

Monday, May 9, 2022
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, May 9, 2022, the meeting was posted for public information on May 6, 2022, at 8:50 a.m. at the Commissioners Room, on the west entrance of the Kay County Administration Building in Newkirk, Oklahoma, and on the Kay County Website.

Chairman John Wilson called the meeting to order. Commissioners: Jack Godberson, Member, present; Jason Shanks, Member, present. Other's present were as follows: Brian Hermanson, District Attorney (DA); Steve Kelley, Kay County Sheriff; Janell Leaming, Kay County Assessor; Christy Kennedy, Kay County Treasurer; Carol Leaming, Election Board Secretary; Brenda Medlock, Shannon Mallory, and Liz Nicholson, OSU Extension; Dennis Bonewell, Emergency Management; Shane Jones, Dist#1 Commissioner Elect; Scott Kempenich, Newkirk Public Schools Superintendent/Newkirk Main Street; Alyssa McCleery and Kelle Cross, Newkirk Main Street (NMS); Richard Keathly, Keathly Nursery; Donnie Head, CED#8; John Andrew; Keb, The Railroad Yard; Eric Fladie, Garver/City of Enid; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk.

Chairman John Wilson led the flag salute.

Motion was made by Godberson and seconded by Shanks approving the regular meeting minutes of May 2, 2022. Motion carried: Godberson, aye; Wilson, aye Shanks, aye.

No report was given by Donna Parker, Oklahoma Court Services, presenting the number of community service hour's defendants are working and the projects they are involved in.

Gift Agreement between Newkirk Main Street and Kay County, the Kay County Amphitheatre Usage Agreement, storage & restroom facilities and landscaping concerns: Scott Kempenich begin the discussion about Item #6 on the agreement. He said after conferring with Newkirk Main Street they would like to leave the language of all improvements (as designated in the landscape plan) will remain part of the Kay County Amphitheater campus and "may not be removed with the permission of the donor" in the agreement. DA Hermanson said because this property is county owned felt the county should have permission to remove. Chairman Wilson asked if Newkirk Main Street was wanting the county to put in the pergola and the swing set; Alyssa McCleery, NMS, said, at this time, that is not going to happen. DA Hermanson brought up Item #6 on the agreement again saying he had concerns about this item; he said he would rephrase the item. The location of the restrooms and storage building was discussed at length. Kempenich gave the BOCC a blueprint of possible locations. Shanks said if "D" location was chosen it would need to be permanent because of the area. Kempenich agreed with "D" location and reminded the BOCC of their possible offer to use ARPA funds for this project. Commissioner Godberson asked Kempenich to get a cost for the permanent restroom/storage building. Chairman Wilson expressed his concerns regarding the trees and the tree roots lifting sidewalks, sewer lines, etc. Richard Keathly, Keathly Nursery, was present to answer all questions and concerns regarding the trees; he told the type of trees that were planted would not cause these types of problems. Liz Nicholson, OSU Extension, said the concrete that laid by the donors is starting to wash out; she asked if this needed repaired before the building is put into place. BOCC discussed the concrete issues.

Motion was made by Shanks and seconded by Godberson tabling until May 23, 2022 Gift Agreement between Newkirk Main Street and Kay County, the Kay County Amphitheatre Usage Agreement, storage & restroom facilities and landscaping concerns. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Commissioners' discussion regarding legal opinion of statutory right-of-way and section line jurisdiction of Fountain Road between Union and Waverly roads (Sections 16, Township 25N, Range 2E) and consider future permitting approval to allow City of Enid to install a 30-inch raw water pipeline with this right-of-way: Eric Fladie, City of Enid, told of the difficulties regarding this raw water pipeline/right-of-way. He said the BOCC does have the statutory rights to approve and issue a permit for this location.

Motion was made by Godberson and seconded by Shanks to table until May 23, 2022 right-of-way and section line jurisdiction of Fountain Road between Union and Waverly roads (Sections 16, Township 25N, Range 2E) and consider future permitting approval to allow City of Enid to install a 30-inch raw water pipeline with this right-of-way. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Discussion to purchase a computer package for the Commissioner Room. Reese explained she was wanting to order a computer for the purpose of mandatory online classes for the Excise Board and others. She said the classes are 3-4 hours in length and there was no spare office space for them to use. Reese said she could provide the monitors, keyboards, and mouse. Shanks suggested using the custodian's office for these purposes.

