

(Amended 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 September 22, 2023 at 9:15 a.m.)

MINUTES  
Monday, September 25, 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: Commissioner Karen Keith, Commissioner Stan Sallee and Commissioner Kelly Dunkerley. Others present: County Clerk Michael Willis, represented by Chief Deputy Thomas Ellis.

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 September 18, 2023

B. Board of County Commissioner's Special Meeting of September 20, 2023

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

IV. UNFINISHED BUSINESS

A. Bid Awards & Recommendations:

1. Engineers - On-Call Engineering Services for Road and Bridge Construction - Deferred

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

2. Sheriff - David L. Moss Detention Facility Storage Building, to Merak Group, LLC. Though it was not the lowest bid, the time of completion was given special consideration, making this bid the lowest and best received

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

B. Amendments

1. Sheriff - #1 to the Master Services and Purchasing Agreement with Axon Enterprise, Inc., to accommodate the purchase of additional services and products including tasers, body cameras, and additional technology implementations - Deferred from 9/18/2023 (Clerk's Misc. File No. 20231630)

2. TC Departments - #17 to the award for Pest Control to American Services, Inc., CMF #242875, most recent renewal, CMF #20221428, for an additional year beginning 10/16/2023, with no changes to the terms (Clerk's Misc. File No. 20231631)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

- C. Resolution - (Inspections) - of 2023 Amendment Adopting the International Building Code as adopted by the State of Oklahoma through the Oklahoma Uniform Building Code Commission (OUBCC) to amend the previously adopted codes. The most recent amendment was July 2016, CMF#238587 - Deferred from 9/11 and 9/18/2023

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

- D. Agreement - (Court Services) - Oklahoma Law Enforcement Telecommunication Systems (OLETS), to grant access to their Criminal Background Information System Network at a rate of \$50/mo. Deferred from 9/18/2023 (Clerk's Misc. File No. 20231632)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

## V. ACTION ITEMS

- A. Gasoline & Diesel Fuel Quotes for week ending 10/2/2023 (Clerk's Misc. File No. 20231629)

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

- B. New or Replacement Procurement Officers - (District Attorney) - designating Andrew Mihelich as new requesting officer for Law Library (Clerk's Misc. File No. 20231633)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

- C. Reappointments - (Board of County Commissioners) - Commissioner Dunkerley

1. Byron Burke, to the Tulsa County Home Finance Authority effective 11/1/2023, for a five-year term to expire 10/31/2028 (Clerk's Misc. File No. 20231634)
2. William Tisdale, to the Board of Adjustment, effective 9/16/2023, for a three-year term to expire 9/15/2026 (Clerk's Misc. File No. 20231635)

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

- D. Requests for Approval

1. Board of County Commissioners - of fee schedule for documents produced under the Open Records Act (Clerk's Misc. File No. 20231636)
2. Highways - Oklahoma Cooperative Circuit Engineering District Board (OCCEDB), to accept a funding award from the Solid Waste Program for Tulsa County District 1 in the amount of \$4,200 for illegal dump clean up on county road right-of-way or for trash roll-off charges and \$1,500 for the purchase of new chainsaws/pole saws to assist in debris cleanup on county road right-of-way during the 2024 fiscal year (Clerk's Misc. File No. 20231637)
3. Human Resources - of donations for the 2023 Tulsa County Wellness Fair from AJ Gallagher, Benefit Resources, Inc., BOK Financial, Community Care, Delta Dental, Saint Francis Stroke Center, VSP and YMCA, approximate value of \$2,300 (Clerk's Misc. File No. 20231638)

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

4. Inspections - of Tulsa County Inspections Fee Schedule

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

E. Resolutions - Board of County Commissioners:

1. Authorizing application for the Rural Economic Action Plan (REAP) grant from the Indian Nations Council of Governments (INCOG) (Clerk's Misc. File No. 20231639)
2. Authorizing expenditure of Four-2-Fix II Capital Improvement Program funds in the amount of \$15,000 for the Courthouse Wi-Fi project (Clerk's Misc. File No. 20231640)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

