

**August 16, 2021**

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, August 16, 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 August 9, 2021 and special meeting minutes of August 12, 2021. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #5:** Motion was made by Warner and seconded by Smith to approve July Monthly Reports from Health Department, Election Board, Court Clerk, County Clerk, OSU Extension Services; Transfers \$22,984.68 from 1220-1-0600-1110/CV-2 Treasurer FY2020-2021 to 1220-1-0600-1110/CV-2 Treasurer FY2022; \$1,152,529.75 from 1220-1-0600-2005/CV-2 Treasurer FY2020-2021 to 1220-1-0600-2005/CV-2 Treasurer FY2022; \$14,105.28 from 001-1-3200-2005 Planning M&O Commissioners FY2021-2022 to 001-1-3200-1110 Planning Salary Commissioners FY2022; \$33,929.97 from 1103-6-4000-4030 Co Bridge & Rd Improv-ALL Commissioners FY2021-2022 to 1103-6-4100-4030 Co Bridge & Rd Improv-D1 HWY \$11,309.99, 1103-6-4200-4030 Co Bridge & Rd Improv-D2 HWY \$11,309.99 and 1103-6-4300-4030 Co Bridge & Rd Improv-D3 HWY \$11,309.99 FY2022; \$66,996.09 from 1102-6-6500-2005 CIRB-MV/SB1888-ALL Commissioners FY2021-2022 to 1102-6-6510-2005 CIRB-MV/SB1888-D1 HWY \$13,399.22, 1102-6-6520-2005 CIRB-MV/SB1888-D2 HWY \$25,458.51 and 1102-6-6530-2005 CIRB-MV/SB1888-D3 HWY \$28,138.36 FY2022; \$128,417.31 from 1102-6-4000-1110 Co HWY Unrestricted/Salary-ALL Commissioners FY2021-2022 to 1102-6-4300-1110 Co HWY Unrestricted/Salary-D3 HWY \$80,000.00, 1102-6-4300-2005 Co HWY Unrestricted/M&O-D3 HWY \$33,417.31 and 1102-6-4300-4110 Co HWY Unrestricted/Cap Outlay-D3 HWY \$15,000.00 FY2022; \$117,410.12 from 1102-6-4000-1110 Co HWY Unrestricted/Salary-ALL Commissioners FY2021-2022 to 1102-6-4200-1110 Co HWY Unrestricted/Salary-D2 HWY \$60,000.00, 1102-6-4200-1320 Co HWY Unrestricted/Travel-D2 HWY \$5,000.00, 1102-6-4200-2005 Co HWY Unrestricted/M&O-D2 HWY \$40,410.12 and 1102-6-4200-4110 Co HWY Unrestricted/Cap Outlay-D2 HWY \$12,000.00 FY2022; \$84,388.52 from 1102-6-4000-1110 Co HWY Unrestricted/Salary-ALL Commissioners FY2021-2022 to 1102-6-4100-1110 Co HWY Unrestricted/Salary-D1 HWY \$70,000.00, 1102-4100-2005 Co HWY Unrestricted/M&O-D1 HWY \$4m388.52 and 1102-6-4100-4110 Co HWY Unrestricted/Cap Outlay-D1 HWY \$10,000.00 FY2022; \$28,427.72 from 1102-6-4000-4110 Co HWY Unrestricted/Salary-ALL Commissioners FY2021-2022 to 1102-6-4000-2005 Co HWY Unrestricted/M&O-ALL Commissioners FY2022; \$2,377.08 from 001-1-2200-2005 M&O Election Board FY2021-2022 to 001-1-2200-1110 Salary Election Board FY2022; Blanket Purchase Orders #1151 - 1169; Purchase Orders # 2020-2021 General EQUIPMENT 6555 OSU CO-OP EXT SERVICE 511.95; REPAIRS 3837 CITY WIDE PLUMBING INC 100.00; Supplies 6393 WESTLAKE ACE HARDWARE OK-020 97.15; SUPPLIES 5787 UNIFIRST FIRST AID & SAFETY 129.01; Health Salary/Benefits 5321 Okla State Dept Of Health 70605.80; Tax Refunds TAX CORRECTION 2 Columbia Condos LLC 237.00; 2021-2022 911 Phone UTILITY 1103 CIMARRON TELEPHONE COMPANY 1368.57; CBRI ASPHALT 435 DUNHAM ASPHALT SERVICE INC 153.90; MATERIAL 499 DUNHAM ASPHALT SERVICE INC 3488.41; SIR TEST 161 TotalSIR 36.50; Excess Resale EXCESS RESALE 18 Jami B Marshall 1594.23; General AIR FRESHENERS 544 Simply Scentsational 32.00; BOCC MINUTES 539 SAPULPA DAILY HERALD 301.35; 634 SAPULPA DAILY HERALD 512.85; 1028 SAPULPA DAILY HERALD 383.40; BOTTLED WATER 324 FIZZ-O WATER COMPANY 29.80; CONTRACT BASE RATE 1117 Standley Systems 45.73; CREMATION 