

March 22, 2021

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, March 22, 2021 at 9:00 a.m., date and time duly posted.

Item #1: Meeting was called to order at 9:02 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 March 15, 2021. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #5: Motion was made by Warner and seconded by Smith to approve Blanket Purchase Orders #5030 - 5071; Purchase Orders # 2020-2021 911 Phone CELL PHONE SERVICE 4881 Verizon Wireless 92.68; UTILITY 4961 A T & T 2235.96; General AIR FRESHENERS 4034 Simply Scentsational 18.00; BOTTLED WATER 2798 CULLIGAN OF TULSA 17.50; CCSO VEHICLE REPAIRS 4614 Midtown Auto & Diesel Repair Inc 5062.11; CELL PHONE SERVICE 4878 Verizon Wireless 2134.76; CONTRACT SERVICES 2791 OSU CO-OP EXT SERVICE 12333.33; EQUIPMENT 4860 Amazon Capital Services 179.99; Insurance Premiums 4966 Guardian 74.61; LANDSCAPING SERV 584 TIER ONE LAWN AND LANDSCAPE LLC 170.00; Law Books & Services 3892 THOMSON-WEST 325.33; 3895 THOMSON-WEST 2226.00; MAINTENANCE AGREEMENT 2829 XEROX BUSINESS SOLUTIONS SOUTHWEST 50.00; OFFICE SUPPLIES 4960 MERRIFIELD OFFICE SUPPLIES 18.93; PEST CONTROL 4046 EMCO TERMITE & PEST CONTROL INC 15.00; 4435 EMCO TERMITE & PEST CONTROL INC 300.00; PHONE & INTERNET SERVICES 4866 Cox Business 1124.12; PROFESSIONAL SERVICES 4022 Standley Systems 81.00; 4546 INCOG 5000.00; SERVICE 2396 A-1 REFUSE 230.00; 2992 A-1 REFUSE 150.00; 2993 A-1 REFUSE 150.00; 4042 U S Cellular 90.98; SERVICE AGREEMENT 2783 XEROX CORP 55.00; Supplies 4249 MERRIFIELD OFFICE SUPPLIES 188.03; 4320 CURTIS RESTAURANT SUPPLY 84.26; 4765 CDW GOVERNMENT INC 203.76; 4806 MERRIFIELD OFFICE SUPPLIES 72.93; 4807 MERRIFIELD OFFICE SUPPLIES 94.34; 4816 Amazon Capital Services 542.22; SUPPLIES 3691 MERRIFIELD OFFICE SUPPLIES 92.25; 4955 MERRIFIELD OFFICE SUPPLIES 287.72; SUPPLIES AND SERVICE 4446 SCOVIL & SIDES HARDWARE CO 295.00; 4738 Elder Water Consulting Inc 165.00; TOW CHARGE 4029 A & W TOWING INC 140.00; TRAINING/TRAVEL 4750 VISA/AMERICAN HERITAGE BANK 42.30; TRAVEL 480 Self, Nancy 187.05; 482 Self, Nancy 281.85; 2796 Toothman, Olivia 128.91; UTILITIES 5027 O N G 1021.04; UTILITIES GAS SERVICES 4876 O N G 574.91; UTILITY 4535 A T & T MOBILITY 76.44; 4537 A T & T MOBILITY 111.64; 4962 EAST CENTRAL ELECTRIC COOP 14.00; 4964 O N G 831.51; 4967 CITY OF SAPULPA 869.61; Health EQUIPMENT 4699 MERRIFIELD OFFICE SUPPLIES 2128.55; LEASE 3012 Pitney Bowes Inc 76.25; PEST CONTROL 4348 METRO TERMITE AND PEST CONTROL 480.00; Supplies 4344 McKESSON 37.12; 4345 MERRIFIELD OFFICE SUPPLIES 43.94; TRAVEL 161 MYERS, RITA 31.47; 163 MCFARLAND, MARCELLA 90.05; 2383 MCFARLAND, MARCELLA 116.93; 3517 TOTTRESS, ALMETRICE 216.39; UTILITIES 3510 O N G 385.03; Highway EQUIPMENT 4844 WHITE STAR 1695.00; MATERIAL 4367 ANCHOR STONE COMPANY 4134.58; PARTS AND SUPPLIES 4757 LIGHT EM UP EMERGENCY EQUIPMENT 750.00; PIKEPASS FEE 4954 OKLAHOMA TURNPIKE AUTHORITY GOVERNMENT ACCOUNT SERVICES 9.20; RETIREMENT CONTRIBUTIONS 4942 OKLA PUBLIC EMPL RET SYSTEM 432.23; SERVICES 3558 TotalSIR 36.50; TIRES 4851 SOUTHERN TIRE MART LLC 442.98; UNIFORM 4236 UniFirst Holdings Inc 1382.82; UTILITIES 3622 A T & T MOBILITY 220.52; 3777 A T & T MOBILITY 318.78; 4638 A T & T MOBILITY 11.56; 4651 O G & E 605.62; UTILITY 4532 A T & T MOBILITY 53.38; 4664 A T & T 248.08; 4675 O G & E 34.55; Hwy-ST parts 4963 ADVANCED ELECTRICAL REBUILDERS 340.00; Parts & Labor 649 Onsite Diesel Service 2210.00; REIMBURSEMENT 4978 MANN, JUSTIN B. 53.97; REPAIRS 1446 Onsite Diesel Service 7025.83; ROAD MATERIALS 4201 ERGON A & E INC 718.65; 4662 DUNHAM ASPHALT SERVICE INC 6314.90; SIGNAL LIGHT 4681 SIGNALTEK 30.00; Jail-ST CELL PHONE SERVICE 4879 Verizon Wireless 374.40; FEES 4948 CREEK CO PUBLIC FACILITIES 678.12; FURNITURE/JAIL 4408 MERRIFIELD OFFICE SUPPLIES 3755.00; GREASE TRAP 4877 BROOKS GREASE SERVICE INC 350.00; INMATE TRACKING SYSTEM 4959 GUARDIAN RFID 21399.18; NAT GAS/JAIL 4976 Symmetry Energy Solutions LLC 1354.46; UTILITIES ELECTRIC SERVICE 4944 O G & E 57.69; 4946 O G & E 2694.74; 4949 O G & E 122.19; Juv Dent-ST CELL PHONE SERVICE 4880 Verizon Wireless 92.68; Network Services 4947 Cox Business 1738.44; ML Fee POSTAGE 4958 THE UPS STORE 11.14; Planning/Zoning SERVICE 4538 Standley Systems 90.18; Supplies 4888 MERRIFIELD OFFICE SUPPLIES 73.82; Resale AIR FRESHENERS 4155 SCENTS PLUS LLC 24.00; Maintenance 2280 Midtown Auto & Diesel Repair Inc 77.50; SERVICE 4145 A T & T 41.23; Supplies 4875 MERRIFIELD OFFICE SUPPLIES 28.98; SH Commissary Commissary 3882 TIGER CORRECTIONAL 1656.45; SH Svc Fee FOOD FOR INMATES 3883 TIGER CORRECTIONAL 10784.98; MEDICAL SERVICE 3879 Turn Key Health Clinics LLC 29291.60; TRUCK 4746 JOHN VANCE AUTO GROUP 29292.30; Tax Refunds TAX CORRECTION 211 Jeremy Delacal 6.00; 212 Keystone Liquor 367.00 . 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 Stephens and seconded by Smith to sign **Resolution#2021-37** rezoning request CCZ-2032 and CCLS-2731-Jason Redman per recommendations of CCPC. Rezoning from Agricultural District to Manufactured Home District on tract 1 to allow lot split. 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. Applicant's 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. 