F. Agreements

1. Board of County Commissioners - (INCOG) - C-PACE Assessment Contract - Greenworks Lending, LLC (capital provider) and Broken Arrow Townhomes I LLC (property owner) for \$2,700,000 of energy efficiency and water conservation improvements associated with new construction development located at 3405 N.1st Street, Broken Arrow, OK (Clerk's Misc. File No. 20231641)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

2. IT:

- a. HSI, for first aid training software and titling for a one-year beginning 9/25/2023, cost of \$6,450 (Clerk's Misc. File No. 20231642)
- b. Litmos, for Pro Program LMS training software licensing and support for 1,200 active users through 6/22/2024, cost of \$15,961.68 (Clerk's Misc. File No. 20231643)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

3. Parks:

- a. Fernanda Thompson, for use of several Tulsa County Parks, for Painting in the Park meeting once a week from 9/29/2023- 12/28/2023, fee of 20 percent of paid enrollment (Clerk's Misc. File No. 20231644)
- b. Goodwill Industries of Tulsa, Inc., for use of Chandler Park Recreation Center, from 9:00 a.m. to 3:00 p.m. for an employee picnic on 9/29/2023, and a holiday luncheon on 12/22/2023, fee of \$980 per event (Clerk's Misc. File No. 20231645)
- c. Owasso Public Schools, for Cross Country meet on 9/28/2023 from 10 a.m. to 3 p.m., fee of \$562.50 (Clerk's Misc. File No. 20231646)

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

4. Treasurer - ASM Global, dba SMG, for use of the Cox Business Convention Center, from 6/7-12/2024 for the Treasurer's Real Estate Auction, cost of \$15,850

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

G. Agreement Renewals - Parks:

1. JSJ, Inc., for renewal of CMF #20231129 from 10/1/2023 - 12/31/2023 (Clerk's Misc. File No. 20231647)

2. M&M Tennis - Melissa McCorkle, for renewal of CMF #20231130 from 10/1/2023 - 12/31/2023 (Clerk's Misc. File No. 20231648)

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

- H. Request to Advertise for Bids - (Sheriff) - David L. Moss Master Control Room & Operations Desk (Clerk's Misc. File No. 20231649)

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

- I. Inventory Resolutions

1. Building Operations - Asset Disposal: sold - vehicles (Clerk's Misc. File No. 20231650)
2. Sheriff - Asset Disposal: Retired to Deputy D. Guinn - Glock and body armor (Clerk's Misc. File No. 20231651)

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

- J. Utility Permits - Engineers:

1. 3rd Gen Plumbing, LLC, to perform a street cut and repair at 6736 W. 25th St. and restoring the road to Tulsa County specifications (Clerk's Misc. File No. 20231652)
2. BTC Broadband, for the crossing and paralleling of Braden Ave. and 161st St. approximately 1.0 mi. S. of the Hwy 67 and Yale Ave. junction (Clerk's Misc. File No. 20231653)
3. ONE Gas, Inc., for the crossing of 12551 E. 120th St. North approximately 0.75 mi. W. & 0.42 mi. N. of the US 169 & SH 20 junction (Clerk's Misc. File No. 20231654)
4. Rural Water District #6:
  - a. for the crossing of 181st St. S. approximately 0.90 mi. E. of the E. 181st St. S. & S. Peoria Ave junction (Clerk's Misc. File No. 20231655)
  - b. for the crossing of 181st St. S. approximately 0.30 mi. E. of the E. 181st St. S. & Sheridan junction (Clerk's Misc. File No. 20231656)

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

- K. Travel/Training - (Court Services) - Mary McDonald for online exam to become a Certified Pretrial Service Professional (CPSP) from the National Association of Pretrial Services Agencies (NAPSA), cost of \$175 (Clerk's Misc. File No. 20231657)

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

- L. Claims (payments for bills to be paid from 9/11-15/2023)

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

- M. Blanket Purchase Orders and Emergency Purchase Orders Submitted from 9/18-22/2023

