

Tuesday, February 21, 2023
Newkirk, Oklahoma

The Board of County Commissioners (BOCC) of Kay County, Oklahoma, met in regular session at 9:00 o'clock a.m. on Tuesday, February 21, 2023, the meeting was posted for public information on February 17, 2023, at 8:50 a.m. at the Commissioners Room, west entrance of the Kay County Administration Building in Newkirk, Oklahoma, and on the Kay County Website.

Chairman Shane Jones called the meeting to order: Commissioners: Jason Shanks, Member, present. Others present were as follows: Brian Hermanson, Kay County District Attorney (DA); John Wilson, First Deputy Dist#3; Steve Kelley, Kay County Sheriff; Christy Kennedy, Kay County Treasurer; Chad Johnston, First Deputy Commissioner Dist#2; Dennis Bonewell, Emergency Management; Donna Parker, Oklahoma Court Services; Laura Pameticky, Kay County Health Department; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk.

Chairman Shane Jones led the flag salute.

Motion was made by Shanks and seconded by Jones approving the regular meeting minutes of February 13, 2023. Motion carried: Jones, aye; Shanks, aye.

Report given by Donna Parker, Oklahoma Court Services, presenting the number of community service hours defendants are working and the projects they are involved in: Ms. Parker gave the January 2023 monthly report. She said there were 18 new community service clients, 66 regular community service clients, 270 sanction community service hours completed, 877.68 total hours completed, and 17 community service offender completions. Completed events where the clients cleaned, cared for animals, assisted with graveside services, picked up trash, and helped with landscaping and tree removal at New Life Trails, Ponca Lake, Ponca Tribe, Ponca City Disc Golf, and New Horizon. Upcoming events clients will go to TOHS Museum, Friendship Feast, Newkirk Public Library, and Habitat Restore.

Motion was made by Shanks and seconded by Jones approving a Memorandum of Understanding between Kay County Health Department/and Oklahoma State University (OSU), to provide meeting space at the Kay County Health Department to OSU, Communication Sciences and Disorders Department to provide speech therapy sessions for Parkinson's patients within the community. DA Hermanson approved as to form. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving the Chairman to sign Kay County's Settlement Documents for Case 3:22-cv-07196-WHO County of Kay v. Juul Labs, Inc., inclusive ET al which was filed in San Francisco Federal Court as part of the multi-district litigation ("MOL") Juul Products Liability Litigation, MDL 2913 to participate in the Juul Settlement. The Settlement documents consist of the Settlement acknowledgment letter, a government entity release of all claims ("Release"), and a disclosure of accounting. DA Hermanson said he spoke with Attorney Matt Sill regarding this case; Matt Sill told DA Hermanson he thought it would be a good decision for Kay County to join with the other counties in this settlement. DA Hermanson said approving this is stating Kay County agrees to join the settlement. DA Hermanson approved as to form. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Agreements between the BOCC and the following to have remote terminal capabilities with the Assessor's office: Bivin & Associates, Inc.; Oklahoma Farm Bureau. DA Hermanson approved as to form. Motion carried: Jones, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects:
Commissioner Jones said crews built forms for the new barn, took down Hotsy oil heater (to be sold) from the upstairs, put in a culvert pipe on Furguson east of LA Cann, graded and hauled materials to roads district-wide, and picked up road trash.

Commissioner Shanks said crews took beams to Bridge 254, bladed, hauled rock to Traders Bend from Gate Rd. to Bender Rd.

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First Deputy Wilson said crews dug shale at the pit, hauled shale and rock to the roads, graded roads, worked on Gate Rd. FEMA Project, and took out trees on 76th Str.

