

Monday, August 5, 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, August 5, 2019, the meeting was posted for public information on August 2, 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); Billie Chrz, First Assistant District Attorney (ADA); Christy Kennedy, Kay County Treasurer; Susan Keen, Kay County Assessor; Sean Grigsba, Kay County Undersheriff; Cheryl Howard, Kay County Election Board; Dennis Bonewell, Emergency Management Director; Brenda Medlock, OSU Extension; David Cummings, Kay County Public Building Authority (PBA) Attorney; Jeff Raley, Floyd Law Firm, P.C.; Jessica Windom, Ponca City News; 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 Wilson and seconded by Godberson approving regular meeting minutes of July 29, 2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Resolution and issuance of Election Proclamation: David Cummings, PBA Attorney, began by saying this action is calling for a special election of  $\frac{1}{4}$  cent sales tax for an annex and courthouse improvements with a tax term of 13 years or until debt is paid off. Mr. Cummings stated the numbers are very conservative and said excess proceeds may be used to pay off the debt early. Cummings told the total tax projection is \$10-11 million. Treasurer Kennedy questioned the sales tax projection amount since AIP told the cost of the project would be over \$12 million and asked if AIP could do it for \$10-11 million; Cummings said they could. Cummings said once the sales tax passes Architect In Partnership (AIP) will hire a construction manager for the job. Mr. Jeff Raley said the construction manager will be in full compliance with the competitive bidding act. Commissioner Shanks clarified that all the BOCC was voting on at this time was the putting a  $\frac{1}{4}$  cent sales tax on the ballot. Other questions were asked relating to the sales tax and Cummings and Raley explained the process.

Motion was made by Shanks and seconded by Godberson approving a Resolution and issuance of an Election Proclamation calling a countywide sales tax election for October 8, 2019, for the purpose of submitting to the electors of Kay County the question of approving one-fourth of one percent sales tax, such increase approved by the qualified electors of Kay County on gross receipts or proceeds of certain taxable sales, for a term of thirteen (13) years from the effective date of the tax or at the date of retirement of any debt incurred related thereto, whichever occurs earlier, for the funding of the design, construction, financing, furnishings, capital facilities and improvements, equipment fixtures, site acquisition, site preparation, street improvements, relocation of offices and other facilities, and maintenance and operation expenses for the Kay County courthouse renovation and annex construction project located in Kay County (the "Project"); authorizing the pledging of the sales tax for debt service and cost of issuance; fixing an effective date; making provisions severable; and declaring an emergency. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Discussion with bond counsel and local counsel regarding timing, strategy, procedures, methods, legal requirements and other issues related to election and proceeding with the new annex project: Mr. Cummings told that Mr. Jeff Raley's office will put a ballot together and get to the election board, officers will need to get the word out with power points, media and inform the public. Mr. Raley said he would be available anytime he is needed and would bring a financial advisor in the future.

Motion was made by Wilson and seconded by Shanks approving Memorandum of Agreement by and between the Kay County Health Department and the Newkirk Public School District to provide Behavioral Health Services to the students and/or families of students of Newkirk-Braman Public Schools. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Motion was made by Shanks and seconded by Wilson approving Reimbursement Claim for the Election Board Secretary Salary for the month of July 2019. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Godberson approving additional language added to engagement letter from the State Auditor's & Inspector to perform an audit for years ending June 30, 2016, June 30, 2017 and June 30, 2018 (language added by the SA&I). Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving Treasurer's Financial Report FY 2018-19 (year-end). Treasurer Kennedy noted the BOCC currently approves the monthly reports and this is the year-end report of the monthly reports. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Shanks approving designating the BOCC regular meeting dates for calendar year 2020. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving designating the Holidays for Kay County Courthouse calendar year 2020. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Wilson approving 2019 (corrected from Agenda that read 2020) JAG Grant between City of Ponca City and Kay County. DA Hermanson told Ponca City applies for this federal fund through a grant and part of it goes to Kay County for equipment use by the Sheriff's office. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

FEMA Claims: Dennis Bonewell, Emergency Management Director, asked if the county could turn in claims for Newkirk Fire Department; he said it would be for mutual aid n assisting with rescues during the flood. Commissioner Shanks said this would seem more of a city claim than county. Bonewell said it would be city invoicing city and the Fire Department was asking the county to pay and be recovered by FEMA. Clerk Reese said she didn't think the county would be allowed to do that since the claims need to be very specific. Commissioner Shanks said he would get advice from the auditor's office and check to see if the Interlocal Agreement the county has with the City of Newkirk would justify for the assistance.

