

December 19, 2022

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, December 19, 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 December 12, 2022. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #5: Motion was made by Warner and seconded by Whitehouse to approve Transfers \$59,243.06 from 1102-6-6500-2005 SB1888 HWY FY2022-2023 to 1102-6-6510-2005 SB1888-D1 HWY \$11,848.62, 1102-6-6520-2005 SB1888-D2 HWY \$23,697.22 and 1102-6-6530-2005 SB1888-D3 HWY \$23,697.22 FY2023; \$33,047.80 from 1102-6-4000-1110 HWY Salary-ALL Commissioners FY2022-2023 to 1102-6-4000-2005 HWY M&O-ALL HWY FY2023; \$35,690.22 from 1103-6-4000-4030 CBRIF-ALL Commissioners FY2022-2023 to 1103-6-4100-4030 CBRIF-D1 HWY \$7,138.04, 1103-6-4200-4030 CBRIF-D2 HWY \$14,276.09 and 1103-6-4300-4030 CBRIF-D3 HWY \$14,276.09 FY2023; \$85,924.29 from 1102-6-4000-1110 HWY Salary-ALL HWY FY2022-2023 to 1102-6-4100-1110 HWY Salary-D1 HWY \$55,000.00, 1102-6-4100-1320 HWY Travel-D1 HWY \$1,507.10, 1102-6-4100-2005 HWY M&O-D1 HWY \$19,417.19 and 1102-6-4100-4110 HWY Capital Outlay-D1 HWY \$10,000.00 FY2023; \$105,752.97 from 1102-6-4000-1110 HWY Salary-ALL HWY FY2022-2023 to 1102-6-4200-1320 HWY Travel-D2 HWY \$3,904.00, 1102-6-4200-2005 HWY M&O-D2 HWY \$6,848.97 and 1102-6-4200-4110 Capital Outlay-D2 HWY \$95,000.00 FY2023; \$105,752.97 from 1102-6-4000-1110 HWY Salary-ALL HWY FY2022-2023 to 1102-6-4300-1110 HWY Salary-D3 HWY \$50,000.00, 1102-6-4300-1320 HWY Travel-D3 HWY \$700.00, 1102-6-4300-2005 HWY M&O-D3 HWY \$40,052.97 and 1102-6-4300-4110 HWY Capital Outlay-D3 HWY \$15,000.00 FY2023; Error Correction \$27,500.00 from 0001-1-3200-2005 SQ1A M&O Commissioners and \$37,500.00 from 0001-1-3200-2005 SQ1A M&O Commissioners FY2022-2023 to 0001-1-2000-6310 SQ4 and 0001-1-2000-6010SQ3 Commissioners FY2023; Blanket Purchase Orders #3624 - 3700; Purchase Orders #2022-2023 911 Phone CELL PHONE SERVICE 3512 A T & T MOBILITY 256.42; Utilities 3507 CIMARRON TELEPHONE COMPANY 1349.66; ARPA 2021 PROFESSIONAL SERVICES 2453 Turn Key Health Clinics LLC 10326.75; CBRI CULVERT/ PIPE 3314 DUB ROSS COMPANY 9568.66; 3316 THE RAILROAD YARD INC 12837.00; SUPPLIES 2513 AMERICAN WELDING SUPPLY INC 832.39; Flood Plain INK 3526 MERRIFIELD OFFICE SUPPLIES 21.93; General null 2763 Simply Scentsational 192.00; CCSO VEHICLE REPAIRS 2082 Midtown Auto & Diesel Repair Inc 167.00; 3152 Midtown Auto & Diesel Repair Inc 3339.47; 3356 Midtown Auto & Diesel Repair Inc 418.48; CELL