

Monday, May 14, 2018
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, May 14, 2018, in the Commissioners Court of the Kay County Courthouse in Newkirk, Oklahoma. Notice of the meeting was posted for public information on May 11, 2018, 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 Jason Shanks called the meeting to order. Those present were as follows: Jack Godberson, Member; Paul Skidmore, Member; Brian Hermanson, District Attorney (DA); Susan Keen, Kay County Assessor; Christy Kennedy, Kay County Treasurer; Marilee Thornton, Kay County Court Clerk; Dennis Bonewell, Emergency Management Director; Kristi Woolley, Oklahoma Juvenile Affairs; James Burnett, Kay Electric; Carson Creed, Blackwell; John Wilson, Braman; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk. (See sign in sheet).

Chairman Jason Shanks led the Flag Salute.

Motion was made by Skidmore and seconded by Godberson approving regular meeting minutes of May 7, 2018. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Skidmore approving Oklahoma Juvenile Affairs Claims for January 2018-\$2,598.38 and February 2018-\$4,024.38. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Skidmore and seconded by Godberson approving on Agreements between the BOCC and the following to have remote terminal capabilities with the Assessor's office: Newfields. DA Hermanson noted he approved as to form. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Godberson and seconded by Skidmore approving Maintenance Renewal Invoice/Maintenance Service Agreement with The Verdin Company to inspect and maintain the courthouse street clock. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

County Treasurer's Summary of Collections April 2018 Monthly Report: Treasurer Kennedy said this report is filed monthly with the State Auditor's & Inspectors Office. Kennedy said she will be presenting this financial report to the BOCC on a monthly basis as a new process in developing our internal controls. She told the BOCC if they had any issues with the financial disclosures or if they needed more information to let her know.

Motion was made by Shanks and seconded by Skidmore approving/acknowledging County Treasurer's Summary of Collections April 2018 Monthly Report. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Appoint a committee to interview and make recommendations to the BOCC for the hiring of architect for a courthouse annex: Treasurer Christy Kennedy mentioned forming a committee so we could move forward with the annex to see how much space we would need and to gather information on what to expect financially. Kennedy said that she, DA Hermanson and Tammy Reese went to look at some new courthouses to collect ideas and found that the ones we looked at had used the same architect. DA Hermanson suggested Christy Kennedy, Susan Keen and Tammy Reese be on the committee since their offices would be the ones moving to the annex. Tammy Reese said she would like a commissioner to serve on that committee as well and Commissioner Godberson volunteered. Skidmore asked for Dist#2 thoughts. Commissioner Shanks asked what the thoughts were. DA Hermanson said this was discussed in an officer's meeting to gather information understanding that no decisions will be made; he said there will be more information at your disposal before moving forward. Commissioner Godberson said this is just a starting point. Commissioner Skidmore said after talking with his constituents that they wanted more time and more study and Skidmore agreed. DA Hermanson said that's what this is. Commissioner Skidmore said the wording on the agenda indicated the hiring of an architect. DA Hermanson said it's actually interviewing and making recommendations to the BOCC, not hiring. This committee will not be making any decisions. Skidmore said he has been thinking about this hard and heavy and would like to take no action at this time; he said he wanted more input. Kennedy asked, "more input in what way." Skidmore said from constituents. Kennedy said we all want to make our constituents happy because we