No action was taken on FEMA claims.

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 and boom mowing, fixing washed out culverts, worked on Pecan Rd. and it is now completed, hauled off junk iron from Bois D'Arc yard.

Commissioner Shanks told River Ridge Construction finished bridge on "Q" Street and now crews will put up approaches, built fence on River Road for runaround/detour on Bridge #44 and putting out dirt, rock and sod, blading and mowing.

Commissioner Wilson said crews have been digging shale at the pit, patching blacktop, weed eating around signs and bridges, mowing, poured concrete to repair a bridge on "O" Street, getting inventory up-to-date, picking up trash and mattresses off roads, finishing up road wash and building the road back on 44<sup>th</sup> Street by Tonkawa, hauling rip rap, shale, grading and installing a pipe on Noble County line.

Motion was made by Shanks and seconded by Godberson approving Agreement by and between Dwaine Alvin Johns and Dennis Dean Johns and the BOCC allowing Dist#3 to remove shale from NW4 S6 T28N R1W at a sum of \$0.25 per yard of shale removed from described property. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson tabling submitting request to participate in the County Road Machinery and Equipment Revolving Fund Program for FY-2020 for equipment purchases,

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Res#19,20-32 to allow time for BOCC to complete. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Department of Army, Corps of Engineers Permits. Shanks said this is federal funds to be used to place rip rap on bridge; Shanks explained if the material falls below the normal flow line the permit would be needed. DA Hermanson said this permit is notification of what you are doing. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving contracts on Bid#2019-24 Bridge Project-Bridge#44 & Bridge#260, Dist#2 (opened in BOCC meeting on 7-22-19). Shanks said the Notice to Proceed is part of the contract. 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.

Motion was made by Shanks and seconded by Godberson approving Payroll Verifications for the month of July 2019, Maintenance & Operation Claims and Blanket Purchase Orders. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

**FY 2018/2019 PURCHASE ORDERS:**

General Supplies 4107 Southwest Business Products 82.00; Health Gas bill 3567 Centerpoint Energy 39.03; Highway Billing 3974 OK Natural Gas 41.25; 3975 OK Natural Gas 21.65; Fuel 4066 Cross Oil 11022.30; Water 3650 Rural Water District #3 86.31

**FY 2019/2020 PURCHASE ORDERS:**

Drug Court Supplies 20 Staples 150.33; General Batteries 455 National Law Enforcement Systems 170.00; Billing 279 City of Newkirk 5152.47; Community Service Coordinator 283 Northern Ok Court Services Inc. 2750.00; Internet 142 AT&T 72.60; Meals 600 Stuart, Nicolas H. 29.14; 601 Lawhon, Chandice M 85.90; 602 Ford, Perry W. 70.29; 603 Lewis, Samantha G. 78.71; 604 Belair, Staci Nicole 61.50; 605 Leaming, Janell M. 191.30; 606 Keen, Susan B. 256.68; Travel 143 Medlock, Brenda 697.15; 666 Reese, Tammy J. 139.20; Water 188 Quality Water Service 27.30; Health Phone 157 AT&T 382.44; Travel 36 Banister, Elizabeth 39.20; 37 Beaston, Amanda 12.00; 46 Hasselbring, Emry 78.40; 48 Mollet, Michelle 199.60; Highway Asphalt 400 Evans & Associates 1950.86; Maintenance 87 Galaxie Business 71.77; Mileage 681 Shanks, Jason R. 154.86; Parts 212 Rolling Prairie 68.65; 213 Lowes Companies Inc. 14.19; 220 Action Truck Parts 798.85; Reimbursement 543 Tucker, Teena M. 23.65; Service 89 Dish 17.04; Signs 445 Circuit Engineering District #8 144.00; SH Svc Fee Fuel 160 Fuelman 1637.12; Supplies 166 Lowes Companies Inc. 345.29

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, 10:29 a.m. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Approved this 12th day of August, 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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