

November 21, 2022

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, November 21, 2022 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 November 14, 2022. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #5: Motion was made by Warner and seconded by Whitehouse to approve October Monthly Reports from Assessor; Transfer \$600.00 from 0001-1-2200-1310 Travel Election Board FY2022-2023 to 0001-1-2200-1130 Part-time Election Board FY2023; Blanket Purchase Orders #3075 - 3104; Purchase Orders #2022-2023 911 Phone Dispatch office supplies 2180 Amazon Capital Services 18.53; IT Support 1586 CASTLECOM LLC 640.00; 1774 CASTLECOM LLC 931.07; OFFICE SUPPLIES 2006 Amazon Capital Services 91.63; ARPA 2021 NEW VEHICLES 2012 BILL KNIGHT FORD FLEET CENTER 71818.00; PROFESSIONAL SERVICES 2453 Turn Key Health Clinics LLC 10326.75; CBRI ASPHALT 2439 DUNHAM ASPHALT SERVICE INC 31163.85; CH Improv-ST Agreement 2930 CREEK CO PUBLIC FACILITIES 111887.46; Drug Court DRUG COURT ADMIN SERVICES 8 HUMAN SKILLS & RESOURCES INC 14541.67; General null 2505 Simply Scentsational 192.00; AIR FRESHENERS 2697 Simply Scentsational 36.00; BOCC MINUTES 2564 SAPULPA DAILY HERALD 253.50; 2894 SAPULPA DAILY HERALD 490.36; BOTTLED WATER 207 FIZZ-O WATER COMPANY 42.25; 2260 CULLIGAN OF TULSA 29.50; CCSO VEHICLE REPAIRS 2082 Midtown Auto & Diesel Repair Inc 83.50; 2925 Midtown Auto & Diesel Repair Inc 430.75; 2964 Midtown Auto & Diesel Repair Inc 210.62; 2967 Midtown Auto & Diesel Repair Inc 876.63; COMPUTER 1662 CASTLECOM LLC 2515.00; CONTRACT SERVICES 2254 OSU CO-OP EXT SERVICE 13333.33; COPIER CHARGES 1991 Standley Systems 238.76; EQUIPMENT 2906 Amazon Capital Services 108.48; Evidence Supplies 2961 MERRIFIELD OFFICE SUPPLIES 29.28; IT Support 1772 CASTLECOM LLC 931.08; Law Books & Services 1690 THOMSON-WEST 375.95; 1693 THOMSON-WEST 2361.56; Maintenance 678 WESTLAKE ACE HARDWARE OK-020 28.78; MATERIALS 2340 WALMART 3668.12; Network Services 2973 COX BUSINESS 1103.50; PARTS AND LABOR 1600 A & M ELECTRIC INC 478.10; PARTS & SUPPLIES 2895 Amazon Capital Services 40.98; POLLING PLACES 1993 CREEK COUNTY ELECTION BOARD 1600.00; PROFESSIONAL SERVICES 2537 INCOG 3333.33; REGISTRATION 727 OSU-CTP 130.00; Rent 2991 CREEK CO HOME FINANCE AUTH 2100.00; SERVICE 1702 U S Cellular 55.30; SERVICE AGREEMENT 1842 XEROX CORP 55.00; SUPPLIES 274 O'Reilly 156.02; 2078 JOHN DEERE FINANCIAL 172.71; 2508 CINTAS CORPORATION NO 2 150.55; 2926 Amazon Capital Services 290.87; SUPPLIES AND SERVICE 2213 Elder Water Consulting Inc 165.00; TAG/TITLE 2931 SAPULPA TAG OFFICE 46.00; 2932 SAPULPA TAG OFFICE 32.10; TONER 2986 MERRIFIELD OFFICE SUPPLIES 198.59; TOOLS 2916 Amazon Capital Services 24.98; Training 1754 OSBI FOUNDATION INC 175.00; TRAVEL 1697 TROUT, CHRISTINE 123.25; TRAVEL REIMBURSEMENT 2581 THOMAS, JANA S. 145.06; 2582 THOMAS, JANA S. 165.00; Utilities 2922 O N G 250.77; 2968 EAST CENTRAL ELECTRIC COOP 384.00; 2969 EAST CENTRAL ELECTRIC COOP 1109.00; 3005 CITY OF SAPULPA 774.98; UTILITIES WATER 2979 CITY OF SAPULPA 122.37; UTILITY 3006 Symmetry Energy Solutions LLC 10.69; VEHICLE PARTS 2081 ADVANCED AUTO PARTS 177.52; Vehicle Upfit 2989 LIGHT EM UP EMERGENCY EQUIPMENT 420.00; Health SERVICE 1832 Vital Records Control 105.51; Supplies 2760 THERAPRO INC 39.95; TRAINING 863 OSU-CTP 130.00; Highway CLOTHING 