Motion was made by Shanks and seconded by Jones approving to go out on a bid for hauling 7500 tons of 1 ½" crusher from Burbank Quarry to the Blackwell Dist#3 site at 319 North 29th. First Deputy Wilson said ARPA money would be used for the hauling. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Jones and seconded by Wilson approving the letter of support by the BOCC for the proposed Gas Station at Hwy. 177 and Riverview Rd., Ponca City. Chairman Jones said Ponca Tribe is putting in this gas station and they are wanting to put in a turning land off of Hwy. 177 to the parking lot of the gas station. DA Hermanson said ODOT is in favor of this and thinks it is a good solution for safety precautions. ODOT will perform the work. DA Hermanson said Ponca Tribe was seeking county approval before doing so. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving to purchase for Dist#3 a 2024 Western Star 47X Semi-Tractor through the County Road Machinery and Equipment Revolving Fund. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving a Purchase Contract to purchase a 2024 Western Star 47X Semi-Tractor through the County Road Machinery and Equipment Revolving Fund, Dist#3. Commissioner Shanks asked Wilson if he had a quote; Wilson said he does have a quote and will bring it to be attached to the Purchase Contract. DA Hermanson approved as to form. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Administrative Settlement, owners C&D Family Farms, LLC, JP No. 34565(04), Project Duck Creek, Parcel 2,2.1. Jones said this is a CIRB Project. He said the Fair Market Value (FMV) was negotiated by the county at \$1,050.00 but the owner rejected the amount and submitted a counteroffer amount of \$3,000.00, and the county accepted. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving an ODOT Claim Form 324a Project Duck Creek J/P 34565(04), Dist#1. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving a Quote Summary and a Purchase Agreement for a John Deere 672G Motor Grader with 6WD, Dist#1. Jones said this will be paid out of the ARPA funds. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving an Interlocal Agreement Kay County Resolution No. 22, 23-101 between Kay and Noble Counties regarding the transportation of gravel/rock by Kay County District 1 to Noble County District 3. Commissioner Jones said this is a project that we will be helping each other with by hauling rock and shell for both counties. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving the following Public Service/Pipeline Crossing Line Installation: Kay Electric Cooperative, NW4/NE4 S7 T27N R1W ending SW4/SE4 S5 T27N R1W, Brake Rd.; Kay Electric Cooperative, SW4/SE4 S29 T25N R2E ending NW4/NE4 S32 T25N R2E, Cowboy Hill Rd. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving authorizing the Requisitioning Officer(s)- Steve Kelley, Don Jones, Jason Shanks, Shane Jones; Receiving Agent(s)-Tammy Reese, Kaleen Hughs, Patsy Leyva; and Inventory Clerk(s)-none listed, for the County Sales Tax-Jail Debt account. Treasurer Kennedy asked for explanation regarding; Clerk Reese said this was updating the account because of a vacancy on the JFA board. Motion carried: Jones, aye; Shanks, aye.

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Motion was made by Shanks and seconded by Jones approving/acknowledging the County Treasurer's Summary of Collections January 2023 Monthly Report. Motion carried: Jones, aye; Shanks, aye. Treasurer Kennedy said the interest rate is much higher thanks to our local banks.

Motion was made by Shanks and seconded by Jones approving the following Kay County Monthly Reports for January 2023: Court Clerk. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving the following Resolutions to deposit funds: Res#22, 23-97, Hwy. Dist#3-\$4,156.50, sale of unprepared iron; Res#22, 23-98, Hwy. Dist#1-\$1,850.00, sale of Hotsy Multi-Oil Furnace. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving and awarding Bid#2023-13 Bridge#254-Labor, D#2 to the lowest bidder RRY Services, LLC-\$51,000.00. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving and awarding Bid#2023-14 Bridge#254-Materials, D#2 to the lowest bidder Sunbelt Equipment & Supply, Inc.-\$79,953.01. Motion carried: Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving the following Transfer of Appropriations: Sheriff Service Fee Forfeiture-\$7,425.00 to Sheriff Service Fee Maintenance & Operations. Motion carried: Jones, 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.] Sheriff Kelley said we were down a courthouse deputy.

DA Brian Hermanson left the meeting to attend court.

Motion was made by Jones and seconded by Shanks approving Payroll with warrants to be released on February 27, 2023, Maintenance & Operation Claims, and Blanket Purchase orders. Motion carried: Jones, aye; Shanks, aye.

FY 2022/2023 PURCHASE ORDER:

Assr Rev Fee Maps 1123 Pioneer Technology Center 30.00; Bond- ST Collections 2935 Kay County PBA Gross Revenue, Acct#7303000186 138049.03; Drug Court Supplies 1766 Redwood Reditest Screening Devices 345.00; Testing 2448 Averhealth 1796.75; Family Drug Court Testing 2438 Averhealth 175.50; General COMPUTER 2548 Amazon Capital Services 230.55; Contractual Services 2802 Oklahoma State University 16333.33; Dues 293 NACo 931.00; Envelopes 2658 Redlands Office Solutions LLC 192.85; Equipment 657 Apprentice 2205.00; Fees 2161 Tisdal & O'Hara PLLC 5968.00; First aid supplies 2267 Cintas Corporation 42.68; FUEL 2278 Fuelman 1910.82; Heater 2650 Amazon Capital Services 84.99; Internet 1819 Kay County Detention Center 700.00; 1987 AT&T Mobility 1409.51; Juvenile Detention 1812 CommunityWorks 578.50; 2017 Craig Co. Detention Center 250.00; 2023 OK Juvenile Justice SVCS 6960.00; Lights 2687 Strobes N More 437.45; Lodging 2514 Embassy Suites - Norman 208.00; 2556 Hilton Garden Inn 490.00; Maintenance 2433 R.K. Black Inc 94.51; Out Of County Expense 2011 Card Service Center 1319.03; Painting 2897 Mike Snow Construction LLC 515.00; Parts 1989 Bumper To Bumper 216.38; Software 2016 Transunion Risk 150.00; Stanchions 2657 Amazon Capital Services 69.12; Storage 2799 Newkirk Mini-Storage 68.00; supplies 438 Lowes Companies Inc. 93.47; Supplies 2872 Redlands Office Solutions LLC 97.19; 2874 Amazon Capital Services 11.75; 2958 Staples 147.95; Travel 2515 Stephens, Rhonda J. 206.07; Unemployment 2964 Ok Employment Security Commission 4888.00; Vehicle Maintenance 2870 Burkes Auto Body & Restoration 2560.00; Health Maintenance 2229 B & C Business Products 70.12; Service 2457 OK Natural Gas 754.18; 2820 AT&T 240.78; Shredding 2834 The Meadows Center For Opportunity 90.00; Translation 2459 Language Line Services 492.71; Utilities 2462 City of Blackwell 299.91; Highway null 2894 Brandts 141.90; 2896 Yellowhouse Machinery Co 1500.52; Cleaning 2810 Safety Kleen 199.20; Compressor 2884 Ponca Pawn 950.00; DEF 2945 Earnheart Oil Inc

