

Monday, April 8, 2019  
Newkirk, Oklahoma

The Board of County Commissioners (BOCC) of Kay County, Oklahoma, met in regular session at 9:00 o'clock a.m. on Monday, April 8 the meeting was posted for public information on April 5, 2019, at 8:50 a.m. at the Courthouse front door, Commissioners Court, and basement handicapped entrance of the Kay County Courthouse in Newkirk, Oklahoma.

Chairman Jack Godberson called the meeting to order. Those present were as follows: John A. Wilson, Member; Jason Shanks, Member; Brian Hermanson, District Attorney (DA); Kay County Assessor Susan Keen and Janell Leaming, First Deputy Assessor; Kay County Sheriff Steve Kelley; Kay County Treasurer Christy Kennedy; Dennis Bonewell, Emergency Management Director; Frank Cain, Terry Willits, Jay Fagan, Caryl Morgan, Newkirk; Cody Griesel, Ponca City News; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk. (See sign in sheet).

Chairman Jack Godberson led the Flag Salute.

Motion was made by Shanks and seconded by Godberson approving regular meeting minutes of April 1, 2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Ordinance resolution pertaining to wind farms: Newkirk citizen Frank Cain said since roads are the main concerns the BOCC are dealing with he wanted them to be aware of his comments in a "Letter to the Editor" that will be in the Newkirk Herald Journal. Newly elected City of Newkirk Mayor Brian Hobbs asked for enough time so he could speak with constituents regarding the direction he should go. DA Hermanson said BOCC/DA were close but not ready to sign a Road Use Agreement. He asked Mayor Brian Hobbs is this matter, wind farms, was on the next City Agenda. DA Hermanson also stated the county has no county zoning restrictions and to acquire such would be a process. Terry Willits said he would like to see a meeting happen between Duke Energy, the BOCC and citizens and discuss moving the wind farms three (3) miles from the city limits. He said Duke Energy is refusing to work with the citizens. Mr. Willits said Duke Energy did have a meeting, as they have done many times, and only invited specific people. Caryl Morgan said she heard the BOCC was planning on voting for a Road Use Agreement on April 15<sup>th</sup>. Chairman Godberson said he has working over a year on a Road Use Agreement. Mayor Hobbs said personally what the people are asking is not unreasonable and they are trying to navigate both sides. Ken Bellmont, Kaw Nation, told he just became aware of wind farm placements two (2) weeks ago. He said Kaw Nation is not against wind development as Kaw Nation has been working on a wind farm for over ten (10) years, but he is concerned about location of these wind farms as well. Mr. Bellmont noted the cemetery/housing permitting requirements as being a problem. He told the BOCC that once they approved a Road Use Agreement it's a done deal. Gary Bull stated he emailed Graham Forlong asking to come and have a set-down meeting, but said they have not been able to get them to meet. Mr. Bull asked the BOCC to please put the Road Use Agreement on hold until "all" has a chance to meet together. Mayor Hobbs said he spoke with the Chief of Kaw Nation and the City of Newkirk and Kaw Nation are not trying to shut down the wind farm, just want distance between the pre-existing structures for future growth. He reiterated to put off voting on the Road Use Agreement.

Nationwide Retirement selection on the Guaranteed Minimum Interest Rate Change and selecting an option: Member Shanks said he spoke with Nationwide regarding this rate change. He said this only affects the fixed rates and because of confidentiality we don't know how many employees this will affect. Shanks told about each of the three options: Option One lowers the Guaranteed Minimum interest rates annually over a five-year period from 2019-3.5% ending with 2023-0.5%. Option Two follows the same schedule as Option 1 but the Crediting Rate is less than Option 1. Option Three (Default Option) moves the Guaranteed Minimum from 3.5% to a 0.5% guaranteed. Shanks said he was in favor of Option One knowing for 2019 the rate will be 3.5% with the other Options it changes in the third quarter. It was the consensus of the other officers present to go with Option One.

Motion was made by Shanks and seconded by Godberson approving Nationwide Retirement selection on the Guaranteed Minimum Interest Rate Change and selecting Option One. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Agreement between Pictometry International Corp. and Kay County for online services. DA Hermanson approved as to form and told BOCC this is a renewal the county has had for several years. Assessor Keen said the full amount is paid

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out of budgeted accounts and then receives reimbursements from cities and schools. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Ad Valorem Reimbursement Fund, for loss of revenue due to exemption of new or expanded manufacturing facilities in 2017 for 2018 tax year. Assessor Keen said this is the five-year manufacturing exemptions that is paid back to the county by the state. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: Commissioner Godberson said crews were blading and hauling materials to roads district wide, boom mowing, cleaning ditches on Hartford, Oakland, Furguson and La Cann Rds., took out a culvert on Longwood and put in two new culverts on Traders Bends and Furguson.

Commissioner Shanks said his crews working at the sandpit hauling sand to "R" Street north of Peckham Rd.

Commissioner Wilson told his crews have been digging shale at the pit, hauling and laying shale, grading roads, fixed a tarp system on one of the haul trucks and doing maintenance on trucks.

Motion was made by Godberson and seconded by Shanks Tabling selling two (2) tracks of land (selling as one), paying to have property surveyed and appraised. Tracks of land: Cross TWP 30-26-3E 150' strip off west side NW/4 for road; Cross TWP 30-26-3E a strip 50'x253' off north side of L-1 NW/4. Godberson told he has contacted a surveyor and is waiting to hear back from him. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving ODOT Claim Form 324a, Kay County Project Bitter Creek, J/P 25085(04), \$8,100.00, Dist#2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving ODOT Claim Form 324a, Parcel 2-2.85 acres of highway easement, Project J2-5085(004), Job Piece 25085(04), Parcel 2-\$6,000.00 and ODOT Claim Form 324a, Parcel 4-0.45 acres of highway easement; Parcel 4-0.04 acres of temporary construction easement, replace 680 LF of S SBW R/W fence, Project J2-5085(004), Job Piece 25085(04), Parcels 4, 4.1-\$3,525.00, Dist#2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Notice to Proceed on Bridges #28 & 217, Dist#2. Shanks said these were BIA Bridges on Bender Rd. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Kay County Monthly Reports for March 2019: Assessor; Treasurer; Election Board; County Clerk. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving the following Resolutions to deposit funds: Res#18, 19-121, Use Tax-\$1,500.00, Pictometry payment. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving the following Cash Fund Estimate of Needs and Request for Appropriations: Highway-\$365,566.36 D#1-\$81,981.62; D#2-\$196,063.71; D#3-\$87,521.03; Highway-CBRIF-\$31,703.53; ETR Loan Dist#2-\$150,000.00; Mortgage Certification Fee-\$440.00; Resale Property-\$26,749.66; Child Abuse Prevention-\$535.53; Drug Court-\$12,105.17; County Clerk Lien Fee-\$444.00; Public Building Authority (PBA)-\$1,408.84; PBA - KCD#3-\$6.99; PBA - Pioneer Technology Center-\$5.12; PBA - Ponca City Schools-\$17.65; PBA - Tonkawa Schools-\$5.77; County Clerk Records Management & Preservation-\$3,204.00; Assessor Revolving Fee-\$1,579.13; Jail - Sales Tax-\$269,912.02; Home Finance Trust Authority-\$1.75; Sheriff Service Fee-\$17,395.39; Use Tax-\$35,058.15. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye. Citizen Terry Willits asked a question regarding state funding.

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Motion was made by Shanks and seconded by Godberson approving the following Transfer of Appropriations: Error Correction-Sheriff Service Fee-\$2,915.99 to County Donation. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

New Business [As per 1991 O.S. 25 § 311.A.9 - 'New Business', as used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting.]  
None.

DA Brian Hermanson left the meeting to attend court.

Motion was made by Godberson and seconded by Shanks approving Blanket Purchase Orders and Maintenance & Operation Claims. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

**FY 2018/2019 PURCHASE ORDERS:**

Assr Rev Fee null 3320 B & C Business Products 167.97; Supplies 2623 Staples 49.65; Donations Battery 2834 ABT Solutions LLC 262.56; Drug Court Attorney Attendance Fees 2985 Terrell Law Firm PLLC 375.00; General Copier 2863 Standley Systems Inc 5505.05; Internet 2664 US Cellular 791.36; 2940 AT&T 72.60; 3018 AT&T 57.04; Juvenile Detention 2217 CommunityWorks 1785.00; Lease 3193 Welch State Bank 2651.68; Legal expense 3314 Tisdal & O'Hara PLLC 665.00; Maintenance 2872 Burkes Auto Body & Restoration 756.00; 2994 R.K. Black Inc 57.01; 3020 TASC 8750.00; Oil Change 3238 Jack Bowker Ford 52.22; Registration 3367 Custer County Assessor 200.00; Repairs 3082 CFS 325.00; Software 2875 Transunion Risk 70.30; Supplies 2877 Staples 116.98; 2902 Cintas Corporation 289.55; 3380 Cintas Corporation 241.97; Telephone 2421 Fusion 287.86; 2862 Fusion 293.08; Travel 2939 Mallory, Shannon 274.55; 2941 Medlock, Brenda 790.93; Utilities 2757 City of Newkirk 3528.93; Water 2619 Quality Water Service 58.80; 3116 Quality Water Service 26.90; Health Inspections 196 Pioneer Fire And Safety 24.00; Lawn Care 2904 Turf Surfers Inc. 310.00; Maintenance 2796 R.K. Black Inc 151.41; Payroll 3317 Oklahoma State Dept of Health 33555.74; Recalibration 3061 Control Solutions 104.00; Services 3114 Marvel's Handyman Service 100.00; Supplies 2905 Southwest Business Products 26.40; 2910 Farha Wholesale Co. 282.43; Travel 2842 Ailey, Deonna Michelle 44.10; 2843 Beaston, Amanda 37.50; 2845 Brownfield, Misttina 44.80; 2847 June Fetters 254.80; 2852 Mollet, Michelle 270.30; 2853 Oldfield, Amy 32.70; 2855 Walters, Ashley 62.00; Highway null 1816 J & P Supply 57.09; 2339 Rural Water District #3 54.66; 3260 Evans & Associates 334.25; Asphalt 2695 Evans & Associates 661.80; Billing 2725 OK Natural Gas 24.12; Equipment 3302 Southwest Trailers & Equipment 1425.10; Internet 3132 KanOkla Networks 35.00; Lease 2514 OK Dept. of Transportation 1416.85; 3133 SNB NA 1704.06; 3135 CNB Of Okarche 7276.19; 3136 Deere Credit Inc 1381.36; 3137 Security National Bank 2038.69; Lodging 2490 Holiday Inn Express 190.00; 2829 Holiday Inn Express & Suites 94.00; 2832 Holiday Inn Express & Suites 94.00; Materials 2176 Railroad Yard 116459.69; Mileage 2989 Wilson, John A. 87.00; 3245 Wilson, John 248.38; Oil 3315 Cross Oil 2350.00; Parts 2441 Rolling Prairie 93.65; 2533 Briggs Hardware 95.95; 2674 Starr Lumber Co. 67.74; 2808 G & B Auto Service Inc 232.00; 2990 Blackwell Auto Supply 304.03; 3053 Southwest Truck Parts 493.39; 3125 Action Truck Parts 567.08; 3362 Southwest Truck Parts 1167.08; Pipe 3077 Dub Ross Co. Inc. 1282.53; Registration 2804 ACCO 95.00; Repairs 2806 Blackwell Tire Service 55.00; Rock 3155 ACG Materials 6958.35; Supplies 2376 Lampton Welding 66.79; 2438 P & K Equipment 3.78; 2991 Cintas Corporation 96.84; 3042 Cintas Corporation 80.06; 3172 Blackwell True Value Hardware 15.77; 3215 Cintas Corporation 114.45; Tank 3321 Brandts 312.55; Telephone 3016 Lingo Communications 102.06; 3040 AT&T 262.22; Training 148 Pioneer Technology Center 40.00; SH Svc Fee Fuel 3191 Fuelman 1495.61; Transports 3072 Security Transport Services 1875.72

Details' concerning the above listed purchase orders/claims are available in the County Clerk's Office. All records are open to the public, and any person may examine same during regular office hours.

There being no other business, motion was made by Godberson and seconded by Shanks to adjourn, 10:12 a.m. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Approved this 15th day of April, 2019.

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JACK GODBERSON, CHAIRMAN

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JOHN A. WILSON, MEMBER

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JASON SHANKS, MEMBER

ATTEST:

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TAMMY REESE, COUNTY CLERK  
COUNTY OF KAY, STATE OF OKLAHOMA SECRETARY,  
BOARD OF COUNTY COMMISSIONERS  
(SEAL)

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