

**July 24, 2023**

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, July 24, 2023 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 absent, Steve McGuire, First Deputy 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 Stephens to approve the minutes of July 17, 2023 and amending the minutes of July 10, 2023, item #16 removing (1) No Road or Bridge Projects at this time and adding Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Abstained.

**Item #5:** Motion was made by Warner and seconded by Stephens to approve Transfer \$32,000.00 from 1102-6-4200-1110 Salary-D2 HWY FY2023-2024 to 1102-6-4200-1320 Travel-D2 HWY \$7000.00 and 1102-6-4200-4110 Capital Outlay-D2 HWY \$25,000.00 FY2024; \$55,000.00 from 0001-1-2000-4110 Capital Outlay Commissioners FY2023-2024 to 0001-1-2000-2005 M&O Commissioners FY2024; Contract for Express Employment Professionals for the Assessor's Office; Blanket Purchase Orders #666 - 714; Purchase Orders # 2022-2023 911 Phone 283, SECRETARY OF STATE, 10.00, NOTARY BOND FILING FEE; ARPA 2021 59, Turn Key Health Clinics LLC, 10326.75, PROFESSIONAL SERVICES; General 3555, MERRIFIELD OFFICE SUPPLIES, 19.72, SUPPLIES 3556, OSU AGE CTP, 0.00, TRAINING 3557, Hilton Garden Innmidtown, 367.48, LODGING 3558, Elder Water Consulting Inc, 165.00, SUPPLIES AND SERVICE 3559, AUTO ENHANCERS, 75.00, WINDOW TINT 3560, OSU-CTP, 40.00, TRAINING; Health 472, Vital Records Control, 263.23, SERVICE 473, UNIPRO BUSINESS RESOURCES, 415.00, Supplies; Highway 1892, BARCO MUNICIPAL PRODUCTS INC, 1598.00, SIGNS 1893, OTA PIKEPASS CENTER, 2.00, Tolls 1894, A T & T MOBILITY, 244.43, Utilities 1895, A T & T, 582.99, Utilities 1896, TRACTOR SUPPLY CREDIT PLAN, 460.81, PARTS & SUPPLIES; Hwy-ST 771, FASTENAL COMPANY, 104.08, PARTS & SUPPLIES 772, FLEET FUELS LLC, 411.52, PARTS & SUPPLIES 773, FLEET FUELS LLC, 487.25, PARTS & SUPPLIES 774, O'REILLY AUTO PARTS, 663.51, PARTS & SUPPLIES 775, HARRIS STATION 33 LLC, 210.85, PARTS & SUPPLIES 776, AMERICAN WELDING SUPPLY INC, 438.11, PARTS & SUPPLIES 777, BRUCKNER TRUCK SALES INC, 634.07, PARTS & SUPPLIES 778, ECONOMY SUPPLY CO, 430.00, PARTS & SUPPLIES 779, Yellowhouse Machinery Co, 629.64, Parts & Labor 780, LAWSON PRODUCTS, INC, 3867.50, PARTS AND SUPPLIES 781, PURPLE WAVE SHIPPING LLC, 1150.00, HAULING 782, C3 INDUSTRIAL LLC, 266.39, PARTS & SUPPLIES 783, P&K EQUIPMENT, 783.36, PARTS & REPAIR 784, SPRINGDALE TRACTOR CO., 1566.35, PARTS & SUPPLIES; Jail-ST 1203, Grainger, 196.96, Maintenance; Resale 468, OSU-CTP, 40.00, TRAINING 469, WACOM SYSTEMS, 40.00, Labor & Equipment; 2023-2024 911 Phone 17, A T & T, 1882.14, UTILITY 18, CREEK COUNTY COMMISSIONERS, 33.70, WORK COMP PREMIUM; CBRI 3, MIKE WOFFORD TRUCKING & GRADING LLC, 15762.88, HAULING; Crt Payroll 16, CREEK COUNTY COMMISSIONERS, 130.32, WORK COMP PREMIUM; Excess Resale 4, CB&J INVESTMENTS LLC, 3123.45, EXCESS RESALE; General 165, MERRIFIELD OFFICE SUPPLIES, 60.57, SUPPLIES 166, SAPULPA DAILY HERALD, 46.24, PUBLICATION 167, METRO TYPEWRITER, 225.00, Repair 168, MERRIFIELD OFFICE SUPPLIES, 143.97, 169, FIZZ-O WATER COMPANY, 50.70, BOTTLED WATER 170, ACCO, 155065.00, INSURANCE PREMIUM 171, A T & T MOBILITY, 82.30, UTILITY 172, SCOVIL & SIDES HARDWARE CO, 58.50, PARTS 173, CITY OF SAPULPA, 865.98, Utilities 174, SAPULPA DAILY HERALD, 666.15, BOCC MINUTES 175, EAST CENTRAL ELECTRIC COOP, 323.00, Utilities 176, EAST CENTRAL ELECTRIC COOP, 381.00, Utilities 177, SAPULPA DAILY HERALD, 441.45, BOCC MINUTES 178, CINTAS CORPORATION NO 2, 9.42, SUPPLIES 179, O N G, 146.98, UTILITY 180, COX BUSINESS, 36.99, SERVICE 181, A T & T MOBILITY, 189.39, UTILITY 182, TRIKNTRUX, 665.00, PARTS AND LABOR 183, Midtown Auto & Diesel Repair Inc, 184.72, CCSO VEHICLE REPAIRS 184, COX BUSINESS, 1108.42, CCSO INTERNET AND PHONE SERVICE 185, VISA/AMERICAN HERITAGE BANK, 10.94, TRAINING/TRAVEL 186, U S Cellular, 63.87, SERVICE 187, T H ROGERS LUMBER CO, 17.75, Supplies 188, CREEK CO FAIRBOARD, 14043.00, FAIR PREMIUMS; Highway 84, A T & T MOBILITY, 59.07, UTILITY 85, ACCO, 155065.00, INSURANCE PREMIUM 86, MHC KENWORTH -Tulsa, 5977.65, PARTS AND LABOR 87, MHC KENWORTH -Tulsa, 466.40, PARTS/SUPPLIES 88, PREMIER TRUCK GROUP, 450.48, PARTS/SUPPLIES 89, DETCO, 328.42, SUPPLIES 90, O G & E, 681.51, Utilities 91, CINTAS CORPORATION NO 2, 15.00, SERVICE 92, SAPULPA DAILY HERALD, 84.00, SUBSCRIPTIONS 93, MERRIFIELD OFFICE SUPPLIES, 279.21, OFFICE SUPPLIES 94, A T & T, 303.54, UTILITY 95, KELLPRO COMPUTER SOLUTIONS, 2865.00, SOFTWARE 96, O G & E, 103.87, UTILITY 97, CINTAS CORPORATION NO 2, 271.36, SUPPLIES 98, Dobbs Dozer Service, 2800.00, Repairs 99, ARMSTRONG BANK, 2959.84, LEASE PYMT 100, ARMSTRONG BANK, 2959.84, LEASE PYMT; Jail-ST 55, CREEK COUNTY COMMISSIONERS, 10974.31, WORK COMP PREMIUM 56, WESTLAKE ACE HARDWARE OK-020, 629.99, FAN 57, CITY OF SAPULPA, 3305.54, UTILITIES WATER 58, Symmetry Energy Solutions LLC, 397.29, NAT GAS/JAIL 59, O G & E, 8104.17, UTILITIES ELECTRIC SERVICE 60, O G & E, 80.04, UTILITIES ELECTRIC SERVICE 61, O G & E, 236.33, UTILITIES ELECTRIC SERVICE 62, WESTLAKE ACE HARDWARE OK-020, 74.98, CCJ MAINTENANCE 63, AIRCO SERVICE INC, 99.00, AIR CONDITIONER 64, O N G, 235.10, UTILITIES GAS SERVICES; Juv Dent-ST 38, Williams Grocery, 35.54, FOOD/SUPPLIES 39, COX BUSINESS, 1704.15, Network Services 40, SYSCO FOODS, 1259.18, FOOD 41, CREEK COUNTY COMMISSIONERS, 5900.25, WORK COMP PREMIUM; Law Library 1, LAW LIBRARY REV FUND, 6257.02, Quarterly Contributions; Planning/Zoning 1, MERRIFIELD OFFICE SUPPLIES, 141.96, SUPPLIES; Resale 20, CREEK COUNTY COMMISSIONERS, 72.72, WORK COMP PREMIUM 21, A T & T, 41.23, SERVICE 22, DYNAMIC RECRUITING SPECIALIST, 870.00, TEMPORARY EMPLOYEE 23, DYNAMIC RECRUITING SPECIALIST, 783.00, TEMPORARY EMPLOYEE; RFD-ST 4, ROUTE 66 TRAILER SALES, 3395.00, TRAILER 5, ARMSTRONG BANK, 2984.76, BANK PAYMENT; RM&P 1, CREEK COUNTY COMMISSIONERS, 22.18, WORK COMP PREMIUM; Safe Oklahoma - AG 5, CREEK COUNTY COMMISSIONERS, 110.53, WORK COMP PREMIUM; SH Svc Fee 21, CREEK COUNTY COMMISSIONERS, 80.53, WORK COMP PREMIUM 22, CDW Government, 9450.00, LAPTOPS 23, Turn Key Health Clinics LLC, 35629.24, MEDICAL SERVICES/JAIL 24, CREEK COUNTY COMMISSIONERS, 418.61, WORK COMP PREMIUM; Tax Refunds 3, Erin Laird, 652.00, TAX CORRECTION 4, Tawanna Chiles, 1157.00, TAX CORRECTION; Trash Cop 6, CREEK COUNTY COMMISSIONERS, 174.79, WORK COMP PREMIUM; Use-ST 1, ACCO, 751936.00, INSURANCE PREMIUM. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - 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 McGuire to sign **Resolution#2023-110** rezoning request CCZ-2114 and lot split CCLS-2909-Darrell Toliver per recommendations of CCPC. Rezoning from Agricultural District to Light Residential on tract 2 to allow lot split. Tract 1 will contain 2.51 acres more or less and remain Agricultural District. Tract 2 will contain 2.51 acres more or less. Tract 3 will contain 2.58 acres more or less and remain Agricultural District. Murray stated all tracts are within the flood zone and applicant has spoken to Mark Secratt, Floodplain. Tract 3 is where the home will be built and Toliver has been told to come into the Floodplain Office before he builds. There has been no opposition. Applicant is present. The CCPC recommended approval on 7-18-23, along with the Planning Office. Property located at 10541 Sahoma Lake Road Sapulpa, OK 74066.-Wendy Murray, Planner. Vote as follows: Stephens - Abstained, Warner - Aye, McGuire - Aye.

**Item #8:** Motion was made by Warner and seconded by Stephens to sign **Resolution#2022-111** request CCPW-2023-01-Tony Smith and Rhonda Smith plat waiver to allow rezone and lot split with an easement per recommendations of CCPC. Murray stated there is a filed right-of-way easement and all tracts will have easement and are not locate in a flood zone. Tract 1 will contain .50 acres more or less. Tract 2 will contain 14.50 acres more or less. There has been no opposition. Murray stated that the applicant is wanting to give a half-acre to his grandson for a tiny home. Muskogee Creek Nation is requiring a deed to grandson, before the loan will be given. The CCPC recommended approval on 7-18-23, along with the Planning Office. Property is located at 25011 S. 529<sup>th</sup> W. Avenue Depew, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #9:** Motion was made by Warner and seconded by Stephens to sign **Resolution#2023-112** rezoning request CCZ-2115 and lot split CCLS-2910-Tony Smith per recommendations of CCPC. Rezoning from Residential Manufactured Home on tract 1 to allow lot split. Tract 1 will contain .50 acres more less. Tract 2 will contain 14.5 acres more or less and remain Agricultural District. There is a filed right-of-way easement and is not located within a flood zone. This is being split for the grandson to a loan from Creek Nation for the parcel and utilities. There was no opposition. The CCPC recommended approval on 7-18-23, along with the Planning Office. Property is located at 25011 S. 529<sup>th</sup> W. Avenue Depew, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #10:** Motion was made by Warner and seconded by Stephens to sign **Resolution#2023-113** request CCPP-2023-02 Cornerstone-Mark Evans requests approval of preliminary plat for commercial subdivision Cornerstone consisting of 4 lots and 3 blocks. Tract contains 43.45 acres more or less. Murray stated this tract was zoned commercial back in 2018. There has been no opposition. Applicant is present. The CCPC recommended approval on 7-18-23, along with the Planning Office. Property is located at 21287 S. 349<sup>th</sup> W. Avenue Bristow, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #11:** Motion was made by Stephens and seconded by McGuire to re-appoint Leon Warner to the Creek County Planning Commission as a board member. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #12:** Motion was made by Warner and seconded by Stephens to approve or renew the following contracts for 2023-2024 fiscal year Commissioners Air Comfort, Inc. and **Resolution#2023-114** ratification of contract with Standley Systems; Sheriff Cherokee County Juvenile Justice Contract and Brooks Jeffrey Marketing, Inc. website hosting renewal agreement; Election Board Standley Systems Full Maintenance Agreement. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #13:** Motion was made by Warner and seconded by Stephens to approve Change Order request for **Bid#23-12 Storage Building at the Fairgrounds** for RD Simpson Construction, Inc. for interior wall spray foam insulation in the amount of \$18,356.00 and stem wall in the amount of \$15,000.00, a total of \$33,356.00. Josh Enlow, Fairgrounds stated that in our initial bid we bid for the ceiling, but now we would like to do the walls, we would save roughly 20%, if we used the same awarded bidder, since he is already there. And the stem would be about a 14% savings. Also, this could be added to our current warranty with the vendor and if we had to let for bid, we may not get a warranty. Warner asked how much the vendor quoted for the ceiling insulation, Enlow stated I believe \$29,500.00. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #14:** Motion was made by Warner and seconded by Stephens to accept **Bid#24-1 Bridge Inspection Trailer** and award to Anderson Hydra Platform LLC for \$110,055.00, to be paid from CBRIF-All Account 1103-6-4000-4110. Warner stated since we only received one bid and we have been looking for this equipment for the last couple of months, I would like to award today. We have

