

February 22, 2021

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, February 22, 2021 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, Roger Smith 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 Smith to approve the minutes of February 16, 2021. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #5: Motion was made by Warner and seconded by Smith to January Monthly Reports from Court Clerk; Blanket Purchase Orders #4520 - 4538; Purchase Orders # 2020-2021 911 Phone PROFESSIONAL SERVICES 4445 MISSION CRITICAL PARTNERS, LLC 1351.59; 4447 MISSION CRITICAL PARTNERS, LLC 5445.46; CBRI CULVERTS 3081 FENSCO INC 1918.80; General BOCC MINUTES 4270 SAPULPA DAILY HERALD 450.00; 4388 SAPULPA DAILY HERALD 592.20; CCSO VEHICLE REPAIRS 3386 CROWN AUTO WORLD BRISTOW 1502.70; 4290 CROWN AUTO WORLD BRISTOW 125.00; Data Collection 4397 CASTLECOM LLC 525.00; Dog food 3687 FARMERS FEED 80.00; Evidence Supplies 4058 MERRIFIELD OFFICE SUPPLIES 137.50; FEES 3877 THOMSON-WEST 196.45; 4450 VERIZON CONNECT NWF, INC 14.10; FURNITURE 4385 MERRIFIELD OFFICE SUPPLIES 33.32; Law Books & Services 3891 THOMSON-WEST 325.33; 3894 THOMSON-WEST 2226.00; Network Services 4377 COX COMMUNICATIONS 242.51; Parts & Supplies 3870 ADVANCED AUTO PARTS 123.78; PEST CONTROL 4069 EMCO TERMITE & PEST CONTROL INC 300.00; PHONE & INTERNET SERVICES 4443 COX COMMUNICATIONS 1125.15; PROFESSIONAL SERVICES 4027 Standley Systems 81.00; REIMBURSEMENT 4396 WISE, DEAN 4.70; Rent 4453 Whetstone, Shari 70.00; RIBBONS 3822 REGALIA MFG. CO. 653.87; Supplies 3304 Intab 489.50; SUPPLIES 2427 MERRIFIELD OFFICE SUPPLIES 22.70; 4240 O'Reilly 10.82; TIRES/DEPUTY CARS 4392 BRISTOW TIRE & AUTO SERVICE 525.32; UNIFORM & ACCESSORIES 3934 RAY ALLEN MANUFACTURING 1694.98; UTILITIES 3374 O N G 611.14; UTILITIES WATER 4386 CITY OF SAPULPA 111.89; UTILITY 4432 EAST CENTRAL ELECTRIC COOP 243.00; 4433 EAST CENTRAL ELECTRIC COOP 244.00; 4436 CITY OF SAPULPA 697.44; 4449 O N G 616.15; Health OVERAGES 3011 PREFERRED BUSINESS SYSTEMS LLC 803.33; Supplies 4106 Standley Systems 167.16; TRAVEL 3026 DAVIS, SHERRIE D. 292.32; UTILITIES 3286 O G & E 150.65; 3289 O N G 229.11; Highway OFFICE SUPPLIES 3633 MERRIFIELD OFFICE SUPPLIES 341.75; PARTS/SUPPLIES 1872 TULSA GAS & GEAR 64.95; 3493 WESTLAKE ACE HARDWARE OK-020 21.47; 3495 O'REILLY AUTO PARTS 562.01; PROPANE 4378 HOPKINS PROPANE 2980.00; Tolls 3088 OTA PIKEPASS CENTER 0.90; UTILITIES 3844 A T & T MOBILITY 60.51; 4206 O G & E 462.89; Hwy-ST FUEL 3755 LIONEL HARRIS OIL CO INC 12179.58; PARTS AND SUPPLIES 2560 WELDON PARTS-TULSA 579.72; 3102 LIONEL HARRIS OIL CO INC 279.85; 3624 ATWOODS 154.65; Parts & Labor 2528 AMERICAN WELDING SUPPLY INC 115.55; 3784 Onsite Diesel Service 9254.61; 4368 AUTO ENHANCERS 1600.00; 4423 BIXBY RADIATOR INC 200.00; PARTS, SUPPLIES, LABOR 2862 WARREN CAT 897.79; ROAD MATERIALS 3783 THE QUAPAW COMPANY 17836.21; SIGN MATERIALS 4269 XCESSORIES SQUARED 300.00; Jail-ST INMATE SUPPLIES 4082 CHARM TEX 721.12; JAIL CLEANING SUPPLIES 4387 MERRIFIELD OFFICE SUPPLIES 323.64; Labor & Materials 4116 FIRETROL 1037.00; Lighting 4129 A & M ELECTRIC INC 922.00; PEST CONTROL 3875 SILVER BULLET PEST SERVICES INC 110.00; PHONE & INTERNET SERVICES 4375 COX COMMUNICATIONS 2173.48; Supplies 4115 FASTENAL COMPANY 334.04; SUPPLIES 3690 WESTLAKE ACE HARDWARE OK-020 183.55; UTILITIES ELECTRIC SERVICE 4440 O G & E 56.30; 4441 O G & E 84.38; 4442 O G & E 2627.40; UTILITIES WATER 4439 CITY OF SAPULPA 2277.06; Juv Dent-ST Network Services 4438 COX COMMUNICATIONS 1738.44; Supplies 4391 MERRIFIELD OFFICE SUPPLIES 449.50; UTILITIES WATER 4376 CITY OF BRISTOW 262.34; Planning/Zoning SERVICE 4025 Standley Systems 72.84; SUPPLIES 3889 MERRIFIELD OFFICE SUPPLIES 49.23; Resale SERVICE 2517 A T & T MOBILITY 41.23; Supplies 4420 MERRIFIELD OFFICE SUPPLIES 278.44; SH Commissary Commissary 3882 TIGER CORRECTIONAL 2166.53; SH Svc Fee FOOD FOR INMATES 3883 TIGER CORRECTIONAL 16378.85; MEDICAL SERVICE 3879 Turn Key Health Clinics LLC 29291.60; Server Maintenance 2007 CASTLECOM LLC 980.00; Tax Refunds TAX CORRECTION 189 Lereta LLC 1409.00; 190 Rodney And Shirley Hendricks 9.00; 191 Darrell Bonlinger 16.00; 192 Tulsa Teachers Credit Union 69.00; 193 Corelogic Inc 1621.00; 194 PHILLIPS, Marla 436.00; 195 Jimmy Dwayne Harris 6.00; 196 City Of Sapulpa Treasurer 171.00; 197 CIS Financial Service Inc 0.00; 198 CIS Financial Service Inc 223.30; 199 Standley 8.00; 200 Brian Caldwell 104.00. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #6: NO DISCUSSION of new business. (In accordance with the Open Meetings Act, Title 25 O.S. § 311(A) (9), new business defined as any matter not known about or which could not have been reasonably foreseen within 24 hours of this meeting.

Item #7: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-24** establishing priority of projects for the County improvements to Roads and Bridges (CIRB) transportation plan for Circuit Engineering District (CED)#1 as follows: #1 District 3 Three Bridges-Deep Fork J/P 28525, #2 District 2 BR#23 Tribute to Little Salt Creek J/P 29402, #3 District 1 49th W. Ave-SH 117 to SH 67 PH-1 J/P 29399, #4 District 3 BR#257 Deep Fork River J/P 28528, #5 District 3 BR#254 Little Deep Fork Creek J/P 32295, #6 District 1 49th W. Ave-SH 117 to SH 67 PH-2 J/P 29399. John Blickensderfer presented each district with their plans and resolution to review. We are asking that you prioritize your projects, as you know the CIRB is \$2 million, in the negative for Creek County. There are other CED districts that are not appropriating monies for projects, so this free's up additional funds for other counties, although you cannot add any new project's we can set the priority of the existing ones, this way when funds do come available, they are set and ready to go. Also, as you are aware Legislators passed SB1888, reducing the CIRB funding by \$42 million. You as a county now receive some funds from SB1888. Stephens asked Blickensderfer if he knew how many deficient bridges Creek County currently has, Blickensderfer stated I do not have that number currently. Warner stated that he is good with the priority list, I would not want to move Salt Creek any further, as it could go out any day and the alternate route is not great either. Warner also stated Creek County ranks #2 overall out of 77 counties in deficient number of bridges, most lie within District #3, Logan County I believe ranks #1. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #8: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-25** rezoning request CCZ-2029 and lot split CCLS-2776-Deborah Howard per recommendations of CCPC. Rezoning from Agricultural District to

Light Residential on Tract 2 and tracts 1 and 3 RHM to allow lot split. Tracts 1 will contain 1.5 acres more or less. Tract 2 will contain 1.1 acre more or less and Tract 3 will contain 2.4 acres more or less. All tracts will meet all requirements and are not located within a flood zone. Tract is designated as RHM on the CCPC Future Land Use Map. There are similar rezones in the area. We have had some opposition with this case, there is a subdivision just west of property known as Oakwood Addition and is zoned RHM, neighbors stated there are covenants on tracts of land in the area, after research we could not find anything filed on Howard's deed. The County has no jurisdiction over covenants, but we do on County Regulations and this is what we are following. This will be bringing the existing mobile into compliance with the county and allowing a new one to be placed on property. They are not trying to create a mobile home park, as it has been stated. Applicant has built a carport and tore down an existing building. The CCPC recommended approval on 2/16/21, along with the Planning Office. Property located at 2230 Dusty Trail Sapulpa, OK.-Wendy Murray, Planner. Murray stated applicant is present. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #9: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-26** rezoning request CCZ-2030 and lot split CCLS-2727-CRM Construction LLC per CCPC recommendations. Rezoning from Agricultural District to Industrial District on tract A to allow lot split. Tract will contain 1.15 acres more or less. This is an extension of the Industrial site for an outdoor paint booth. Tract will meet all requirements and is not located within a flood zone. Tract is designated Agricultural on the CCPC Future Land Use Map. There was no opposition. The CCPC recommended approval on 2/16/21, along with the Planning Office. Property located at 19523 S. 337th W. Ave. Bristow, OK.-Wendy Murray. Murray stated applicant is requesting a special exception for paint booth. Applicant is present. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #10: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-27** rezoning request CCZ-2031 and lot split CCLS-2730-Paula McGuire per CCPC recommendations. Rezoning from Industrial District to Agricultural District on Tract B to allow lot split. Tract B will contain 8.74 acres more or less. Tract will meet all requirements and is not located within a flood zone. Property was zoned Industrial back in 2017 with intentions of selling and turning homes into offices, deal fell through and now the applicant is asking to rezone for the main home rezoned back to agricultural district. Smaller home will be converted into office with the existing trucking business, within one year. There was no opposition. The CCPC recommended approval on 2/16/21, along with the Planning Office. Property located at 19742 W. HWY 33 Sapulpa, OK.-Wendy Murray, Planner. Applicant McGuire is running behind and is not present at this time. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #11: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-28** rezoning request CCZ-2028-Natalie Cornett per recommendations of CCPC. Rezoning from Agricultural District to Industrial District to have off-site service contractor's office and vehicle and equipment storage. There is currently an off-site service being operated. Tract will meet all requirements. Owner resides on church camp grounds, they have been storing stuff and didn't realize they were out of compliance, this would be bringing them into compliance with the County. We have had a few inquiries, but no opposition. There are a lot of residents within area and not much industrial. The CCPC recommended approval on 2/16/21, along with the Planning Office. Property located Ozark Trail, Sapulpa, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #12: Motion was made by Stephens and seconded by Smith to pass Discussion and possible action to consider rezoning/lot split cases CCZ-2032 and CCLS-2731; Jason Redman requests approval of rezoning from an Agricultural District to Manufactured Home District on tract 1 to allow lot split located at 8580 S. 161st W. Ave in Sapulpa until 3/22/21 to allow the removal of vehicles from property. A motion was made by Warner and seconded by Smith, that was rescinded after discussion. Tract 1 would be rezoned to Manufactured Home District to allow lot split and contain 1.27 acres more or less. Tract 2 would remain Agricultural containing 8.73 acres more or less. Tracts will meet all requirements and are within a flood zone. Tracts are designated as Agricultural on the CCPC Future Land Use Map. There would be no new buildings erected without getting permit and approval from Creek County Floodplain Administrator. Applicants grandmother is wanting to deed property a tract to grandson and this would be bringing the existing mobile home into compliance with the County. There was some concern from the City of Sapulpa on the inoperable vehicles in the flood zone. If there was a flood oils would flow into the creek, which drains into the Sahoma Lake. The owner's son is going to clean up the property and remove vehicles ASAP weather permitting. The CCPC recommended approval on 2/16/21, with the condition of the vehicles being removed, along with the Planning Office. Property located at 8580 S. 161st W. Ave Sapulpa, OK.-Wendy Murray, Planner. There was discussion amongst

the Board if we have the authority to place a stipulation on property and what authority does the BOCC have and what timeframe would be appropriate. Murray stated there was an old taxi cab services on property, currently there are about 15 cars located on property, the owner's son needs up to two months to remove vehicles weather permitting as well. Andrew Goforth suggested that the Board pass the item until the removal is complete and then they can approve or deny. Stephens discussed timeframe with Redman, he stated grandmother's health is not the best and they need to get it done as soon as possible. We can set it for 3/22/21 and if it needs to be extended at that time, we can. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #13: Motion was made by Stephens and seconded by Warner to pass discussion and possible action to consider a Planned Unit Development and Preliminary Plat for Childers Creek, a proposed single-family subdivision containing 24.51 acres more or less until 3-22-21 to compile a list of concerns, request hydrology report again, request additional information on the direction of the subdivision and allow the developer to address all concerns presented and all communication to be handled by the Creek County Planning Office. Wendy Murray, Planner spoke to the Board, applicant requests rezoning to allow subdivision to be located off S. 49th W. Avenue, Kiefer, OK. Select Designs, Applicant has proposed a single-family subdivision containing 23 to 24 lots and four reserve areas for private street and retention pond. All responses from franchise utilities, as well as the County Engineer has been received. All requirements from the TAC meeting have been met, the plat and restrictive covenants meet all the Development Standards, as required. Access to neighborhood will be off of S. 49th and publicly dedicated. The main entrance will be the E. end of property it will feature landscaping and signage, maximum size of 64 sq. ft. The private interior street will be 30' wide and single lane, the W. end of property will contain a 96' wide cul-de-sac. We have had several inquiries and at the CCPC meeting held on 2-16-21, it was denied by 7-1 vote. There were several concerned neighbor's present to speak to the Board Jack Long, Casey Evans and Melanie Whitesell. Long stated he would be the first neighbor effected by the runoff issues. There would be two houses from what they are proposing that would be located within the 100-year flood plan. I have lived in the area since 1950 and I have seen multi changes with the runoff, we have spent lots of money trying to help with the erosion issues. The low spot, which I will call a detention pond would be changing the elevation and cause additional problems with runoff and flood plain. Long expressed the concerns of the Aerobic System, with the twenty-four proposed homes this would also create additional runoff, this would then run into Childers Creek. The ½ acre lots size was discussed, along with the two required sprinkler heads, additional maintenance that is required of an Aerobic System. Casey Evans neighbor that adjoins subject property from two sides. Evans stated he has concerns with the oil well, set-backs from oil well, access road to his pond, powerlines that crisscross property, the removal of fences and gates in the section that is currently private and not public access. I will not be able to protect my property as I should be, if the subdivision was to develop. Whitesell addressed the Board with her concerns, as a neighbor to the south. My family has four generations of history with the land proposed. I have worked cattle on land for over 20 years. I have flooding concerns not only from development, but the addition pond flowing over. Mr. Evans pond currently flows over with heavy amounts of rain or snow. Oil lines that run within the property, some being high pressure lines, I own the mineral rights to the property and know of the concerns. Whitesell spoke about additional concerns eroding fence lines, easements, traffic concerns, Kiefer FFA and Cross County programs, wildlife and possible power shortages in area. I had a discussion with Mr. Nunley and gave him the history of the property, I informed him of the issues and I feel like more questions need to be asked before they develop. I would like to keep the small-town community we have; I know that development means progress within your community, but is there another location that would be a better fit. Would there by the same regulations if it was located within the City limits and not the County, are there different codes they would not have to follow. Stephens stated it is the Board's duty to do what is best for the county and protect the citizens at the same time. I had requested the hydro logistics previously and never received. I think we pass this out, gather a list of additional concerns, get their direction and thoughts on concerns, maybe even take it back through planning. Let's give them a chance to respond and correct some concerns, let's get some more facts, before moving forward. This will give everyone the opportunity to address concerns or submit ones they haven't thought of. May they submit a redesign, it's been two months since the TAC meeting, let's open the discussion. I will get with DEQ on the ½ acre requirement and see what 23-24 subject properties would contribute as far as runoff and other concerns. The Planning Office can handle all communications with the parties and let's bring this back on 3-22-21. Whitesell asked if a redesign was ever submitted, Murray stated no. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #14: Motion was made by Warner and seconded by Smith to approve purchase order #4550 for 62 LED lights for the Fairgrounds per recommendations of Jonathan Kieffer to Tyco Electric in the amount of \$17,116.74, as per Title 61 O.S. § 101-138. Kieffer stated they have been in the process of replacing lights as they went out throughout the arena, we have 62 left. We have received phone quotes and reviewed them at the Fair Board meeting. The Board choose Tyco Electric, they have done all the others up to this point, also availability was a factor and when we have a warranty issue, we would just call one vendor and not have to figure out which vendor installed which lights and we have done work with Tyco and they do great work. We do not have any business dealings with others. Quotes received from Henley Electric \$ 17,730.29 and Dizzy Dean Electric LLC \$16,950.00. There was discussion of their only being \$106.00 difference from lowest bid, Stephens asked if the reasons stated are sufficient enough, Goforth stated they are. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #15: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-29** removing Jaala Walling as Requisitioning Officer and replacing with Robin White-Daniels for the Creek County Health Department. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #16: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-30** directing the Creek County Treasurer to credit the Creek County Commissioners Account 001-1-2000-1233/R5 for workman's compensation in the amount of \$2,675.51 with funds received from Creek County Court Clerk's Payroll Fund 1211-1-1900-1110/PFCC in the amount of \$174.95, Treasurer's Cash Voucher Resale Fund 1220-1-0600-1110/CV-2 in the amount of \$80.88, County Clerk's Preservation Fund 1209-1-1000-1130/CCPF-1 in the amount of \$25.74, Assessor's Reval Fund 001-1-1700-2005/H4 in the amount of \$401.63, Sheriff County Jail Maintenance Payroll Fund 1315-2-0400-1110/CJM1A in the amount of \$1,090.86, Sheriff E-911 Phase II Fund 1201-2-3601-1110/E911 in the amount of \$11.44, Sheriff Juvenile Justice Center Payroll Fund 1317-2-0400-1110/JJC1A in the amount of \$890.01, as per Title 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #17: Motion was made by Stephens and seconded by Smith to approve Utility Permit from Oklahoma Gas and Electric Company per County Specs for underground electric distribution line by boring, size of line 2/c 2AL(515) 7.2 KV to cross W. 91st St. S. and parallel S. 43rd W. Ave approximately W. 91st St. S. and W. 43rd W. Ave further described as 2370' E. of the N.W. corner of Section 21, T18N, R12E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #18: Motion was made by Smith and seconded by Warner to approve Utility Permit from Creek County Rural Water Dist#1 per County Specs for 1" poly service line, by boring to cross Fawn Fairway approximately .55 miles W. & N. of Black Jack Trail & Fawn Fairway further described as 3500' N. & W. of the S.E. corner of Section 14, T16N, R10E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #19: **Item #14:** Motion was made by Warner and seconded by Smith to extend **Resolution#2020-87** one more week until 3/1/21. Covey Murray spoke to the Board as of Friday, February 19, 2021 we had 37 new cases, 256 active cases and 109 deaths. February 16, 2021, we had 295 active cases and 106 deaths, February 12, 2021 we had 366 active cases, so we are definitely trending downward. Warner asked if Murray had the current totals for Drumright, are they coming down, there for a while they were going up each week. Murray stated I do not have the breakdown. Warner asked Goforth if the Court's will open back up today, Goforth stated the Administrative Order has expired and I have not heard they are going to extend. We are opening back up today and having in person court hearings. With the Supreme Court Order, we can still utilize the Blue Jean Sessions. Last week they had some in person hearings and there was a lot of traffic within the building. Warner had a brief discussion with Bret Bowling, Sheriff about the number of deputies stationed at the Courthouse. Bowling stated we are good and will have two deputies, as we had before. I have not received any new instructions as of today, stating or asking anything different. Warner asked when the City of Sapulpa's Mask Mandate expired, no one could remember the exact date, but believe it is in April. Warner stated I don't see why we would change anything at this time. Vote as follows: Stephens - No, Warner - Aye, Smith - Aye.

Public: NONE

Adjournment: Motion was made by Stephens and seconded by Warner at 10:10 a.m. to adjourn and meet again on 3-1-21. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.