PHONE SERVICE 3514 A T & T MOBILITY 256.43; COMPUTER/EQUIP 3441 Amazon Capital Services 139.99; DIRECTORIES 1994 Data Axle City Directories 312.00; FIRE EXTINGUISHER 1361 FIRETROL 512.00; IT Support 402 CASTLECOM LLC 1703.46; LABELS 3362 KELLPRO COMPUTER SOLUTIONS 111.40; Law Books & Services 1691 THOMSON-WEST 375.95; 1694 THOMSON-WEST 2361.56; MATERIALS 3243 LOWES CREDIT SERVICES 325.08; MEMBERSHIP DUES 3460 United States Police Canine Assoc 100.00; Network Services 3518 COX BUSINESS 1103.13; OFFICE SUPPLIES 3432 Amazon Capital Services 34.81; 3438 Amazon Capital Services 225.35; 3451 MERRIFIELD OFFICE SUPPLIES 48.51; PARTS AND LABOR 1679 A & M ELECTRIC INC 974.75; 2080 AIR COMFORT INC 1064.00; PARTS & SUPPLIES 3092 WESTLAKE ACE HARDWARE OK-020 329.96; Rent 3546 CREEK CO HOME FINANCE AUTH 2100.00; SERVICE 2696 U S Cellular 63.14; 3459 SHOW INC. 40.00; 3461 M W PROKLEAN OF OKLAHOMA 140.00; Supplies 2695 JOHN DEERE FINANCIAL 80.57; 2904 MERRIFIELD OFFICE SUPPLIES 467.76; SUPPLIES 3084 JOHN DEERE FINANCIAL 93.02; 3090 CINTAS CORPORATION NO 2 278.27; 3409 MERRIFIELD OFFICE SUPPLIES 106.77; 3435 LOWES CREDIT SERVICES 849.30; 3458 MERRIFIELD OFFICE SUPPLIES 212.57; 3505 MERRIFIELD OFFICE SUPPLIES 25.90; SWITCH/CABLE/ETC 3426 MPH Industries 147.34; TRAVEL 2690 Myers, Randi 427.38; Utilities 3453 O G & E 479.06; 3516 O G & E 397.21; 3525 CITY OF SAPULPA 737.86; 3529 O N G 572.87; 3537 EAST CENTRAL ELECTRIC COOP 293.00; 3548 EAST CENTRAL ELECTRIC COOP 949.00; 3558 Symmetry Energy Solutions LLC 1208.84; UTILITIES GAS SERVICES 3470 O N G 682.13; UTILITIES WATER 3464 CITY OF SAPULPA 122.37; UTILITY 3511 O G & E 159.02; Health EQUIPMENT 3162 Amazon Capital Services 1406.98; LEASE 2868 Standley Systems 339.19; Service Call 3436 VIP TECHNOLOGY SOLUTIONS GROUP LLC 190.00; Supplies 2761 McKESSON 11.59; 3420 Amazon Capital Services 128.66; 3443 Amazon Capital Services 97.51; 3500 MERRIFIELD OFFICE SUPPLIES 463.96; TRAVEL 2791 DEARMAN, SHEREE 55.00; UTILITIES 2808 O N G 463.87; 2822 O G & E 203.82; VACCINATIONS 3329 SANOFI PASTEUR INC 2361.27; Highway EQUIPMENT 3317 PURPLE WAVE INC 40150.00; 3509 ENLOW 66 AUCTION 2200.00; Gravel 2123 THE QUAPAW COMPANY 125.50; LEASE/PURCHASE 3169 OK DEPT OF TRANSPORTATION 1791.56; LEASE PYMT 3205 ARMSTRONG BANK 2959.84; 3208 ARMSTRONG BANK 2959.84; OIL, HYD FLUID & GREASE 3285 Petrochoice Dynamo LLC 2774.30; PARTS/SUPPLIES 2487 MHC KENWORTH -Tulsa 75.00; PAYMENT 2611 OKLA DEPT OF TRANSPORTATION 1791.56; Repair 