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480.00; Drug Test 1853 AMC Urgent Care PlusLLC 60.00; 1879 AMC Urgent Care PlusLLC 82.00; 2491 AMC Urgent Care PlusLLC 60.00; 2744 AMC Urgent Care PlusLLC 60.00; Dumpster 2375 Davis Sanitation 65.00; Equipment 2854 Amazon Capital Services 358.96; FUEL 2386 Kelle Oil Company 998.13; 2957 Earnheart Oil Inc 17656.18; Glass 2888 A+ Auto Glass 513.62; Labor 2402 Computer Solutions Unlimited 85.00; Lease 2217 CNB Of Okarche 12186.43; 2937 Security National Bank 2038.69; Lease Pmt 2743 Okla Dept. Of Transportation 2512.69; 2752 Okla Dept. Of Transportation 1641.03; LEASE PURCHASE 2776 OK Dept. of Transportation 9675.37; Lodging 2190 Embassy Suites - Norman 312.00; 2929 Waterford Hotel 104.00; Lumber 2934 Hughes Lumber 91.74; MILEAGE 2585 Shanks, Jason R. 126.42; 2928 Jones, Shane D. 138.86; Mounts 2883 Highway 60 Tire & Service Inc 76.00; Parts 1860 Locke Auto Parts 255.20; 2142 Locke Auto Parts 284.88; 2295 Blackwell Auto Supply 1164.18; 2374 Highway 60 Tire & Service Inc 1055.83; 2537 Hats Auto Supply 437.68; 2864 Southwest Truck Parts 217.50; 2876 Bumper To Bumper 31.33; 2946 The Hydraulic Center 50.82; Phone 2778 Lingo Communications 147.64; Registration 1225 ACCO 130.00; Reimbursement 2947 Jones, Shane D. 330.00; 2959 Jones, Shane D. 62.50; Rental 2901 Herc Rentals Inc 143.00; Repairs 2662 G & B Auto Service Inc 90.00; 2865 Fleetpride Heavy Duty Parts & Service 4026.62; ROCK 2653 Whitaker Aggregates Inc 4424.49; Service 2534 Rolling Prairie 253.55; 2960 Rolling Prairie 182.80; Supplies 2378 Brandts 202.33; 2875 Cintas Corporation 107.83; Tag 2955 Oklahoma Tax Commission 51.00; Tools 2863 Bumper To Bumper 72.75; Travel 2866 Jones, Shane D. 163.75; Utilities 2554 City of Blackwell 690.53; Water 2008 Rural Water District #3 75.25; Jail Debt-ST Collections 2941 Kay County JFA #124183 367625.05; Mental Health Supplies 1767 Redwood Reditest Screening Devices 276.25; Testing 2444 Averhealth 1928.25; ML Fee Internet Security 739 Apprentice 14940.00; Travel 2607 Reese, Tammy J. 241.40; Resale Research 2811 Security Abstract Co. 16400.00; RM&P Hard Drive 2681 Amazon Capital Services 160.74; Storage 284 Underground Vault & Storage Inc 469.20; SH Svc Fee null 2261 Galls 46.95; FUEL 1977 Fuelman 1478.00; Service 2598 Chickasaw Personal Communications 1605.00; supplies 2000 Card Service Center 964.64; 2285 Redlands Office Solutions LLC 50.98; Supplies 1887 Sirchie 118.27; Uniforms 2188 Galls 91.95; Water 2284 Quality Water Service 79.00; Use-ST Collections 2942 Kay County PBA Gross Revenue, Acct#7303000186 25818.23

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 the same during regular office hours.

There being no other business, motion was made by Jones and seconded by Shanks to adjourn at 9:55 a.m. Motion carried: Jones, aye; Shanks, aye.

Approved this 27th day of February 2023.

SHANE JONES, DIST#1, MEMBER

JASON SHANKS, DIST#2, MEMBER

DIST#3, MEMBER

ATTEST:

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