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. Murray informed the Board that the removal of inoperable vehicles that were located within the flood zone have been removed. We have before and after photos to show the Board. The Board applauded Redman for the quick removal of vehicle, there was discussion of some vehicles on the property that still will have to be removed, weather permitting, but this was a great start. The Board stated I believe this has taken care of our concerns and we are comfortable moving forward. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #8: Motion was made by Stephens and seconded by Smith to deny the Planned Unit Development and Preliminary Plat for Childer's Creek, a proposed single-family subdivision, containing 24.51 acres, more or less. 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. Murray presented a letter submitted by Dexxon Inc. with concerns with unplugged/unidentified oil wells, proposed housing lots violate the provisions of Title 52 O.S. § 320.1, interference with surface rights created by the Oklahoma Corporation Commissioner Order No. 43774 and 52 O.S. § 287.9 and 52 O.S. § 320.1. Eddie Rongey spoke to the Board about the above concerns and the potential impact it would have on further development of lines, the reserves that are currently in place and the replacement of wells in the future. Warner asked if they change it with fewer homes, would this help with some of your issues, Rongey stated no, with the setback lines and setbacks it would not work. Stephens stated with Title 52, we do not deal with the requirements that are in place by statute, which protects the producers and property owners. This needs to be addressed, we are not about violating statutes. The Board asked if there was an inexpensive way to locate all abandoned well sites, Rongey stated no, it is an expensive process, to insure you have gotten everything, we are talking about site that goes back before statehood and some of those records just do not exist anymore. Ryan McCarty, Select Designs spoke to the Board, we have done extensive research on easements and didn't come across anything and didn't find any issues. As far as, the unplugged wells and existing lines, we were not aware of any before today. McCarty asked for a copy of letter submitted by Dexxon Inc. We will have to do some additional research on this information provided, as the letter was submitted on 3/11/21 and we are just now receiving a copy. We have no issues with power lines, giving access to oil company, we can make modifications on the setbacks, if need be. We were waiting on approval of zoning before moving ahead on some of the additional requests. Stephens stated we just have too many issues and concerns with no hydrology report submitted, drainage, runoff, well issues, existing pond and liability of neighbor, possibility of marsh land and core permit may need to be required. McCarty stated we have completed the drainage study; we just haven't submitted. We are waiting on zoning approval first, then we will get all engineers involved, submit final plat for approval with all modifications. We do not need core permits, as we are not messing with the creek, detention pond issues have been addressed, the existing pond, we can provide additional fencing, concerns with aerobic system, we are working with DEQ on study, oil rights are another conversation itself. Warner stated the issue with the aerobic system is the soil type and the amount of possible runoff. McCarty stated it is not the best soil, but it can work, with the detention pond, no more water in system than what's there now. We may have to adjust the maximum number of properties once study is complete, we have developed over 200 additions and have made things like this work. Stephens stated he has concerns with the setbacks, size of homes and is the lots big enough to meet the standards, McCarty stated yes, we have enough to offer two-to-four-bedroom homes, some with options to have pools. Stephens stated that with the new information presented today, we have three options: Applicant withdraw application, Board send it back to the Planning Commission to review, or we deny, we have to make the best decisions for the county and citizens that we serve, with the information presented today, legally we cannot approve this today. Stephens confirmed if it was sent back to the Planning Commission, the Commission would have to hear it within the next 45 days. Stephens asked McCarty if he would like to take a few minutes to discuss with his client and speak with Rongey of concerns and then come back with a decision. McCarty stated yes, we would like a few minutes. McCarty asked that they send the request back to the Planning Commission, we will work on gathering additional information for the Commission. Warner asked if they have spoken to the City of Kiefer about running sewer to the development, McCarty stated no, but it is always at the expense of developer. Goforth stated the City of Sapulpa has recently worked with some new developers here and you might check with the City of Kiefer as well. Residents asked if they could speak on item as well. Richard Willhite stated he has issues with the hydrology report not being submitted, if you inform the people upfront, rarely do people not accept what