433 GREEN HILL FUNERAL HOME 185.00; 858 GREEN HILL FUNERAL HOME 185.00; K-9 CARE 1132 ADVANCED CARE VETERINARY HOSPITAL 637.07; Network Services 1069 COX BUSINESS 242.51; NEWSPAPER PUBLICATIONS 1116 SAPULPA DAILY HERALD 36.30; OFFICE SUPPLIES 1079 MERRIFIELD OFFICE SUPPLIES 20.04; PEST CONTROL 426 EMCO TERMITE & PEST CONTROL INC 300.00; SERVICE 1051 PATRIOT SECURITY SYSTEMS INC 290.00; Service Call 587 ROBERTS ENVIRONMENTAL 375.00; Supplies 332 JOHN DEERE FINANCIAL 182.42; SUPPLIES 1074 MERRIFIELD OFFICE SUPPLIES 215.32; T-SHIRTS 826 Print Shop LLC 75.48; UTILITIES 1097 O N G 112.35; UTILITIES GAS SERVICES 1107 O N G 113.93; UTILITIES WATER 1106 CITY OF SAPULPA 157.89; UTILITY 1067 O G & E 7047.89; 1100 O G & E 615.13; 1101 O G & E 223.67; 1102 O G & E 481.75; 1115 O N G 444.52; WATER 1114 FIZZ-O WATER COMPANY 29.80; Health Medical 316 XPRESS WELLNESS URGENT CARE 55.00; SERVICE 311 VIP Voice Services 835.00; 312 Vital Records Control 83.27; Supplies 1049 Pitney Bowes Inc 59.49; UTILITIES 305 O N G 101.55; 307 O G & E 394.33; Highway CULVERTS 500 FENSCO INC 807.40; EMULSIONS 10 ERGON A & E INC 1949.35; EQUIPMENT 691 SHI INTERNATIONAL CORP 1604.85; PARTS/SUPPLIES 21 O'REILLY AUTO PARTS 1237.30; 749 WARREN CAT 710.63; SUPPLIES 1062 Amazon Capital Services 47.95; Transport 690 MELTON LOGISTICS LLC 3756.82; TRAVEL 821 WARNER, LEON 44.24; Utilities 420 A T & T MOBILITY 219.71; Hwy-ST null 117 AMERICAN WELDING SUPPLY INC 643.50; ACCO Conference 107 ACCO 130.00; CRS-2 224 ERGON A & E INC 1656.36; Fuel 806 LIONEL HARRIS OIL CO INC 10990.49; 845 LIONEL HARRIS OIL CO INC 12750.00; PARTS 838 UNITED ENGINES LLC 1250.00; 839 UNITED ENGINES LLC 32.63; Parts & Labor 144 WARREN CAT 1474.88; PARTS & SUPPLIES 3 NAPA AUTO PARTS 1230.28; 66 O'REILLY AUTO PARTS 321.02; 92 O'REILLY AUTO PARTS 79.53; 103 AMERICAN WELDING SUPPLY INC 26.31; 153 TRACTOR SUPPLY CREDIT PLAN 364.32; 167 ATWOODS 627.59; 185 LIONEL HARRIS OIL CO INC 187.95; 186 ECONOMY SUPPLY CO 14.70; 214 WELDON PARTS-TULSA 249.41; 243 DRUMRIGHT TIRE 307.00; 247 WELDON PARTS-TULSA 678.15; 600 NAPA AUTO PARTS 249.00; 606 ATWOODS 209.16; Reimbursement 1065 PARRICK, LANCE JAMES 200.00; ROAD MATERIALS 536 DUB ROSS COMPANY 3739.10; TRUCK RENTAL 742 A+ Truck Rental 700.00; Utilities 56 A T & T MOBILITY 279.60; UTILITY 174 O G & E 27.46; 926 O G & E 424.70; Jail-ST CCJ PLUMBING SERVICES 1075 CREEK ENVIRONMENTAL SOLUTIONS LLC 285.00; GLOVES 884 DASH GLOVES 803.60; GPS 1077 ALCOHOL MONITORING SYSTEMS INC 2.66; Jail window replacement 848 PLASTIC ENGINEERING 1004.20; Lighting 844 BROKEN ARROW ELECTRIC SUPPLY INC 508.02; PHONE & INTERNET SERVICES 1136 COX BUSINESS 2080.11; Tolls 1108 OTA-PLATEPAY 3.40; UTILITIES WATER 1130 SAPULPA RURAL WATER CO 3061.85; Juv Dent-ST FOOD/SUPPLIES 86 Williams Grocery 16.45; JUVENILE DETENTION 877 MERRIFIELD OFFICE SUPPLIES 326.17; 1058 MERRIFIELD OFFICE SUPPLIES 553.45; 1059 Amazon Capital Services 140.75; Lighting 847 BROKEN ARROW ELECTRIC SUPPLY INC 508.03; PEST CONTROL 188 SILVER BULLET PEST SERVICES INC 140.00; ML Fee REGISTRATION 702 CODA 375.00; SOFTWARE 846 CASTLECOM LLC 189.00; Planning/Zoning NEWSPAPER PUBLICATIONS 136 SAPULPA DAILY HERALD 179.65; PUBLICATION 1061 CIMARRON VALLEY COMMUNICATIONS LLC 33.90; SUPPLIES 123 QUADIENT FINANCE USA INC 500.00; 1110 MERRIFIELD OFFICE SUPPLIES 173.82; Resale AIR FRESHENERS 362 SCENTS PLUS LLC 48.00; Supplies 1043 MERRIFIELD OFFICE SUPPLIES 106.25; 1071 MERRIFIELD