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all work for the taxpayers too. Kennedy said that the officers that are discussing this have a combined 90 years' experience of working in this building. She said what she would suggest is the constituents that have an issue would come and visit the courthouse when we have a heavy court date. Also, if they are allowed in the DA's office she would love for them to visit that office to see what it is like. Kennedy said all we are asking is to look at this and make sure that the future is planned for and not left haphazard. That is all we are asking. DA Hermanson said that's all this is and we are not making decisions. Skidmore said that's all he is asking is to gather more information. Kennedy asked Skidmore in what way was he going to gather more information. Skidmore said he would ask people what they think the money should be spent on, if they think we need an annex and if they think the courthouse is sufficient. DA Hermanson told that is what we are trying to do. We are trying to gather more input; Kennedy asked Skidmore what kind of information he was referring to and the time frame; Skidmore said he wanted to talk to more constituents and ask them if they think we need an annex and if they are happy with the money being spent for an annex. DA Hermanson suggested the BOCC hold a series of public hearings in Newkirk, Blackwell, Tonkawa and Ponca City to answer any questions citizens may have. Shanks asked if we were going to get a price on what an architect is going to cost and asked what it costs the counties that built these new courthouses. DA Hermanson gave him approximate amounts some of the recently built county courthouses costs and said they were not annexes but were full courthouses; he gave the low end at \$2 million and the high end at \$15 million. Kennedy said they were double the size that we would need; Hermanson said it was new courthouses with court rooms, etc. much different than what we looking at doing. Kennedy said all we are asking is to get an idea of what it would cost and how much space is needed. Kennedy reiterated that is why we need to move forward so we can give our constituents information of the cost and space involved. Court Clerk Marilee Thornton invited the BOCC to come up to the 2nd floor on court days and see the amount of traffic and what the Judges, District Attorney and her office deals with on a daily basis. Thornton told there was no space to keep jurors separated from the public, etc. Discussion was then made regarding the mandatory times jurors must be separated from others and the alarm it may cause. DA Hermanson said again, we are not saying you are going forward to build an annex we are just looking into, but he said he thinks public hearings would be a good start. Hermanson told Skidmore just talking to the people you happen to run into will not give full understanding but if you held a public hearing all interested people could come and voice their opinions. DA Hermanson said these all are steps in the process the BOCC would probably want to take. Kennedy said sometimes we have to make difficult decisions that are not always popular and said it depends on if the need is there, not the popularity. She said, is there a need? Kennedy said it also seems to be a security issue for the people dealing with the court system and if the space is there for them or not, this seems like a security issue as well as a legal issue. Commissioner Godberson asked about the land bought south of the courthouse. DA Hermanson said it was purchased with the annex in mind and to have future space for this courthouse. Godberson asked about the expense. DA Hermanson there is no expense involved with the item that is on this agenda. He stated as far as moving forward, the Use Tax fund has a substantial amount or getting a loan, like Commissioner Skidmore did to purchase ground for Dist#3, through the Public Building Authority as a means of paying for the annex. Discussion was made regarding how money has been spent out of the Use Tax Account. Kennedy said there will need to be more discussion regarding the financial part but we don't even know what we are asking at this point. Commissioner Skidmore said he would like to take no action at this time and asked Shanks his feelings. Shanks said we all have something we would like to have. Skidmore then discussed buying his new shop area and how he went about it and told he has paid the Use Tax Account back on the money he initially borrowed. Skidmore said he wanted to take no action at this time. Commissioner Shanks said this is not on his top priority list. Each BOCC stated what they needed in the way of machinery. DA Hermanson stated he personally does not understand why we can't just gather information regarding cost because we already know there is a need. He said obviously the BOCC does not see it as much as we do because you are not in the building, but it is the BOCC decision on whether or not we move forward. Assessor Susan Keen reminded the BOCC the whole purpose of moving forward is because the BOCC has given permission for the City of Newkirk to build an amphitheater on county land and we are just trying to see how much space is needed for a future annex. She said there needs to be a lot of thought given to this matter because of the amphitheater. DA Hermanson again suggested gathering up information and setting up a public hearing. The agenda item was discussed again and whether or not the wording meant to hire or to bring recommendation back to the board. DA Hermanson tried to explain the meaning of the wording and stated again the hiring was a possible decision to make after the committee came back with recommendation to the BOCC. Discussion was again mentioned that the committee could not hire anyone, but BOCC was uncomfortable with the wording on the agenda. Holding a public hearing was brought up again by DA Hermanson. Commissioner Skidmore said he wanted to talk to

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people one on one and DA Hermanson said you are not going to get the businesses, organizations or many others who may have interest in this also; you are only going to get the people you just happen to run into. Hermanson said if you really want to know how the people feel you need to do it systematically. Skidmore said he thought he would be doing that. Treasurer Kennedy asked what kind of a time frame you are looking at. Skidmore asked if there was a time frame on this. Reese said there could be because of the amphitheater. Commissioner Skidmore said the amphitheater was a moot point and hadn't heard anything about it in three months and didn't think anything was going to happen. Reese said we were told that once before and then their committee came to a meeting not long ago wanting to know where their space would be located; she said the BOCC has already voted approving, not the space but allowing them to build. Skidmore said how much space is needed, 100 feet or so. Reese said we need to look out for the best interest of Kay County and make sure we are not land locked. Skidmore said he was looking out for the best interest and spending money is one of them. Commissioner Skidmore said he would like to see what the folks think about spending lots of money. Reese said we don't know what to tell them we are going to spend, that's what this was all about was trying to get information so we can be informed. Court Clerk Marilee Thornton said several years ago we held a public hearing regarding an Expo Center being built and one of the reasons the public was not in favor of this was because there was no information gathered and presented. The constituents at that public hearing wanted plans, space; cost presented and then offered to come back when the BOCC had the proper plans and information in place. Thornton said that what this whole item on this agenda is about; she said no one is hiring, no one is spending money, just trying to gather the information for when the time comes. Skidmore said you have to hire someone to get this information. Godberson said you can't sell something that you don't know what it's going to cost. Shanks said when we do this it will be a vote of the people. Kennedy asked if he was planning on going out for a bond. Shanks said yes, this is going to take more money than we think and stated we would have to have more maintenance people and the cost of more utilities, etc. He said it is going to take so much extra money every month to run another building. Shanks said it will take the Use Tax money just to run the place. DA Hermanson told Shanks those items have been considered and talked about. Discussion was made between Shanks and Skidmore; unclear of what was being said Kennedy asked Shanks what his vote was. Commissioner Skidmore stated he would like to take no action; Chairman Shanks said no action will be taken.

