

Monday, November 5, 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, November 5, 2018, in the Commissioners Court of the Kay County Courthouse in Newkirk, Oklahoma. Notice of the meeting was posted for public information on November 2, 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 Shanks called the meeting to order. Those present were as follows: Jack Godberson, Member; Paul Skidmore, Member; Brian Hermanson, District Attorney (DA); Steve Kelley, Kay County Sheriff; Sean Grigsba, Kay County Undersheriff; Cheryl Howard, Kay County Election Board Secretary; Susan Keen, Kay County Assessor; Christy Kennedy, Kay County Treasurer; Dennis Bonewell, Emergency Management; John Wilson, Braman; Everett Brazil, Newkirk Herald; 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 Shanks and seconded by Godberson approving regular meeting minutes of October 29, 2018. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Lease Agreement/Participating Addendum Western States Contracting Alliance and National Association of State Procurement Officials Mail Room Equipment, Services and Support, for the Kay County Health Department: DA Hermanson reviewed the contract but said on the attached addendum to the contract the contract had a Page 1 of 10 however only Page 1 was attached. He said we need to know what the other pages say and they need to be included with the contract. DA Hermanson asked Clerk Reese to contact the Health Department.

Motion was made by Shanks and seconded by Skidmore to Table Lease Agreement/Participating Addendum Western States Contracting Alliance and National Association of State Procurement Officials Mail Room Equipment, Services and Support, for the Kay County Health Department, to obtain the additional pages to contract. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Godberson and seconded by Skidmore approving Reimbursement Claim for the Election Board Secretary Salary for the month of October 2018. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Resolution setting restrictions for hiring county employees (county employees who have sued the county): Commissioner Godberson stated he wanted to take no action on this item. Commissioner Skidmore said the Resolution was drafted to protect the county of future possible similar problems. Godberson said it has been on the Agenda for several weeks now and let's either do something or forget it. Chairman Shanks said after reading the first draft of the Resolution and determining there were problems in the language and realizing the BOCC can put a Resolution in place but also knowing it can be changed, he noted he would deal with the issues when the time comes. DA Hermanson told the Resolution is a policy that can be changed. Commissioner Skidmore said by having the Resolution in place it would set a precedence. Commissioner Godberson said the county has never had this sort of Resolution in place before; he stated by having this in place it could open the county up for lawsuits. Other officials stated their concerns.

No action was taken on Resolution setting restrictions for hiring county employees.

Contract with Attorney Mart Tisdale to represent Kay County in the Rock Falls Wind Farm litigation: DA Hermanson told that last week the BOCC approved hiring Attorney Mart Tisdale to represent Kay County in the Rock Falls Wind Farm litigation. DA Hermanson said he had further conversation with Mr. Tisdale, who is also representing Grant County, and Kay County costs would be less than 50% (31.56%-Kay County/68.44%-Grant County). DA Hermanson said he would be more than willing to also be active with this litigation. The contract shall be from October 29, 2018 through June 30, 2019 and Tisdale may be dismissed at any time. Commissioner Shanks asked DA Hermanson about the urgency of a time frame. DA Hermanson said it is considered to be early in the litigation process but Hermanson said Tisdale is

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aware of the concerns which greatly affects the schools, the Health Department and Kay County; he stated the amount of money involved is astronomical.

Motion was made by Godberson and seconded by Shanks approving signing a contract with Attorney Mart Tisdale to represent Kay County in the Rock Falls Wind Farm litigation. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Commissioner Godberson asked how long this could go on. Chairman Shanks asked DA Hermanson for a monthly update. DA Hermanson said conclusions would be made as quickly as possible and he said the State Board of Education is involved as well. Chairman Shanks asked Commissioner Skidmore who paid him regarding road repairs on this project; Skidmore replied that Rock Falls Wind Farm paid his district but still owes money.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: D#1 Commissioner Godberson stated crews were blading and hauling material to roads district wide, mowing ditches, and installed new culvert and cleaned ditches at "U" Street and Coleman Rd.

Commissioner Shanks stated crews were boom mowing, blading and working on getting sand from the Chikaskia River.

Commissioner Skidmore told his crews were hauling sand, shale and cap rock to roads, grading and laying shale, fixing washouts in the roads and around cement boxes, installed a half pipe on Canteen Rd., and working on trucks.

Motion was made by Shanks and seconded by Godberson approving Report of Conference between Bridge Owner and Bridge Inspection Consultant or CED and Bridge Inspection Invoice, Invoice#436363 for 20 bridges. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Chairman Shanks told the BOCC would come back to Items 11 & 12 so Commissioner Skidmore could get needed quotes.

Motion was made by Skidmore and seconded by Godberson approving to go out for bid on BIA Bridges 217 and 28, Dist#2. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Godberson Tabling Public Service/Pipeline Crossing Line Installation until remaining balance of money is collected on the following: Cowley Gas Systems, NE4/NE4 S13 T29N R1E ending NE4/SW4 S13 T29N R1E, D#2. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Skidmore and seconded by Godberson approving the following Kay County Monthly Reports for October 2018: Treasurer. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Skidmore approving the following Resolutions to Deposit Funds: Res#18, 19-72, Highway Dist#2-\$861.48, refund correction; Res#18, 19-73, Highway Dist#2-\$2,500.00, Public Service/Pipeline Crossing Installation; Res#18, 19-74, Highway Dist#1-\$75.00, sale of used steel pipe. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Skidmore rescinding the above motion because Chairman Shanks didn't want to accept Res#18, 17-93; Clerk Reese told Shanks the money has already been deposited but not apportioned. Chairman Shanks said he would make necessary contacts to get this resolved. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Skidmore and seconded by Shanks approving the following Resolutions to Deposit Funds: Res#18, 19-72, Highway Dist#2-\$861.48, refund correction; Res#18, 19-73, Highway Dist#2-\$2,500.00, Public Service/Pipeline Crossing Installation; Res#18, 19-74, Highway Dist#1-\$75.00, sale of used steel pipe. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

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Motion was made by Godberson and seconded by Shanks approving the following Cash Fund Estimate of Needs and Request for Appropriations (Lapsed Balances): Treasurer's Mtg. Cert.-\$200.00; Highway-\$23,285.15 - Dist#2-\$2,050.94; Dist#3-\$21,234.21; Sheriff Service Fee-\$10,606.36; County Clerk Preservation Fee-\$52.80; County Clerk Lien Fee-\$96.05; Drug Court-\$914.00; Detention Center-\$88.71. 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.

DA Hermanson left to attend court.

Motion was made by Skidmore and seconded by Godberson approving Payroll Verifications for the month of October 2018, Maintenance & Operation Claims and Blanket Purchase Orders. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

FY 2017/2018 PURCHASE ORDERS:

Highway Electrical Work 3573 Hetrick Electric 17539.83

FY 2018/2019 PURCHASE ORDERS:

Assr Rev Fee Refund 1717 Marc Gravel Appraisal Service 20.00; Supplies 1688 Merrifield Office Supply 348.57; Drug Court Coordinator Fees 1651 Roquemore Court Services LLC 8500.00; General Community Service Coordinator 1436 Northern Ok Court Services Inc. 2750.00; Contractual Services 467 County Budgeting Services LLC 520.84; Fuel 1050 Valero Short Stops 435.83; 1200 Fuelman 1591.63; 1204 Fuelman 1624.79; Internet 1052 AT&T 75.93; 1768 AT&T 55.69; Linen Service 863 Cintas Corporation Loc 275.51; 864 Cintas Corporation Loc 279.64; Maintenance 280 R.K. Black Inc 129.00; 717 R.K. Black Inc 129.00; 1180 TASC 8750.00; Meals 1716 Belair, Staci Nicole 38.41; Publication 302 Tonkawa News 1747.52; 1036 Tonkawa News 840.58; Storage 1105 Top Secret Document Destruction Svcs 42.00; Supplies 1421 Merrifield Office Supply 132.38; Toner 1741 Staples 245.99; Travel 1244 Medlock, Brenda 329.80; 1549 Cline, Holly L. 49.82; 1550 Reese, Tammy J. 246.12; Utilities 1029 City of Newkirk 4362.82; Water 1051 Quality Water Service 42.70; 1454 Quality Water Service 26.90; Health Lease 1537 MailFinance 313.11; Payroll 1503 Oklahoma State Dept of Health 30889.73; Phone 1432 AT&T 358.85; Service 987 Centerpoint Energy 33.76; Travel 1359 Walters, Ashley 125.61; Highway null 1158 Centerpoint Energy 40.65; Asphalt 355 Evans & Associates 926.55; 1536 Logan County Asphalt Co. 800.00; Billing 1058 OK Natural Gas 101.99; Blades 1652 S & K Direct Steel LLC 63.34; Copier 1150 Galaxie Business 67.90; Diesel & Misc 1631 Farmers Grain Company 18282.39; Gas bill 1013 OK Natural Gas 43.39; 1014 OK Natural Gas 20.81; Hardware 1737 Fastenal Co. 108.15; Heater 1653 Locke Supply 214.72; Hose 1638 Atwoods 22.99; Internet 1486 KanOkla Networks 35.00; Lease 1471 RCB Bank 1814.15; 1473 SNB NA 1704.06; 1474 CNB Of Okarche 7276.19; 1475 Security National Bank 2038.69; Mileage 1508 Shanks, Jason R. 105.19; Parts 626 Hats Auto Supply 273.43; 976 Locke Auto Parts 201.87; 977 Southwest Truck Parts 266.49; 978 Newkirk Auto Parts 175.54; 1495 Action Truck Parts 497.54; 1498 Custom Hydraulics LLC 131.85; 1552 Yellowhouse Machinery Co 279.20; Parts & supplies 1260 Owen Auto Supply 2985.90; Pipe 1535 Dub Ross Co. Inc. 2322.00; 1555 Dub Ross Co. Inc. 397.50; Repairs 1045 G & B Auto Service Inc 429.49; 1261 Duncan Diesel Repair 915.00; 1438 Kelle Oil Company 104.00; 1517 Advanced Door Company 112.00; Rock 1227 ACG Materials 2910.63; 1476 ACG Materials 564.38; Signs 997 Circuit Engineering District #8 2000.00; 1003 Circuit Engineering District #8 16.00; Tire 1739 Kelle Oil Company 481.92; Tires 1514 Kelle Oil Company 3884.00; Uniforms 1259 Unifirst Holdings Inc 994.25; Water 562 Rural Water District #3 147.64; Resale Equipment 1479 TM Consulting 795.98; Monitors 1481 TM Consulting 880.00; Updates 1490 TM Consulting 40.00; SH Svc Fee Fuel 1205 Fuelman 1630.25; Transports 1754 Chamberlain, Jessica Dawn 81.00

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.

Competitive quotes to crack seal and mastic seal from Highway 11 to Adobe Rd. on 29th Street: Skidmore said he received quotes from Evans & Associate-\$37,000; Circle C Paving-\$38,625.00; APM-\$39,525; Tri-State-\$49,500.

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Motion was made by Shanks and seconded by Godberson approving to accept the lowest quote from Evans & Associate Construction Co., Inc. in the amount of \$37,000.00 to crack seal and mastic seal from Highway 11 to Adobe Rd. on 29th Street, Dist#3. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Motion was made by Shanks and seconded by Godberson to rescind above motion after Commissioner Skidmore realized he was reciting quotes for the wrong road project. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Competitive quotes to crack seal and mastic seal from Highway 11 to Adobe Rd. on 29th Street: Commissioner Skidmore said quotes were received by Evans & Associate-\$29,000; Circle C Paving-\$31,625; APM-\$31,925; Tri-State-\$41,500.

Motion was made by Godberson and seconded by Shanks approving to accept the lowest quote from Evans & Associate Construction Co., Inc. in the amount of \$29,000.00 to crack seal and mastic seal from Highway 11 to Adobe Rd. on 29th Street, Dist#3. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Competitive quotes to crack seal and mastic seal between 29th and 44th Street on West Furguson, Dist#3: Commissioner Skidmore stated quotes were received by Evans & Associate-\$37,000; Circle C Paving-\$38,625.00; APM-\$39,525; Tri-State-\$49,500.

Motion was made by Shanks and seconded by Skidmore approving to accept the lowest quote from Evans & Associate Construction Co., Inc. in the amount of \$37,000.00 to crack seal and mastic seal between 29th and 44th Street on West Furguson, Dist#3.

There being no other business, motion was made by Shanks and seconded by Godberson to adjourn, 10:08 a.m. Motion carried: Shanks, aye; Godberson, aye; Skidmore, aye.

Approved this 13th day of November, 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)