you present. The option for swimming pool would only increase the amount of water. I have one other thing to say poorly executed progress only hurts the future. Melanie Whitesell readdressed issues with aerobic system and setback lines, additional runoff, wetlands, mineral rights, there are just too many variables. I spoke with Mr. Nunley before he purchased property and disclosed all issues, we have been upfront with him and we do not feel that you are being up front with us. Stephens we as a Board have to look at everything submitted, we have to make an educated decision not only for the County, but the citizens as well. I just think there are too many issues that could create more issues. I requested the hydrology report back at the beginning during the TAC meeting, we have still yet to receive it. I just think there are too many issues and I would make a motion to deny. Warner asked about allowing for more time to present data, this is an uphill climb, but I think we owe it to them to get it right and provide additional information and defend their development. Stephens reviewed options briefly again, motion carried. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #9: DISCUSSION ONLY/NO ACTION concerning the County webpage and related technology and maintenance. Micah Choquette spoke to the Board about possible upgrades to the County website. Choquette spoke briefly about his journalism background, along with website design and maintenance. I have completed a technical audit of your current website; it was built in 2005 and is fifteen years old. The site is outdated, not secured and not mobile friendly. With my research I have found that other departments have their own websites, a lot of the subpages are outdated and are not in touch with our community needs. I see the website becoming more transparent for the community, offer fillable forms for direct communication with the Highway Districts, community calendar of events and marketing our community better. With my research I have viewed other County websites, like Cleveland County and Wagoner County to name a couple. Wagoner County received an A- in 2012 for website transparency, when Creek County received an F. Your website currently receives 5,000 views, I think we have the ability to market the community, while being in touch with issues that affect our county. Sapulpa just passed the GEO bond and great things are happening, I would like to see this extend beyond Sapulpa into the County where people live, work and raise the next generation of our community. There was discussion of what is currently downloaded to the site, agenda, minutes, notifications of closures. Stephens stated I would like to see it offer more information to the public such as agenda's, minutes, bid information, links to other offices and a calendar of events that are going on throughout Creek County. There was discussion of who would maintain the site, once it is built and updated. Choquette stated we can have some administrators within the County, that could do updates or we could manage the site for you, for an additional cost. There was discussion of the initial cost of building the site, hosting fees and then the possibility of managing the site. Warner stated we would need several more meetings to discuss all that will be implemented into the new site, a proposal would then be prepared laying out the fees and options of service. It would take 30-60 days to build and launch the site stated Choquette. This item will be on a future agenda to discuss further.