OFFICE SUPPLIES 155.00; SH Commissary Commissary 132 TIGER CORRECTIONAL 3350.78; SH Svc Fee Training 1076 CENTRAL TECHNOLOGY CENTER 50.00; 1078 CENTRAL TECHNOLOGY CENTER 25.00; Tax Refunds TAX CORRECTION 19 Archrock Services 1936.08; 20 Corelogic Inc 38.00; 21 Corelogic Inc 86.00; 22 Corelogic Inc 374.00. 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 Transcript and deed on property located in O.T. Depew Lot 19, Blk 22 that was sold in public sale on 8-9-21. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #8:** Motion was made by Warner and seconded by Smith to allow the use of the County Courthouse Complex by Sapulpa FOP Lodge #49 and Four Kings LE/MC for Poker Run to be held on August 28, 2021, beginning and ending at the Creek County Courthouse Complex parking lot. Jim Holcomb stated this is benefiting Special Olympics, there will be food and entertainment. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #9:** Motion was made by Warner and seconded by Smith to allow Sapulpa Main Street to use the Courthouse parking lot for the Route 66 Blowout on September 11, 1011. Cindy Lawrence spoke to the Board, we will begin setting up late on Friday, September 10, 2021 with the tent and Fire Department. We will also make sure that the insurance information is sent over. The event will be from 6 a.m. to 6 p.m. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #18: DISCUSSION ONLY/NO ACTION** to address violations of the county's utility permitting requirements by Ecolink Broadband, a service of East Central Electric Cooperative, crossing and running parallel to 161<sup>st</sup> St. S. near S. Main Street and other roads in that vicinity in District #1. Stephens discussed previous conversations with Steve Shrum, Engineer over the project, it was stated that it was going to be overhead lines, so there was not going to be issues. Then we had another conversation two days later about no utility permits requested and no specs with the engineer and contractor. Our permits are located on the County webpage and are required. Then on Thursday, we find out they are putting the fiber in by boring top of ditch on 161<sup>st</sup> and laying fiber at the top of the ditch, beside coverts and through coverts, not even meeting county specs. Our minimum standards are not much, but they are there to protect the county. A lot of the area where the fiber was laid does not meet the standards, nor was there a permit issued. I would like to review the plans and discuss the current issues with you and get this fixed, before additional measures are taken. East Central cannot proceed laying fiber without correcting issues and following the permit process. There are laws that help protect the county, along with rules from the Oklahoma Corporation Commission. Tim Smith, East Central General Manager spoke to the Board, we admit this was an oversight on our part, we want to correct the situation as quickly as we can. We want to have a joint partnership with the county, we realize we did not follow the proper procedures and need to take a step back and start following the guidelines, with permits, assume responsibility for damages and fix them. Stephens stated we would like to give you two weeks and the opportunity to meet with Glen, Project Manager walk through issues in the areas. Have the Engineers look at the county specs and determine what needs to be corrected. We also would like a plan developed within those two weeks for corrections, if not we will proceed with the current violations. Smith stated we want to follow the rules and requirements, we will be starting by filling out permits and come back in two weeks with plans. We want to make this right with the county. There was discussion of some of the broadband being laid is part of a grant East Central received with Federal Funds, we have been rushing moving that completion date up from 2025 to 2023. Warner asked if a mapped area is available with service areas you are currently working on or will be completing with grant funds. Smith stated yes, on our website, but I can provide you with a map as well. Smith again expressed the appreciation of being able to work with Creek County. Smith stated that with this grant we are anticipating 97% of the lines being overhead, with 3% underground. Each project is analyzed by a case-by-case bases. We are wanting to bring broadband to all of rural Oklahoma. Warner discussed possible issues with several companies competing for the same area and laying fiber in the same area as well. The State has asked that each provider provide a map of their plans, Smith stated and we are working closely with the State. With the pandemic it has driven the need of broadband to all households. Stephens stated we will follow up in two weeks.

