

January 24, 2022

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, January 24, 2022 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, 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 January 18, 2022. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #5: Motion was made by Warner and seconded by Whitehouse to approve Transfer \$5,000.00 from 1229-2-0400-2005 Trash Cop M&O Sheriff FY2021-2022 to 1229-2-0400-1110 Trash Cop Payroll Sheriff FY2022; Blanket Purchase Orders #4183 - 4207; Purchase Orders # 2021-2022 911 Phone CELL PHONE SERVICE 4108 Verizon Wireless 84.56; UTILITY 4093 A T & T 1855.96; ARPA 2021 COVID-19 Supplies 3872 Turn Key Health Clinics LLC 2400.00; EQUIPMENT 1603 Generac Power Systems 141553.60; 3656 Nomad Global Communication Solutions, Inc. 281814.50; 3874 WYLIE SPRAYERS OF OK 5450.00; General null 3996 MERRIFIELD OFFICE SUPPLIES 484.48; AIR FRESHENERS 3103 Simply Scentsational 32.00; BOCC MINUTES 3843 SAPULPA DAILY HERALD 177.90; 3954 SAPULPA DAILY HERALD 312.45; CCSO INTERNET AND PHONE SERVICE 4097 COX BUSINESS 1076.65; CELL PHONE SERVICE 4116 Verizon Wireless 2246.80; K-9 CARE 4163 Radiotronics Inc 336.00; Law Books & Services 3073 Thompson Reuters- West 348.10; 3080 Thompson Reuters- West 2292.78; MAINTENANCE AGREEMENT 3210 XEROX BUSINESS SOLUTIONS SOUTHWEST 50.00; NEW VEHICLES 3912 BOB HOWARD CHRYSLER DODGE JEEP RAM 26530.00; OFFICE SUPPLIES 3984 MERRIFIELD OFFICE SUPPLIES 54.24; PROFESSIONAL SERVICES 3609 INCOG 5000.00; RECERTIFICATION 2960 OKLA BOARD OF TESTS FOR ALCOHOL 72.00; RECYCLE SERVICE 3605 NATURAL EVOLUTION INC 5.00; Rent 4088 CREEK CO HOME FINANCE AUTH 2100.00; SERVICE 3109 AMERICAN WASTE CONTROL INC 176.00; 3203 PATRIOT SECURITY SYSTEMS INC 15.00; 3265 A-1 REFUSE 18.00; TAG/TITLE 4158 SAPULPA TAG OFFICE 44.50; TRAINING REGISTRATION 3921 Northeastern State University 600.00; UNIFORM & ACCESSORIES 2734 BAYSINGERS UNIFORMS AND EQUIPMENT 1144.00; Utilities 3987 O N G 603.38; 3993 CITY OF SAPULPA 137.40; UTILITY 4086 EAST CENTRAL ELECTRIC COOP 350.00; 4090 EAST CENTRAL ELECTRIC COOP 299.00; 4106 O N G 263.54; Health PEST CONTROL 2295 METRO TERMITE AND PEST CONTROL 480.00; REPAIR 3866 VIP TECHNOLOGY SOLUTIONS GROUP LLC 150.00; Supplies 3867 Sherwin Williams 344.77; 4016 MERRIFIELD OFFICE SUPPLIES 199.46; Highway PAYMENT 2640 SNB BANK 1556.98; Tolls 2645 OTA PIKEPASS CENTER 4.55; Utilities 3746 O G & E 616.35; Hwy-ST Gravel 3722 ANCHOR STONE COMPANY 33268.20; MATERIALS 3423 XCESSORIES SQUARED 2468.50; OFFICE SUPPLIES 3152 UniFirst Holdings Inc 219.00; Parts & Labor 3936 BLUMENTHAL COMPANIES 6439.88; PARTS & SUPPLIES 1460 SUMMIT TRUCK GROUP 571.85; 1921 WELDON PARTS-TULSA 494.20; 2107 SUMMIT TRUCK GROUP 441.53; 3709 C3 INDUSTRIAL LLC 497.01; Repairs 3983 BAR H SERVICES 550.00; Sand 3834 MOHAWK MATERIALS CO INC 1440.96; SIGNAL LIGHT 3760 SIGNALTEK 30.00; SIGNS 3316 TIMCO BLASTING & COATINGS INC 200.00; Tires 3977 DIRECT DISCOUNT TIRE 587.48; UNIFORM 3052 UniFirst Holdings Inc 1308.71; UTILITY 3729 O G & E 74.87; 3735 A T & T 244.26; Jail-ST Ccj maintenance kitchen 3677 Hagar Restaurant Service 174.00; CCJ PLUMBING SERVICES 4089 CREEK ENVIRONMENTAL SOLUTIONS LLC 295.00; CELL PHONE SERVICE 4115 Verizon Wireless 432.80; Laundry Service 3520 FASTENAL COMPANY 325.00; 3673 INDUSTRIAL MOTOR SERVICE LLC 200.00; RECYCLE SERVICE 3615 NATURAL EVOLUTION INC 75.00; TAG/TITLE 4165 SAPULPA TAG OFFICE 44.50; UTILITIES ELECTRIC SERVICE 4091 O G & E 131.95; 4094 O G & E 3322.35; 4104 O G & E 70.55; UTILITIES GAS SERVICES 4110 O N G 273.58; Juv Dent-ST CELL PHONE SERVICE 4109 Verizon Wireless 42.28; EQUIPMENT MAINTENANCE 3881 Hagar Restaurant Service 397.00; Generator 401 EMERGENCY POWER SYSTEMS, INC 481.75; JUVENILE DETENTION 3968 MERRIFIELD OFFICE SUPPLIES 798.60; Network Services 4098 COX BUSINESS 1651.39; UTILITIES ELECTRIC SERVICE 3997 O G & E 1038.24; Planning/Zoning COPIER CHARGES 3055 Standley Systems 147.00; SUPPLIES 3878 MERRIFIELD OFFICE SUPPLIES 153.18; Resale EQUIPMENT 3963 WACOM SYSTEMS 164.00; PIKEPASS FEE 3595 OTA