3061 INLAND TRUCK PARTS 4185.25; SERVICE CONTRACT 2941 EMCO TERMITE & PEST CONTROL INC 70.00; SUPPLIES 2767 MERRIFIELD OFFICE SUPPLIES 135.59; 3082 CINTAS CORPORATION NO 2 88.64; Tires 3413 SOUTHERN TIRE MART LLC 2265.18; 3454 BRISTOW TIRE & AUTO SERVICE 72.00; Tolls 2094 OTA PIKEPASS CENTER 13.45; UNIFORMS 2911 RED WING BUSINESS ADVANTAGE ACCOUNT 75.00; Utilities 2606 A T & T MOBILITY 277.88; 2636 O G & E 799.85; UTILITY 2667 O G & E 31.67; 3174 O G & E 317.70; 3238 O G & E 82.55; Hwy-ST null 3058 MOHAWK MATERIALS CO INC 658.26; EMULSIONS 2142 ERGON A & E INC 1610.68; MATERIAL 3086 ANCHOR STONE COMPANY 12771.64; PARTS 80 CROWN PRODUCTS INC 65.02; 3445 TULSA AUTO SPRING CO INC 1372.13; 3524 HOLMES APPLIANCE REPAIR 749.95; Parts & Labor 2635 WARREN CAT 1516.84; 3076 KIRBY-SMITH MACHINERY 75.00; PARTS & REPAIR 2651 YELLOWHOUSE MACHINERY 311.87; PARTS & SUPPLIES 2276 SPRINGDALE TRACTOR CO. 439.83; 2491 CROW BURLINGAME COMPANY 369.61; 2644 C3 INDUSTRIAL LLC 1034.71; 2645 O'REILLY AUTO PARTS 665.74; 2653 WELDON PARTS-TULSA 196.42; 2666 CROW BURLINGAME COMPANY 698.62; 2680 STANDARD AUTO PARTS 555.60; ROAD MATERIAL 2624 THE QUAPAW COMPANY 18487.18; SUPPLIES 3004 VANCE BROTHERS 215.00; Tires 3440 DIRECT DISCOUNT TIRE 192.88; TIRES & REPAIRS 2677 Sellers Tire Inc 51.00; Jail-ST CCJ PLUMBING SERVICES 3351 MORRISON SUPPLY COMPANY 421.76; 3365 Allied/Headrick Plumbing 312.00; CCJ VEHICLE REPAIRS 3495 Midtown Auto & Diesel Repair Inc 128.35; CELL PHONE SERVICE 3515 A T & T MOBILITY 256.42; FURNITURE/JAIL 3446 MERRIFIELD OFFICE SUPPLIES 196.98; INMATE SUPPLIES 2908 CHARM TEX 594.90; IT Support 411 CASTLECOM LLC 1703.46; Lighting 3450 Lighting Inc 707.56; NAT GAS/JAIL 3552 Symmetry Energy Solutions LLC 1055.75; PLUMBING SERVICES 3417 JEFF JONES WELDING 400.00; Plumbing Supplies 3295 Grainger 441.13; PUMP 3557 ASPEN PLUMBING LLC 1015.00; UTILITIES ELECTRIC SERVICE 3550 O G & E 76.94; 3551 O G & E 4087.52; 3556 O G & E 101.09; UTILITIES WATER 3560 CITY OF SAPULPA 3305.54; Vehicle Upfit 1628 LIGHT EM UP EMERGENCY EQUIPMENT 7222.00; Juv Dent-ST CELL PHONE SERVICE 3517 A T & T MOBILITY 256.43; IT Support 409 CASTLECOM LLC 1703.47; JUVENILE DETENTION 1596 VARNERS EQUIPMENT & HARDWARE 64.99; 3416 BOB BARKER CO INC 658.83; Network Services 3571 COX BUSINESS 1700.19; UTILITIES ELECTRIC SERVICE 3513 O G & E 1462.72; Planning/Zoning NEWSPAPER PUBLICATIONS 3176 SAPULPA DAILY HERALD 98.05; POSTAGE 2981 QUADIENT FINANCE USA INC 58.90; SUPPLIES