2435 Print Shop LLC 220.00; Gravel 2682 MIKE WOFFORD TRUCKING & GRADING LLC 8368.50; HAULING 2659 MIKE WOFFORD TRUCKING & GRADING LLC 17356.16; LEASE PYMT 2641 ARMSTRONG BANK 2959.84; 2776 ARMSTRONG BANK 2959.84; MATERIAL 2990 WHEELER METALS 4532.09; OIL, HYD FLUID & GREASE 2221 FLEET FUELS LLC 779.82; REGISTRATION 1926 ACCO 95.00; Repairs 2918 RCS ELECTRIC, INC 465.00; SERVICE CONTRACT 158 GUY ENGINEERING 811.42; SIGNS 2913 TULSA COUNTY HIGHWAY CONSTRUCTION SIGNS 2450.00; SUPPLIES 2040 CINTAS CORPORATION NO 2 322.06; 2965 CINTAS CORPORATION NO 2 51.49; Tolls 1470 OTA PIKEPASS CENTER 3.60; Utilities 2095 A T & T MOBILITY 226.91; 2614 O G & E 562.92; UTILITY 2670 O G & E 78.38; Hwy-ST EMULSIONS 2751 ASPHALT & FUEL SUPPLY 37212.44; HAULING 2764 MIKE WOFFORD TRUCKING & GRADING LLC 19657.28; Parts & Labor 2128 WARREN CAT 2271.25; 2274 Dobbs Dozer Service 3900.00; PARTS & SUPPLIES 2138 DRUMRIGHT TIRE 460.00; 2143 HARRIS STATION 33 LLC 115.90; 2149 WELDON PARTS-TULSA 1662.95; 2662 FLEET FUELS LLC 658.43; ROAD MATERIAL 2271 THE QUAPAW COMPANY 13599.52; SIGNS 2156 TULSA COUNTY HIGHWAY CONSTRUCTION SIGNS 708.60; Jail-ST CCJ JAIL SUPPLIES/TOILET PAPER 2992 MERRIFIELD OFFICE SUPPLIES 1804.64; CCJ MAINTENANCE 664 WESTLAKE ACE HARDWARE OK-020 54.13; CCJ PLUMBING SERVICES 2963 Allied/Headrick Plumbing 644.00; INMATE SUPPLIES 2908 CHARM TEX 1066.80; IT Support 1771 CASTLECOM LLC 931.07; JAIL CLEANING SUPPLIES 2896 EMPIRE PAPER COMPANY 2388.92; NATURAL GAS 3010 Symmetry Energy Solutions LLC 899.49; REPAIRS/JAIL 2302 JEFF JONES WELDING 250.00; Service Call 2999 AIRCO SERVICE INC 99.00; TRANSPORTS/INMATES 2664 VISA/AMERICAN HERITAGE BANK 1030.78; UNIFORM 1584 SPECIAL-OPS UNIFORMS 82.99; UNIFORMS 1922 BAYSINGERS UNIFORMS AND EQUIPMENT 139.98; UTILITIES ELECTRIC SERVICE 2972 O G & E 4672.92; 2975 O G & E 74.03; 2976 O G & E 84.83; UTILITIES WATER 3011 CITY OF SAPULPA 3305.54; VEHICLE PARTS 657 ADVANCED AUTO PARTS 38.84; Juv Dent-ST FOOD/SUPPLIES 399 Williams Grocery 15.07; IT Support 1773 CASTLECOM LLC 931.08; JUVENILE DETENTION 2223 Hagar Restaurant Service 584.92; LICENSE FEES 2924 HANDLE WITH CARE BEHAVIOR MANAGEMENT SYSTEM INC 475.00; Network Services 2971 COX BUSINESS 1700.19; Training 1551 TULSA TECH 170.00; UTILITIES ELECTRIC SERVICE 2995 O G & E 1575.04; Resale SHIPPING 2988 MIDWEST PRINTING 100.00; Supplies 3008 MERRIFIELD OFFICE SUPPLIES 459.14; TEMPORARY EMPLOYEE 2245 DYNAMIC RECRUITING SPECIALIST 870.00; Tshirt 2762 Isabellas Collections 392.00; RFD-ST BANK PAYMENT 2545 ARMSTRONG BANK 2984.76; EQUIPMENT 2758 MERRIFIELD OFFICE SUPPLIES 1144.87; SH Commissary Commissary 2486 TIGER CORRECTIONAL 2713.99; SH Svc Fee EQUIPMENT 2328 LAZER AMMO USA INC 8857.51; FOOD FOR INMATES 2348 TIGER CORRECTIONAL 12738.68; IT Support 2993 CASTLECOM LLC 1655.75; MEDICAL SERVICES/JAIL 403 Turn Key Health Clinics LLC 31678.87;. 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: PRESENTATION to commend and present Deputy Adam Heitman with the Creek County Sheriff's Life Savings Award. Bret Bowling, Sheriff spoke to the Board of Heitman's heroic efforts in saving a young lady from an overdose. He administered his life saving skills and duties, through Narcan and CPR, bringing the young lady back to life. Heitman is an honorable veteran and joined our office in August of 2022.