Motion was made by Wilson and seconded by Godberson approving purchasing a computer package for the Commissioner Room. Motion carried: Godberson, aye; Wilson, aye; Shanks, nay.

OSU Extension reports on their programs and activities for April 2022: Liz Nicholson said April 12th was 4-H Day at the Capitol; she said the halls at the State Capitol were filled with green and 4-H Delegates Colton Tripp and Dillin Miller were in attendance with her. While at the Capitol they visited both the House and Senate Chambers and had the opportunity to be included in a photo with Lt. Gov. Matt Pinnell and Secretary of Agriculture Blayne Arthur. Also in April, 4-H'ers attended the Farm Bureau Legislative Dinner in Blackwell at the Kay Room. She said Teen Leaders presented the flag salutes; she mentioned Representatives John Pfeiffer and Ken Luttrell and Senator Roland Pederson were in attendance. April 2nd at the Tonkawa High School Cafeteria 4-H'ers held their bread show/food showdown/cupcake war contest.

Shannon Mallory said April was a busy month on the agriculture side of things. He said the Cimmaron Ag Conference in Perry was on April 5th and six (6) farmers/ranchers received their private applicators card. Mallory said the Master Gardeners toured the Bartlett Arboretum gardens in Belle Plain, KS. He told the Master Gardeners sold plants and raised around \$4,000 to be used for scholarships, etc. Mallory talked about the tractor safety training for those who are 14-16 years old that are getting paid to drive a tractor. He said it is a difficult class. Mallory said during the month of April he held 86 consultations, some were about weeds and hornets. He also was the co-host on the radio station.

Brenda Medlock talked about the OHCE Food Show held in Newkirk. She said the theme for this year was Mediterranean Cooking. Medlock said this year's Grand Champion was Kildare OHCE and Reserve Grand Champion was Creative Homemakers. OHCE has been going strong for 75 years, a big milestone, Medlock said.

Motion was made by Godberson and seconded by Shanks approving Cooperative Service Agreement between BOCC and United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services, and to divide the invoice equally between the highway districts. DA Hermanson approved as to form. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Discussion distributing ARPA funds to the following offices: Assessor Janell Leaming is requesting funding for roll-out drawer carriers with pull-out drawer assemblies to replace the current system- \$98,017.00; County Clerk Reese is asking for funding to index and scan records so they can be available online-\$1,000,000; Sheriff Kelley is asking for assistance to purchase outdated infrastructure equipment, patrol vehicles, and firing range updates to meet codes and regulations for Cleet requirements-\$430,000.; Election Board Secretary Carol Leaming is wanting to purchase a new cabinet system for the office; she said it would need to be custom made and she doesn't have an amount at this time. Court Clerk Marilee Thornton was not present to make her request. Each officer making a request had quotes relevant to their requests.

Motion was made by Godberson and seconded by Shanks tabling until May 23, 2022 distributing ARPA funds to the following offices: Assessor; County Clerk; Court Clerk; Election Board; Sheriff. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects:
Commissioner Godberson said crews have been putting up bridge reflectors, boom mowing, hauling rock, and blading roads district wide, working in shop on equipment, and demolition at the courthouse.

Commissioner Shanks said his crews have been putting up high-water and road closing signs, blading and repairing bad spots on the main traveled roads. Shanks and Dennis Bonewell talked about FEMA damages.

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Commissioner Wilson told crews have been hauling sand and rocks to yard, fixing signs, grading roads, and crews are building shelving in the shop and servicing trucks.

Motion was made by Shanks and seconded by Godberson approving Report of Conference between Bridge Owner & Bridge Inspection Consultant or CED, Inv#436377. Donnie Head, CED#8, said this is a seven (7) bridge invoice, D#1-3, D#2-2 and D#3-2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving request for permission to conduct a geophysical survey on said property: Newkirk TWP 23-28-2E 19' strip off south side NW4 1.15 acres & Newkirk TWP 27-28-2E PT TR#1 descr. as beg. NE/C NE4 TH S. 442.3' W 136.4' as TR POB TH W 330.35' S 140' E 330.35' N 140' to POB 11.09 acres & Newkirk TWP 23-28-2E 26' strip across N edge SW4 0.39 acres. DA Hermanson approved as to form and said he had no issues with request. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Public Service Pipeline/Crossing Line Installations: Kay County RWD#3, NW Corner/NW4 S1 T27N R1E ending SE Corner/SE4 S35 T28N R1E, bore diagonally at the intersection of "U" and Canteen, D#2. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Shanks approving the following Kay County Monthly Reports for April 2022: Assessor; Treasurer; County Clerk. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Resolutions to deposit funds: Res#21, 22-216, Highway Dist#2-\$35,705.00, sale proceeds from auction. 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.