PIKEPASS CENTER 32.80; SERVICE 2024 Verizon Wireless 37.25; 2045 AT & T 41.23; TEMPORARY EMPLOYEE 3811 DYNAMIC RECRUITING SPECIALIST 870.00; 3812 DYNAMIC RECRUITING SPECIALIST 870.00; SH Commissary Commissary 2747 TIGER CORRECTIONAL 1135.11; NEW VEHICLES 3911 BOB HOWARD CHRYSLER DODGE JEEP RAM 26530.00; SH Svc Fee EQUIPMENT 2521 ADS INC 25841.55; FOOD FOR INMATES 2887 TIGER CORRECTIONAL 4817.18; Generator 417 EMERGENCY POWER SYSTEMS, INC 266.75; MEDICAL SERVICES/JAIL 2478 Turn Key Health Clinics LLC 30170.35; Tax Refunds TAX CORRECTION 80 Alan Cruce 157.00; 81 CRUCE CUSTOM SERVICES INC 153.00; 82 BIBLE BAPTIST CHURCH 498.00; 83 CRH COFFEE INC 2.00; 84 LARRY HARJO 454.00; 85 TOMMY LEE 50.00; 86 PLS LLC 1465.00; 87 HERMAN OR PHEBE POELING 40.00; 88 Corelogic Centralized Refunds 1143.00; 89 BRANCHCOMB ASPHALT 232.50; 90 CRAIG ROSENCUTTER 834.50; 91 DEE COY OR ROSE PITTS 122.50; 92 CHERYLE AND RICHARD MELCHER 57.50; 93 SUNNY FARMS LLC 1985.00; 94 GEORGE AND JOYCE STARR 4.50;. 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 Accept **Bid#22-3 Title Search Services for the June tax resale Treasurer** and pass for one week until 1/31/22, to review. Bids submitted by Creek County Abstract Company Inc. \$68.00 and Anchor Land Group LLC \$34.50, per parcel. Don Engle, Treasurer wanted to award the bid today to Creek County, the Board asked that he call Anchor Land and get some references, since there is a big difference in price. Engle stated the gentleman called our offices asking questions about the bid, I do not trust that the company has the ability to meet our timeline. I really don't want to mess with it, we need to get this going as soon as possible. Usually, the cheaper they are the worse they are. Engle addressed the Board and stated he has done some research on the company, they are in the oil production side of the business, no where can I find that they do real estate or abstracting services. We need this to be ready by the end of February or first part of March. Warner stated he will rescind his motion to pass for one week and award to Creek County per recommendations of Engle, Whitehouse rescinded his second as well and seconded the motion on the table. Stephens stated he needs a written reason as to why Engle is not choosing the lowest, before we can move forward on awarding. Engle stated then just pass it one week, I have never seen something like this stated Engle. Engle asked if Stephens would award an asphalt project to the lowest, but not best bid. Stephens stated I would call

the vendor first and get some information before awarding. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #8: Motion was made by Warner and seconded by Whitehouse to pass for one week until 1/31/22 discussion and possible action to consider contracting with Mission Critical Partners, LLC to receive GIS data maintenance regarding 911 data within the County and applying for a grant from the Oklahoma 911 Management Authority for the same. Warner stated we have received some additional information that needs to be reviewed first. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #9: Motion was made by Warner and seconded by Whitehouse to sign updated 2022 REAP contract for supplemental funding for Airport Road, contract #200207. Contract signed #220223 in the amount of \$64,805.00 funding period 12-17-21 to 9-30-23. Dana Logsdon stated she attached email correspondences with Barbara Albritton, INCOG Representative, this one has Rich Brierre signature and dated 12/28/21. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #10: Motion was made by Stephens and seconded by Warner to transfer a 2003 Chevrolet S-10 VIN#1GCCS14X438201524 from District #1 to the Commissioners. Stephens stated Ed needed a work truck, we brought it over and now we are just cleaning up our inventory at D1. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #11: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-11** surplussing a 2005 Sharp Mita Inv#D-213 Serial #5505911 and 2002 Cornelius Ice Machine Inv#611.2 Serial #EL4942693 and **Resolution#2022-11A** disposing of the same to be junked. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #12: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-12** placing a 14-day Burn Ban for Creek County, beginning January 24, 2022 to February 7, 2022, pursuant to 2 O.S. §16-26. Covey Murray, Emergency Management spoke to the Board and presented information on the County currently being at a moderate to severe drought condition. We are not expecting more than a 1/10 inch of rain within the next three days, we would need ½" to not place the ban. The Fire Chiefs have asked that I come before the Board asking for a Burn Ban. I have spoken to 11 of the Chiefs in favor, I have four that I haven't heard back from. Whitehouse stated Bristow Chief is in favor of the Ban, I spoke with him over the weekend. We have had fires in Kellyville, Kiefer, Slick and Mounds over the weekend. Andrew Goforth, Assistant District Attorney spoke briefly to the Board about the requirements, we meet all of them. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #13: Motion was made by Stephens and seconded by Whitehouse to approve Utility Permit from Creek County Rural Water District #1 per County Specs for water main, by boring, size of line 1", at Slick Rd approximately .25 miles E. of 191st St. & Slick Rd., further described as 1040' W. of the S.E. corner of Section 3, T16N, R10E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #14: Motion was made by Stephens and seconded by Warner to approve Utility Permit from FiberLink LLC per County Specs extending from 30 days to 60days for fiber optic cable, by boring, pushing, trenching, size of line ¾", size of casing 1 ½", to parallel S. Dusty Trail approximately 448' 0.6 miles E of W. Teel & S. 177th W. Ave, further described as 800' S. & 3230' E. of the N.W. corner of Section 7, T17N, R11E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #15: **Item #13:** Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. **(1) DISCUSSION NO ACTION** to consider using ARPA funds on roads and bridge projects. Stephens stated he had been speaking with Guy Engineering on what they may be able to offer the County with assistance with project reports. Pete Ellis, Guy Engineering Representative spoke to the Board about an On Demand Contract with them, currently they are working with Ottawa County, Mayes County, Craig County and Rogers County with a similar service. Stephens stated I would like to focus on less than 20' structures, that are not recognized as bridges, but are a part of the roadway system. Goforth briefed the Board on a webinar he attended last week from NACCO projects under 6.1 category, we do not have to follow the capital expenditure rules, so long as they are stay under the 6.1 category. With the funds being revenue replacement, it doesn't have the same rules, this is from the director of the rule writing person from the Treasury. This also excludes the justification part, as well. Ellis stated this would be services on the hydrology analysis and assistance with the structures. Contract would be written not to exceed a certain dollar amount set by the Board. There was discussion of different structures that could be used, to replace old non-functional ones. This would allow the County to utilize County workforce or hire a company, if needed. There was discussion of the CRF part 200 requirement, since this is federal money, we have to comply with this portion and it is a part of our SEFA reporting, as well. Ellis stated they could

