

**November 25, 2024**

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, November 25, 2024 at 9:00 a.m., date and time duly posted.

**Item #1:** Meeting was called to order at 9:03 a.m. by Chairman, Whitehouse. Roll Call Stephens present, Warner present, Whitehouse present.

**Item #2:** Statement of compliance with open meetings act-Chairman.

**Item #3:** Commissioner Warner led the Pledge of Allegiance and Invocation led by Whitehouse.

**Item #4:** Motion was made by Warner and seconded by Whitehouse to approve the minutes of November 18, 2024. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #5:** Motion was made by Whitehouse and seconded by Warner to approve Blanket Purchase Orders # 2947 - 2996; Purchase Orders **#2024-2025** 911 Phone CELL PHONE SERVICE 2876 A T & T MOBILITY 254.89; Dispatch office supplies 2784 Amazon Capital Services 51.53; FEES 276 OKLA DEPT OF PUBLIC SAFETY 665.00; ARPA 2021 Infrastructure 2121 BRET BARNHART EXCAVATING 9315.43; CBRI CULVERTS 2574 THE RAILROAD YARD INC 27740.00; MATERIAL 2396 APAC CENTRAL INC 1428.99; County Community Safety MEDICAL SERVICES/JAIL 2783 Turn Key Health Clinics LLC 19071.08; General BOCC MINUTES 2789 SAPULPA DAILY HERALD 268.80; 2849 SAPULPA DAILY HERALD 276.30; BOTTLED WATER 3011 CULLIGAN OF TULSA 22.00; 3016 FIZZ-O WATER COMPANY 47.75; CCSO VEHICLE REPAIRS 965 Midtown Auto & Diesel Repair Inc 1571.93; 2618 Midtown Auto & Diesel Repair Inc 117.35; CELL PHONE SERVICE 2875 A T & T MOBILITY 3133.89; COPIER CHARGES 1894 Standley Systems 149.94; ELECTION ASSISTANCE 2819 Williams, Mitchell 50.00; ELECTION EXPENSES 2842 CREEK COUNTY ELECTION BOARD 1890.00; EQUIP/FEES 2024 CINTAS CORPORATION NO 2 15.00; EQUIPMENT 2593 AF3 TECHNICAL SOLUTIONS 434.99; Fuel 1232 Maltsberger Propane 1035.53; insurance - cobra 2929 Guardian 38.79; 2931 COMMUNITY CARE INSURANCE 677.61; JANITORIAL 2201 Trout, Darrel 240.00; K-9 CARE 15 ADVANCED CARE VETERINARY HOSPITAL 464.98; Maintenance 2288 AIR COMFORT INC 995.00; MONTHLY CHARGES 2525 ATLINK SERVICES LLC 225.00; Network Services 2850 COX BUSINESS 1156.36; NEWSPAPER AD 2532 SAPULPA DAILY HERALD 39.76; PARTS 1127 SCOVIL & SIDES HARDWARE CO 118.50; 2650 SCOVIL & SIDES HARDWARE CO 237.00; PEST CONTROL 2350 EMCO TERMITE & PEST CONTROL INC 35.00; Professional Service 2748 Dirt Road Data 10773.00; RECYCLE SERVICE 1938 SHOW INC. 40.00; REGISTRATION 2818 SAPULPA CHAMBER OF COMMERCE 350.00; Rent 1936 Straydog Storage 170.00; REPAIR 3012 A & M ELECTRIC INC 675.80; SERVICE 1114 Verizon Wireless 160.04; 1328 TIER ONE LAWN AND LANDSCAPE LLC 170.00; 2073 U S Cellular 75.60; 2381 A T & T 26.93; 3003 COX BUSINESS 39.17; Supplies 2068 JOHN DEERE FINANCIAL 77.59; SUPPLIES 1612 Amazon Capital Services 32.77; 2397 JOHN DEERE FINANCIAL 61.17; 2636 Amazon Capital Services 164.78; 2730 MERRIFIELD OFFICE SUPPLIES 254.24; 2779 MERRIFIELD OFFICE SUPPLIES 35.99; 2786 Amazon Capital Services 34.94; 2825 Quadient Leasing USA Inc 2000.00; 2868 MERRIFIELD OFFICE SUPPLIES 897.25; SUPPLIES AND SERVICE 2358 Elder Water Consulting Inc 165.00; TEMPORARY EMPLOYEE 2218 DYNAMIC RECRUITING SPECIALIST 663.38; 2219 DYNAMIC