Item #8: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-163** rezoning request CCZ-2093-David Smith per recommendations of CCPC. Rezoning from Agricultural District to Commercial District to allow office business and storage facility. Tract will contain 4.95 acres more or less. There will be two structures on property, a portable storage building

and a pole barn. Tract will meet all requirements and is located on a private road. Murray stated they had received several calls and open records request with concerns if the property is sold will it remain Commercial use. Murray stated there are stipulations within the resolution and a signed agreement that the property will revert back to agricultural upon sale. Applicant is present. The CCPC recommended approval on 11-15-22, along with the Planning Office. Property is located at 8221 S. 129th W. Avenue Sapulpa, OK 74066.- Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #9: Motion was made by Stephens and seconded by Warner to sign **Resolution#2022-164** rezoning request CCZ-2094 and lot split CCLS-2860-Dub and Janet Stover per recommendations of CCPC. Rezoning request from Agricultural District to Light Residential District on Tract B. Tract A will remain Agricultural District containing 3.5 acres more or less to allow lot split. Tract B will contain 1.25 acres more or less. Tracts will meet all requirements. Murray stated they received several calls asking if the tract would have multiple homes and development. Murray stated applicant is asking for Tract B, for son to build a home on. Applicant is present. The CCPC recommended approval on 11-15-22, along with the Planning Office. Property is located at 8170 S. 33rd W. Avenue Tulsa, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #10: Motion was made by Warner and seconded by Whitehouse to have Creek County draft a letter to request for an official AG Opinion on the new County Salary Act and either through the county, ACCO or Associations of Officers and have the Board draft a letter to our Representatives to address the legislative branch on changes to the current act addressing the issue making it uniform for all officers and approve the maximum amount recommended amount of \$69,525.00 being, basic salary change from \$44,500.00 to \$49,500.00, plus the new service ability calculation and the service load adjustment under current law to going into effect on 1/1/2023. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. This item had a lot of discussion of the current law HB10624 enacted in 2021 and the Oklahoma Constitution section 10. Andrew Goforth reviewed the current breakdown of the maximum salary amount from \$44,500.00 to \$49,500.00, he reviewed the current service ability mandated and the statutory calculation of service load. There has not been an official AG Opinion on this matter, we do have letters of rulings from the AG's Office. I have worked on this new Salary Act, along with 80 attorneys for the past 8 to 9 months. The Board along with Goforth discussed the effective date of 1/1/2023 for District #1, District #3, Assessor and Treasurer on 7/1/23. District #2, County Clerk, Court Clerk and Sheriff will go into effect on 1/1/25. The only budgeted account effect on this change will be the Assessor for half of the year. The Officers agreed there is no fair way to implement this new law, however we have to start from somewhere. Bret Bowling, Sheriff asked the Board to get an official AG Opinion on this matter, as you can have differences of opinions with Attorneys. There was discussion of this with the Official and Board. Warner stated I am not against this at all, but we need our legislators to look into how this can be implemented across the board making it fair to all involved. Stephens agreed, this is needed for all officers and it is just a poorly written law. We all deserve the raise; it has been since 2016 since the officials have had a pay raise. Goforth discussed how that law was written so that all officers could take the pay increase.