provide a checklist that could assist with the NEPA requirements. If you are not impacting the area and not changing the footprint, this report should be sufficient as far as requirements. This process would be more efficient than a full NEPA study report, we are talking months not years. If you choose to add this service, we would work with another company on assistance with the NEPA checklist. We could also assist with the Bid process; it would be much like the bridge/materials bid you currently do. Stephens stated we will need an updated bridge report, Aaron was working on this, with the recent redistricting we will need to see what is now within each district. Creek County is scheduled for bridge inspections as well this year. Warner asked if there is a ballpark cost per project for this service, Ellis stated between \$5,000 to \$8,000.00, if you have more NEPA requirements it could go as high as \$15,000.00 per project. The Board stated we have some homework to do on our part with our project lists. Also, I would be more comfortable with \$50,000.00 reserved in Contract stated Stephens. There was further discussion if a district decided to do an overlay project, instead of a structure. **(2)** Motion was made by Warner and seconded by Whitehouse to elect the standard allowance for revenue loss in the amount of \$10 million dollars, in the 6.1 category of the ARPA Funds. Goforth briefed the Board on the revenue calculation changes it has changed from 4.1 growth rate to 5.2, this would be about \$3.1 million, with the calculation of the date passing you are looking at about 5.5 million over the course of the program. The one-time election of \$10 million would be for the life of the program in the 6.1 category. Warner this is the best choice, then doing the calculation all the time. Goforth stated that with counties receiving less than \$20 million, it is best to take the election of \$10 million. 75% of the counties can take the standard allowance, with this selection there is minimal reporting requirements, we will have to do quarterly reports and sewer and water project we will have to have capital expenditure requirements. As stated in the NACCO webinar last week and there is some reporting that is now not required, if spent under the 6.1 category. The Board stated there is no doubt that we have a lot of need within the county. Goforth spoke about different options if the county was to receive a request for assistance, like a non-profit shelter that serves our youth, we have options to help, we have general revenue that can be spent, we have Use Tax money, we have CI-4 money and emergency funds we could look at. We have a report due at the end of January, we are hoping to submit this by Friday, January 28, 2022. The Board asked if there is a downside of electing to take the standard allowance, Goforth stated no, you have to spend it on all of the 6.1 things. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. **(3) ARPA INVENTORY** there was discussion of the process that the Board would like to establish. Goforth spoke briefly about the policy the standard procedure inventory the Board established early on in the ARPA discussions. You followed Title 19 requirements, an added that the equipment needed to be clearly labeled with ARPA. Stephens stated I am the requesting officer and Misty McCurley is the receiving officer on the requests that departments are bringing before the Board. I think that we need to have transfers from the Commissioners to the Departments and let them assign the inventory numbers, this way we have documentation the item was received and what department now has that item. It is the responsibility of that department from there. The Transfer Form 9001 was discussed, it was stated that we will go back and do some cleanup on what has been received and moving forward there will be an agenda item transferring the items from the Commissioners to the Departments that requested items. There was discussion from Goforth that this also could be an item under #5, transfers, as well. Stephens stated he would like to see an agenda item. The Commissioners will start cleaning this up on items that have been received and cleanup the transfer from Emergency Management to Sheriff on sprayers.

Public Comment: NONE

Adjournment: Motion was made by Stephens and seconded by Whitehouse at 10:29 a.m. to adjourn and meet again on 1-31-22. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.