roughly 278 bridges throughout the county, that are over 20'. This would allow us to have the ability to inspect and do maintenance on the bridges in our districts. We could perform our duties with more efficiency, as well. Stephens spoke about the current issues of being able to repair or inspect the bridges. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #15:** Motion was made by Warner and seconded McGuire to sell a 2000 International CC 470 Fuel Truck at public auction Purple Wave. Warner stated this is to allow the publication process and then it will be placed on Purple Wave to be sold. Mortazavi asked if this was the same piece of equipment we had been researching to see where it was purchased from. Warner stated yes, it would be my recommendation that it was paid from the capital outlay highway fund. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #16:** Motion was made by Warner and seconded by Stephens to sign **Resolution#2023-115** surplussing a 2022 John Deere 60G Compact Excavator INV#192-356-0005, Serial number 1FF060GXANJ295052. Warner stated this will be traded-in for a newer one with the company. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #17:** Motion was made by Stephens and seconded by Warner to sign **Resolution#2023-116** directing the Creek County Treasurer to credit the Creek County Highway District #3 Highway Tax Account 1313-6-8043-2205/HTX2-2 with \$22.00 cash from the Oklahoma Tax Commission as change from the purchase of registration and fees on a 2008 International Truck, INV#193-303-0077, originally quoted as \$91.00, but actual cost was \$69.00, as per Title 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #18:** Motion was made by Stephens and seconded by Warner to approve Utility Permit from ONE Gas Inc per County Specs for ¾" natural gas pipeline by boring, size of line ¾", to cross 3922 W. 91<sup>st</sup> St. approximately 1.37 miles W. and 1.53 miles N. of U.S. 75 & S.J. 375, further described as 1,930' W. of the N.E. corner of Section 21, T18N, R12E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #19:** Motion was made by Stephens and seconded by Warner to approve Utility Permit from ONE Gas Inc per County Specs for ¾" natural gas pipeline by boring, size of line ¾", to cross 9629 S. 92<sup>nd</sup> W. Avenue approximately 0.91 miles E. & 0.87 miles N. of U.S. 44 & SH 97, further described as 2,413' N. of the S.W. corner of Section 24, T18N, R11E in District #1. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

**Item #20:** Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. None at this time. Andrew Goforth, Assistant District Attorney stated we submitted our quarterly report on Friday, July 21, 2023. **(1)** Motion was made by Warner and seconded by Stephens to approve the use of ARPA Payroll Funds for Turn Key for additional staffing at the Jail for the 2023-2024 fiscal year, in the amount of \$127,638.60. Project#1566-1.4-1315-1110. Bret Bowling spoke briefly to the Board about the current need to continue the 24-hour nurse staffing. We have done this for a couple of years now and we are here asking for it again. Bowling hit the highlights on how this is beneficial for liability purposes. As, we seen with the 30% of our increase in insurance, that it is needed. Our staff is working on this and is paying attention on how do we fund this moving forward. Stephens stated he would like to see some information on has it been beneficial for the county and in what ways. Warner addressed the question of ARPA monies are not going to be around much longer, how are you going to continue to fund this. Warner stated that he would like Bowling and the Commissioners to sit down and see what other funding may be available for the future. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye. **(2)** No Road or Bridge Projects at this time.

**Public Comment:**

**#1:** Tandra McClellan and the Board spoke about the Encumbering Purchase Orders without a contract for all offices. The process had been let the offices encumber, but not pay until there has been an approved contract sent to the Board. Stephens and the Board agreed that this is the correct process moving forward. Goforth stated the Purchasing Agent has the Authority to request and monitor if a contract is in place before payment. There was discussion the Board stated the County Clerk can reach out to the offices and request that an updated current contract be sent to the Board for approval, before a purchase order will be paid.

**#2:** Boomer Riter, Creek County Ambulance Representative asked for the Board to make an appointment of a vacant seat.

**#3:** Elaine Geerdes, Citizen stated how much she respects and appreciates all the Elected Official do. They have also just wrapped up a declaration of prayer for the whole county.

**Adjournment:** Motion was made by Stephens and seconded by Warner at 10:03 a.m. to adjourn and meet again 7-31-23. Vote as follows: Stephens - Aye, Warner - Aye, McGuire - Aye.