Item #11: Motion was made by Stephens and seconded by Warner to setup accounts for 146th St. S. Rural Road Improvement District (Lone Star Rural) as follows 4200-6-7001-2005 and 4200-6-7001-4110 and have the County Clerk be the Requisitioning Officer for account. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. A motion was made by Stephens and seconded by Whitehouse to not create sub-accounts for separate projects, as it is not what the voters voted on. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Tandra McClellan, Payroll Clerk spoke to the Board, we are here today as Lone Star Rural Road Improvement District has voted to implement total of 11 mills, being 5, 3 and 3 for the county to assess. We are needing to setup the accounts, as per the chart of accounts. We do have one question, as the statute states one of the extra three mills, is to be designated to a specific project. We have also discussed the with Logan County and the Auditor's both advised that we place 3 mills in a designated sub-account. The Board, along with Andrew Goforth, Assistant District Attorney stated the district voted on the whole road being their specific project, if we created sub-accounts, that would go against what was published and voted upon. McClellan stated the sub-accounts would just be a transparent way to track the projects, so that all individuals can see where the money has been spent on all the road. The requisitioning officer and receiving officers were discussed. The Board stated they would like the account to follow the Volunteer Fire Department process. Mortazavi will contact representative for the requesting officers and receiving officers, I will

prepare a resolution and place it on the agenda. Goforth, briefly discussed that Don Engle, Treasurer will also be the RRID treasurer as well.

Item #12: Motion was made by Stephens and seconded by Whitehouse to let for sealed written bids for lease purchase financing of one or more new Kubota RTV-X900WL-H for Kellyville Volunteer Fire Department and any additional Creek County Emergency Response entity that may desire to participate to be opened 12-5-22. John Carathers, Kellyville Fire Department spoke briefly to the Board. We are looking at a side-by-side that would be a valuable asset for wildland fires equipping it with a skid unit and an option of a medical rig. We have found the Kubota to be the best opinion and we would like to let for bid for financing of this item, as we are restricted on the amounts of funding we have. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #13: Motion was made by Stephens and seconded by Warner to sign **Resolution#2022-165** surplussing a 2009 Chevrolet Impala ID#49, J9-08, VIN#2G1WT57K991112635 and visor light bar, 2 rear window lights, Jotto metal console, Patriot Product prisoner partition, Whelen switch box serial#60788245 for the Creek County Sheriff and **Resolution#2022-165A** disposing of the same to be transferred to Jennings Police Department by an Inter-governmental transfer for the Sheriff. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #14: Motion was made by Warner and seconded by Whitehouse for the Allocation of Beverage Tax to be distributed as follows Bristow \$2,758.12; Depew \$266.85; Drumright \$1,662.14; Kellyville \$661.61; Kiefer \$1,419.96; Lawrence Creek \$78.56; Mannford \$2,117.93, Mounds \$605.12; Oilton \$574.61; Sapulpa \$14,237.94 and Slick \$98.04. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #15: Motion was made by Stephens and seconded by Warner to approve Utility Permit from Creek County Rural Water District #2 per County Specs for water line service by boring, size of line 1", size of casing 2", to cross S. 33rd W. Avenue approximately 1,500' S. of W. 111th St. S. & 33rd W. Avenue, further described as 1500' N.E. of Section 33, T18N, R12E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #16: Motion was made by Stephens 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 ¾", to cross 14905 S. 97th W. Avenue approximately 2.09 miles W. & 0.23 miles N. of US HWY 75 ALT & ST HWY 67, further described as 1,204' N. of the S.E. corner of Section 14, T17N, R11E in District #1. 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.