**Item #10:** Motion was made by Stephens and seconded by Warner to award electrical additions to the commercial building at the Fairgrounds to Tyco Electric per recommendations of the Fair Board for \$12,981.50, as per Title 61 O.S. § 101-138. Warner asked if the quotes were apples to apples, Jonathan Kieffer stated yes. The Fair Board met on 8/12/21 and recommended Tyco

Electric. Kieffer stated we are wanting to add some electrical, lighting, exit signs for easier use to the Commercial Building. We are needing this done for the Fair, which is September 23rd through the 26<sup>th</sup>, 2021. Quotes submitted by Tyco Electric Inc., Dizzy Dean Electric LLC and RCS Electric Inc. Stephens stated we need to have some discussion of what upgrades can be done at the facility to meet the EOP plan for Creek County through the ARPA Funds. Kieffer stated just let them know when you would like a walk through to discuss. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #11:** Motion was made by Stephens and seconded by Warner to hire Jacob Pilgrim as the assistant to Emergency Management starting this morning at \$40,503.60 Third Deputy Salary per recommendations of Covey Murray. Murrays stated he had conducted the interviews with the three applicants, I feel Jacob would be the best for the position, Warner agreed. Stephens stated both his employees were emergency responders and either would one would have done a good job. Murray stated that one that applied had asked that application be pulled, due to pay. Tandra McClellan discussed the transferring of vacation, sick and comp-time with the Board or would the Board want to do a payout, as the employee is coming from Highway account to General Fund. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #12:** Motion was made by Warner and seconded by Smith to sign **Resolution#2021-114** adopting 2021/2022 INCOG REAP resolution and authorizing the Chairman to sign. Barbara Albritton, INCOG this is the twenty-sixth year for this program, it has had a couple of changes with increased funding. Albritton stated that there are three direct applications for each Commissioner. We also can sponsor Rural Fire Departments and Rural Water Districts. District #2 and #3 have funded applications currently, with 81<sup>st</sup> St. and Airport Road. Our amounts have increased this year for REAP from \$40,000.00 to \$50,000.00 and transportation from \$60,000.00 to \$80,000.00. Albritton stated that District #2 and #3 could resubmit their application on project to maximize the amount approved. Applications are due by October 15, 2021, INCOG will approve applications for submission to Department of Commerce on December 15, 2021. Contracts would be ready in January. Stephens stated he may submit a project. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #13:** Motion was made by Stephens and seconded by Warner to pass for one week until 8-23-21 on replacing two air conditioners at the Sheriff's Office. Glen Musser stated he has only received two quotes back and would really like to wait on a third. We have two air conditioners left to replace at the Sheriff's Office, but we have one that is completely down. Over the last five to six years, we have replaced all the others and these are the only two old units. I would really like to replace both units. Stephens stated we will pass for a week, so he can get the third quote. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #14:** Motion was made by Stephens and seconded by Smith to accept **Bid#21-14 Floor Covering** and pass for one week until 8-23-21 to review. Bid received from Carpet Direct. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #15:** Motion was made by Warner and seconded by Smith to accept **Bid#21-15 Sale of a Surplus 2019 Grader from District #2** and pass for one week until 8-23-21 to review. Warner asked how does a sale to another county take place, Andrew Goforth, Assistant District Attorney stated he will have to review and make sure the proper process was handled by Rogers County. Bids received from Yellowhouse, Warren Cat and Rogers County District #1 Commissioner, Dave Delozier. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #16:** Motion was made by Warner and seconded by Smith to accept **Bid#21-16 One or More New or Used Graders with financing** and pass for one week until 8-23-21 to review. Bids submitted by Yellowhouse, Warren Cat, OCT Equipment LLC., and Equipment Share. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #17:** Motion was made by Warner and seconded by Smith for the Allocation of Beverage Tax to be distributed as follows Bristow \$4,258.02; Depew \$480.92; Drumright \$2,937.33; Kellyville \$1,161.62; Kiefer \$1,701.73; Lawrence Creek \$151.68; Mannford \$3,107.51; Mounds \$1,180.11; Oilton \$1,024.74; Sapulpa \$20,753.70; Shamrock \$103.58; Slick \$133.18. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #19:** Motion was made by Stephens and seconded by Warner to approve Utility Permit from Angela Hughes for Cox Communications per County Specs for underground utility line, by boring, size of line 0.625, to parallel US Rt 66 approximately N. of HWY 166 Jct. further described 693' N.E. of Section 24, T18N, R11E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #20:** Motion was made by Stephens and seconded by Warner to approve Utility Permit from Sapulpa Rural Water Company per County Specs for 1" waterline across, by boring, size of line 1", to cross W. 81<sup>st</sup> St. S. approximately 1/10-mile E. Gary Dr., further described as 1520' W. of the

S.E. corner of Section 7, T18N, R12E in District #1. Vote as follows:  
Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #21:** Motion was made by Warner and seconded by Smith to approve Utility Permit from Oklahoma Natural Gas Company per County Specs for natural gas pipeline by boring, size of line  $\frac{3}{4}$ ", to cross W. 86<sup>th</sup> St. approximately 1.28 miles N. and 1.28 miles W. of SH-97 & SH-166, further described as the N.W., S.W. corner of Section 15, T18N, R11E in District #2. Vote as follows:  
Stephens - Aye, Warner - Aye, Smith - Aye.

**Item #22: DISCUSSION ONLY/NO ACTION** on discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. Goforth stated he has shifted gears to more of the compliance and reporting part, as it is due at the end of August. I am working on template and what it should look like. There was open discussion of the CFDA# being 21.027, that was updated in June, 2021. KIT issues with sequencing information were discussed and the importance of open communication with all involved in grant. Dana Logsdon, stated she was not aware of the CFDA number changing. Stephens stressed the importance of open communication, as well. Jana Thomas, stated it may be a safety field as to why things are not sequencing within KIT and KPO. Warner discussed the three methods of tracking the ARPA funding KIT, KPO and an Excel spreadsheet, we will reconcile all three until 2024, possibly through 2026. Mortazavi presented the cost for a two-day KIT training session with Kellpro being \$1,792.50, they are available September 14-16, 2021. We need to see what day works best for Misty and Dana. There was discussion of who should attend the training session, Mortazavi stated I would say Misty, Dana and Jana, Stephens stated he agrees. With this being a possible ARPA expenditure, we need to keep it ARPA related training and tracking of projects. Stephens stated they will get the date that works best and have the Planning Office help with customers, so the Commissioners Office can be closed to focus on training. Tandra McClellan proposed an Identification system to the Board, the Board has the authority to say what needs to be placed on the purchase orders. With the work group training and the last webinar, it was recommended that the recipient's come off with an identification system for tracking monies. McClellan stated since everyone is familiar with the chart of accounts, I think we use 1566, which is the ARPA Fund, then the use from one of the sixty-seven categories, the department and then lastly the use payroll, maintenance and operation or capital outlay. Mortazavi stated this would help with the spreadsheet, similar to what was used to track the CARES Funds. There was discussion of what documentation would need to be scanned into systems and the depth of tracking the items, to include the disadvantaged populations within the congregate setting. Example of PPE, we need to track what goes to the jail for the congregate setting. There was discussion of when the identification number would be assigned, it was discussed that it be made before it comes to the Board for possible approval. There was discussion of the different data that would be needed for the two programs, KIT and KPO and why. The workgroup will have specific items to bring before the Board next week.

**Public Comment: NONE**

**Adjournment:** Motion was made by Stephens and seconded by Warner at 10:50 a.m. to adjourn and meet again 8-23-21. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.