

Monday, June 24, 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, June 24, 2019, the meeting was posted for public information on June 21, 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); Susan Keen, Kay County Assessor; Steve Kelley, Kay County Sheriff; Christy Kennedy, Kay County Treasurer; Cheryl Howard, Kay County Election Board; Dennis Bonewell, Emergency Management Director; Brenda Medlock, OSU Extension; Skyler Matthew, Kaw Nation; Dan Murphy, Dustrol; Cody Griesel, Ponca City News; Claude Williams, Taxpayers for Transparency; Sharon Rowen, kaynewscow.com; Tammy Reese, Secretary/Kay County Clerk. (See sign in sheet).

Chairman Jack Godberson led the Flag Salute.

Motion was made by Wilson and seconded by Shanks approving regular meeting minutes of June 17, 2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Shanks tabling Application for Financial Assistance and Affidavit of Financial Inability to Pay to gather more information regarding the request for assistance. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving/allowing replacement of the facia on the DHS Building. Commissioner Shanks said the state will pay to replace the gray metal facia. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Cooperative Extension Services Agreement between the Oklahoma State University Acting for and on behalf of its Cooperative Extension Service and the United State Department of Agriculture: DA Hermanson said the contract looked fine and explained contract was regarding funding/contributions for the Extension; he questioned the \$12 Capital Outlay request and Extension Agent Medlock said she put money in the account for possible uses in Capital Outlay. Ms. Medlock said there is an increase of \$6,288 in the contract from last FY. She told in FY2021 the state would provide 1 ½ Educator and ¾ for Secretary. Ms. Medlock said if the county wants additional educators the county would have to provide the funding; she noted some counties are sharing educators.

Motion was made by Shanks and seconded by Wilson approving Cooperative Extension Services Agreement between the Oklahoma State University Acting for and on behalf of its Cooperative Extension Service and the United State Department of Agriculture. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Ms. Medlock told Rick Buellesfeld, Blackwell, received the State 4-H Lifetime Volunteer Award and told Hannah Cross, Newkirk, received the State 4-H Catalyst Award for the Pathway's Project in Newkirk.

Motion was made by Shanks and seconded by Wilson approving KellPro Software and Service Agreement for FY 2020 between KellPro, Inc. and the Kay County Commissioner Dist#2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Maintenance Agreement by and between the Kay County Election Board and Standley Systems, LLC: DA Hermanson said he reviewed and had some concerns regarding monthly/quarterly payments and the contract going over the one-year time frame. He said he would like to strike the End of Term language in the contract. Election Board Secretary Howard said she would contact the company with questions and about striking language. BOCC said they would move to next item and come back after Howard speaks with company.

Motion was made by Shanks and seconded by Wilson tabling the Clearwater Enterprise Renewal Amendment to the Gas Sales Agreement for further review. DA Hermanson said his office contacted

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Clearwater Enterprise via email with additional questions, but he has not received a response. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson tabling Agreement with Architect In Partnership to design an Annex to the Kay County Courthouse. DA Hermanson said he would like the BOCC to table until he receives a response from AIP explaining the increase in the project cost going from 6% to 8%. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

No action was taken on the following Juvenile Detention Contracts: Northwest Oklahoma Regional, \$58 per child per day; Beckham County Regional, \$58 per child per day. DA Hermanson stated the contracts are wrong and not for Kay County.

Purchasing a rescue boat for the Sheriff's Department: Sheriff Kelley stated his request is the same as last week. He said he was asking the BOCC to help with funding to purchase a rescue boat and is asking for \$20,000 assistance. Sheriff told he could have used a rescue boat this past Friday evening at Kaw Lake. Commissioner Godberson asked if there was a boat available at the marina; Sheriff said there was but a user for the boat was out of Tulsa. Godberson asked if volunteers were available; Sheriff said he is very appreciative of the many volunteers available, but questioned liability issues if something were to happen to one of the volunteers. DA Hermanson said he didn't think the county would be liable in that case. Emergency Management Dennis Bonewell said by the time volunteers are located and available there is a loss of 2-3 hours, they're not trained and an EMT is needed on these boats. Treasurer Kennedy said a trained professional is needed to be available; she said he is asking for \$20,000 for something that is necessary; she stated she didn't understand the controversy. Commissioner Wilson asked which account the funding for this would need to come from. Sheriff Kelley said he thought the Use Tax Account; he said that money is set aside for emergency type situations and said this matter definitely constitutes an emergency. DA Hermanson said the boat should only be used for rescue purposes and it should last a long time. Questions were asked and Sheriff answered regarding boat specifics.

Motion was made by Godberson and seconded by Wilson approving to contribute \$20,000 to the Sheriff's Department to purchase a rescue boat, money to come out of the Use Tax Account. Motion carried: Godberson, aye; Wilson, aye; Shanks, nay.

Motion was made by Shanks and seconded by Wilson approving Resolution No. 18, 19-147 to Execute the Agreement Establishing the Association County Commissioner of Oklahoma and selecting Payment Option 1 on Intent to Participate in ACCO-SIG. DA Hermanson noted the premium increased from last year because of increased claims. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Resolution 18, 19-146 County Road Machinery and Equipment Revolving Fund Lease Renewal and Insurance Verification FY2020: Godberson said he didn't know what equipment this was for because it was not listed on the Resolution. Clerk Reese referred DA Hermanson to a letter from Betty Freeman, ODOT. DA Hermanson said he was not given the renewal to review ahead of the meeting, but would contact Betty Freeman for more information. Godberson stated the BOCC would move on to next item and come back to this item after DA Hermanson was given information.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: Commissioner Godberson told his crews have been blading and hauling material to repair roads, mowing ditches, boom mowing, picking up signs and moving barricades, filling in and fixing several culverts, patching asphalt roads and working on washout on Pecan Rd.

Commissioner Shanks said his crews are hauling material to bridges for River Ridge, blading, hauling rock and mowing.

Commissioner Wilson said crews, loaders, flagmen and haulers have been fixing a washout on Fountain Rd., hauling shale, grading, draining roads, picking up signs (some roads still under water), repairing bridges and driveways and working in shop on three trucks. Wilson noted after this past weekend roads are flooded again and said crews were starting all over for the fourth time in certain areas.

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Motion was made by Shanks and seconded by Wilson approving going out on bid for two (2) bridges, Bridge#44 & Bridge#260 on BIA Six (6) Bridge Contract, Dist#2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving going out on bid to replace 430' of asphalt roadway on Pecan Road south of Lake Road due to recent flood damage, Dist#1. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving ETR Revolving Fund Loan Application, Dist#2. Shanks said this is changing project from Peckham Rd. to bridge on "R" Str. 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, 19-145, Highway Dist#1-\$1,989.00, sale of pallet Right Point 1190 Hot Pour, per lb. 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.] Dennis Bonewell, Emergency Management, told county is two days away from Declaration of State; he said FEMA was in county to set-up for FEMA assistance.

DA Hermanson left and returned. DA Hermanson said he contacted Betty Freeman, ODOT, and she described equipment on lease renewal as: Agreement 361039/99-2524, 2016 Semline Crack Sealer, D#1; Agreement 361040/99-2525, 2016 John Deere Truck Loader, D#1; Agreement 361014/99-2531, 2016 John Deere Tractor/Mower, D#1; Agreement 363042/99-2619, John Deere Cab Tractor, D#3.

Motion was made by Shanks and seconded by Wilson approving Resolution 18, 19-146 County Road Machinery and Equipment Revolving Fund Lease Renewal and Insurance Verification FY2020, Dist#1 & Dist#3: Agreement 361039/99-2524, 2016 Semline Crack Sealer, D#1; Agreement 361040/99-2525, 2016 John Deere Truck Loader, D#1; Agreement 361014/99-2531, 2016 John Deere Tractor/Mower, D#1; Agreement 363042/99-2619, John Deere Cab Tractor, D#3. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving Payroll with warrants to be released on June 27, 2019, Blanket Purchase Orders and Maintenance & Operation Claims. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

**FY 2018/2019 PURCHASE ORDERS:**

Assr Rev Fee Stamp 4075 Southwest Business Products 27.50; CBRI null 3225 Circuit Engineering District #8 7583.74; Engineering 2060 Circuit Engineering District #8 2767.70; Permits 3381 Circuit Engineering District #8 600.00; Drug Court Key Fobs 3903 Gold-N-Treasures 29.34; Testing 3526 Redwood Toxicology Laboratory 12.50; 3769 Omega Laboratories Inc 132.00; Family Drug Court Attorney Fees 4082 Terrell Law Firm PLLC 750.00; Drug Court Attendance 4094 Jowers, Rae 1000.00; 4095 Wilson, Brewer & Munson 1000.00; Reimbursement 4080 Kay County Drug Court 2110.25; 4081 Roquemore Court Services LLC 960.00; General Appraisal 3657 Askew, Faye 425.00; Detention 3839 Craig Co. Detention Center 2500.00; Engineering 2760 050 Engineering Company 8000.00; Gloves 4020 DASH Medical Gloves 401.40; Labor 3221 Harlands Diesel 9097.04; Lawn Care 2922 Ultimate Pest Management LLC 778.00; Maintenance 3830 Galaxie Business 125.49; Notary Bonds 4083 Secretary of State 10.00; 4084 Secretary of State 10.00; Payment 4053 Welch State Bank 10000.00; Shredding 412 Top Secret Document Destruction Svcs 42.00; 2151 Top Secret Document Destruction Svcs 63.00; Signs 3684 Southwest Business Products 57.65; supplies 4087 Southwest Business Products 54.45; 4088 Merrifield Office Supply 68.23; Supplies 4065 Southwest Business Products 1127.62; 4113 Lowes Companies Inc. 309.29; 4142 Lowes Companies Inc. 138.33; Training 3503 OSU-CTP 125.00; Uniforms 2870 COPS Products LLC 41.94; Highway Barricades 4018 Circuit Engineering District #8 672.00; Billing 3646 Ponca City Utility Authority 491.93; 3820 City of Blackwell 459.10; Fuel 4035 Cross Oil 14672.68; Maintenance 3714 Standley Systems Inc 36.00; Mileage 4124 Godberson, Jack 108.58; Parts 3491 Brandts 187.50; 3763 Locke Auto Parts 296.01; 3764 Rolling Prairie 246.85; 3770 Rolling Prairie 124.80; 4106 Action

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Truck Parts 738.37; Pipe 3558 Core & Main LP 2108.70; 3760 Core & Main LP 1054.35; Pressure Washer 4016 Blackwell Wrecker Service 298.89; Rock 4032 Dolese Bros Co 3836.05; 4036 Dolese Bros Co 1152.22; Signs 3957 Circuit Engineering District #8 2783.00; Testing 4099 Alcohol & Drug Testing Inc 145.80; Tires 4117 Direct Discount Tire 2175.20; RM&P Ink 4030 Southwest Business Products 71.70; Scanner 4091 Kellpro Computer 1115.00; SH Svc Fee Camera 3926 ABT Solutions LLC 141.14; Supplies 3480 Petsense 117.98; 4074 Farha Wholesale Co. 546.82; Transports 3804 Burtner, Jerry 54.00; 3895 Sheets, Troy 171.00; 4069 Hopkins, Laura 102.00; 4070 Barrows, Patricia 90.00

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.

(10:07 a.m.) Opening Bid#2019-23 River Road Hot In-Place Recycle Pine Avenue to 106<sup>th</sup> Lane, Dist#2: Dustrol, Inc-\$944,690.86 – this was the only bid received.

