

### January 13, 2025

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, January 13, 2025 at 9:00 a.m., date and time duly posted.

**Item #1:** Meeting was called to order at 9:00 a.m. by Chairman, Stephens. Roll Call Stephens present, Moore present, Whitehouse present.

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

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

**Item #4:** Motion was made by Whitehouse and seconded by Stephens to approve the minutes of January 06, 2025. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #5:** Motion was made by Whitehouse and seconded by Moore to approve December Monthly Reports from Court Clerk, OSU Extension Services and Sheriff; Blanket Purchase Orders #3622 - 3689; Purchase Orders **#2024-2025** 911 Phone Utilities 3503 CIMARRON TELEPHONE COMPANY 192.75; CBRI ASPHALT 2984 APAC CENTRAL INC 2569.33; CYLINDER RENTAL 2655 Lampton Welding Supply 259.09; SUPPLIES 1882 T H ROGERS LUMBER CO 8.69; Tinhorn 3594 DUB ROSS COMPANY 7770.80; Crt Payroll Quarterly Contributions 3580 OKLA EMPLOYMENT SEC COMM 369.22; General 3579 MERRIFIELD OFFICE SUPPLIES 1752.74; AIR FRESHENERS 3248 Simply Scentsational 36.00; ANNUAL RENEWAL 3566 OKLA BOARD OF TESTS FOR ALCOHOL 12.00; BATTERIES 3514 Amazon Capital Services 104.73; BOCC MINUTES 2011 SAPULPA DAILY HERALD 402.15; 3562 SAPULPA DAILY HERALD 238.20; BOTTLED WATER 2744 FIZZ-O WATER COMPANY 57.30; BRAKES/ROTORS 3522 Midtown Auto & Diesel Repair Inc 638.45; CCSO VEHICLE REPAIRS 2618 Midtown Auto & Diesel Repair Inc 578.34; COPIER CHARGES 2393 Standley Systems 149.94; EQUIP/FEES 2024 CINTAS CORPORATION NO 2 15.00; EQUIPMENT 3576 JOHN DEERE FINANCIAL 399.99; GPS 3373 T-MOBILE USA INC LAW ENFORCEMENT RELATIONS FINANCE 115.00; Labor & Materials 3435 On Call Services And Rentals LLC 1666.00; LOCKS 3583 WESTLAKE ACE HARDWARE OK-020 11.37; Maintenance 3218 CINTAS CORPORATION NO 2 15.00; MAINTENANCE AGREEMENT 2191 XEROX BUSINESS SOLUTIONS SOUTHWEST 50.00; MEDICAL SUPPLIES 3269 CINTAS CORPORATION NO 2 67.80; PEST CONTROL 3167 EMCO TERMITE & PEST CONTROL INC 35.00; 3169 EMCO TERMITE & PEST CONTROL INC 305.00; 3263 EMCO TERMITE & PEST CONTROL INC 15.00; 3524 EMCO TERMITE & PEST CONTROL INC 100.00; PIKEPASS FEE 2644 OTA PIKEPASS CENTER 45.47; polygraph 3517 Raines Polygraph Services 225.00; Professional Service 589 TOTAL ASSESSMENT SOLUTION CORPORATION 9375.00; 3531 Dirt Road Data 4086.00; PROFESSIONAL SERVICES 1745 BASS LAW, P.C. 1550.00; QUARTERLY CONTRIBUTIONS 3586 OKLA EMPLOYMENT SEC COMM 1341.75; SERVICE 1896 CINTAS CORPORATION NO 2 15.00; SERVICE AGREEMENT 2289 Standley Systems 44.23; Supplies 2070 JOHN DEERE FINANCIAL 11.98; SUPPLIES 3236 CINTAS CORPORATION NO 2 30.00; 