

Monday, July 22, 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, July 22, 2019, the meeting was posted for public information on July 19, 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: Jason Shanks, Member; John Wilson, Member; Brian Hermanson, District Attorney (DA); Christy Kennedy, Kay County Treasurer; Susan Keen, Kay County Treasurer; Cheryl Howard, Kay County Election Board; Dennis Bonewell, Emergency Management Director; David Cummings, Baumert, Cummings & Hiatt Attorneys-At-Law; Glen Nickles and James Devinney, Evans & Associates; Brady Burke, River Ridge Construction; Alex Mustain; Claude Williams, Taxpayers for Transparency; Sharon Rowen, kaynewscow.com; Tammy Reese, Secretary/Kay County Clerk. (See sign in sheet).

Chairman Godberson led the Flag Salute.

Motion was made by Shanks and seconded by Wilson approving regular meeting minutes of July 15, 2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Discussion with David Cummings at Baumert, Cummings & Hiatt Attorneys-At-Law regarding annex funding and other matters related to the annex: Commissioner Shanks said he asked Mr. Cummings to attend the meeting and explain the funding process and answer questions. Mr. Cummings began by saying he has attended a couple of meetings with officers and Architect In Partnership (AIP). He said it was his understanding the stand-alone annex with remodel to the current courthouse was going to be the recommendation to the BOCC. Mr. Cummings said the dollar amount needed for this project was in the range of \$11-12 million. He told the Kay County Public Building Authority (PBA), which is a trust authority, can issue a debt that the county can not do. Cummings said the PBA would own the building, lease to the county and the county would make monthly payments to a 12-13-year note. He said the BOCC would approve two things, the election and the indebtedness. Cummings said he has an eight-year history of what a county sales tax will do, referring to the current sale tax for the Justice Facility Authority. He talked about election dates and election costs, deadlines, interest rates, bond payments and getting the message to the people. Cummings told the BOCC that the PBA hires construction manager. Cummings said he works on a contingency basis where he receives no pay unless the project goes through.

Motion was made by Shanks and seconded by Godberson designating Clerk Reese the county official to compile the Schedule of Expenditures of Federal Awards (SEFA) Report by grant for FY 2018-2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving/acknowledging County Treasurer's Summary of Collections June 2019 Monthly Report. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson acknowledging Kay County Treasurer's FY 2019 Audit Report. Treasurer Kennedy told this is a one-day audit on her office only auditing bank reconciliations, investment ledger and the general ledger, etc. Kennedy said there were no exceptions noted. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving engaging the State Auditor's & Inspector to perform an audit for years ending June 30, 2016, June 30, 2017 and June 30, 2018. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving employee payroll deduction with RecPlex Corporate Wellness Program for all interested employees. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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No action was taken on Resolution #19,20-25 letter of support of the Oklahoma Emergency Response System Stabilization and Improvement Revolving Fund (OERSSIRF) from Tonkawa Fire Department Ambulance. Commissioner Wilson said he spoke with the department and the time the letter needed to be filed has passed.

Agreement between Kay County and Architect In Partnership (AIP) to design an Annex to the Kay County Courthouse. DA Hermanson stated the contract needed to be approved in a PBA meeting.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: Commissioner Godberson said crews are blading and hauling material to flood damaged roads, mowing ditches, repaired road buckles on "S" Str., put rip rap around culvert and drove sheeting at culvert.

Commissioner Shanks said crews are blading, hauling rock, mowing, rocking and finishing up on Bridge#28, back filling and pouring deck on Bridge#217.

Commissioner Wilson said crews met with ODOT and took them around to all major collector roads in order to receive funding for repairs; he noted they finished taking pictures on the FEMA flood sites. Wilson said 924 pictures of 522 different damage sites were taken and now we are waiting for declaration so we can purchase materials. Crews have started hauling shale to "P" Street north of Hubbard and rebuilding that road; hauled shale and opened up the bridge on 124<sup>th</sup> south of Hubbard, removing silt off roads from the river around Home Rd. and 108<sup>th</sup> Street, pulling ditches, fixing drainage around the Tonkawa area, graders are working to make roads drivable, many culverts are caved in and work continues to make them passable, purchasing culverts and replacing culverts, two trucks are in the shop, mowing roadways and daily digging shale at the pit. Wilson said he attended a meeting of the Blackwell Lake Authority to share with them about the closing of Hunnewell Bridge and the condition of the roads.

Motion was made by Shanks and seconded by Godberson approving going out on bid for a bridge replacement on Bridge#107, Dist#1. Shanks asked if this was a CBRI Bridge and Godberson responded it was. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving Joint Instructions for Disbursement of Residual Funds from the Environmental Remedy Escrow on Enviro Clean Invoice#ECE1256, Project KAYECO1001 for professional services rendered through April 26, 2019 in the amount of \$69,365.53. Clerk Reese told the Invoice was approved in BOCC meeting on May 13, 2019 for this work but Enviro Clean did not send the Disbursement paperwork at that time and this needs to be approved before payment can be made. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson tabling Renewal of Expiring Kaw Lake License for sand and gravel removal, Certificate of Authority and Request for Taxpayer Identification Number. DA Hermanson reviewed the contract and told the BOCC the sand and gravel from the Corp land could only be used on roads specifically leading in and out of the Corp. Commissioner Shanks said in the past he has used elsewhere and would like to table this matter for further review. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving to auction off two (2) tracts of land in one: Legal Description A - A tract of land in Lot 1, Section 30, Township 26 North, Range 3 East, of the Indian Meridian, Kay County, Oklahoma and more particularly described as follows: Beginning at the Northwest Corner of Section 30, T26N, R3E and thence running East along the North line of said Section 30, for a distance of 253 feet; thence South and parallel to the West line of said Section 30, for a distance of 50 feet, thence West and parallel to the North line of said Section 30, for a distance of 253 feet; thence North along the West line of said Section 30, for a distance of 50 feet to the true point of beginning. Legal Description B - Beginning at the Northwest Corner of Section 30, Township 26 North, Range 3 East, of the Indian Meridian; thence East 150 feet; thence South to the right bank of the Arkansas River, thence along said right bank to the West line of said Section 30; thence North to the place of beginning. Godberson said this is a water channel on Lake Rd. and Kyger by Oddy's Bar; he said

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Homer Nicholson is agreed to auction off (at no charge) on August 13, 2019 at 10 a.m. in the Commissioners Courtroom. Shanks stated the property must bring a certain percentage of the appraised value and Godberson would need to be aware of that percentage/amount the property must bring. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Godberson approving the following Public Service/Pipeline Crossing Line Installations: Blackwell Rural Water Corp-478' north of center of road E1030 (Adobe Rd) SW4/SW4 S10 T27N R1W ending SE4/SE4 S9 T27N R1W, crossing road N3200 (13<sup>th</sup> St); Blackwell Rural Water Corp-778' north of center of rod E1030 (Adobe Rd) SW4/SW/4 S10 T27N R1W ending SE4/SE4 S9 T27N R1W, crossing road N3200 (13<sup>th</sup> St); Blackwell Rural Water Corp-at existing fire hydrant NE4/NE4 S16 T27N R1W ending SE4/SE/4 S9 T27 R1W, crossing road E1030 (Adobe Rd); Blackwell Rural Water Corp- NW4/NW4 S26 T28N R1W ending SW4/SW4 S23 T28N R1W, crossing road N3200 (13<sup>th</sup> St); Blackwell Rural Water Corp-NW4/NW4 S26 T28N R1W ending SW4/SW4 S23 T28N R1W, crossing road N3200 (13<sup>th</sup> St). Wilson said these were all in his area north of Hwy. 11 and these needed to be done to stay in compliance. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Wilson approving the following Resolutions to Dispose of Equipment: Res#19, 20-27, County Clerk, HP Printer with letter and legal drawers, junked; Res#19, 20-28, County Clerk, Monitor, junked. 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#19, 20-29, Highway Dist#2-\$5,000.00, BIA 6 Bridges Project; Res#19, 20-30, Highway Dist#1-\$7,500.00, sale of crusher run. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

No action was taken on Transfer of Appropriations.

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.

10:00 a.m. the following bids were opened:

Bid#2019-24 Bridge Project-Bridge#44 & Bridge#260, Dist#2 – Railroad Yard-\$727,579.00; River Ridge Construction-\$474,788.90

Bid#2019-25 Asphalt Replacement (Pecan Road), Dist#1 – Evans & Associates Construction Co.-\$88,750.00 (only bid received)

Motion was made by Godberson and seconded by Shanks approving and awarding the only bid received to Evans & Associates Construction Co.-\$88,750.00 on Bid#2019-25 Asphalt Replacement (Pecan Road), Dist#1. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Bid#2019-26 River Road REAP, Dist#2 – J & J Custom Fire Inc.-\$52,850.00/Option Two-\$46,750.00; Northwest Fabrication, LLC-\$116,980.00

Motion was made by Shanks and seconded by Wilson tabling Bid#2019-24 Bridge Project-Bridge#44 & Bridge#260, Dist#2 and Bid#2019-26 River Road REAP, Dist#2 for further review. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Shanks approving Payroll with warrants to be released on July 30, 2019, Maintenance & Operation Claims and Blanket Purchase Orders. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

**FY 2018/2019 PURCHASE ORDERS:**

General Detention 3837 OK Juvenile Justice SVCS 3160.00; 3838 Communityworks 2485.00; Equipment 4139 911 Custom 97.31; Expenses 3835 Card Service Center 386.21; Forms 3855 Southwest Business Products 3343.07; Juvenile Detention 3213 Sac & Fox Juvenile Detention 42.22; Lights 4071 Wilkins Okla.

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Truck Supply 581.74; Supplies 4054 Card Service Center 2486.91; 4055 Staples 125.30; 4078 Elite Advertising 1181.79; Travel 3805 Mallory, Shannon 577.16; Water 3742 Quality Water Service 47.45; Health Gas bill 3564 OK Natural Gas 106.08; Lawn Care 3914 Turf Surfers Inc. 640.00; Pest Control 4179 Parker Pest Control 150.00; Utilities 3566 City of Blackwell 458.37; Highway Water 3713 Quality Water Service 14.65; SH Svc Fee Internet 3842 US Cellular 799.26; Truck 3129 Bill Knight Ford 30218.00;

**FY 2019/2020 PURCHASE ORDERS:**

Drug Court Water 181 Quality Water Service 24.15; General Budget 266 County Budgeting Services LLC 583.37; Contractual Services 145 Oklahoma State University 6143.00; Fuel 240 Fuelman 1524.64; Licensing 222 Interact Public Safety Systems 2466.38; 224 Kellpro Computer 2987.00; Maintenance 239 Galaxie Business 119.00; 250 Burkes Auto Body & Restoration 437.00; Registration 112 Oklahoma Sheriffs Association 290.00; 233 Oklahoma Tax Commission 37.50; 422 CODA 100.00; Service 221 ROCIC 300.00; Subscription 430 CT News, Newkirk Herald Journal 28.00; Health Janitorial 155 ANCO Services 2085.00; Lease 56 MailFinance 313.11; Phone 152 AT&T 346.34; Service 252 McDonald Electric 200.00; Travel 41 June Fetters 58.80; 47 Sigrid Krause 238.00; Highway Internet 139 Encounter Wireless Service 41.00; Iron 425 Railroad Yard 62.80; Mileage 436 Shanks, Jason R. 111.36; Parts 215 G & B Auto Service Inc 197.95; 416 P & K Equipment 476.76; Phone 67 AT&T 248.67; Rock 110 Dolese Bros Co 644.81; Rodent Services 133 USDA-APHIS-WS 800.00; Signs 135 Circuit Engineering District #8 659.75; Software 134 Kellpro Computer 1872.80; Supplies 84 Cintas Corporation 214.51; Tires 372 Take Ten Tire 847.00; 404 Take Ten Tire 423.50; 405 G & B Auto Service Inc 754.00; 406 Direct Discount Tire 4110.00; Utilities 65 City of Blackwell 503.66

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 Wilson to adjourn, 10:55 a.m. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Approved this 29th day of July, 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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