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

N. Consideration and Approval of Construction Program Payments

1. Vision Tulsa County (Clerk's Misc. File No. 20231658)

SALES TAX/BOND FUNDED PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Garver; Fund: HEDSO/PJ1037; Item: Edison Bridge Replacement;  
Purpose: Construction; Amt. Paid \$5,300

Creditor: A&D Supply; Fund HERJR/PJ1085; Item: Ray Jordan Renovation - BOPS  
Basement; Purpose: Materials; Amt. Paid: \$340.92

Creditor: The Home Depot; Fund PCP02/PJ1066; Item: Chandler Park Project Area  
B; Purpose: Materials; Amt. Paid \$107.89

Creditor: The Home Depot; Fund PCP02/PJ1066; Item: Chandler Park Project Area  
B; Purpose: Materials; Amt. Paid \$254.80

SALES TAX FUNDED PROJECTS RECOMMENDED FOR PAYMENT

Creditor: Native Audio Visual LTD; Fund HERJR/PJ1085; Item: Ray Jordan Bldg.  
Renovation - Jury Room; Purpose: Construction; Amt. Paid: \$7,352.39

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, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

O. Discussion and possible action approving the appropriation and use of funds received from  
the U.S. Department of Treasury under the “Coronavirus Response and Relief  
Supplemental Appropriations Act of 2021”, the “Emergency Rental Assistance Program”,  
and/or the “American Rescue Plan Act of 2021” and the “Coronavirus State and Local  
Fiscal Recovery Fund” contained therein (Clerk's Misc. File No. 20231659)

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

P. 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), gave an update.

Q. Executive Sessions - District Attorney

1. Requested by Andrew Mihelich:

- 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:*  
*Cortez Tunley, Workers' Compensation Non-Represented 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:*  
*Michael Bristow, Workers' Compensation Case CM3-2023-00213M*, 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:*  
*Sahim Smith, Workers' Compensation Case CM3-2022-04225J*, disclosure of

the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest

- d. 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: *Tort Claim TC-2023-45: Shaylyn v. Board of County Commissioners of Tulsa County, Oklahoma*, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest
  - e. 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: *Taylor Norton, Workers' Compensation Non-Represented Claim*, 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 Douglas Wilson - 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: *Board of County Commissioners of Tulsa County v. City of Bixby, 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 Saltee, to go into Executive Session. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion Carried.

Executive Session commenced at 9:52 a.m.

Motion made by Stan Saltee, seconded by Karen Keith, to reconvene the regular meeting at 10:08 a.m. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

#### R. Discussion and Possible Action Regarding Executive Session Items

Chairman Dunkerley announced that Executive Session #2 requested by Douglas Wilson is deferred.

Motion made by Karen Keith, seconded by Stan Saltee, to grant settlement authority to Jay McAtee up to the amount discussed in Executive Session, to-wit: *Cortez Tunley, Workers' Compensation Non-Represented Claim*, (Clerk's Misc. File No. 20231660), *Michael Bristow, Workers' Compensation Case CM3-2023-00213M*, (Clerk's Misc. File No. 20231661), *Sahim Smith, Workers' Compensation Case CM3-2022-04225J*, (Clerk's Misc. File No. 20231662) and *Taylor Norton, Workers' Compensation Non-Represented Claim*, (Clerk's Misc. File No. 20231663). Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried.

Motion made by Karen Keith, seconded by Stan Saltee, to grant settlement authority to the District Attorney up to the amount discussed in Executive Session, to-wit: *Tort Claim TC-2023-45: Shaylyn v. Board of County Commissioners of Tulsa County, Oklahoma*. Upon roll call, Yes - Karen Keith, Stan Saltee, Kelly Dunkerley. No - None. Abstain - None. Motion carried. (Clerk's Misc. File No. 20231664)

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

BOARD OF COUNTY COMMISSIONERS

Kelly Dunkerley, Chairman

ATTEST:

Michael Willis, Tulsa County Clerk