

(Agenda of meeting was posted in the central lobby and outside of the Ray Jordan Tulsa County Administration building on October 31, 2019 at 3:37 p.m.)

MINUTES
Monday, November 4, 2019

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 Stan Sallee, Commissioner Ron Peters, Commissioner Karen Keith; Others present: Michael Willis, County Clerk.

Karen Keith, Chairman, called the meeting to order at 9:30 a.m. and the following business was transacted:

II. PLEDGE OF ALLEGIANCE

Michael Willis led the Pledge of Allegiance

III. 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.

IV. 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.

V. MINUTES

A. Board of County Commissioner's Meeting of October 28, 2019

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

VI. REPORTS

A. Employees' Retirement System of Tulsa County - to Accept and File:

1. GASB 67 and 68 DISCLOSURE FY 7/1/18 to 6/30/19 (Clerk's Misc. File No. 20190953)
2. July 1, 2019 Actuarial Valuation (Clerk's Misc. File No. 20190954)
3. Plan Assets and Changes in Plan Assets 9/30/19 (Clerk's Misc. File No. 20190955)

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

VII. UNFINISHED BUSINESS

- A. Addendum #1 - (TC Departments) - to the Notice to Bidders for Agricultural Supplies set to open on 11/12/19 at 8:30 a.m. with bids to be received by 4:00 p.m. on 11/8/19, to answer a vendor question (Clerk's Misc. File No. 20190956)

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

B. Amendments:

1. Board of County Commissioners - #1 to the Joint Funding Agreement for Water Resources Investigations with the U.S. Department of the Interior U.S. Geological Survey for the Dissolved Oxygen Continuous Monitor in the Arkansas River from July 1, 2019-September 30, 2020 (Clerk's Misc. File No. 20190957)

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

2. TC Departments:

- a. #1 to Extend the Bid Award for Food Service Requirements to Ben E. Keith, CMF #246190, for one year beginning 12/10/19 with no changes to pricing or terms of the bid (Clerk's Misc. File No. 20190958)
- b. #1 to the Bid Award for Plumbing Supplies to Heatwave Supply, Inc., to include Midtown Hardware, CMF #20190795, to include Midtown Hardware (Clerk's Misc. File No. 20190959)
- c. #3 to Extend the Bid Award for Testing Services to Hunter Construction and Geotechnical Consultants, Inc., CMF #239643, for a two (2) month period to allow time to rebid with revised conditions and specifications beginning 11/17/19 with no changes to pricing or terms of the bid (Clerk's Misc. File No. 20190960)

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

- C. Change Order #13 - (Board of County Commissioners) - to the Agreement with Crossland Construction Company, Inc. for the Construction of the Family Center for Juvenile Justice, CMF #244492, to secure room light switches, plumbing revisions for laundry equipment, added power and data for IT, revised light pole base detail to accommodate existing utilities, added remote dampers to sleeping rooms, relocation of light pole per utility conflict, raise existing fire hydrant per new grading and direct cost for filling emergency generator tanks with fuel. This change order increases the contract time by twenty days due to weather delays making the new date of substantial completion 12/9/19, The contract sum will be increased by \$104,029.80 with a new total contract sum of \$31,081,948.29 (Clerk's Misc. File No. 20190961)

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

VIII. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes - for week ending 11/12/19 (Clerk's Misc. File No. 20190962)

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

- B. Documents for Sale of County Property - Treasurer:

1. Parcel #04425-93-08-03410, PRT LT 14 BEG NEC TH S5.4 W TO PT ON WL 4.6S NWC N4.6 E140 POB BLK 2, BOSWELL'S ADDN, to John R Noveskey, for the sum of \$100 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$143.81, total paid \$243.81 (Clerk's Misc. File No. 20190963)
2. Parcel #21825-03-17-03500, LT 3 BLK 9, LAKE-VIEW HGTS AMD RESUB PRT B1-2 & B3-6, to Steve Lahmeyer, for the sum of \$200 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$141.81, total paid \$341.81 (Clerk's Misc. File No. 20190964)

