

**April 22, 2024**

The Board of County Commissioners of Creek County (BOCC) met in Regular Session on Monday, April 22, 2024 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, 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 Stephens to approve the minutes of April 15, 2024 and to correct the minutes of 1/29/24 item #7 adding the vote as follows: Stephens - Aye, Warner - Aye, Whitehouse and correcting the minutes of 4-1-24 item #14 (2) correcting Project#1566-6.1-4100(K) to 1566-6.1-4100(F) for District #1 projects. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #5:** Motion was made by Warner and seconded by Whitehouse to approve March Monthly Reports from Court Clerk; Transfer \$20,000.00 from 1102-6-4200-2005 M&O-D2 HWY FY2023-2024 to 1102-6-4200-1110 Salary-D2 HWY FY2024; Blanket Purchase Orders #5626 - 5645; Purchase Orders **#2023-2024** 911 Phone Dispatch office supplies 5126 Amazon Capital Services 47.98; FEES 3595 OKLA DEPT OF PUBLIC SAFETY 575.00; CH Improv-ST Agreement 5547 CREEK CO PUBLIC FACILITIES 95012.25; Crt Payroll WORK COMP PREMIUM 5557 CREEK COUNTY COMMISSIONERS 114.87; General AUDIT 5506 STATE AUDITOR & INSPECTOR 6963.81; BOTTLED WATER 5151 FIZZ-O WATER COMPANY 50.70; CREMATION 4785 GREEN HILL FUNERAL HOME 225.00; CREMATION SERVICE 5269 GREEN HILL FUNERAL HOME 225.00; EQUIPMENT/INSTALLATION 2499 CASTLECOM LLC 1233.00; IT Support 4549 CASTLECOM LLC 1885.00; LABOR AND MATERIALS 2068 CASTLECOM LLC 2592.00; Labor & Materials 3728 ESI - Elite Systems Inc 1320.00; LANDSCAPING SERV 5419 THREE AMIGOS LAWN AND LAND SERVICES LLC 625.00; Law Books & Services 2996 THOMSON-WEST 2373.48; 3001 THOMSON-WEST 409.79; Network Services 5528 COX BUSINESS 1136.60; OFFICE SUPPLIES 5551 MERRIFIELD OFFICE SUPPLIES 193.42; Professional Service 2709 Dirt Road Data 360.00; 3885 Dirt Road Data 2025.00; PROFESSIONAL SERVICES 5034 INCOG 3333.33; Rent 5555 CREEK CO HOME FINANCE AUTH 2100.00; REPAIRS/DEPUTY CAR 5329 I CARE AUTO GLASS & PARTS 1811.50; SERVICE 3910 U S Cellular 75.92; 4109 A T & T MOBILITY 27.29; 5020 AMERICAN WASTE CONTROL INC 291.80; SERVICE AGREEMENT 3199 XEROX CORP 55.00; SUPPLIES 5436 Amazon Capital Services 251.12; 5472 MERRIFIELD OFFICE SUPPLIES 227.73; SUPPLIES AND SERVICE 4927 Elder Water Consulting Inc 165.00; TIRES/DEPUTY CARS 4479 BRISTOW TIRE & AUTO SERVICE 584.96; 5493 BRISTOW TIRE & AUTO SERVICE 679.88; 5553 BRISTOW TIRE & AUTO SERVICE 169.97; TRAVEL 4398 Myers, Randi 147.13; UNIFORM 4606 SPECIAL-OPS UNIFORMS 250.36; UTILITY 5344 A T & T MOBILITY 82.86; 5393 A T & T MOBILITY 193.77; 5529 Symmetry Energy Solutions LLC 279.57; 5534 EAST CENTRAL ELECTRIC COOP 391.00; 5537 EAST CENTRAL ELECTRIC COOP 464.00; 5610 O N G 197.01; WATER 5549 FIZZ-O WATER COMPANY 8.95; WORK COMP PREMIUM 4131 CREEK COUNTY COMMISSIONERS 84.77; 5500 CREEK COUNTY COMMISSIONERS 73.15; Health LEASE 4165 R.K Black Inc 497.84; MEDICAL SUPPLIES 5473 McKESSON 604.58; OVERAGES 3849 PREFERRED BUSINESS SYSTEMS LLC 607.85; SUPPLIES 3273 Amazon Capital Services 95.00; 5350 MERRIFIELD OFFICE SUPPLIES 303.66; Highway Diesel Exhaust Fluid 5087 O'REILLY AUTO PARTS 547.90; Gravel 5255 ANCHOR STONE COMPANY 8921.75; LEASE PYMT 5205 ARMSTRONG BANK 2959.84; 5227 ARMSTRONG BANK 2959.84; PARTS/SUPPLIES 4567 O'REILLY AUTO PARTS 1297.32; SERVICE 2581 CINTAS CORPORATION NO 2 15.00; SIR TEST 5244 TotalSIR 36.50; Tires 5483 SOUTHERN TIRE MART LLC 1825.00; Utilities 4739 A T & T MOBILITY 267.92; 5146 O G & E 599.63; UTILITY 5246 O G & E 74.25; 5362 A T & T MOBILITY 59.63; Hwy-ST OIL, HYD FLUID & GREASE 5461 RAMBIN PETROLEUM INC 2611.40; PARTS 4709 WARREN CAT 2576.63; PARTS & SUPPLIES 2775 CHEROKEE HOSE & SUPPLY INC 34.75; 2797 ASCO EQUIPMENT 632.50; 3132 O'REILLY AUTO PARTS 334.75; ROAD MATERIALS 5285 FENSCO INC 124.96; Tires 5438 DIRECT DISCOUNT TIRE 577.64; Jail-ST CCJ JAIL SUPPLIES/TOILET PAPER 5475 MERRIFIELD OFFICE SUPPLIES 644.00; INMATE CLOTHING 4653 BOB BARKER CO INC 245.74; IT Support 4544 CASTLECOM LLC 1885.00; Maintenance 5209 FASTENAL COMPANY 110.25; 5305 Environmental Loop Service Inc 770.00; NAT GAS/JAIL 5533 Symmetry Energy Solutions LLC 832.79; PEST CONTROL/JAIL 5489 PRIME PEST SERVICES LLC 870.00; RENTAL 5270 THE HERTZ CORPORATION 80.76; 5488 THE HERTZ CORPORATION 96.10; TRANSPORTS/INMATES 5273 VISA/AMERICAN HERITAGE BANK 57.24; UTILITIES ELECTRIC SERVICE 5540 O G & E 96.89; 5541 O G & E 3932.88; 5542 O G & E 69.97; WORK COMP PREMIUM 5502 CREEK COUNTY COMMISSIONERS 9953.76; Juv Dent-ST AIR CONDITIONER 5175 AIRCO SERVICE INC 1045.00; 5176 AIRCO SERVICE INC 1045.00; IT Support 4553 CASTLECOM LLC 1885.00; JUVENILE DETENTION 5282 Amazon Capital Services 188.95; 5487 MERRIFIELD OFFICE SUPPLIES 352.48; 5543 MERRIFIELD OFFICE SUPPLIES 437.08; Network Services 5531 COX BUSINESS 1751.63; TRAINING REGISTRATION 5538 HANDLE WITH CARE BEHAVIOR MANAGEMENT SYSTEM INC 3050.00; WORK COMP PREMIUM 5503 CREEK COUNTY COMMISSIONERS 7592.28; Planning/Zoning LABOR AND MATERIALS 2069 CASTLECOM LLC 6755.60; Resale RESALE FUNDS SURPLUS 3805 BRISTOW SCHOOL DISTRICT #2 75777.16; WORK COMP PREMIUM 3929 CREEK COUNTY COMMISSIONERS 480.12; RFD-ST Overhead Door 4888 A & T OVERHEAD DOORS LLC 3255.00; RM&P Managed It Services 4560 CASTLECOM LLC 1579.00; SH Commissary Commissary 3055 BENCHMARK GOVERNMENT SOLUTIONS LLC 5209.07; SH Svc Fee NEW VEHICLES 5239 BOB HOWARD CHRYSLER DODGE JEEP RAM 36198.00; WORK COMP PREMIUM 5497 CREEK COUNTY COMMISSIONERS 84.45; 5501 CREEK COUNTY COMMISSIONERS 439.54; Tax Refunds TAX CORRECTION 204 Gregory Lewis Llc 137.94; 205 Gregory Lewis Llc 179.88; 206 Gregory Lewis Llc 1539.57; Use-ST ROAD MATERIAL 5323 ANCHOR STONE COMPANY 16575.88. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #6: 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.) Stephens stated that part of the Courthouse building fell at 10:28 a.m. over the weekend. I have Engineers coming out to see if there are any structure issues. I do not know the extent of the damage or possible repairs at this time. There may be a need to declare an emergency, but at this time I have no other information.

**Item #7:** Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2024-48** rezoning request CCZ-2133 and lot split CCLS-2957-Toni Stover per recommendations of CCPC. Rezoning from Agriculture District to Light Residential District to allow lot split. Tract 1 will contain 1.0 acres more or less. Tract 2 will contain 1.0 acres more or less. Both tracts will meet the requirements of Light Residential District and are not located within a flood zone. Murray stated there has been several rezones in the area from 1975 to 2017. There has been no opposition. Applicant is present. The CCPC recommended approval on 4-16-24, along with the Planning Office. Property is located at 6250 S. 97<sup>th</sup> W. Avenue, Sapulpa, OK 74066.-Wendy Murray Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #8:** Motion was made by Stephens and seconded by Whitehouse to sign **Resolution#2024-49** rezoning request CCZ-2135 and lot split CCLS-2958-Mike Mason per recommendations of CCPC. Rezoning from Agricultural District to Light Residential District to allow lot split. Tract 2 will contain 1.59 acres more or less. Tract 1 will contain 8.43 acres more or less and remain Agricultural District. Tract 2 will meet all requirements of Light Residential District. Both tracts are not in a flood zone. There has been no opposition. Applicant is present. The CCPC recommended approval on 4-16-24, along with the Planning Office. Property is located at 18778 S. Pickett Road Sapulpa, OK 74066.-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#2024-50** rezoning request CCZ-2136 and lot split CCLS-2959- Kerry and Shelly Hilbert per recommendations of CCPC. Rezoning from Agricultural District to Residential Manufactured Home District to allow lot split for existing manufactured home. Tract A will contain 1.25 acres more or less. Tract B will contain 1.25 acres more or less. Both tracts will meet the requirements of Residential Manufactured Home District. Tracts are not located within a flood zone. There has been no opposition. Applicant is present. The CCPC recommended approval on 4-16-24, along with the Planning Office. Property located at 6310 W. 65<sup>th</sup> St. S. Tulsa,OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #10:** Motion was made by Warner and seconded by Whitehouse to sign **Resolution#2024-51** rezoning request CCZ-2137-Tammie Henderson per recommendations of CCPC. Rezoning from Agricultural District to Residential Manufactured Home District to allow one manufactured home. Tract will meet all requirements of Residential Manufactured Home District. Tract is no located in a flood zone. The surrounding tracts are Agricultural and Residential Manufactured Home Districts. There has been no opposition. Applicant is present. The CCPC recommended approval on 4-16-24, along with the Planning Office. Property located at 27670 S. 513<sup>th</sup> W. Avenue Depew, OK.-Wendy Murray, Planner. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #11:** Motion was made by Stephens and seconded by Whitehouse to sign **Resolution#2024-52** rezoning CCZ-2134-Tanner Consulting per recommendations of CCPC. Rezoning from Agricultural District to Light Residential District to allow a single-family residential subdivision. Murray stated this is a forty-acre tract surrounded to the north by Agricultural District and Light Residential District, east, south and west is Agricultural District. The property is within a flood zone. We have had several phone calls with opposition and concerns. The residents are concerned with drainage, traffic, fencing, and lot size. After the CCPC meeting the developer has decided to increase the lot size to ½ acre to help with concerns. Murray stated that the CCPC voted 6-yes, 1-abstain, and 3-no. Applicant is present. Property is located at 9032 W. 151<sup>st</sup> St. S. Sapulpa,OK-Wendy Murray, Planner. Resident Fowler Jacobs stated he lives to the west of the proposed development and has concerns with the piece mill plan and the drainage that it could cause for the downstream and upstream residents. I ask the Board to look at the environment impact this will have. The plan is not fully developed to say if they will be keeping the pond or developing a retention pond. Jacobs spoke briefly about the water drainage he has now within his property. Stephens stated this is just the first step to the process, they have to get the zoning change approved. During the Plat process is where all the water detention and drainage will be addressed. There will be meetings to review the engineering plans and then there will be a final approval process. The Board is here to protect what is in the best interest of the county and residents. We will make sure that all information required will be acceptable or the plat could be denied. We try and make this transparent as possible for the citizens and do our due diligence as elected officials, as well. Eric Enyart, Representative for Tanner Consulting spoke briefly to the Board. We are aware of the county process and will take all measures to adhere to the ODEQ requirements. There are other additions in the area that are less than a ½, I believe this might have been developed before the zoning regulations. We are excited about the project and ensure the citizens that we will work with our engineers on the drainage up and downstream so that we do not impact the flow. Warner stated this area is growing as residential. This item was heavily discussed at the planning meeting and there will be additional discussion once the preliminary plat is provided. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #12: DISCUSSION ONLY/NO ACTION** on FY2025 solid waste/storm debris cleanup assistance program from the Oklahoma Cooperative Circuit Engineering Districts Board. Stephens stated we used to be able to send over needs per district. They have now made it where you have to submit as a county. The application process starts 5/1/24, please take the paper and fill out your requests and turn them back into Dana. We will have another agenda item approving requests.

**Item #13: DISCUSSION ONLY/NO ACTION** on the yearly ODOT certified mileage map. Stephens stated the maps are ready to be reviewed by each district. We will make changes and then have an agenda item to approve them. Then the maps will be sent to ODOT to be updated. Mortazavi asked if ODOT would provide a final approval map. We have requested one for the last five years and our office has never received one. Stephens stated we will request that they present one for the office. Also, the final approved map is available on the ODOT website.

**Item #14:** Motion was made by Stephens and seconded by Whitehouse to let for **Bid#24-19 Commonly Used Items** to be opened 5-13-24. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #15:** Motion was made by Stephens and seconded by Warner to sign **Resolution#2024-53** directing the Creek County Treasurer to credit the Creek County General Government Insurance Account 0001-1-2300-1222/R4 in the amount of \$116.68 with funds from American Public Life (APL) to reimburse for refunds to premium submitted on behalf of employees paid from that account, as per 62 O.S. § 335, and procedures implemented by the State Auditor's Office. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Item #16:** Discussion and possible action regarding the American Recovery Plan 2021 funds directed to Creek County by the federal government. No updates at the time. Mortazavi stated the quarterly report has been submitted and accepted by the Department of Treasury. **(1)** Motion was made by Stephens and seconded by Whitehouse to approve the use of ARPA Funds for Carson Ridge Road starting east of HWY 48 going southeast approximately 3,980 LF, in the amount of \$80,348.00; W. 51<sup>st</sup> St. starting at HWY 48 going east approximately 1320 LF, in the amount of \$26,404.00; W. 61<sup>st</sup> St. starting at HWY 48 on S. 61<sup>st</sup> St and going west approximately 5,280LF, in the amount of \$105,521.70 and Woodlands Addition east of HWY 48 going southeast approximately 3,980 LF. Projects in District #2, Project#1566-6.1-4200-4110(L). Warner stated all projects are off of HWY 48. ODOT has just completed a new bridge by Carson Ridge Road, this will be the approaching roads. W. 51<sup>st</sup> 3/8 of the mile is pretty rough and then you get into some good road. W. 61<sup>st</sup> is about 1 mile and then the Woodlands we will be doing the entire horse shoe within the addition. Mortazavi stated this is an addition in our system, do you know if the roads were accepted by the county. Warner stated it was accepted by the previous commissioner. This will be fixing that ruff spot. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.

**Public Comment: NONE**

**Adjournment:** Motion was made by Stephens and seconded by Whitehouse at 9:45 a.m. to adjourn and meet again on 4-29-24. Vote as follows: Stephens - Aye, Warner - Aye, Whitehouse - Aye.