Item #10: DISCUSSION ONLY/NO ACTION regarding the County Certification map from ODOT. Stephens informed the Board, that all district maps have been received. We will draw on the new correction and additions this week, then get them ready to submit to ODOT.

Item #11: DISCUSSION ONLY/NO ACTION to consider ACCO safety related classes recommended by the Creek County Safety Committee for Creek County Employees as follows: Sexual Harrasment-1 hour course, Anti- Harassment-1 hour course, Blood Born Pathogens Public Entities-1 hour course, and Preventing Slips, Trips and Falls-1 hour course. Warner stated the Safety Committee has recommended that the following courses be taken by new and existing employees, these classes would bring every employee up to date with the latest safety information. This item had discussion on the length of classes, who would monitor the classes and record the completion of classes, how often they would be recommended. Bret Bowling, Sheriff stated his employees already complete a list of training classes and it is housed and monitored by a company. We brought this before the Board back in 2017, we would ask that you don't include the Sheriff Office with the recommendation, as we have our own 25 hours of yearly training. There was discussion of the benefits of taking courses and the risk of not having them available to employees. Mortazavi stated that the Safety Committee was given this item for discussion after an incident within the County, by Andrew Goforth. We have discussed this over the last couple of meetings, Tim Quinton had informed the Committee that ACCO offers a list of classes for free and the Committee discussed what would be relevant to all employees. It was discussed that the Elected Official would monitor and record each class taken and needed for their employees, as well. There was additional discussion of courses, the Safety Committee will reach out to Dale Frech, ACCO Safety Director for additional information and bring a recommendation back to the board.