3. Parcel #25500-03-29-05860, S.71 18'OF W1/2 LT 1 BLK 2, MARTIN ADDN, to Amber Benavides, for the sum of \$800 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$939.81 (Clerk's Misc. File No. 20190965)
4. Parcel #28825-03-19-06140, LT 2 BLK 4, MURRAY ADDN, to Bob G Moore, for the sum of \$400 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$539.81 (Clerk's Misc. File No. 20190966)
5. Parcel #31750-92-04-08600, LT 10 BLK 11, PARK VIEW PLACE, to Bob G Moore, for the sum of \$150 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$289.81 (Clerk's Misc. File No. 20190967)
6. Parcel #40525-02-24-08940, LT 13 BLK 3, STANDARD HGTS AMD, to Steve Lahmeyer, for the sum of \$300 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$439.81 (Clerk's Misc. File No. 20190968)
7. Parcel #40525-02-24-09050, LT 4 BLK 4, STANDARD HGTS AMD, to Bob G Moore, for the sum of \$50 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$189.81 (Clerk's Misc. File No. 20190969)
8. Parcel #40850-02-12-07750, LT 4 BLK 7, SUBURBAN ACRES THIRD ADDN, to Steve Lahmeyer, for the sum of \$200 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$141.81, total paid \$341.81 (Clerk's Misc. File No. 20190970)
9. Parcel #40850-02-12-08400, LT 5 BLK 10, SUBURBAN ACRES THIRD ADDN, to Bob G Moore, for the sum of \$700 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$141.81, total paid \$841.81 (Clerk's Misc. File No. 20190971)
10. Parcel #41025-02-01-05130, LT 21 BLK 8, SUBURBAN HILLS ADDN, to Steve Lahmeyer, for the sum of \$125 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$264.81 (Clerk's Misc. File No. 20190972)
11. Parcel #44200-02-11-02280, LT 24 BLK 10, VALLEY VIEW ACRES, to Bob G Moore, for the sum of \$150 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$289.81 (Clerk's Misc. File No. 20190973)
12. Parcel #53850-02-02-03370, LT 1 BLK 5, NORTHGATE THIRD ADDN, to Steve Lahmeyer, for the sum of \$75 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$214.81 (Clerk's Misc. File No. 20190974)
13. Parcel #53850-02-02-04380, LT 20 BLK 8, NORTHGATE THIRD ADDN, to Bob G Moore, for the sum of \$350 the highest competitive bid, plus any additional and separate charge for apportioned cost of \$139.81, total paid \$489.81 (Clerk's Misc. File No. 20190975)

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

- C. Request for Approval - (Board of County Commissioners) - Vision 2025 Foresight 4 Greater Tulsa Application for LaFortune Park Case Tennis Center Air Conditioning, in the amount of \$200,000 (Clerk's Misc. File No. 20190976)

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

- D. Tort Claim - (District Attorney) - TC-2019-34, Claimant: Janice Cummings c/o Billy Griffin, Griffin, Reynolds & Associates, to deny claim for incident on October 21, 2019 (Clerk's Misc. File No. 20190977)

Motion made by Stan Saltee, seconded by Ron Peters, to approve the recommendation of the District Attorney to deny the Tort Claim. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

E. Agreements:

1. Administrative Services - ImageNet Consulting, LLC:
 - a. for Lease of Copier Equipment for the Public Defender's Office (Clerk's Misc. File No. 20190978)
 - b. for the Addition of Panasonic Software to Existing Equipment Leases (Clerk's Misc. File No. 20190979)
2. Board of County Commissioners - Brazeal Masonry, Inc. - for Trade Contractor Agreement for Masonry at the Tulsa County "HQ" Administration Building; cost of \$18,000 (Clerk's Misc. File No. 20190980)
3. Sheriff:
 - a. Board of County Commissioners of Ottawa County - for Temporary Emergency Housing of Inmates in David L. Moss Criminal Justice Center (Clerk's Misc. File No. 20190981)
 - b. Oklahoma Office of Attorney General - for 2020 Safe Oklahoma Grant Program (Clerk's Misc. File No. 20190982)
 - c. Woodland Hills Mall - for Digital Advertising (Clerk's Misc. File No. 20190983)

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

- F. Agreement Renewal - (IT) - Textensor Limited for renewal of CMF #246263 for FY 2019-2020 (Clerk's Misc. File No. 20190984)

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

G. Inventory Resolutions:

1. Assessor - Remove from Capital Inventory (Clerk's Misc. File No. 20190985)
2. Parks - Junked (Clerk's Misc. File No. 20190986)

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

- H. Sole Source - (IT) - Pendergraph, Inc. (PSI), for door controls and video surveillance using Lenel door controls and Milestone video surveillance. They are the sole source for future purchases to keep systems compatible at various new and existing county facilities (Clerk's Misc. File No. 20190987)

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

I. Utility Permit - Engineers:

1. Oklahoma Natural Gas Company, a Division of ONEOK, Inc.:
 - a. to cross E. 173rd St. +/- 2.21 miles S. and 2.65 miles E. of the junction of US Hwy 75 & SH 67 and further described as 1,982' / 1,207' W./S. of the NE/C of Section 31, Township 17N, Range 13E by boring for 3/4" line (Clerk's Misc. File No. 20190988)

- b. to cross/parallel S. 193rd E. Ave. +/- 4.50 miles S. and 1.19 miles W. of the junction of the Creek and Muskogee Turnpikes and further described as the NE/NW Corner of Section 1/6, Township 17N, Range 14/15E by boring cross with 2" line and parallel with 6" line (Clerk's Misc. File No. 20190989)
- c. to parallel W. 40th St. S. +/- 0.88 miles S. and 1.32 miles W. of the junction of SH 51 and SH 97 and further described as 1,002' W. of the SE/C of Section 21, Township 19N, Range 11E by boring for 2" line (Clerk's Misc. File No. 20190990)
- 2. Washington County RWD #3, to cross 129th E. Ave. +/- 3/8 mile South of the intersection of 136th St. N. & 129th E. Ave. and further described as the NE/C of Section 32, Township 22N, Range 14E by boring for 1" line with 1 1/4" casing (Clerk's Misc. File No. 20190991)