Road and Bridge Projects/Circuit Engineering District (CED) No.8 Road and Bridge Projects: Commissioner Godberson stated crews are blading and hauling material to roads district wide, checking, spraying signs and bridge markers district wide, boom mowing on Union and County Line Rd. and patching asphalt holes on Rocky Ridge.

Commissioner Shanks said his crews were working on Union. He said Sober Brothers is hauling dirt from schools getting ready for the chip and seal job on Union.

Commissioner Skidmore said his crews have been hauling rock, shale, sand and grading roads. He said crews finished up dirt work on Earth Rd. and installed a new culvert on 124th, moving concrete blocks from G&C and tearing out the office at the old building. He noted contractors poured the shop floor and have been installing new heating system in existing warehouse building. Skidmore also stated crews have been servicing a few trucks.

Motion was made by Skidmore and seconded by Shanks approving a Change Order for Bridge #50-River Ridge Construction for piling splices-\$4,898.00, Dist#2. Shanks noted this is less than 10% of total bid. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Quotes for steel grating, steps for oil pit and labor, Dist#3-Skidmore said he received quotes as follows: Heartland Tank-\$17,895.00; MJ&H Fabrication-\$10,250.00; McNichol's Co.-\$10,074.13 (would not provide the material/labor and would have to contract out).

Motion was made by Skidmore and seconded by Godberson approving and awarding the quote to MJ&H Fabrication-\$10,250.00 (they would do both material and labor on job) for steel grating, steps for oil pit and labor, Dist#3. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Bid#2018-18 Carpet & Blinds for Courtrooms A & B (bid opened in BOCC meeting on 5-7-18): Much discussion was made regarding this bid. Chairman Shanks said he has been told there is asbestos

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underneath the flooring. He said he has been speaking with the Auditor's office and others regarding this dilemma because he is not sure what to do. Shanks talked about ripping up parts of the carpet, switching glue, having a professional to come and look at it; he said if these "extras" are over 10% we would need to rebid. DA Hermanson stated it sounds like a major undertaking.

Court Clerk Marilee Thornton said these are high traffic areas and stated we can't have big holes/tears torn out in the carpet. The difficulties, scheduling court dates, jury dates and many issues were mentioned to try and work around the situation.

Many different ideas/suggestions were discussed. Shanks noted you still have to have it checked thoroughly and explained that no one knows what glue was used the last time carpet was installed. He said the bidders are not sure they want to do the job because of all the problem situations.

Motion was made by Shanks to Table.

DA Hermanson suggested the BOCC reaching out to ACCO for help. He also told the BOCC they may need to rebid and include asbestos removal in the specifications.

Shanks stated he would rescind his motion to Table.

Motion was made by Shanks and seconded by Skidmore rejecting Bid#2018-18 Carpet & Blinds for Courtrooms A & B (bid opened in BOCC meeting on 5-7-18). Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Skidmore approving the following Public Service/Pipeline Crossing Line Installations: Kay Electric, NW4/NE4 S18 T28N R1E ending NE4/NW4 S18 T28N R1E, parallel to Fork (corrected from Agenda that read Ford) Rd., Dist#2. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Godberson and seconded by Skidmore approving the following Kay County Monthly Reports for April 2018: Assessor; Court Clerk; Health Department; Election Board. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Skidmore and seconded by Godberson approving the following Cash Fund Estimate of Needs and Request for Appropriations: Highway-\$373,829.48, D#1-\$159,666.85; D#2-\$107,167.85; D#3-\$106,994.78; Highway-CBRIF-\$27,535.27; Highway ETR Loan Dist#3-\$40,000.00; Mortgage Certification Fee-\$590.00; Resale Property-\$25,307.43; Drug Court-\$14,006.17; County Clerk Lien Fee-\$688.75; Public Building Authority (PBA)-\$1,449.08-PBA Mtce-\$1,408.84; PBA Tonkawa Schools-\$5.99; PBA Pioneer Technology Center-\$5.66; PBA Ponca City Schools-\$16.24; PBA KCD#3-\$12.35; Clerk Records Management (Preservation Fee)-\$3,890.00; Assessor Revolving Fee (VI Reimbursement)-\$1,420.20; Jail Sales Tax (County Sales Tax)-\$294,672.59; Home Finance Authority-\$1.93; Sheriff Service Fee-\$23,824.30; Use Tax-\$25,057.18. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Skidmore and seconded by Godberson approving the following Transfer of Appropriations: Sheriff Personal Service-\$15,575.01 to Sheriff Maintenance & Operations. Motion carried: Shanks, aye; Godberson, aye; Skidmore, 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.