3486 MERRIFIELD OFFICE SUPPLIES 39.69; TRAVEL 2844 Dawson, Stacey 205.87; 2845 Toothman, Olivia 155.98; 3052 TROUT, CHRISTINE 121.94; Utilities 3519 O G & E 4515.52; 3613 CITY OF SAPULPA 559.32; UTILITIES 3615 O N G 638.17; UTILITIES ELECTRIC SERVICE 3511 O G & E 664.73; UTILITIES WATER 3607 CITY OF SAPULPA 113.09; UTILITY 3530 O G & E 34.68; 3557 Waste Management Of Tulsa 356.56; 3559 Waste Management Of Tulsa 203.29; WATER 566 FIZZ-O WATER COMPANY 9.55; 3082 FIZZ-O WATER COMPANY 9.00; Health LEASE 560 R.K Black Inc 582.85; 600 Standley Systems 323.37; SERVICE 738 HOMETOWN JANITORIAL SERVICES 1450.00; SHREDDER 586 THE MEADOWS CENTER FOR OPPORTUNITY INC 45.00; SUBSCRIPTION 3599 SAPULPA DAILY HERALD 99.99; TRAVEL 1620 Kayla McElroy 92.46; 3386 DEARMAN, SHEREE 29.48; 3405 Gore, Courtney 20.10; Utilities 537 CITY OF BRISTOW 271.02; Highway First Aid Supplies 2022 Cintas Corp 15.00; PARTS & SUPPLIES 2978 TRACTOR SUPPLY CREDIT PLAN 368.91; PARTS/SUPPLIES 2626 JOHN DEERE FINANCIAL 314.79; PAYMENT 2826 OTA PIKEPASS CENTER 3.45; 2957 OKLA DEPT OF TRANSPORTATION 2831.96; QUARTERLY CONTRIBUTIONS 3588 OKLA EMPLOYMENT SEC COMM 223.35; 3591 OKLA EMPLOYMENT SEC COMM 171.76; 3596 OKLA EMPLOYMENT SEC COMM 132.21; 3597 OKLA EMPLOYMENT SEC COMM 0.00; SERVICE 2501 A T & T MOBILITY 268.63; 2835 A-1 REFUSE 80.00; SERVICE CONTRACT 3160 EMCO TERMITE & PEST CONTROL INC 60.00; SUPPLIES 1540 Cintas Corp 198.08; 2980 Cintas Corp 121.04; 2995 Cintas Corp 283.90; Tolls 1220 OTA PIKEPASS CENTER 6.35; TRASH 142 AMERICAN WASTE CONTROL INC 325.00; 2824 AMERICAN WASTE CONTROL INC 62.00; TRASH SERVICE 2952 GREEN ENVIRONMENTAL SERVICES LLC 96.22; Utilities 2972 A T & T MOBILITY 287.44; 3161 DRUMRIGHT UTILITIES 884.78; 3164 A T & T 522.55; Hwy-ST ASPHALT 2649 TULSA ASPHALT LLC 4725.30; HAULING 3296 BANKS & SON TRUCKING 6108.02; MATERIAL 2974 MIKE WOFFORD TRUCKING & GRADING LLC 1082.70; PARTS 2633 MHC KENWORTH -Tulsa 1249.62; 3200 Stewart Martin Equipment 2375.00; Parts & Labor 291 P&K EQUIPMENT 399.91; 2527 Yellowhouse Machinery Co 786.83; PARTS & REPAIR 1548 YELLOWHOUSE MACHINERY 444.71; 2975 P&K EQUIPMENT 297.22; PARTS & SUPPLIES 171 ECONOMY SUPPLY CO 56.72; 193 HOLT TRUCK CENTERS 79.29; 975 ATWOODS 199.99; 1223 CHEROKEE HOSE & SUPPLY INC 329.26; 1527 NAPA AUTO PARTS 2251.48; 2613 Stewart Martin Equipment 1300.87; 2990 O'REILLY AUTO PARTS 123.72; 2992 CROW BURLINGAME COMPANY 330.46; 2993 STANDARD AUTO PARTS 840.45; 3141 AMERICAN WELDING SUPPLY INC 70.82; PIKE PASS 2996 OKLAHOMA TURNPIKE AUTHORITY 31.90; SERVICE 3234 A T & T MOBILITY 684.41; SIGNAL LIGHT 173 Tls Group Inc 324.00; Tires 3204 DIRECT DISCOUNT TIRE 1655.80; TIRES & REPAIRS 2956 Sellers Tire Inc 362.00; UNIFORMS 2666 ATWOODS