Motion was made by Shanks and seconded by Godberson to table Bid#2019-23 River Road Hot In-Place Recycle Pine Avenue to 106<sup>th</sup> Lane, Dist#2 for further review by Shanks and the BIA. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving/authorizing the following Requisitioning Officer (RO), Receiving Agent (RA) and Inventory Clerks (IC) in the General Fund and Cash Accounts for FY 2019-2020: Kay County Dist#1-RO-Jack Godberson, Ronnie Nelson, William McAllaster, RA/IC-Jill Copelin, Rusty Klinger; Kay County Dist#2-RO-Jason Shanks, Clifford Locke, RA/IC-Debi Merhoff, Chad Johnston; Kay County Dist#3-RO-John Wilson, Pete Lively, RA-Teena Tucker, Marvin Swopes, IC-Teena Tucker; CBRI 105C-D#1-Jill Copelin, D#2-Debi Merhoff, D#3-Teena Tucker; Abuse Prevention Fund-RO-Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva; Home Finance Authority-RO- D#1, D#2, D#3, RA/IC-Tammy Reese, Patsy Leyva; County EMA-RO-CommissionersD#1, D#2, D#3, RA-Dennis Bonewell, Patsy Leyva, IC- Tammy Reese, Patsy Leyva, Dennis Bonewell; Kay County Commissioners-RO-Commissioners D#1, D#2, D#3, RA- Tammy Reese, Patsy Leyva, IC- Patsy Leyva; Kay County General Government-RO- Commissioners D#1, D#2, D#3, RA-Patsy Leyva, Terri Nash, Cody Blair, Crystal Meadows, IC-Tammy Reese, Terri Nash, Cody Blair, Crystal Meadows; Kay County Insurance/Benefits-RO- Commissioners D#1, D#2, D#3, RA-Patsy Leyva, Holly Cline, IC-Patsy Leyva; Kay County Charity-RO- Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva; County Audit Expense- RO-Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva; Open Dump Reward Fund- RO-Commissioners D#1, D#2, D#3, RA-Tammy Reese, Jessica Wathor, Holly Cline; Public Buildings Authority Fund- RO- Commissioners D#1, D#2, D#3, RA-Patsy Leyva, Vicki Kirchoff, Rachel Kelly, IC- Patsy Leyva, Vicki Kirchoff, Rachel Kelly; PBA-Tonkawa, Ponca City & McCord Public Schools, PTC- Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva, Holly Cline, IC-Patsy Leyva; PBA KCD#3-Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva, Holly Cline, IC-Patsy Leyva; Use Tax-Commissioners D#1, D#2, D#3, RA-Tammy Reese, Patsy Leyva; Kay County Excise Board-RO-Tammy Reese, Patsy Leyva, RA-Jennifer Harp, Holly Cline; Kay County Clerk-RO-Tammy Reese, Patsy Leyva, RA/IC-Mary Ann Kirkendall, Holly Cline; Kay County Purchasing-RO-Tammy Reese, Patsy Leyva, RA/IC-Mary Ann Kirkendall, Holly Cline; Kay County Information Technology-RO-Tammy Reese, Patsy Leyva, RA/IC-Mary Ann Kirkendall, Holly Cline; Kay County Lien Fee-RO-Tammy Reese, Patsy Leyva, RA/IC-Mary Ann Kirkendall, Holly Cline; Records Management & Preservation-RO-Tammy Reese, Patsy Leyva, RA/IC-Mary Ann Kirkendall, Holly Cline; Kay County Assessor-RO-Susan Keen, Janell Leaming, Amber Boyer, RA-Chandice Lawhon, Samantha Lewis, Staci Belair, IC-Samantha Lewis, Amber Boyer; Kay County Visual Inspection-RO-Susan Keen, Janell Leaming, Amber Boyer, RA-Chandice Lawhon, Samantha Lewis, Staci Belair, IC-Samantha Lewis, Amber Boyer; Visual Inspection Reimbursement Fund-RO-Susan Keen, Janell Leaming, Amber Boyer, RA-Chandice Lawhon, Samantha Lewis, Staci Belair, IC-Samantha Lewis, Amber Boyer. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Resolutions for FY 2019-2020 (excluding Res#19, 20-16 for possible change in amount to quote): Res#19, 20-1, Ponca City News being designated as the legal newspaper for publishing all legal notices and publications of Kay County; Res#19, 20-2, Renewing All Lease-Purchase Agreements; Res#19, 20-3, Workers' Compensation Premiums; Res#19, 20-4, Tort Liability and Automobile Insurance Premiums; Res#19, 20-5, Insurance Premiums; Res#19, 20-6, Court Fund Salaries; Res#19, 20-7, Overtime Work for City/School Elections;

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Res#19, 20-8, Building, Zoning, Safety and Health Ordinances; Res#19, 20-9, County Sales Tax/ Justice Facilities Authority (JFA) Transactions; Res#19, 20-10, Drug Court Transactions; Res#19, 20-11, Use Tax Funds; Res#19, 20-12, Telephone service and usage; Res#19, 20-13, Monthly rent of DHS Building to Public Building Authority; Res#19, 20-14, County Bridge and Road Funding; Res#19, 20-15, Cigarette Tax; (Res#19, 20-16, Purchases \$500.00-\$15,000.00-not approved); Res#19, 20-17, Kay County Home Finance Authority Transactions; Res#19, 20-18, Kay County District Attorney; Res#19, 20-19, County Zoning Ordinances; Res#19, 20-20, BIA Incarceration Fees; Res#19, 20-21, Family Drug Court. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godbersson approving the following Cash Fund Estimate of Needs and Request for Appropriations (Lapsed Balances 2018-2019): Highway-\$972,033.49, D#1-\$332,755.41; D#2-\$172,039.50; D#3-\$467,238.58; Highway-\$417,727.43, D#2-\$267,700.37; D#3-\$150,027.06; CBRI 105C-\$479,557.50; Treasurer's Mortgage Certification Fee-\$64,019.98; Treasurer's Resale-\$607,801.27; Visual Assessor Revolving-\$75,233.11; Sheriff Training-\$838.23; County Donation-\$85,558.69; Sheriff Grant-\$3,358.00; Sheriff Service Fee-\$187,038.72; County Clerk Preservation-\$153,343.21; County Clerk Lien Fee-\$145,355.60; Use Tax-\$2,522,089.07; Home Finance Authority-\$3,812.27; Public Buildings Authority (PBA)-\$24,514.20; PBA-Pioneer Technology Center-\$11,187.30; PBA-Ponca City Schools-\$39,551.47; PBA-Tonkawa Public Schools-\$12,815.09; PBA-McCord Public Schools-\$490.72; LEPC Grant-\$5,639.86; JAIBG Trash-\$3,014.94; Open Dump Reward-\$5,795.93; Adult Drug Court-\$19,353.18; Family Drug Court-\$8,652.44; Child Abuse Prevention-\$17,037.74. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godbersson approving Maintenance Agreement by and between the Kay County Election Board and Standley Systems, LLC: Election Secretary Howard got questions answered by Standley Systems and DA Hermanson was allowed to strike the End of Term language in the contract. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

At this point in the meeting (11:00 a.m.) the Kay County Excise Board opened their special meeting and it became a joint meeting of the two boards.

Kay County Applications for Estimate of Needs for 2020/Temporary Appropriations for FY2019-2020: Each county officer told they were requesting \$100 per month increase for the employee and officer. By statute, (SB 853), each county elected official will receive \$100 per month in travel allowance to become effective November 1, 2019. Requests for FY 2020 Estimate of Needs were: Commissioner Godbersson requested \$200 per month increase for D#1 Administrative Assistant; Election Board Secretary Cheryl Howard is requesting an additional \$24,274.00 to purchase 28 polling booths and OSU Extension Agent Brenda Medlock told of concerns regarding additional Educators and Commissioner Shanks requested an additional \$1 million in General Government Capital Outlay for roof repairs and HVAC system.

Motion was made by Shanks and seconded by Godbersson approving Kay County Applications for Temporary Appropriations for FY2019-2020 receiving half of last year's final approved budget to the following accounts: General Government, Charity, Emergency Management, Courthouse Security, County Audit, Excise Board, Commissioners, County Clerk, Data Processing, Purchasing, Court Clerk, District Attorney, OSU Extension, Election Board Secretary, Assessor, Sheriff, Treasurer. The accounts that were approved to receive 100% of last year's final approved budget are: Assessor Visual Inspection, County Clerk Maintenance, County Insurance/Benefits, Kay County Free Fair, Health Department. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Financial Statement Resale Property Fund, June 30, 2019: Treasurer Christy Kennedy explained this statement is the June Resale Property Fund; she told total available is \$607,261.27 and that \$500,000 is reserved for any unexpected issues like a law suit, etc. and feels \$500,000 is sufficient to reserve. Kennedy said the balance subject to apportion (\$107,261.27) is divided accordingly, one-third to county general, one-third to schools and one-third to cities/towns.

Motion was made by Shanks and seconded by Godbersson approving/acknowledging Financial Statement Resale Property Fund, June 30, 2019 as presented by Treasurer Kennedy, and apportioning \$107,261.27-

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one-third to county general, one-third to schools and one-third to cities/towns as stated by Treasurer Kennedy. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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

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Approved this 1st day of July, 2019.

\_\_\_\_\_  
JACK GODBERSON, CHAIRMAN

\_\_\_\_\_  
JOHN A. WILSON, MEMBER

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JASON SHANKS, MEMBER

ATTEST:

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

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