Motion was made by Skidmore and seconded by Godberson approving Blanket Purchase Orders and Maintenance & Operation Claims. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye. Shanks briefly stepped out of the meeting during the signing of the purchase orders.

FY 2017/2018 PURCHASE ORDERS:

2017-2018 Assr Rev Fee 22, Ink Technologies LLC, 70.00, Ink; 23, Ford, Perry W., 17.75, Travel; 24, Stuart, Nicolas H., 23.39, Travel; CBRI 5, River Ridge Construction Llc, 54157.58, Bridge Repair; Drug Court 95, Bridgeway Inc., 195.00, Certification Classes; 96, Omega Laboratories Inc, 450.00, Testing; 97, Call2 Test, 188.10, Scheduling; 98, Roquemore Court Services LLC, 7000.00, Coordinator Fees; General 2024, Bumper To Bumper, 447.38, Maintenance; 2025, Southwest Business Products, 429.03, Supplies; 2026, AT&T, 70.87, Internet; 2027, City of

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Newkirk, 4091.71, Utility Bill; 2028, OK Juvenile Justice SVCS, 2280.00, Juvenile Detention; 2029, Sac & Fox Juvenile Detention, 654.41, Juvenile Detention; 2030, Roman Nose State Lodge, 178.00, Lodging; 2031, AT&T, 1556.23, Phone; 2032, R.K. Black Inc, 136.31, Maintenance; 2033, Kay County Election Board, 450.73, Mileage; 2034, OK Court Services Inc, 2750.00, Community Service Coordinator; 2035, Educational Innovation Inc, 35.75, Supplies; 2036, AT&T, 30.69, Phone; 2037, AT&T, 518.43, Phone; 2038, AT&T, 277.62, Phone; Health 384, Stolhand Heating & Air, 1643.00, REPAIRS; 385, Bell, Leann, 245.34, Travel; 386, The Meadows Center For Opportunity, 90.00, Shredding; 387, Stolhand Heating & Air, 374.00, Control Board; 388, Stolhand Heating & Air, 577.82, Repairs; 389, Falco Alarm Co., 193.50, Service call; 390, Frankenburger, Wendy, 126.90, Travel; 391, Frankenburger, Wendy, 126.90, Travel; Highway 1596, ACG Materials, 1909.69, Rock; 1597, Quality Water Service, 37.50, Water; 1598, Kay Electric Cooperative, 311.00, Billing; 1599, Birch Communications, 102.94, Telephone; 1600, Evans & Associates, 6042.11, Asphalt; 1601, Locke Auto Parts, 287.03, Parts; 1602, John Deere Financial, 300.97, Flaps; 1603, ACG Materials, 1842.38, Rock; 1604, OK Dept. of Transportation, 4095.40, Lease payment; 1605, John Deere Financial, 219.30, Parts; 1606, P & K Equipment, 455.41, Parts; 1607, Direct Discount Tire, 177.80, Tires; Resale 99, Forte, 190.00, Fees; SH Svc Fee 379, Jack Bowker Ford, 1353.97, Maintenance; 380, McDonald Computer Services LLC, 379.95, Maintenance; 381, Garcia, John, 369.00, Juvenile Transports; 382, Fuelman, 1377.50, Fuel; 383, Leach Paper Co., 339.67, Supplies; 384, Locke, Lezlee, 72.00, Juvenile Transports; 385, Grimm, Jacye N., 153.00, Juvenile Transports; 386, Payne, Derek Randall, 153.00, Juvenile Transports; 387, Locke, Wade S., 72.00, Juvenile Transports; 388, Applied Concepts, 106.00, Equipment

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 Shanks and seconded by Skidmore to adjourn, 10:24 a.m. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Approved this 21st day of May, 2018.

JASON SHANKS, CHAIRMAN

JACK GODBERSON, MEMBER

PAUL SKIDMORE, MEMBER

ATTEST:

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