon roll call, Yes - Karen Keith, Stan Sallee, Ron Peters. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20202935)

IX. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Ron Peters, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk