

April 10, 2023

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, April 10, 2023 at 9:00 a.m., date and time duly posted.

Item #1: Meeting was called to order at 9:00 a.m. by Chairman, Newt Stephens, Jr. Roll Call Stephens present, Warner present, Whitehouse present.

Item #2: Statement of compliance with open meetings act-Chairman.

Item #3: Commissioner Stephens led the Pledge of Allegiance and Invocation.

Item #4: Motion was made by Warner and seconded by Whitehouse to approve the minutes of April 03, 2023 and correct the minutes of March 27, 2023, item #26 stating Mobile Command Vehicle is 28' not 28". Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #5: Motion was made by Warner and seconded by Whitehouse to approve Monthly Appropriations; March Monthly Reports from District Attorney, County Clerk, Treasurer, Court Clerk, Health Department, Election Board, and Assessor; Blanket Purchase Orders #5658 - 5689; Purchase Orders # 2022-2023 911 Phone Dispatch office supplies 5195 MERRIFIELD OFFICE SUPPLIES 25.53; Utilities 5616 A T & T 1650.64; 5622 Cimarron Telephone Co 188.97; Assr Rev Fee REVAL EXPENSES 5420 Dirt Road Data 1050.00; CBRI CYLINDER RENTAL 4882 Lampton Welding Supply 225.35; SUPPLIES 4912 T H ROGERS LUMBER CO 103.25; General null 4627 Simply Scentsational 192.00; Agreement 5624 DISTRICT ATTORNEYS COUNCIL #24 17500.00; AIR FRESHENERS 4778 Simply Scentsational 36.00; BOCC MINUTES 5352 SAPULPA DAILY HERALD 421.20; BOTTLED WATER 5055 FIZZ-O WATER COMPANY 33.80; CABINETS 5124 LOWES CREDIT SERVICES 1155.84; CCSO VEHICLE REPAIRS 5045 Midtown Auto & Diesel Repair Inc 334.00; EQUIPMENT 5447 CANADY TRAILERS LLC 3600.00; FUEL/DEPUTY CARS 3481 COMDATA INC 14416.52; INK CARTRIDGE 5432 Amazon Capital Services 52.78; INSPECTION 4247 Metro Fire Protection 607.00; K-9 CARE 5419 ADVANCED CARE VETERINARY HOSPITAL 395.99; MATERIALS 5036 LOWES CREDIT SERVICES 243.89; Network Services 5605 COX BUSINESS 243.98; OFFICE FURNITURE 5621 MERRIFIELD OFFICE SUPPLIES 875.00; OFFICE SUPPLIES 5474 Amazon Capital Services 85.89; PARTS AND LABOR 4480 A & M ELECTRIC INC 870.40; PARTS & SUPPLIES 4057 WESTLAKE ACE HARDWARE OK-020 222.76; PEST CONTROL 5051 EMCO TERMITE & PEST CONTROL INC 35.00; 5309 EMCO TERMITE & PEST CONTROL INC 15.00; Rent 2484 B4 HOMES LLC 80.00; RENTAL 4461 FIZZ-O WATER COMPANY 9.00; SERVICE 3677 COX BUSINESS 373.73; 4782 AMERICAN WASTE CONTROL INC 172.00; 4926 Verizon Wireless 160.04; 5031 EMCO TERMITE & PEST CONTROL INC 305.00; 5421 COX BUSINESS 178.18; SUBSCRIPTION 3482 THOMSON-WEST 224.70; Supplies 4785 WESTLAKE ACE HARDWARE OK-020 44.40; 5461 FARMERS FEED 540.00; SUPPLIES 5476 JOHN DEERE FINANCIAL 166.93; SUPPLIES AND SERVICE 1324 EMERGENCY POWER SYSTEMS, INC 453.00; Tolls 4487 OTA PIKEPASS CENTER 23.57; TRAVEL 4783 TROUT, CHRISTINE 120.39; 5642 BYASSEE, JULIE 259.38; 5643 MARVIN, JOANN I. 166.37; 5644 WILLHITE, JENNIFER L. 78.60; 5645 WILLHITE, JENNIFER L. 78.60; 5646 COSBY, LAURA D. 20.96; UNIFORM 2436 BAYSINGERS UNIFORMS AND EQUIPMENT 896.56; 5193 BAYSINGERS UNIFORMS AND EQUIPMENT 218.22; UNIFORM & ACCESSORIES 3062 BAYSINGERS UNIFORMS AND EQUIPMENT 23.25; 5598 SPECIAL-OPS UNIFORMS 149.96; Utilities 5470 O G & E 5296.10; 5590 ONE NET 470.00; UTILITIES 5639 CREEK CO RURAL WATER D#3 238.50; UTILITY 5475 O G & E 33.70; 5589 O N G 140.20; 5592 Waste Management Of Tulsa 184.11; 5593 Waste Management Of Tulsa 322.92; 5594 ONE NET 640.00; 5623 CITY OF BRISTOW 73.00; Health JANITORIAL 4641 HOMETOWN JANITORIAL SERVICES 1175.00; LAWN CARE 2797 MARK CROMWELL 250.00; SERVICE 3261 Metro Security 45.00; Supplies 5227 OMES-CENTRAL PRINTING 579.00; TRAVEL 2788 Talley, Robert 253.62; 5160 DEARMAN, SHEREE 112.66; 5161 DAVIS, SHERRIE D. 198.99; 5164 ALFORD, ALMETRICE 136.24; 5166 Kelly Amanda 141.48; 5170 Kayla McElroy 125.76; 5588 Fears-comes, Carlotta 30.13; UTILITIES 5075 CITY OF BRISTOW 207.71; Highway DIESEL FUEL/GAS 5038 COMDATA INC 884.53; Fuel 5446 ETHRIDGE OIL 21765.75; Gravel 4914 ANCHOR STONE COMPANY 914.60; LEASE/PURCHASE 5488 ARMSTRONG BANK 1014.94; 5504 Armstrong Bank 3069.89; 5562 SNB BANK 1556.98; OFFICE SUPPLIES 4869 UniFirst Holdings Inc 248.16; PARTS 5380 BRUCKNER TRUCK SALES INC 1522.72; PARTS & SUPPLIES 4904 TRACTOR SUPPLY CREDIT PLAN 106.15; PARTS/SUPPLIES 4756 O'REILLY AUTO PARTS 223.52; 4883 WESTLAKE ACE HARDWARE OK-020 270.38; PARTS, SUPPLIES, LABOR 4091 RD SIMPSON CONSTRUCTION INC 46000.00; PAYMENT 4901 OTA PIKEPASS CENTER 19.65; PIKE PASS 4921 OKLAHOMA TURNPIKE AUTHORITY 60.32; SERVICE 4846 Republic Services #789 187.93; SUPPLIES 4856 VARNERS EQUIPMENT & HARDWARE 214.91; 4890 CINTAS CORPORATION NO 2 199.13; 5448 FORTNEY, LUKE 697.20; Tires 5438 SOUTHERN TIRE MART LLC 888.00; TRASH 4613 AMERICAN WASTE CONTROL INC 62.00; TRASH SERVICE 4851 GREEN ENVIRONMENTAL SERVICES LLC 88.28; UNIFORM 4913 UniFirst Holdings Inc 1137.17; Utilities 4892 A T & T 583.28; Hwy-ST asphalt overlay 5370 DUNHAM ASPHALT SERVICE INC 148570.00; CYLINDER RENTAL 4923 Industrial Welding & Tools Supply 120.42; Fuel 4981 Offen Petroleum LLC 22493.71; HAULING 5411 MIKE WOFFORD TRUCKING & GRADING LLC 16328.16; OIL, HYD FLUID & GREASE 5467 RAMBIN PETROLEUM INC 1696.50; PARTS 5459 TRACTOR SUPPLY CREDIT PLAN 431.47; Parts & Labor 4170 HOLT TRUCK CENTERS 264.51; PARTS & SUPPLIES 3189 FLEET PRIDE 319.99; 3766 O'REILLY AUTO PARTS 1203.84; 3767 CHEROKEE HOSE & SUPPLY INC 240.32; 4338 DRUMRIGHT AUTO SUPPLY 10.00; 4340 DRUMRIGHT TIRE 112.00; 4362 C3 INDUSTRIAL LLC 330.46; 4870 CROW BURLINGAME COMPANY 1016.56; 4889 O'REILLY AUTO PARTS 751.63; SIGNS 3252 TULSA COUNTY HIGHWAY CONSTRUCTION SIGNS 387.60; 3762 TULSA COUNTY HIGHWAY CONSTRUCTION SIGNS 604.40; Tires 5348 SOUTHERN TIRE MART LLC 539.56; TIRES & REPAIRS 4855 Sellers Tire Inc 262.00; 5371 IRON EAGLE REPAIR LLP 688.84; Jail-ST CCJ JAIL SUPPLIES/TOILET PAPER 5111 MERRIFIELD OFFICE SUPPLIES 1273.72; 5439 MERRIFIELD OFFICE SUPPLIES 3088.99; CCJ MAINTENANCE 664 WESTLAKE ACE HARDWARE OK-020 10.93; CCJ PLUMBING SERVICES 5614 ASPEN PLUMBING LLC 430.00; CCJ VEHICLE REPAIRS 4067 Midtown Auto & Diesel Repair Inc 83.50; 5465 Midtown Auto & Diesel Repair Inc 236.04; FIRE EXTINGUISHER 5012 FIRETROL 191.00; FUEL/JAIL CARS 5597 COMDATA INC 2455.25; INMATE CLOTHING 4970 CHARM TEX 69.80; Maintenance 5607 WESTLAKE ACE HARDWARE OK-020 59.48; UTILITIES WATER 5602 SAPULPA RURAL WATER CO 2810.00; 5604 SAPULPA RURAL WATER CO 38.00; Juv Dent-ST CABLE 5611 DISH NETWORK 133.00; FOOD 5286 SYSCO FOODS 1709.36; JUVENILE DETENTION 5477 Amazon Capital Services 24.97; Training 5606 Grant Writing USA 495.00; UTILITIES WATER 5615 CITY OF BRISTOW 377.18; Memorial Donation SUPPLIES 5424 HART DESIGNS ETC 638.00; Planning/Zoning LEASE PYMT 4422 Quadiant Leasing USA Inc 167.11; SUPPLIES 4631 MERRIFIELD OFFICE SUPPLIES 188.66; Resale BOTTLED WATER 4197 FIZZ-O WATER COMPANY 23.90; IT Support 4208 TM CONSULTING INC 1562.00; JANITORIAL 4195 Gster Cleaning 600.00; PIKE PASS 1611 OTA PIKEPASS CENTER 0.90; SEARCH ENGINE 4207 LEXISNEXIS RISK SOLUTIONS 180.00; TAX WARRANT SERVICE 4191 CREEK COUNTY SHERIFF 600.00; TEMPORARY EMPLOYEE 5288 DYNAMIC RECRUITING SPECIALIST 870.00; WORK COMP PREMIUM 2687 CREEK COUNTY COMMISSIONERS 82.25; RFD-ST Fire Hose 5127 J & J CUSTOM FIRE INC 1220.00; PAYMENT 4472 ARMSTRONG BANK 3510.71; RM&P WORK COMP PREMIUM 5636 CREEK COUNTY COMMISSIONERS 21.58; SH Commissary Commissary 4344 TIGER CORRECTIONAL 1747.87; SH Svc Fee UNIFORM & ACCESSORIES 5471 OMAHA OUTDOORS LLC 6733.02. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #6: NO DISCUSSION of new business. (In accordance with the Open Meetings Act, Title 25 O.S. §311, new business is defined as any matter not known about or which could not have been reasonably foreseen within 24 hours of time of posting agenda.)

Item #7: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2023-37** removing Requisitioning Officer Chris Gilliland and adding Melissa Siler for the Creek County Election Board Accounts (0001-1-2200-1110/SL1A; 0001-1-2200-1130/SL1B; 0001-1-2200-1310/SL1C; 0001-1-2200-

2005/SL2; 001-1-2200-4110/SL3). Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #8: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2023-38** removing Receiving Officer Chris Gilliland and adding Melissa Siler for the Creek County Election Board Accounts (0001-1-2200-1110/SL1A; 0001-1-2200-1130/SL1B; 0001-1-2200-1310/SL1C; 0001-1-2200-2005/SL2; 001-1-2200-4110/SL3). The Board asked if they could have the same employees on Requisitioning and Receiving, Mortazavi stated since they only have two employees, yes. They will alter who will sign as Requisitioning and the other one will sign the Receiving. This is how they have done it in the past, as well. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #10: Motion was made by Stephens and seconded by Whitehouse to approve Utility Permit from Cox Communications per County Specs for cable line, by parallel overhead and bore, crossing bore and structure placement, size of line 48ct fiber, size of casing 2" conduit, to cross and parallel W. 141st St. S. approximately 0.04 miles E. of Rt. 66 & W. 141st St. S., further described as 1658' E. of the N.W. corner of Section 13, T17N, R10E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #9: Motion was made by Stephens and seconded by Warner to let for **Bid#23-18 Lease Purchase of One or More New Custom Cab Pumpers for the Drumright Fire Department** to be opened 05-15-23. Brett Lunsford, stated this will be a custom truck estimated to cost \$500,000.00 to \$600,000.00. We are asking for a ten-year lease, with option to pay off early. We will be utilizing our County Sales Tax for payments. We have calculated the income of our account; we will be able to pay for the truck and still set half of it back for the next purchase of a new truck. Jana Thomas, Purchasing Agent discussed the bid specs and current balance of the accounts to the around \$120,000.00, that has been collected over the last sixteen months or so. Stephens asked if there are enough bidders to send the request to, Thomas stated I have fifteen currently. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #11: Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. Stephens stated we will have numbers next week on to see where we are at on expenditures from ARPA and what is still available to allocate. (1) Whitehouse stated he is ready to proceed with 91st Project, we have roughly \$17,400.00 left of ARPA monies. Stephens stated that a request needs to be sent over from Cindy to Misty and we will work on the wording.

Item #15: Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-45** amending the Opioid Abatement Settlement account 1251-3-2000-2005 to 1251-3-6701-2005, per the recommendation of Oklahoma State Auditor and OSU County Training Program and create the following Opioid Abatement Settlement accounts 1251-3-6700-2005, 1251-3-6702-2005, 1251-3-6703-2005, 1251-3-6704-2005, 1251-3-6705-2005, and 1251-3-6706-2005 and direct the Creek County Treasurer to deposit funds into newly created accounts. Tandra McClellan, Payroll Clerk discussed the department changes recommended by the Auditor and OSU, we need to choose either the all account or select the separate accounts. Stephens asked if the accounts can be in an interest-bearing account. Andrew Goforth, Assistant District Attorney stated he has not seen anything that would say they could not be. Goforth suggested that we create all accounts that have been recommended by the Auditor, I think we create the 6700 as a catch all, if funds need to be transferred for a purchase. Goforth discussed the settlement and waiting on the future ruling of what the funds can be utilized for, we all know all structured settlements are fluid until the Judge approves, we will have more information at a later date. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #16: Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-39** directing the Creek County Treasurer to credit the Opioid Abatement Settlement Fund Account 1251-3-6701-2005 with \$127,322.34 from OK Janssen Pharmaceuticals Opioid Qualified Settlement Fund for the national opioid settlement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #12: Motion was made by Stephens and seconded by Whitehouse at 9:49a.m. to recess the meeting until 11:00 a.m. for attendance of the Board's opioid litigation contract counsel. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. At 11:04 a.m. Stephens called the meeting back to order. Roll Call Stephens present, Warner present, Whitehouse present.

Item #13: Motion was made by Stephens and seconded by Whitehouse at 11:05 a.m. to enter into Executive Session for consideration, discussion and possible action to hold confidential communications between the Board of County Commissioners, its contract counsel, and the District Attorney concerning the settling of certain claims in pending litigation, including potential resolution of certain claims against Walmart, Walgreens, CVS, Teva, and Allergan, related to lawsuits against pharmaceutical supply chain participants of opioid prescription drugs the disclosure of which may

seriously impair the litigation if known by public disclosure as allowed by 25 O.S. § 307(B)(4). Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. A motion was made by Stephens and seconded by Warner at 11:29 a.m. to come out of Executive Session. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #14: Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-40** participating in the Walgreens Company settlement agreement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-41** participating in the Teva Pharmaceutical Industries Ltd. Settlement agreement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-42** participating in the Allergan Finance LLC and Allegran Limited (FKA Allegran plc) settlement agreement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-43** participating in the Walmart Company settlement agreement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-44** participating in the CVS Pharmacy Inc. settlement agreement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Public Comment: NONE

Adjournment: Motion was made by Stephens and seconded by Warner at 11:32 a.m. to adjourn and meet again 4-17-23. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.