

(Agenda of meeting was posted in the central and outside lobby of the Ray Jordan Tulsa County Administration Building on November 22, 2016 at 4:11 p.m.)

MINUTES  
Monday, November 28, 2016

The Board of County Commissioners for Tulsa County met at the hour of 9:30 a.m. with the following members present: Karen Keith, Chairman; Ron Peters, Member; John Smaligo, Member; and Pat Key, represented by Georgeann Hiebert.

Karen Keith, Chairman, called the meeting to order at 9:30 a.m. and the following business was transacted:

Chairman advised the announcements and County Events and Status updates were open for comment and discussion. The departments with information gave a report.

Moved by Peters, seconded by Smaligo, to approve the minutes of the Board of County Commissioners Meeting of November 21, 2016. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to approve the following Bid Awards:

1. Social Services - Social Services Foundation Repair - Deferred.
2. TC Departments - Hygiene Supplies - Deferred.
3. TC Departments - Mops, Brushes and Brooms - to Advanced Industrial Solutions and Veritiv Operating Company, the lowest bids received on the most commonly used items. This award is for one year beginning 12/13/16. (Clerk's Misc. File No. 239782)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to approve the gasoline and diesel fuel quotes for the week ending 12/5/16. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239783)

Moved by Smaligo, seconded by Peters, to approve the following appointments from the Board of County Commissioners:

1. Commissioner Keith - of Michael Willis to INCOG Board of Directors, effective 1/1/17 with term to expire 12/31/18. (Clerk's Misc. File No. 239784)
2. Commissioner Smaligo - of Frazier Henke to INCOG Board of Directors, replacing John Benjamin, effective immediately with term to expire 12/31/18. (Clerk's Misc. File No. 239785)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to approve the following reappointments from the Board of County Commissioners:

1. Commissioner Keith:
  - a. of Betty Box to the Tulsa County Park Board, effective immediately with term to expire 12/31/20. (Clerk's Misc. File No. 239786)
  - b. of Robert Breuning to INCOG Board of Directors, effective immediately with term to expire 12/31/18. (Clerk's Misc. File No. 239787)
  - c. of Kelly Dunkerley to Tulsa County Vision Authority, effective immediately with term to expire 12/31/17. (Clerk's Misc. File No. 239788)
  - d. of Karen Keith to the Tulsa County Criminal Justice Planning and Policy Council, effective immediately with term to expire 12/31/17. (Clerk's Misc. File No. 239789)
  - e. of Juana Lozier to Greater Tulsa Area Hispanic Affairs Commission, effective immediately with term to expire 12/31/19. (Clerk's Misc. File No. 239790)
  - f. of Judy Randle to Tulsa City-County Library Commission, effective immediately with term to expire 7/31/19. (Clerk's Misc. File No. 239791)
  - g. of Dennis Semler to INCOG Board of Directors, effective immediately with term to expire 12/31/18. (Clerk's Misc. File No. 239792)
  - h. of John Smaligo to Tulsa Area Workforce Investment Board LEO, effective immediately with term to expire 12/31/17. (Clerk's Misc. File No. 239793)
  - i. of Mike Spradling to Tulsa County Public Facilities Authority, effective immediately with term to expire 12/31/18. (Clerk's Misc. File No. 239794)
  - j. of Raymond Ed Williams to Tulsa County Park Board, effective immediately with term to expire 12/31/20. (Clerk's Misc. File No. 239795)
2. Commissioner Smaligo:
  - a. of Wes Smithwick to INCOG Board of Directors, effective immediately with term to expire 12/31/18. (Clerk's Misc. File No. 239796)
  - b. of Craig Thurmond to Tulsa County Vision Authority, effective immediately with term to expire 12/31/17. (Clerk's Misc. File No. 239797)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to consider and to take action on the approval or disapproval of certain forms of Agreements presented to this meeting in connection with Vision 2025, authorizing the Chairman upon advice of counsel to make changes to the forms of such Agreements and to execute and deliver these Agreements and all documents and agreements as may be necessary or required:

1. Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma, and the City of Owasso, Oklahoma (Owasso Festival Market Project). (Clerk's Misc. File No. 239798)
2. Capital Improvements Agreement by and between the Board of County Commissioners of Tulsa County, Oklahoma, and the City of Glenpool, Oklahoma (Glenpool Soccer Fields Project). (Clerk's Misc. File No. 239799)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to approve and authorize execution by the Chairman, the request from INCOG Urban County CDBG for Project Activities: Action 1: Designate the County's Chief Executive Officer, the Chairperson, the certifying officer under the National Environmental Policy Act of 1969 to assume overall responsibility for the environmental review process, including signing required certifications; Action #2: Make a Finding of No Significant Effect on the Environment on the following project: City of Sand

Springs FY2016 North Washington Avenue Sanitary Sewer Line Replacement project. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239800)

Moved by Smaligo, seconded by Peters, to approve the request from the Sheriff to accept donation of holiday meal for TCSO employees from Aramark. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239801)

Moved by Peters, seconded by Keith, to approve and authorize execution by the Chairman, the agreement from the Board of County Commissioners with Tulsa's Leadership Vision, Inc. for the final step in developing a Consolidated Parks and Recreation Master Plan for City and County Parks and Recreation Departments. Upon roll call, Smaligo, no; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239803)

Moved by Smaligo, seconded by Peters, to approve and authorize execution, as needed, the following Agreements:

1. INCOG - Tulsa County HOME Consortium - for administrative services for FY2016; cost of \$76,856.00. (Clerk's Misc. File No. 239804)
2. INCOG - Urban County CDBG - for administrative services for FY2016; cost of \$180,890.00. (Clerk's Misc. File No. 239805)
3. Sheriff - Wood, Puhl & Wood, P.L.L.C. - for representation in the case of *Robbie Emery Burke, as a personal representative of the estate of Eric Harris, Plaintiff, v. Board of County Commissioners and Vic Regalado*, now pending in Tulsa County District Court, Case Number CJ-2016-4031; cost of \$225/hr.; associate attorneys \$175/hr.; and legal assistants/paralegals \$75/hr. (Clerk's Misc. File No. 239806)
4. Sheriff - Wood, Puhl & Wood, P.L.L.C., - for representation in the case of *Terry Byrum, Plaintiff, v. Board of County Commissioners and Vic Regalado*, now pending in Tulsa County District Court, Case Number CJ-2016-4029; cost of \$225/hr.; associate attorneys \$175/hr.; and legal assistants/paralegals \$75/hr. (Clerk's Misc. File No. 239807)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to approve the following Requests to Advertise for Bids:

1. Administrative Services - Printshop Supplies. (Clerk's Misc. File No. 239808)
  2. Building Operations - Electrical Wire. (Clerk's Misc. File No. 239809)
  3. Building Operations - Miscellaneous Electrical Supplies. (Clerk's Misc. File No. 239810)
  4. Highways - Concrete, Curb, Gutter and Flat Work. (Clerk's Misc. File No. 239811)
- Bids to be received by 4:00 p.m. on 12/9/16 & to open 12/12/16 at 9:30 a.m.

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to approve and authorize execution by the Chairman, the inventory resolution from the Board of County Commissioners, junked; Blue

Task Chair, Asset #0110102130, purch. date and amount unknown. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239812)

Moved by Peters, seconded by Smaligo, to approve and authorize execution by the Chairman, the following utility permits from Engineers with Oklahoma Natural Gas Company, a division of ONEOK, Inc.:

1. to cross E. 96th Street N. +/- 2 miles N. & 1.60 miles W. of the junction of US Hwy 169 & SH 135 and further described as 2145' E. of the SW/C of Section 13, Township 21N, Range 13E by boring for a 3/4" gas line. (Clerk's Misc. File No. 239813)
2. to cross N. Willow Rd. +/- 1.44 miles W. & .70 miles N. of the junction of US Hwy 64 & SH 97 and further described as 255' S. & 1,315' W. of the NE/C of Section 9, Township 19N, Range 11E by boring for 3/4" gas line. (Clerk's Misc. File No. 239814)

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to approve the Travel/Training request from Human Resources, for Mitch Robinson and Lonnie Dave Hayes to attend ACCO Safety Conference from 12/1-2/16 in OKC, OK; cost of \$355. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239815)

Moved by Peters, seconded by Smaligo, to approve the following Personnel Actions:

A. Name	B. Action	C. Salary	D. Eff. Date
<u>Administrative Services</u>			
Thorne, Dillon	Seasonal to Provisionary Chg. Org to 1001670- 505020	\$2,038.74	12/1/16
Shue, Kaleb (Clerk's Misc. File No. 239816)	Termination		11/16/16
<u>Building Operations</u>			
Brachtel, Timothy	End Provisionary	\$2,431.20	12/1/16
Rogers, Brent (Clerk's Misc. File No. 239817)	End Provisionary	\$2,101.96	12/1/16
<u>Court Services</u>			
Deao, Kristen (Clerk's Misc. File No. 239818)	Term./Job Abandonment		11/16/16
<u>Highways</u>			
Carr, Brian Cody (Clerk's Misc. File No. 239819)	Rehire/Probationary	\$2,340.00	11/15/16
<u>Parks</u>			
Luellen, Joshua	Reg./Chg. Org. to 10002575-505010	\$1,918.60	12/1/16
Southerland, Sydney	Reg./Chg. Org. to 10002575-505010	\$2,123.74	12/1/16
Tuttle, Kristopher	Reg./Chg. Org. to 10002575-505010	\$1,918.60	12/1/16
Zschach, W. Karl	Reg./Chg. Org. to 10002575-505010	\$2,509.89	12/1/16

Bettinger, Alexandra	Reg./Chg. Org. to 10002575-505010	\$2,123.74	12/1/16
Coleman, Steven	Reg./Chg. Org. to 10002575-505010	\$1,918.60	12/1/16
Dean, Marshall	Reg./Chg. Org. to 10002575-505010	\$1,918.60	12/1/16
Ellington, Katherine	Reg./Chg. Org. to 10002575-505010	\$2,123.74	12/1/16
Hardy, Tracy	Intermittent FMLA	\$2,268.49	11/21/16
Lee, James (Clerk's Misc. File No. 239820)	FMLA	\$2,557.25	11/21/16

Social Services

Mills, Yvette (Clerk's Misc. File No. 239821)	Return from FMLA w/pay	\$1,872.86	11/17/16
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Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to accept and file the following Juvenile

Bureau Personnel Actions:

A. Name	B. Action	C. Salary	D. Eff. Date
Ellis, Vivian	Workers Comp and FMLA	\$2,817.72	11/8/16
Ellis, Vivian	Return from Workers Comp and FMLA	\$2,817.72	11/17/16
Pumphrey, Christine	Chart adj.	\$3,956.50	12/1/16
Womeldorff, Clinton	Chart adj.	\$4,484.70	12/1/16
Funsch, Pam (Clerk's Misc. File No. 239825)	Chart adj.	\$3,956.50	12/1/16

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to accept and file the following CC Health

Documents:

Agreements:

- AHS Hillcrest Healthcare System, LLC, for "Don't Bug Me" Flu Prevention marketing campaign from 10/1/16 to 3/31/17; cost of \$50,000. (Clerk's Misc. File No. 239826)
- Addtroncis Business Systems, for inspection and maintenance of printers for Consumer Protection Program from 9/1/16 to 8/31/17; cost of \$4,125. (Clerk's Misc. File No. 239827)

Personnel Actions:

A. Name	B. Action	C. Salary	D. Eff. Date
Fryhover, Randy	Salary adj.; PDIP #2	\$2,652.76	11/1/16
Condley, Rodger	Salary adj.; PDIP #2	\$6,695.07	11/1/16
Dindy, Bernard	Salary adj.; PDIP #2	\$5,492.36	11/1/16
Dakil, Shelly	New hire; Reg. full time	\$3,736.93	11/21/16
Baker, Jessica (Clerk's Misc. File No. 239828)	New hire; Reg. full time	\$3,750.00	11/21/16

Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Smaligo, seconded by Peters, to approve and authorize execution by the Commission, the claims, (payments for bills to be paid from 11/14-18/16), that are in order as required by Title 19 O.S. §1505 D 11 providing all claims involving wages and/or

salaries be subject to state and federal withholding tax, retirement fund and social security deductions. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to approve and authorize execution by the Commission, Blanket Purchase Orders and Emergency Purchase Orders submitted from 11/21-23/16. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Executive Session from District Attorney, requested to Doug Wilson, Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney for the purpose of confidential communications concerning a pending claim, to-wit: *Bale v. Board of County Commissioners of Tulsa County, et al.*, Case No. 15-CV-577 CVE-PJC pending in the U.S. District Court for the Northern District of Oklahoma, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest.

Executive Session from District Attorney, requested to Doug Wilson, Pursuant to 25 O.S. § 307(B)(4), I am requesting this matter be discussed in Executive Session between the Board and its attorney for the purpose of confidential communications concerning a pending claim, to-wit: *McFadden v. Board of County Commissioners et al.*, Case No. 15-cv-00348-JHP-PJC, pending in the U.S. District Court for the Northern District of Oklahoma, disclosure of the details of which its attorney advises would seriously impair the ability of the Board to proceed in the public interest.

Moved by Peters, seconded by Smaligo, to go into Executive Session. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Executive Session commenced at 9:58 a.m.

Moved by Peters, seconded by Smaligo, for the regular meeting to reconvene at 10:08 a.m. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.

Moved by Peters, seconded by Smaligo, to authorize Commissioner Smaligo to represent the Commission with full settlement authority at the settlement conference to-wit: *Bale v. Board of County Commissioners of Tulsa County, et al.*, Case No. 15-CV-577 CVE-PJC pending in the U.S. District Court for the Northern District of Oklahoma. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239829)

Moved by Smaligo, seconded by Peters, to authorize Commissioner Peters to represent the Commission with full settlement authority at the settlement conference to-wit: *McFadden v. Board of County Commissioners et al.*, Case No. 15-cv-00348-JHP-PJC, pending in the U.S. District Court for the Northern District of Oklahoma. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried. (Clerk's Misc. File No. 239830)

Moved by Peters, seconded by Smaligo, that this meeting be adjourned. Upon roll call, Smaligo, yes; Peters, yes; Keith, yes. Motion carried.