2630 MERRIFIELD OFFICE SUPPLIES 53.22; Resale Supplies 3457 MERRIFIELD OFFICE SUPPLIES 59.00; TEMPORARY EMPLOYEE 2949 DYNAMIC RECRUITING SPECIALIST 630.75; RFD-ST EQUIPMENT 3429 Whitton Supply Co 1003.80; STRIPING/DECALS 3408 Outlaw Kustomz 6000.00; RM&P Managed It Services 2482 CASTLECOM LLC 1529.50; SH Commissary Commissary 2486 TIGER CORRECTIONAL 2043.34; SH Svc Fee ATTORNEY FEES 3088 RICHARDS & CONNOR PLLP 522.90; FOOD FOR INMATES 3375 TIGER CORRECTIONAL 6403.37; MEDICAL SERVICES/JAIL 403 Turn Key Health Clinics LLC 31678.87; RADIOS 1408 BTM WIRELESS INC 7388.02; RADIOS/BATTERY 3350 BTM WIRELESS INC 14662.50; UNIFORM 2928 Gorfam 660.00. 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 Warner and seconded by Whitehouse to sign **Resolution#2022-172** rezoning request CCZ-2095-Adina Baker per recommendations of CCPC. Rezoning from Industrial District to Agricultural District to allow agricultural use. Tract contains 69.99 acres more or less and will meet all requirements. Applicant wants to run cattle on land. There are similar rezones the area. There has been no opposition. Applicant is present. The CCPC recommended approval on 12/13/22, along with the Planning Office. Property located at 56623 W. HWY 66 Stroud, OK.-Wendy Murray Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #8: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-173** request CCFP-2022-03-April Vaughn/Oaks Timbers for Final Plat for subdivision Oak Timber containing approximately 1 Block and 12 Lots on 40 acres more or less with restrictions to lots 9 and 10 adding a 50' from property line no build, dig or disturbance restrictions and per recommendations of CCPC. Murray stated in 2018 it was rezoned as a 40-acre tract from Agricultural District to Light Residential District, but never developed. In 2022 it was rezoned back to Agricultural District and on 9/22/22 the Preliminary Plat was approved. There are similar rezones in the area. Also, in 1981 the tract was sold and the restrictive Indian Land was no longer in existence. We have received several concerns from neighbors about runoff, additional traffic, aerobic chemical runoff and possible cemetery site where there may be marked and unmarked burial sites within lot 10. We have concerns that some neighbors were not notified of any changes to property and are present today. The CCPC recommended approval on 12/13/22, along with the Planning Office. Murray presented an email received late Friday stating the property to the north is for sale. Stephens stated he was aware of the burial site on previous discussions and thought it was determined to that further research was needed, but I cannot remember the outcome. Murray stated she has reviewed all notes and nothing states about a possible burial site. The Board discussed portion of 9 and 10 and not disturbing the possible sites, but further research needs to be done by the owner. Stephens discussed the federal laws that protect burial sites. Murray stated the addition currently has three existing homes and this will be nine new ones on 2.5-acre or 3.0-acre tracts. Residents Gano Perez Sr., Gano Perez Jr., Donnisha Spicer, Joseph Rogers and Judith Ausmus, Creek Nation Environmental Specialist presented the Board with research of the burial site from the late 1800's and an overlay map of the proposed subdivision showing concerns of marked graves a possible unmarked grave. Residents expressed concerns with runoff will affect the property to the south and north. Current Retention Ponds are a concern with holding additional runoff, when they are already full currently. Aerobic Systems was a concern, along with the possible elevation of development and excavation of the dirt and rock underneath the ground. There were also concerns with the lack of drainage plans for the public to review. Stephens discussed the rights that neighbors have and how another person cannot create intimal harm to your neighbors, you are protected. The County has little authority in the case, but the developer is on notice and has guidelines he must follow, along with the engineers. The Board stated the proposed addition is a great fit for the area and a better plan than the previous one presented. Mr. Vaughn agreed that some kind of sonar is needed on back parts lots 9 and 10 and a waiver will be presented to the buyer at the time of sale or we could extend the current easement. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #9: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-174** rezoning request CCZ-2096 and lot split CCLS-2869-Robert Bell per recommendations of CCPC. Rezoning from Agricultural District to Light Residential to allow lot split. Tract 1 will contain 0.85 acres more or less. Tract 2 will contain 2.26 acres more or less. Both tracts have existing homes. There are similar rezones in the area. There has been no opposition. Applicant is present. The CCPC recommended approval on 12/13/22, along with the Planning Office. Property located at 1823 W. Taft Avenue Sapulpa, OK 74066.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #10: Motion was made by Warner and seconded by Whitehouse to host a wreath laying ceremony at the Creek County Law Enforcement Memorial to be held on Monday, December 19, 2022, at 5:30 p.m. at the Creek County