(1) Discussion and possible action to consider using ARPA Funds for the purchase of a record preservation system, for the County Clerk's Office. Jennifer Mortazavi, County Clerk stated that the agenda item states for a purchase of a record preservation system, we have all 438,888 records scanned in the system, we are looking for a company to index the documents. We have received a quote from Kofile and now Anchor Land Company and we are waiting on a quote from ARC. Midwest Printing has contacted me about the indexing, I will be meeting with them today to further discuss what we are bidding. I do have worries with the Board asking that we get additional quotes that we end up with companies that are not qualified, some not being a part of a purchasing cooperative and not being registered with SAMS.GOV, as this is a requirement with federal funds. I know this is a big project and it's a lot of monies, but it is needed. Stephens stated he agrees it is a big project and a lot of money, could we let this out for bid. Mortazavi stated yes, we can and that might help now with others coming in after we received our initial quote. Clark Daily asked that if the Board chooses to let for bid that they keep in mind a defined scope of work, the integrity of the records and data entry that is being sought after. This could have the potential to open the doors up for unqualified companies placing bids, you need certified professionals. Mortazavi stated we would like to have this project kick-off in January, there will be several weeks of planning and communicating on our expectations and the transferring of data to company that is awarded the bid.

(2) Motion was made by Stephens and seconded by Whitehouse to approve the use of ARPA Payroll Funds for a First Aid four-shelf cabinet in the amount of \$341.10 for the Fairgrounds and eleven AED Units in the amount of \$1,850.00 each and \$290.00 for eleven cabinets total amount \$23,881.10 and transfer \$23,881.10 from 1566-1-2000-1110 ARPA 2021 Salary Commissioners FY2022-2023 to 1566-1-2000-4110 ARPA 2021 Capital Outlay Commissioners FY2023. Project #1566-6.1-2000-4110-. Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. Stephens stated that ARPA will purchase the cabinet for the fairgrounds and they will maintain the refilling of it. Stephens stated the AED will be placed at the Fairgrounds, Election Board and various locations. Stephens stated Jana Thomas, Purchasing Agent was able to save some money for the

County by finding the AED's on a State contract with Cintas. We also were able to save \$50.00 prescription fee per cabinet on the State Contract. **(3)** Stephens stated there are no bridge or road projects at this time. **(4)** Motion was made Stephens and seconded by Warner to receive two 2022 Ford F-150 VIN#1FTFW1E50NKE82869 and VIN#1FTFW1E58NKE82764 and sign **Resolution#2022-166** surplussing two 2022 Ford F-150 VIN#1FTFW1E50NKE82869 and VIN#1FTFW1E58NKE82764 for the Commissioners and **Resolution#2022-166A** disposing of the same to be transferred to the District Attorney's Office. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Public Comment: NONE

Adjournment: Motion was made by Stephens and seconded by Warner at 10:32 a.m. to adjourn and meet again 11-28-22. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.