RECRUITING SPECIALIST 870.00; 2220 DYNAMIC RECRUITING SPECIALIST 870.00; 2221 DYNAMIC RECRUITING SPECIALIST 870.00; 2755 DYNAMIC RECRUITING SPECIALIST 870.00; UNIFORM & ACCESSORIES 1789 DANA SAFETY SUPPLY INC 277.66; Utilities 1888 COX BUSINESS 1187.57; 2856 O N G 69.30; UTILITY 2375 A T & T MOBILITY 189.73; 2379 A T & T MOBILITY 82.50; 2938 O N G 161.03; 2945 COX BUSINESS 37.50; Health Repair 2747 ATWELL ROOFING CO INC 250.00; Salary/Benefits 1131 Okla State Dept Of Health 36950.63; SUPPLIES 2518 Amazon Capital Services 198.28; TRAVEL 2602 TATE, DEBBIE 188.13; 2741 Brannam, Jerina 145.12; Utilities 531 CITY OF SAPULPA 160.97; 552 O N G 46.82; VACCINATIONS 2803 McKESSON 3326.47; Highway CONFERENCE 2467 ACCO 200.00; HAULING 2391 BANKS & SON TRUCKING 17365.85; LODGING 2474 RESIDENCE INN 321.00; MEMBERSHIP DUES 3017 NACO 1435.00; PARTS & SUPPLIES 1934 TRACTOR SUPPLY CREDIT PLAN 19.99; 2380 MAC'S HYDRAULIC, INC 1030.98; PARTS/SUPPLIES 1928 PREMIER TRUCK GROUP 182.65; REGISTRATION 2847 ACCO 95.00; SERVICE 1748 A T & T MOBILITY 108.24; SERVICE CONTRACT 2021 EMCO TERMITE & PEST CONTROL INC 70.00; SIR TEST 2627 TotalSIR 36.50; SUPPLIES 1891 Cintas Corp 172.86; 2016 CINTAS CORPORATION NO 2 183.41; UNIFORM 2463 Print Shop LLC 199.78; Utilities 2000 O G & E 160.64; 2006 O G & E 398.61; 2185 A T & T 755.52; 2833 A T & T MOBILITY 260.55; UTILITY 2395 A T & T MOBILITY 59.27; 2620 O G & E 77.96; 2624 O N G 171.98; 2643 A T & T 304.24; 2647 O G & E 231.70; WATER BILL 2018 CREEK CO RURAL WATER D#2 67.31; Hwy-ST CDL Employee Query Plan 2802 McGuire, Steven 25.00; EMULSIONS 2020 ERGON A & E INC 885.56; Fuel 2924 EARNHEART CRESCENT LLC 15479.09; Gravel 2629 ANCHOR STONE COMPANY 10275.84; PARTS & SUPPLIES 264 FASTENAL COMPANY 32.93; 274 AMERICAN WELDING SUPPLY INC 38.25; 293 HARRIS STATION 33 LLC 191.80; 1884 HARRIS STATION 33 LLC 264.85; 2388 DIRECT DISCOUNT TIRE 991.60; 2489 FLEET FUELS LLC 138.03; REPAIRS/LABOR/PARTS 1078 WARREN CAT 165.73; 2376 WARREN CAT 1225.64; ROAD MATERIAL 1462 APAC CENTRAL INC 5259.18; SERVICE 2383 A T & T MOBILITY 268.63; SIGNS 2548 ADVANCED WORKZONE SERVICES 930.00; Tinhorn 2670 DUB ROSS COMPANY 7770.80; Tires 2516 DIRECT DISCOUNT TIRE 14954.80; Training 1994 OSU-CTP 130.00; 2469 ACCO 120.00; Utilities 2382 O G & E 572.21; Jail-ST CCJ JAIL SUPPLIES/TOILET PAPER 2857 MERRIFIELD OFFICE SUPPLIES 2383.30; CCJ MAINTENANCE 2928 WESTLAKE ACE HARDWARE OK-020 48.42; Ccj maintenance kitchen 2552 GRAINGER 495.00; CCJ PLUMBING SERVICES 2810 ASPEN PLUMBING LLC 202.50; CELL PHONE SERVICE 2879 A T & T MOBILITY 532.40; CPR TRAINING 2864 CENTRAL TECHNOLOGY CENTER 748.00; NATURAL GAS 2809 Symmetry Energy Solutions LLC 456.66; PLUMBING SERVICES 2880 ASPEN PLUMBING LLC 455.00; RADIOS 2458 BTM WIRELESS INC 6355.01; Reimbursement 2878 Watashe, Ben J. 39.19; Tolls 2877 NORTH TEXAS TOLLWAY AUTHORITY 11.03; TRANSPORTS/INMATES 2782 VISA/AMERICAN HERITAGE BANK 136.29; UTILITIES ELECTRIC SERVICE 2852 O G & E 138.29; 2858 O G & E 33.39; 2861 O G & E 4401.51; UTILITIES GAS SERVICES 2851 O N G 259.25; UTILITIES WATER 2813 CITY OF SAPULPA 3230.30; Juv Dent-ST CELL PHONE SERVICE 2873 A T & T MOBILITY 