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

J. Travel/Training

- 1. Board of County Commissioners - Mike Craddock for periodic travel as needed from 11/1/19 to 6/30/20; total cost not to exceed \$500 (Clerk's Misc. File No. 20190992)
- 2. OSU Extension:
 - a. Michelle Bonicelli to Financial Education in Oklahoma Conference on 11/13/19 in OKC, OK; cost of \$325 (Clerk's Misc. File No. 20190993)
 - b. Catherine Gies to Administrative Assistant Conference from 11/18-19/19 in Pryor, OK; cost of \$175 (Clerk's Misc. File No. 20190994)
 - c. Roxanne Mahoney to Administrative Assistant Conference from 11/18-19/19 in Pryor, OK; cost of \$175 (Clerk's Misc. File No. 20190995)
 - d. Tracy R. McKaughan to In-Service Training -NE/SE District on 11/13/19 in Norman, OK; cost of \$160 (Clerk's Misc. File No. 20190996)
 - e. Frances Palmer to Administrative Assistant Conference from 11/18-19/19 in Pryor, OK; cost of \$175 (Clerk's Misc. File No. 20190997)
 - f. Greta Wilson to Administrative Assistant Conference from 11/18-19/19 in Pryor, OK; cost of \$175 (Clerk's Misc. File No. 20190998)
- 3. Parks:
 - a. Lance Parker to Annual Oklahoma Turfgrass Conference and Trade Show from 11/19-20/19 in Owasso, OK; cost of \$180 (Clerk's Misc. File No. 20190999)
 - b. Frances Dodson to Government Social Media Conference from 3/23-26/20 in Seattle, WA; cost of \$2,100 (Clerk's Misc. File No. 20191000)

Motion made by Stan Saltee, seconded by Ron Peters, to approve the Travel/Training Requests. Upon roll call, Yes - Stan Saltee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

K. Personnel Actions

- 1. Building Operations (Clerk's Misc. File No. 20191001)
- 2. Court Services (Clerk's Misc. File No. 20191002)
- 3. Highways (Clerk's Misc. File No. 20191003)
- 4. Inspections (Clerk's Misc. File No. 20191004)
- 5. IT (Clerk's Misc. File No. 20191005)
- 6. OSU Extension (Clerk's Misc. File No. 20191006)
- 7. Parks (Clerk's Misc. File No. 20191007)
- 8. Social Services (Clerk's Misc. File No. 20191008)

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

L. Juvenile Bureau Personnel Actions to Accept & File (Clerk's Misc. File No. 20191009)
Motion made by Stan Sallee, seconded by Ron Peters, to accept and file the Juvenile Bureau Personnel Actions. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion carried.

M. CC Health Department Documents to Accept & File:

1. Agreements:
 - a. West Publishing Corporation (Clerk's Misc. File No. 20191010)
 - b. Jon Calvert, M.D. (Clerk's Misc. File No. 20191011)
2. Personnel Actions (Clerk's Misc. File No. 20191012)
3. Travel/Training - Mical Garcia attended Oklahoma STI Academy from 9/12-13/19 in OKC, OK; cost of \$379.20; Leslie Springs attended Ethics of Cultural Humility, Diversity, and Inclusion in Clinical Practice on 10/11/19 in Tulsa, OK; cost of \$50; Stephen Bull attended HAZWOPER Refresher Class on 10/29/19 in Tulsa, OK; cost of \$30; Ha Seo attended OK Futures Moving Forward Conference on 11/2/19 in Tulsa, OK; cost of \$15; Lori Just and Erin Quinn to AWC November Luncheon: The Communicator's Role in Diversity & Inclusion on 11/12/19 in Tulsa, OK; cost of \$60; Priscilla Haynes to Teen Pregnancy Prevention Essentials on 11/22/19 in Tulsa, OK; cost of \$75; Samantha Toothaker to Back to the Basics (OKAPP) from 11/24-26/19 in Edmond, OK; cost of \$795 (Clerk's Misc. File No. 20191013)

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

N. Claims to be Disallowed (payments cancelled as of 10/28-11/1/19)

There were no claims to be disallowed.

O. Claims (payments for bills to be paid by 10/21-25/19)

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

P. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 10/28-11/1/19

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

- Q. Executive Session - (District Attorney) - Requested by Douglas Wilson, 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: *Burke v. Glanz, et al.*, Case No. 11-CV-720-JHP-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 Ron Peters, seconded by Stan Sallee, to go into Executive Session. Upon roll call, Yes - Stan Sallee, Ron Peters, Karen Keith. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:40 a.m.

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

R. Discussion and Possible Action Regarding Executive Session Item

Motion made by Stan Sallee, seconded by Ron Peters, to grant settlement authority to Commissioner Peters up to the amount as discussed in Executive Session, to-wit: *Burke v. Glanz, et al.*, Case No. 11-CV-720-JHP-TLW, pending in the United States District Court for the Northern District of Oklahoma (Clerk's Misc. File No. 20191014)

IX. ADJOURN

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

BOARD OF COUNTY COMMISSIONERS

Karen Keith, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk