

December 20, 2021

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, December 20, 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, 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 December 13, 2021. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #5: Motion was made by Warner and seconded by Whitehouse to approve November Monthly Reports from Court Clerk and Election Board; Blanket Purchase Orders #3577 - 3596; Purchase Orders **#2021-2022** 911 Phone CELL PHONE SERVICE 3513 Verizon Wireless 84.56; ARPA 2021 Car 3126 BILL KNIGHT FORD FLEET CENTER 28855.00; PROFESSIONAL SERVICES 1527 Turn Key Health Clinics LLC 9835.00; CBRI MATERIAL 1911 ANCHOR STONE COMPANY 5396.05; General BRAKES/ROTORS 3494 Midtown Auto & Diesel Repair Inc 513.28; CCSO VEHICLE REPAIRS 3433 Midtown Auto & Diesel Repair Inc 194.55; CELL PHONE SERVICE 3512 Verizon Wireless 2333.80; CONTRACT SERVICES 3234 OSU CO-OP EXT SERVICE 13333.33; COPIER CHARGES 2479 Standley Systems 147.00; CREMATION 2234 GREEN HILL FUNERAL HOME 200.00; 2256 GREEN HILL FUNERAL HOME 200.00; Law Books & Services 2333 THOMSON-WEST 348.10; 2335 THOMSON-WEST 2292.78; MAINTENANCE AGREEMENT 3209 XEROX BUSINESS SOLUTIONS SOUTHWEST 50.00; MEMBERSHIP DUES 3500 United States Police Canine Assoc 100.00; Network Services 3484 COX BUSINESS 1104.76; RECYCLE SERVICE 2 SHOW INC. 85.00; REPAIRS/DEPUTY CAR 1965 Midtown Auto & Diesel Repair Inc 894.66; SERVICE 2328 SHOW INC. 35.00; 2496 U S Cellular 91.58; 3202 PATRIOT SECURITY SYSTEMS INC 15.00; 3266 A-1 REFUSE 18.00; SHREDDER 3320 MERRIFIELD OFFICE SUPPLIES 1260.00; STORAGE 2322 B4 HOMES LLC 80.00; Supplies 2657 MERRIFIELD OFFICE SUPPLIES 288.66; SUPPLIES 53 UNIFIRST FIRST AID & SAFETY 429.75; 2452 WESTLAKE ACE HARDWARE OK-020 104.72; SUPPLIES AND SERVICE 2661 Elder Water Consulting Inc 165.00; TRAINING SUPPLIES & EQUIPMENT 3325 Amazon Capital Services 307.37; Utilities 3505 O N G 384.96; 3507 CITY OF SAPULPA 759.23; UTILITIES GAS SERVICES 3441 O N G 303.25; UTILITIES WATER 3439 CITY OF SAPULPA 139.73; UTILITY 3479 Symmetry Energy Solutions LLC 701.91; Vehicle Upfit 2849 I CARE AUTO GLASS & PARTS 899.20; WINDOW TINT 3422 AUTO ENHANCERS 40.00; Health CERTIFICATIONS 2707 Autry Technology Center 3.00; LABOR AND MATERIALS 2865 MARK CROMWELL 6235.00; Labor & Materials 2866 MARK CROMWELL 1100.00; LEASE 979 Pitney Bowes Inc 71.25; SERVICE 2284 Vital Records Control 114.38; Supplies 3112 LOWES CREDIT SERVICES 45.85; 3360 MERRIFIELD OFFICE SUPPLIES 199.99; UTILITIES 2299 O N G 307.40; 2807 O G & E 166.40; VACCINATIONS 3302 SANOFI PASTEUR INC 403.89; Highway Boots 108 SHARPES DEPARTMENT STORE 150.00; EMULSIONS 2618 ERGON A & E INC 722.70; SERVICE CONTRACT 3035 EMCO TERMITE & PEST CONTROL INC 65.00; Utilities 3160 O G & E 431.96; Hwy-ST EQUIPMENT 3420 HOLDERFIELD, BRIAN AND/OR SHANNON 11500.00; Fuel 3504 LIONEL HARRIS OIL CO INC 17183.46; PARTS 1207 UNITED ENGINES LLC 27.09; 3417 KIRBY-SMITH MACHINERY 579.88; Parts & Labor 1890 SUMMIT TRUCK GROUP 100.73; 2609 WARREN CAT 38.10; 3449 INLAND TRUCK PARTS 708.79; 3458 TULSA AUTO SPRING CO INC 2437.08; 3468 BRCE EQUIPMENT SERVICES 2552.40; PARTS & SUPPLIES 1585 FARM PLAN DBA ATWOODS 429.97; 2605 DRUMRIGHT TIRE 132.00; ROAD MATERIAL 2885 THE QUAPAW COMPANY 14241.18; SIGNAL LIGHT 3043 SIGNALTEK 30.00; Tires 3419 DIRECT DISCOUNT TIRE 1497.35; UTILITY 3047 O G & E 68.11; Jail-ST CCJ MAINTENANCE 2754 LOCKE SUPPLY 207.58; CCJ PLUMBING SERVICES 3498 CREEK ENVIRONMENTAL SOLUTIONS LLC 400.00; CELL PHONE SERVICE 3510 Verizon Wireless 432.80; INMATE