226.52; JUVENILE DETENTION 2721 GRAINGER 262.22; 2860 MERRIFIELD OFFICE SUPPLIES 285.39; Network Services 2853 COX BUSINESS 1791.20; RADIOS/BATTERY 2792 BTM WIRELESS INC 698.30; REPLACE WINDOWS 2685 JACK YOUNG GLASS CO 400.00; UTILITIES ELECTRIC SERVICE 2872 O G & E 1579.16; UTILITIES GAS SERVICES 2855 O N G 373.31; WATER 2943 ATWOODS 17.94; ML Fee INK 2710 OME CORPORATION LLC 255.00; Planning/Zoning LEASE PYMT 2468 Quadient Leasing USA Inc 187.92; POSTAGE 2008 QUADIENT FINANCE USA INC 500.00; SUPPLIES 591 MERRIFIELD OFFICE SUPPLIES 108.08; Resale Supplies 2817 MERRIFIELD OFFICE SUPPLIES 286.39; TEMPORARY EMPLOYEE 2756 DYNAMIC RECRUITING SPECIALIST 870.00; RFD-ST RADIOS/BATTERY 2182 MOTOROLA SOLUTIONS INC 19500.00; SUPPLIES 2597 FECHNER PUMP & SUPPLY INC 526.40; SH Svc Fee FOOD FOR INMATES 2389 BENCHMARK GOVERNMENT SOLUTIONS LLC 8289.20; Tax Refunds TAX CORRECTION 19 Heritage Title & Escrow 356.00; Use-ST ROAD MATERIALS 2720 ANCHOR STONE COMPANY 9165.55. 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#2024-171** rezoning request CCZ2152 and lot split CCSL-3001-Christina Hunt per recommendations of CCPC. Rezoning request from Light Residential to Residential Manufactured Home District to allow lot split for one manufactured home. Tract 1 Anderson Acres Ext. 1 BLK 6 Lot 4 contains 2.3 acres more or less. Tract 2 Anderson Acres Ext. 1 BLK 6 Lot 5 contains 2.3 acres more or less. Murray stated that there are some discrepancies within the Convenances and some concern of county Planning and Zoning Regulations. Tracts are surrounded by Light Residential and Residential Manufactured Home Districts. There were some concerns with more than one mobile home being allowed. Applicant is present. The CCPA recommended approval on 11-19-24, along with the Planning Office. Property located at 6659 S. 155<sup>th</sup> W. Ave Sapulpa, OK 74066.-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#2024-172** rezoning request CCZ-2150-Darrell Henegar per recommendations of CCPC. Rezoning request from Agricultural District to Industrial District to allow industrial use of existing business. Tract contains 13 acres more or less. Murray stated once the rezoning is approved applicant will be moving forward with Special Exception. There have been no comments. Applicant is present. Murray stated this is bringing tract into compliance with existing business of building manufactured sheds. Applicant is present. The CCPC recommended approval on 11-19-24, along with the Planning Office. Property located at 25433 W. HWY 66 Kellyville, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #9:** Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2024-173** rezoning request CCZ-2153-Devin Litke (Two Brothers Pressure Washing) per recommendations of CCPC, with condition. Rezoning request from Agricultural District to Commercial District to allow existing business. Tract contains 2.5 acres more or less. Property is surrounded by Agricultural District and Residential Manufactured Home District. Murray stated there were concerns of from neighbors if business closes or property sells, they would like it to revert back to Agricultural District, Applicant agreed. Applicant is present. The CCPC recommended approval on 11-19-24, along with the Planning Office. Property located at 12014 W. 81<sup>st</sup> St. S. Sapulpa, OK 74066.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #10: DISCUSSION ONLY/NO ACTION** regarding the topic of the National Electric Corridor Delta Plains project planned to go through Creek County. - Mandie McCord and Rick Arhberg. Ms. McCord spoke briefly to the Board and presented them with a packet of information. I am a property/ranch owner in Creek County. I began researching about this topic two months ago and started really paying attention when the Payne County Commissioners heard this same topic. This is going to affect all land owners' rights within an 18-mile wide and 645-mile-long corridor. This is to help generate green energy, but comes with a great cost as well. The are preparing with Phase III, I request that you the Board of Creek County Commissioners get educated, involved in this land grab and try and stop it in our County. We the people would like to see meetings to inform the public and ask for your help in facilitating these events. We need the residents of our county to be informed on what this means and how it will affect them as property owners. Rick Arhberg, spoke briefly this in other words is a land grab, an over extension of public companies. Trans Source has shown they will do anything to take the land, just like the immanent domain they are currently doing to extend their public service. Payne County has step forward in efforts to stopping this in their county. We ask the Board to join in this effort to protect the landowners here. Trans Source is trying to operate as a private company, so that they do not have to follow the requirements by the Oklahoma Corporation Commission, they are actually a subcompany of PSO and AEP. There is litigation currently in the Supreme Court. There were other options in this mass corridor, but they chose to go north and take individual's land. This is nothing but a way to provide green energy got the east coast. We ask that we see if we need to change some legislation on what rights property owners do have to protest ourselves. Stephens stated he supports landowners' rights and is working on a resolution to stop this going through Creek County. We currently are having our legal department review the Payne County resolution, I have reached out to Mark Wayne Mullins to see what we can add to the resolution to protest us on the federal side, as well. I am for the public meeting at the Fairgrounds, there is more strength in numbers. Stephens discussed the Open Meeting process and the Board not being able to discuss matters that will be voted upon. I support you; I would like to see a commissioner team up with you and get a meeting scheduled at the Creek County Fairgrounds. Whitehouse stated he has spoken to Kyle Hilbert to see what our best solution is moving forward in blocking this in our county. Sherry Capps, informed the Board that the Missouri Governor has signed a bill about enforcing property rights that the

Board may want to review. Stephens stated we are listening and working on a solution. We should have an agenda item within the next couple of weeks to present to the Board. We appreciate all of your concerns and will help facilitate a meeting for the public to become informed on this matter. The Board agreed that Jarrod Whitehouse will be the County Representative to assist in the public meeting with Mandie McCord.

**Item #12:** Motion was made by Stephens and seconded by Whitehouse to accept **Bid#25-6 3 Month Asphalt and Emulsion, Products and Services** and pass for two weeks until 12-9-24 to review and award. Bids submitted by Tulsa Asphalt LLC, Ellsworth Construction LLC, Millennial Asphalt, Cowboy Asphalt, Ergon Asphalt & Emulsions, Coastal Energy Corp., Vance Brothers LLC, Logan County Asphalt Co., APAC-Central Inc. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #13:** Motion was made by Stephens and seconded by Whitehouse to accept **Bid#25-7 6-Month Bridge and HWY Materials and Professional Services** and pass for two weeks until 12-9-24 to review and award. Bids submitted by Warren Cat, Shuttera LLC, Leo Hicks Creosoting Co. Inc., Dub Ross Company Inc., Johnny Carr Grading and Bulldozing Inc., Tulsa Asphalt LLC, Stewart Stone Inc., Fensco Inc., Banks & Son Trucking, Greenhill Materials, Rebel Enterprises Inc., Ted C Carter Trucking LLC, Watkins Sand Co. Inc., Wilson Culverts Inc., APAC-Central Inc., Advanced Workzone Services LLC, Railroad Yard Inc., Anchor Stone Company, Quapaw Co., Mike Wofford Trucking & Grading LLC, Dudley Co. LTD LLC. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #14:** Motion was made by Stephens and seconded by Warner to sign a contract with Family and Children's Services (FCS) for the Sheriff's Office. Bret Bowling, Sheriff stated this is just to provide services with no cost. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #15:** Motion was made by Warner and seconded by Whitehouse to sign Staffing Agreement with Express Employment Professionals for the Treasurer's Office. Rick Engleman, Treasurer stated our current employment services company will be closing at the end of this year. We have two current contracted employees that will be switching over to Express. We have met with Express and they meet our requirements, this contract will end on June 30, 2025 and a new one will be presented July 01. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #16:** Motion was made by Warner and seconded by Whitehouse to approve Utility Permit from FiberLink LLC per County Specs and extending from 30 days to 90 days for fiber optic duct by boring, trenching, burying vaults, size of line  $\frac{3}{4}$ ", size of casing 1.5" to parallel and cross W. Dickey Rd traveling W. 1,597'; N. Beverly Rd. going N. 994'; W. Ray Lane going W. 1,305'; N. Pearson Dr. going N. 1,636'; W. Quickel Dr. going E. 668'; N. Beverly Dr. going S. 266' in Section 24, T18N, R10E in District #2. Warner stated he has spoken to FiberLink and is comfortable approving. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #17:** Motion was made by Warner and seconded by Whitehouse to approve Utility Permit from ONE Gas Inc. per County Specs for natural gas pipeline by boring, size of line  $\frac{3}{4}$ ", to cross W. 63<sup>rd</sup> St. approximately 1.09 miles S. & 2.38 miles W. of Jct. US 75 & SH 66, further described as 715' S. of the N.E. Corner of Section 5, T18N, R12E in District #2. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #18:** Motion was made by Whitehouse and seconded by Warner to approve Utility Permit from Cox Communications per County Specs for aerial and underground fiber by directional boring, size of line .479, size of casing 2" conduit, to cross and parallel E. Hilton Rd approximately 1.76 miles S. of W. 91<sup>st</sup> St., further described as 615' N.W. of Section 20, T18N, R12E in District #3. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #11:** Motion was made by Stephens and seconded by Warner to award **Bid#25-4 Water Conservation/Management System for the Creek County Jail** to Intelligent Conservations Systems Inc.(I-CON), in the amount of \$401,221.06 with Base Scope, Alt 1, Alt 2 and Alt 4 options pending approval of ARPA Request. The Board discussed the two bidders. Aspen Construction Services aka Aspen Plumbing disqualified themselves by not providing a 5% Bid Bond and also not being registered fully within SAMS.GOV. They also only provided the Base Scope of work of 81 toilets and sinks and no costs for future enhancements. Stephens and Bowling went over the I-Con Bid and the Alternate Options and how they would assist with upgrading and replumbing our current system. This will have a shut-off value at the controller's fingertips. This should also help with the grinder and wear and tear on the water system. I-Con also provides a 2-yr warranty and Aspen only provided a 1-year warranty. Bowling stated the jail pays \$80,000 a year in water/sewer, this should be able to help cut down those costs. Also, this will eliminate the ability of flooding pods. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #19:** Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. No update at this time. **(1)** Motion was made by Stephens and seconded by Whitehouse to approve the Use of ARPA 2021 Funds for a Water Conservation/Management System for the Creek County Jail, Bid#25-4, in the amount of \$401,221.06 and approve transfer \$401,221.06 from 1566-1-2000-1110 ARPA 2021/Salary Commissioners FY2024-2025 to 1566-1-2000-4110 ARPA 2021 Capital Outlay Commissioners FY2025. Project#1566-5.8-0400-4110. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye. **(2)** No Road and Bridge projects at this time.

**Public: NONE**

**Adjournment:** Motion was made by Stephens and seconded by Whitehouse at 10:09 a.m. to adjourn and meet again on 12-2-24. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.