Courthouse Complex in Sapulpa. Bret Bowling, Sheriff stated this is the fourth annual wreath laying event, that coincides with Wreath's Across America. We will honor our Military and Law Enforcement Officers. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #11: Motion was made by Stephens and seconded by Warner to sign **Resolution#2022-175** allowing Deputy David Howell to cross-commission with the Tulsa Police Reserves pursuant to 51 O.S. § 6(A) (19). Bowling stated Howell is a new Courthouse Deputy, which also serves as a Tulsa Reserve Officer. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #12: DISCUSSION ONLY/NO ACTION on update on Creek County Stormwater Program.-Matt Ryan, INCOG. Ryan updated the Board on the Annual Report that he is working on submitting to DEQ. We are currently working on updating the Creek County Stormwater Plan with new regulations and permits. Ryan would like to work with the Highway Departments on ways to assist with Stormwater runoff. The Board reviewed the updated Urbanized Area and Culvert Maps that will be submitted to INCOG. Ryan will be back before the Board for policy change approval.

Item #13: Motion was made by Stephens and seconded by Whitehouse to let for **Bid#23-9 Mobile Concrete Crushing and Screening Processing Services** to be opened 1/3/22. Jana Thomas, Purchasing Agent spoke about D3 meeting the \$25,000.00 threshold and now we have to let for this service. This will be included with the 6 Month Bid going forward. There was discussion of what type of service this is and how it will be bid. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #14: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-176** removing Receiving Officer Matt Laffoon and adding Zach Collins for the Olive Volunteer Fire Department Accounts 1321-2-8210-2005 and 1321-2-8210-4110. **Resolution#2022-176A** removing Requesting Officer Teddy Herweck and adding Matt Laffoon for Olive Volunteer Fire Department Accounts 1321-2-8210-2005 and 1321-2-8210-4110. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #15: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-177** removing Receiving Officer Tyler Shelton and adding Bryan Deshazo for the Olive Volunteer Fire Department Accounts 1321-2-8210-2005 and 1321-2-8210-4110. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #16: Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2022-178** Re-Appointing Mark Whinnery as INCOG Creek County Towns Representative, with Gerald Haury being named as the alternate designee for the same. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #17: Motion was made by Warner and seconded by Whitehouse for the Allocation of Beverage Tax to be distributed as follows Bristow \$4,048.92; Depew \$391.74; Drumright \$2,440.03; Kellyville \$971.24; Kiefer \$2,084.51; Lawrence Creek \$115.33; Mannford \$3,109.13; Mounds \$888.32; Oilton \$843.52; Sapulpa \$20,901.29 and Slick \$143.92. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

Item #18: Motion was made by Stephens and seconded by Whitehouse to sign **Resolution#2022-179** calling for the Annual Fair Board Election pursuant to 2 O.S. §15-61 et al., filing dates are January 23rd through January 27th, 2023, with the election to be held on February 4, 2023. Locations will be as follows District #1 317 E. Lee Avenue, Sapulpa, District #2 10920 S. HWY 99, Drumright and District #3 620 Industrial Road, Bristow. Vote as follows: Stephens - Aye, Warner - Aye, Smith - Aye.

Item #19: Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. No updates at this time by Andrew. (1) There are no requests at this time for Road and Bridge projects.

Public Comment: NONE

Adjournment: Motion was made by Stephens and seconded by Warner at 10:36 a.m. to adjourn and meet again 12-28-22. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.