Item #12: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-38** directing the Creek County Treasurer to credit the Creek County General Government Insurance Account 001-1-2300-1222/R4 with funds from Benefit Resources, Inc., in the amount of \$74.61, as per 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #13: Motion was made by Smith and seconded by Warner to approve Utility Permit from Oklahoma Natural Gas Company per County Specs for natural gas pipeline, by boring, size of line 2" MDPE, to parallel W. 151st St. approximately 2.82 miles S. and 0.53 miles E. of SH-33 & SH-66 further described as 4' N. of the SW/4 SE/4 corner of Section 18, T17N, R11E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #14: Motion was made by Warner and seconded by Smith to sign **Resolution#2021-39** directing the Creek County Treasurer to credit the Creek County General Maintenance and Operations Fund 001-1-2000-2005/R2 with funds from the Creek County Court Clerk's Office Fund for reimbursement of utility payments, in the amount of \$1,142.66, as per 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #15: Motion was made by Warner and seconded by Smith to approve Utility Permit from Cimtel/Cimarron Telephone Company per County Spec's being extended to 120 days, instead of 30 for communications cable by plowing, boring, and excavation as needed to expose existing conduit, size of line 144 fiber, size of casing 1.25" Conduit, to parallel W. 11th St. approximately 1.58 miles W. of N3680 Rd further described as in the S.E. corner of Section 4, T19N, T8E, cross and parallel S. 433rd W. Ave approximately 1.0 miles S. of W. 11th St. further described as 5280' S. of the N.E. corner of Section 8, T19N, R8E and parallel S. 433rd W. Ave approximately 1.1 miles N. of W. 11th St. further described as in the S.E. corner of Section 5, T19N, R8E all in District #2. Warner stated this job started back in January and is going to take three to four months additional to complete, they have asked for an extension from the County. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #16: Motion was made by Smith and seconded by Warner to approve Utility Permit from Creek County Rural Water District #1 per County Specs for service line, by boring, size of line 1" poly, to cross Slick Rd. approximately .05 miles N. of Slick & 201st further described as 260' N. of Section 10, T16N, R10 E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #17: Motion was made by Smith and seconded by Warner to approve Utility Permit from Creek County Rural Water District #1 per County Specs for service line, by boring, size of line 1" poly, to cross W. 221st St. S. approximately .55 miles E. of 209th W. Ave & 221st further described as 2500' E. of Section 27, T16N, R10E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #18: Motion was made by Warner and seconded by Smith to go into Executive Session at 10:35 a.m. for discussion regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of an individual salaried public office, County Purchasing Agent. This Executive Session is authorized by 25 O.S. § 307(B) (1). Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye. Motion was made by Warner and seconded by Stephens at 12:11 a.m. to come out of Executive Session. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #19: Motion was made by Warner and seconded by Smith to pass for one week until 3-29-21 discussion regarding the County Purchasing Agent to have a clear job description, start date and defined salary. There was discussion amongst the Board on possible start date being May 1, 2021 and other items that need to be done before start date. The Clerk has some additional paperwork to prepare as well. Additional training with Tim Quinton will need to take place a month before retirement. The Board asked Jana Thomas if she is okay with proposed job descriptions, Thomas stated yes. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #20: Motion was made by Warner and seconded by Smith to extend **Resolution#2020-87** one more week until 3/29/21. Stephens stated Covey Murray, Emergency Management was in the meeting early, but is not currently. The County has not received any new update since a week ago. They are just not sending any out. It has been stated that the State is opened back up for business. Stephens stated I support this 100%, Warner stated he does as well. Warner stated without any new additional information, I would like to keep what we have in place for another week. Vote as follows: Stephens - No, Warner - Aye, Smith - Aye.

Public Comment: Stephens informed the public and Board that my daughter and I have purchased culverts for our property. The County will be installing the culverts tomorrow, Tuesday, March 23, 2021. I have discussed this with the District Attorney, I am not exempt from this process that the County

offers. With that being said for transparency Frank and Andy will be out supervising the project. Pictures will also be taken before and after the completion of installing culverts.

Adjournment: Motion was made by Stephens and seconded by Warner at 12:20 p.m. to adjourn and meet again 3-29-21. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.