129.95; Jail-ST CCJ MAINTENANCE 3500 WESTLAKE ACE HARDWARE OK-020 69.97; 3512 MERRIFIELD OFFICE SUPPLIES 21.03; 3568 WESTLAKE ACE HARDWARE OK-020 96.86; EQUIPMENT LEASE 1139 Brady Industries Of Kansas Llc 169.95; JAIL CLEANING SUPPLIES 3184 Brady Industries Of Kansas Llc 34.26; Lighting 3370 A & M ELECTRIC INC 581.89; Tolls 3578 Kansas Turnpike Authority 9.26; UNEMPLOYMENT TAXES 3598 OKLA EMPLOYMENT SEC COMM 1582.88; UNIFORM 3383 DANA SAFETY SUPPLY INC 403.00; UTILITIES WATER 3510 SAPULPA RURAL WATER CO 38.00; 3515 SAPULPA RURAL WATER CO 2147.00; Juv Dent-ST CABLE 3567 DISH NETWORK 147.01; FOOD 230 SYSCO FOODS 1067.30; UNEMPLOYMENT TAXES 3589 OKLA EMPLOYMENT SEC COMM 453.65; UTILITIES WATER 3509 CITY OF BRISTOW 320.23; Vehicle Upfit 1507 DANA SAFETY SUPPLY INC 9708.59; Law Library LAW LIBRARY REMITTANCE 7 LAW LIBRARY REV FUND 7139.41; Planning/Zoning INK 3600 MERRIFIELD OFFICE SUPPLIES 150.36; POSTAGE 2656 QUADIENT FINANCE USA INC 500.00; SUPPLIES 3561 MERRIFIELD OFFICE SUPPLIES 44.27; Resale AIR FRESHENERS 2033 SCENTS PLUS LLC 32.00; BOTTLED WATER 2041 FIZZ-O WATER COMPANY 19.10; Quarterly Contributions 3581 OKLA EMPLOYMENT SEC COMM 64.53; Supplies 3496 MERRIFIELD OFFICE SUPPLIES 18.99; 3506 MERRIFIELD OFFICE SUPPLIES 311.83; 3507 MERRIFIELD OFFICE SUPPLIES 39.99; TAX WARRANT SERVICE 2037 CREEK COUNTY SHERIFF 250.00; TEMPORARY EMPLOYEE 3415 Express Employment 840.00; 3416 Express Employment 504.00; RFD-ST Maintenance 2801 Dieselcraft Performance 2950.00; RM&P QUARTERLY CONTRIBUTIONS 3590 OKLA EMPLOYMENT SEC COMM 85.96; Self Ins Prog self insured deductible charge 3145 COMPSOURCE MUTUAL INSURANCE COMPANY 1652.45; SH Commissary Commissary 2506 BENCHMARK GOVERNMENT SOLUTIONS LLC 9129.83; STAMP 3556 U S POSTMASTER 219.00; Sheriff Funding Assistance Network Services 3518 COX BUSINESS 249.87; 3587 COX BUSINESS 2139.02; SH Svc Fee FOOD FOR INMATES 3396 BENCHMARK GOVERNMENT SOLUTIONS LLC 8379.84; TRASH SERVICE 3513 AMERICAN WASTE CONTROL INC 93.00; UNEMPLOYMENT TAXES 3595 OKLA EMPLOYMENT SEC COMM 6.56; Tax Refunds TAX CORRECTION 50 Meadows Custom Homes LLC 71.00; 51 John B Or Linda S Forister 710.00; 52 Bradley Allen Connelly 731.00; 53 Cristina P Gash 938.00; 54 Ronald And Carrie Millstead 579.96. Vote as follows: Stephens - Aye, Moore - 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 Whitehouse and seconded by Moore to sign **Resolution#2025-7** accepting the resignation of Paul Branch from the Creek County Industrial Authority and **Resolution#2025-8** appointing to the Creek County Home Finance Authority and appointing Leon Warner as a member. Stephens stated we would like to recognize Branch for his 25 years of service, he has contributed a lot of the years to our county. Whitehouse stated Branch was very knowledgeable and valuable to our county, but I do think Warner is a qualified replacement that has economic growth experience. Greg Pugmire stated Branch has been very valuable in his service over the last 25 years. He has so much knowledge and we plan to make him a non-voting member emeritus, so that he can continue to attend and share his experience and wisdom on a consulting basis to the boards. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #8:** Motion was made by Stephens and seconded by Whitehouse to keep the award of **Bid#25-8 Providing and Installing Two (2) Generators for the Creek County Health Department** previously. Jana Thomas Purchasing Agent stated we have received a protest from the low bidder Native Energy Source LLC requesting an opportunity to protest the award of the bid. Thomas stated we have present Native EnergySource LLC, Health Department and the awarded bidder APEX Electric Solutions. Stephens reviewed the bid sheet and stated they bid specs asked for 40kw generators. After the walk through it was stated that they could have submitted two separate bids, if they choose to. Our statues state that we must award to the lowest or best bid. If we do not award to the lowest, we must provide a written reason as to why. The Health Department stated that Apex Electric Solutions was not the lowest, but best qualified bidder due to submitting a bid that is in accordance with the specifications. Stephens stated the price difference between the lowest bidder and the awarded bidder is \$22,500.00 more. The Board agreed that the submitted reason was sufficient and a written reason was provided. David Thomasson, CEO of Native Energy Solutions LLC spoke to the Board, I think there has been a misunderstanding with the bid. I have been in business for forty years and have bid eight to nine time for the Health Department where I have been the second low bidder. Specification is normally the minimum and not the only way it can be submitted. We meet the specifications and exceeded them by offering a 48kw instead of a 40kw. There is no functional difference and has more capacity, so I would like to ask how we could be excluded from the awarding of this bid. Stephens stated again we follow the statues and they have been followed. We did not give the others opportunity to bid something different than a 40kw. When we compared your bid, it is not apples to apples. They requested a 40kw generator and you submitted a 48kw. Again, you could have submitted to options or two bids. Thomasson stated we

went above and beyond what was requested, I have never had someone turn down something better. I could just order new tags and it state that they are 40kw. I could ask the factory for those tags. Thomasson stated he disagrees with the Board and the awarded bid. Thomasson stated we would be forced to file in District Court and file an injunction where the state will agree with us. Stephens stated we have done our due diligence within the bid specs and we are done, if you are going to threaten legal action. With you stating you will file in District Court, all future communications will need to be directed to our ADA, Andrew Goforth. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #9:** Motion was made by Stephens and seconded by Whitehouse to accept **Bid#25-10 Remove and Replace Windows in the Creek County Criminal Justice Center for the Sheriff** and pass for one week until 1/21/25 to award or deny bid. Late Bid received 1/13/2025 at 10:25 a.m. from Timekey Enterprises LLC. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #10:** Motion was made by Stephens and seconded by Whitehouse to let for **Bid#25-12 Metal Building Kit for Milfay Volunteer Fire Department** to be opened 2/10/25. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #11: DISCUSSION/NO ACTION** to consider surplus and disposal of equipment for the Creek County Fairgrounds, the Board stated due to weather and the county being closed they had canceled their Fair Board meeting and this item will be placed on a future agenda.

**Item #12:** Motion was made by Stephens and seconded by Whitehouse to sign **Resolution#2025-9** removing Jonathon Dye as Receiving Officer and adding Adam Ortenburger for the Creek County Assessor's Office accounts 0001-1-1600-1110/H1A, 0001-1-1600-1320/H1C, 0001-1-1600-2005/H2, 0001-1-1700-1110/H4, 0001-1-1700-2005/H4 and 1204-1-1600-2005/AR-1. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #13:** Motion was made by Whitehouse and seconded by Moore to sign **Resolution#2025-10** removing Jacob Pilgrim and add Covy Murray as Receiving Officer for the Creek County Building Maintenance accounts 0001-1-3300-1110/BMA-1A, 0001-1-3300-1130/BMA-1B, 0001-1-3300-1310/BMA-1C, 0001-1-3300-2005/BMA-2 and 0001-1-3300-4110/BMA-3. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #14:** Motion was made by Whitehouse and seconded by Moore to sign **Resolution#2025-11** removing Covy Murray and adding Jacob Pilgrim as Receiving Officer for the Creek County Emergency Management accounts 0001-1-2700-1110/R8, 0001-1-2700-2005/R8-2 and 1212-2-2700-2005/CCE-8. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #15:** Motion was made by Stephens and seconded by Whitehouse to approve Utility Permit from Cox Communications per County Specs for telecommunications line by boring and overhead, size of line 0.25", size of casing 2" approving only county portion from 14250 Lone Star Rd to Lone Star Rd and South Hickory St. jct., in District #1. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #16:** Motion was made by Whitehouse and seconded by Moore to approve Utility Permit from East Central Electric per County Specs for fiber opt, by boring and trenching, size of line 1 ¼" to parallel and cross W. 251<sup>st</sup> St. S. approximately 0.17 miles W. of intersection of W. 251<sup>st</sup> St. S. and 369<sup>th</sup> W. Ave, further described as 1,800' E. of Section 7, T15N, R9E, in District #3. Whitehouse stated the work has been approved and finished, approval given via phone and now we are just noting it in the minutes. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.

**Item #17:** Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. Mortazavi stated I turned in all my balancing and information last week for the reporting to be submitted to the portal. Dana and Andrew will be working on this over the next two weeks.

**Public Comment: NONE**

**Adjournment:** Motion was made by Stephens and seconded by Whitehouse at 9:37 a.m. to adjourn and meet again 1-21-25. Vote as follows: Stephens - Aye, Moore - Aye, Whitehouse - Aye.