SUPPLIES 3287 CHARM TEX 419.90; Laundry Service 3427 Sloan, Brett 294.50; 3480 Sloan, Brett 100.00; NATURAL GAS 3487 Symmetry Energy Solutions LLC 1068.41; Plumbing Supplies 3133 MORRISON SUPPLY COMPANY 1336.44; Tolls 3476 NORTH TEXAS TOLLWAY AUTHORITY 4.80; UTILITIES ELECTRIC SERVICE 3477 O G & E 99.76; 3482 O G & E 3338.12; 3490 O G & E 64.36; Juv Dent-ST CELL PHONE SERVICE 3511 Verizon Wireless 42.28; Network Services 3486 COX BUSINESS 1702.83; Planning/Zoning Car 1990 BILL KNIGHT FORD FLEET CENTER 28855.00; Resale EQUIPMENT 3437 MERRIFIELD OFFICE SUPPLIES 563.99; LEASE 1558 Quadiant Leasing USA Inc 998.85; PIKEPASS FEE 2321 OTA PIKEPASS CENTER 1.15; SERVICE 2044 A T & T 41.23; Supplies 3436 MERRIFIELD OFFICE SUPPLIES 28.26; TEMPORARY EMPLOYEE 3389 DYNAMIC RECRUITING SPECIALIST 870.00; 3390 DYNAMIC RECRUITING SPECIALIST 870.00; 3391 DYNAMIC RECRUITING SPECIALIST 870.00; SH Commissary Commissary 2747 TIGER CORRECTIONAL 1457.37; SH Svc Fee FOOD FOR INMATES 2887 TIGER CORRECTIONAL 4930.10; MEDICAL SERVICES/JAIL 2478 Turn Key Health Clinics LLC 30170.35; OFFICE SUPPLIES 3438 Amazon Capital Services 22.99; Tax Refunds TAX CORRECTION 38 Kevin Or Wendy Fry 1399.00; 39 Carol S Short 306.50; 40 Hill, Edgar W Or Carrie E 957.00; 41 Sam R Davis 285.00; 42 Heather Timms 207.00; 43 Leann Mccaskey 107.00; 44 Makaela Bagwell 681.00; 45 Property Investments Inc 114.00; Use-ST EQUIPMENT 2250 WARREN CAT 250995.00; LABOR AND MATERIALS 1539 DaVco Mechanical Contractors 13546.00. 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 Stephens and seconded by Whitehouse to sign **Resolution#2021-181** accepting the petition from 146th St. S. Rural Road Improvement District, setting a hearing for January 31, 2022, with a cost of \$150.00 to be paid to the County Commissioners for publication and mailings and directing the County Clerk to give notice once a week for two weeks preceding January 31, 2022. Andrew Goforth, Assistant District Attorney stated we have been going back and forth for a bit with this petition. It has been received and has been completed by Kent Myers. Jody Allen, Attorney is also present with petitioner. The property is currently in District #3, as of January 1, 2022, it will be in District #1. Stephens stated I think this is a good thing and I appreciate all of your work on this request. Goforth went over the process and it will be late spring or early summer, before it can go out to the vote of the people, if approved. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #8: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2021-182** rezoning request CCZ-2065-Shelbe Hollingshad per recommendations of CCPC. Rezoning from Agricultural District to Residential Manufactured District to allow a manufactured home, containing 1.01 acres more or less. Tract will meet all requirements of RMH. There have been some concerns with this being a mobile home park, once we explained it is one manufactured home residents were fine. The CCPC recommended approval on

12/14/21, along with the Planning Office. Property located at 17678 W. 151st St. S. Sapulpa, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #9: Motion was made by Whitehouse and seconded by Warner to sign **Resolution#2021-183** denying rezoning request CCZ-2064-Dewey Davison per recommendations of CCPC. This would be rezoning from Light Residential to Agricultural District to allow agricultural use. Tract contains 2.5 acres more or less and would meet the minimum requirements for agricultural. Property is surrounded by light residential and we have received call with concerns of what agricultural use will be taking place on property. The CCPC denied request on 12/14/21. Paula Davison spoke to the Board about their request, I would like to clear up what has transpired on our request. We have our marijuana grow license and would be utilizing the property to see if our invention would grown marijuana, we have used this on vegetables and other plants and had success. We would like to prove that the device would help with growing of medical marijuana, along with helping save water, this is an economical use product and is being used overseas, with great success. We know we must follow the law on the grown and will do so, we would also like to have a building to maintain our appliances and build containers and a second building for a studio for our son, along with an office. When we purchased the home, we were told that the previous owner had boarded horses, so we thought we were agricultural. The Board stated what you have stated today is more toward commercial use and not agricultural use. The Board asked if anyone would like to speak for or against this. Sharon DeShazo spoke to the Board, our neighborhood has 30 to 35 residents, I have an issue with possible exposure for our children that live in the area. I believe there are places for this kind of use, but just not in our neighborhood. Whitehouse stated that a variance could be issued for animals and would stay light residential moving forward, there needs to be a balance throughout the neighborhood. There was discussion from Stephens of the restrictions light residential has, with one change that effects everyone, not just that person. They purchased the property knowing the restrictions, we have to keep that in mind. Warner stated one concern in the Planning meeting was if the property was rezoned Ag, in the middle of the neighborhood and they left. What does this do when a new owner purchases property, it could expand use. This is a business and not necessarily a hobby at this point. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #10: Motion was made by Stephens and seconded by Whitehouse to allow a wreath laying ceremony at the Creek County Law Enforcement Memorial to be held on Monday, December 20, 2021, at 5:30 p.m. at the Creek County Courthouse Complex in Sapulpa. Bret Bowling, Sheriff stated this is our third annual ceremony, it aligns with wreaths across America. The state held theirs Saturday. I am proud to support this. The ceremony is tonight with House of Representative Kyle Hilbert speaking. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #11: DISCUSSION ONLY/NO ACTION update on Stormwater-Matt Ryan, INCOG. Ryan stated I oversee the organized areas in red. Our stormwater permit was just renewed in August and we are required to prepare a new stormwater plan, by April 2022. I will start working on that in January. The biggest change is there are now three categories for cities, towns and counties being large, medium and small with different requirements. Creek County falls within the small category and Sapulpa falls within the medium. Everything is moving along well; the new plan will not be much different except for a few changes made. Johnny Brock and Ryan discussed Kiefer being considered in one of the largest groups, along with Tulsa and OKC. Ryan stated I believe there has been an error with that information. INCOG has been trying to get Kiefer not to participate over the years.

Item #12: Motion was made by Stephens and seconded by Whitehouse to approve electrical upgrades in the Main Arena at the Fairgrounds per recommendations of the Fair Board to Tyco Electric for 9,235.61, as per Title 61 O.S. § 101 - 138. Tina Trout spoke to the Board we had five companies come do a walk through, we only received to quotes back from Tyco Electric and Anisty Electric Inc. We worked with Glen Musser on this project, as well. The Fair Board met on 12/9/21 and recommended Tyco Electric. Stephens asked that the other three bidders' information be turned into Jana with NO Bid written on documentation. Trout stated I have attached the Fair Board minutes, as well. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #13: Motion was made by Warner and seconded by Whitehouse to award **Bid#22-2 Roof Replacement at the Creek County Justice Center for the Creek County Public Facility Authority** per recommendations of Creek County Public Facilities Authority and Glen Musser to Alva Roofing Company for \$717,875.00. Musser stated this vendor is the second lowest bidder, the lowest bidder bid a T-PO system, which is the incorrect roof. Jana Thomas, Purchasing Agent stated that Ground Zero is also in bad standing with the State of Oklahoma. The Board discussed items that need to be within the contract, completion date, price increase clause, penalty if not completed within the 180 days

stated. Goforth stated we have a 15% statutory contingency and any change orders would come before the Board to approve. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #14: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2021-184** surplussing a Reconyx Hyperfire Cellular Trail Camera INV#1316 Serial #H2RXGN05065257, 2017 Dodge Charger INV#0833, 17-833 VIN#2C3CDXKT5HH624048, Federal Signal Light Bar INV#01019 Serial #40974 and thirty-eight computer monitors and televisions with list attached and **Resolution#2021-184A** disposing of the same recycle computer monitor and televisions, Trail Camera stolen and 2017 Dodge Charger salvaged to ACCO. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #15: Motion was made by Warner and seconded by Whitehouse for the Allocation of Beverage Tax to be distributed as follows Bristow \$4,207.19; Depew \$475.18; Drumright \$2,902.27; Kellyville \$1,147.75; Kiefer \$1,681.42; Lawrence Creek \$149.87; Mannford \$3,070.41; Mounds \$1,166.02; Oilton \$1,012.50; Sapulpa \$20,505.95; Shamrock \$102.35; Slick \$131.59. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #16: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2021-185** directing the Creek County Treasurer to credit the Creek County General Government Maintenance and Operations Fund 001-1-200-2005/R2 with funds from the Creek County Court Clerk's Office fund for reimbursement of utility payments, in the amount of \$195.01, as per 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #17: Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. The Board has two bullet items to review this week. Andrew Goforth stated before we get into the bullet point, the workgroup has discussed adjusting the deadline for the applications to be moved from February 1, 2022 to March 1, 2022 to allow more time for entities to tie up loose ends and gather data requested. Motion was made by Stephens and seconded by Whitehouse to move the application deadline from February 1, 2022 to March 01, 2022 for the eight entities submitted on water/sewer project. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. **(#1)** Motion was made by Warner and seconded by Whitehouse to approve the use of ARPA Capital Outlay Funds for the Creek County Sheriff's Office to purchase a mobile command center, capable of performing as a PSAP, temporary Sheriff's Office, Emergency Management Center or strategic management site for public safety incidents or disasters for \$563,629.00 to be taken where needed. Project number 1566-6.1-0400-4110. Stephens spoke to the Board about what an eye opener Tennessee has been on us, we have had one of the biggest wildfires, snow storms and search and rescue events. Memorial Day could have been a bit different. We have been through a couple of disasters without the proper pieces of equipment, we have gotten 800 radios, water tanks and some things we were lacking. I think this is something the Board needs to really look at and consider. We have had to use the old command center and the States, along with OHP's. We need this for disaster, we don't ever want to have to use it, but when we need it, we need it. Warner stated point well taken, is there another category that this request could come out of instead of the general revenue. Goforth stated he and Thomas has researched it and no there is not another category other than general revenue. I would like to caution the Board and Departments, we really don't have a solid number on revenue replacement, I think this is much needed, I would just like to way the risks of any other use from this category, until we really know our risks. Covey Murray, Emergency Management spoke about a recent State Emergency Management meeting and they are telling everyone to be self-sufficient for at least 72 hours, before they can be on the scene. There was discussion of the Health Department needing somewhere to house the nurses during COVID, Murray stated I didn't think about the old command center. The State wants us to work on a plan with the northeastern part of Oklahoma. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. A motion was made by Warner and seconded by Whitehouse to sign Transfer \$563,629.00 from 1566-1-2000-1110 ARPA 2021 Salary Commissioners FY2021-2022 to 1566-1-2000-4110 ARPA 2021 Capital Outlay Commissioners FY2022. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #18: Motion was made by Stephens and seconded by Warner to sign **Resolution#2021-186** modifying the split of funds between the Highway Districts for the county highway funds as follows: Highway Cash 26% District #1, 32% District #2, 32% District #3 and 10% HWY Cash ALL, Highway Tax 20% District #1, 40% District #2, 40% District #3, CBRIF 20% District #1, 40% District #2 and 40% District #3, CIRB SB1888 20% District #1, 40% District #2 and 40% District #3. Stephens presented a new spreadsheet with the new numbers and the breakdown of dollars per miles. I am comfortable with the numbers and really tried to look at your concerns with materials. I run a tight ship and will continue to do so. With the new presented percentages District #1 will take a hit, but we can manage. Warner expressed concerns with the numbers of the Highway Cash having the SB188 included. When I take

the total numbers, we are off, I get \$6.3 million as to where you have \$6.8 million estimated. Dana Logsdon stated he has taken all deposits and transfers received by each department. Warner stated anyway, it should even out with the percentages with the new year coming. This was a big move on your part Stephens. I would like to touch on one thing, sometimes there is some misinterpretation of what happens in the meetings. Due to state statues, we cannot discuss these issues anywhere else, than a public meeting. So, sometimes we have to argue in public to fight for what we believe and for our residents, but at the end of the day we ride for the same brand. I have no doubt that you would help in any way you could, as well as I would for you. We may not exactly agree on things and that is okay, but at the end of the day we can pat each other on the back and work together. Stephens stated I just don't think it's Newt's way or the highway, I had to break it down to see the needs of each of you. There was discussion of the new Senate Bill that will replace SB1888, when that passes and the auditor sets up the chart of account, we will have a new resolution to address that account. I would like to have everything documented not just in the minutes, but with Resolutions, as well. There was discussion of the monies that are currently in the All accounts, the Board stated they will leave those amounts in the ALL accounts and address when there is a need. Warner asked Whitehouse what he thought, Whitehouse stated I think this is great. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Public Comment: Teresa Jennings, Resident spoke to the Board, I have been advised by my attorney to speak to the Board of an appeal that will be filed on behalf of the CCPC decision of the Tulsa Girls Home. Jennings spoke about concerns with the 98% of the homeowners in the area. We have an issue with a business being approved inside of a single-family area. The home that will house the kids has been recently remolded for a large family, with eight dorm type bedrooms, a common area and large kitchen. We have lived here for 38 years and are not opposed to the home, just the business that will be running out of the property. There are horses on the property to offer equine therapy. We have discussed with our Attorney Greg Mayhue what a variance means and we have concerns that it will carry with the new owner. The Board, along with Goforth explained in the county zoning compared to municipalities it is different. The variance/use ceases when the requestor is no longer at the residence using the use. Stephens spoke about the statues being different with foster care verses group home. The language is different and the laws are different that they follow. If they were to only have six kids, they did not have to come before the board, they could have just operated as normal with the six kids. With the eight they had to come before the Board. I hope that this turns out great and kids' lives are changed, but we just don't know yet. Funding event was discussed briefly next and the issue with creating unsafe conditions on the road, with parking vehicles up and down the street. The Board encourage Jennings to speak with the Planning Office with any concerns in the future or if there is an immediate need to contact the Sheriff's Office.

Adjournment: Motion was made by Stephens and seconded by Whitehouse at 10:49 a.m. to adjourn and meet again 12-27-21. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.