DA Hermanson left the meeting to attend court.

Motion was made by Godberson and seconded by Shanks the following Cash Fund Estimate of Needs & Request for Appropriations: Highway-\$474,689.31; D#1-\$184,796.03, D#2-\$114,518.75, D#3-\$175,374.53; ARPA 2021-\$107.49; County Bridge & Road Improvement-\$43,579.68; ETR Loan, Dist#2-\$150,000.00; Treasurer Mortgage Certification-\$695.00; Resale Property-\$35,441.09; Child Abuse Prevention-\$787.45; Adult Drug Court-\$5,831.65; Family Drug Court-\$12,600.00; Mental Health Court-\$8,813.00; Local Emergency Planning Committee (LEPC)-\$1,000.00; County Clerk Lien Fee-\$288.00; Bond-ST (PBA)-\$134,959.40; County Clerk Records Management & Preservation-\$9,030.00; Assessor Revolving Fee-\$1,606.99; County Sales Tax-\$359,397.36; Home Finance Trust Authority-\$0.10; Sheriff Service Fee-\$44,795.02; Use Tax-ST-\$69,699.26 (\$50,671.36/\$19,027.90). Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

Quotes to install a restroom for the EMS building: Adams Plumbing-\$19,821.75; Kuhn Mechanical-\$19,598.00 (plumbing only-no walls included); Stolhand Plumbing, Heating & Air Conditioning-\$10,970.00 (plumbing only).

Motion was made by Shanks and seconded by Godberson approving quote from Adams Plumbing-\$19,821.75 to install a restroom for the EMS building. COVID Funds of \$15,000 were approved for this project; D#1, #2 and #3 will transfer evenly money from the COVID Funds they received to cover the remaining balance of this project. Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

Quotes for drainage problems around the Kay County Administration Building: TS Construction, LLC-no quote; Highpoint Partners-no quote; Sober Brothers-sent hourly quotes-small excavator-\$100 per hour, skid steer-\$100 per hour, Foreman-\$100 per hour, labor-\$45 per hour and sandy loam-\$13.50/ton in 17-ton loads.

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Motion was made by Godberson and seconded by Wilson approving the only quote received from Sober Brothers, Inc. at a cost not to exceed \$6,500.00 for drainage problems around the Kay County Administration Building. Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

Opening of the following bids: Bid#2022-15 Construction Bridge#93A, D#2-Dietz Welding & Bridge Const.-\$60,196.50, Highpoint Partners-\$52,075.00, RRY Services, LLC-\$56,500.00; Bid#2022-16 Materials Bridge#93A, D#2-Sunbelt Equipment & Supply-\$40,577.18.

Motion was made by Shanks and seconded by Godberson tabling Bid#2022-15 Construction Bridge#93A, D#2. Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

Motion was made by Shanks and seconded by Godberson tabling Bid#2022-16 Materials Bridge#93A, D#2. Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

Motion was made by Godberson and seconded by Shanks approving Maintenance & Operation Claims, Blanket Purchase Orders. Motion carried: Shanks, aye; Godberson, aye; Wilson, aye.

FY 2021/2022 PURCHASE ORDER:

Assr Rev Fee Supplies 3617 Amazon Capital Services 110.50; Drug Court Court Staffing 3441 Terrell Law Firm PLLC 500.00; Internet 3804 Sparklight 100.00; Rent 3801 Chu-ona Plaza 234.00; Supplies 3731 Staples 134.43; Family Drug Court Court Staffing 3432 Jowers, Rae 500.00; 3433 Wilson, Brewer & Munson 250.00; 3443 Terrell Law Firm PLLC 500.00; Internet 3802 Sparklight 100.00; Rent 3800 Chu-ona Plaza 234.00; General Delivery 2997 OK Natural Gas 180.48; 3152 OK Natural Gas 160.67; Fuel 2051 Earnheart Oil Inc 147.45; 3240 Fuelman 1898.32; Maintenance 3521 R.K. Black Inc 400.45; Maintenance Agree. 3745 Standley Systems Inc 100.20; Natural Gas Service 3017 OK Natural Gas 786.99; Shirts 3675 Village Screen Print 183.37; Software 3226 Transunion Risk 150.40; Supplies 3855 Redlands Office Solutions LLC 1109.87; 3869 Staples Credit Plan 117.85; Utilities 3197 City of Newkirk 3311.85; Water 2409 Quality Water Service 697.85; 2729 Quality Water Service 634.60; Health Maintenance 2346 R.K. Black Inc 82.73; 2677 R.K. Black Inc 86.42; 3064 R.K. Black Inc 141.05; 3348 R.K. Black Inc 163.67; Postage 3789 Quadient Leasing USA Inc 225.33; Service 3343 Chavez, Leonel 1800.00; Supplies 1347 Locke Supply 192.67; 2915 Redlands Office Solutions LLC 591.92; 2920 Farha Wholesale Co. 279.59; 3290 Amazon Capital Services 266.91; Testing 74 Stillwater Medical Center -Blackwell 90.00; Therapy services 3056 Lockett, Gary 340.00; Travel 874 Todd, Cassie 28.08; 880 Wehunt, Amy 95.12; 1255 Sigrid Krause 121.68; 3072 Frazier, Angela 104.83; 3080 Laura Pruett 238.68; 3362 Lockett, Gary 239.06; Highway null 3264 McConnell & Associates 13260.00; 3477 Capital One Trade Credit 545.97; 3526 Circuit Engineering District #8 32.00; DEF 3541 Cross Oil 990.00; Fluid 3854 P & K Equipment 808.50; Internet 3627 Chisholm Broadband 68.00; 3813 Chisholm Broadband 79.99; Labor 3866 POWELL ELECTRIC 100.00; Mileage 3614 Wilson, John A. 87.75; Parts 2863 Lampton Welding 206.25; 3374 P & K Equipment 289.85; 3375 Owen Auto Supply 2190.34; 3377 Blackwell Auto Supply 641.21; 3547 Locke Supply 799.10; 3820 Kelle Oil Company 353.29; 3857 Auto Intintions 195.97; Pipe 3562 Railroad Yard 10600.00; Registration 2845 ACCO 95.00; Rental 3458 Vinings Rental & Supply 940.00; Repairs 3376 Kelle Oil Company 353.29; 3378 Blackwell Tire Service 380.00; ROCK 3461 Sober Brothers 3620.81; 3584 Dolese Bros. Co 1615.69; Service 3090 OK Natural Gas 29.84; 3094 OK Natural Gas 130.05; 3500 Dish Network 17.08; 3611 Rutherford, Lonnie 350.00; Signs 3251 Circuit Engineering District #8 39.00; supplies 3545 Brandts 185.72; Supplies 3791 Farha Wholesale Co. 176.45; 3845 Cintas Corporation 78.86; Telephone 3816 Nextiva Inc 87.96; Tools 3626 Vinings Rental & Supply 141.00; Utilities 3092 Ponca City Utility Authority 574.74; Water 3093 Rural Water District #3 59.94; Mental Health Court Staffing 3442 Terrell Law Firm PLLC 400.00; Internet 3803 Sparklight 100.00; Rent 3799 Chu-ona Plaza 234.00; ML Fee Travel 3859 Simpson, Amy Nicole 360.92; Mtg Cert Travel 3585 Kennedy, Christine L. 245.83; Resale Notary 3861 Oklahoma Notary Association Co. 86.90; Publication 3485 Column Software PBC 1571.09; Refund 3847 Kelso, Scot 66.00; SH Svc Fee Fuel 2490 Fuelman 2277.05

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 Shanks and seconded by Godberson to adjourn at 11:08 a.m. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Approved this 16th day of May, 2022.

JOHN A. WILSON, CHAIRMAN, D#3

JACK GODBERSON, MEMBER, D#1

JASON SHANKS, MEMBER, D#2

ATTEST:

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