

Monday, August 22, 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, August 22, 2022, the meeting was posted for public information on August 19, 2022, 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 John Wilson called the meeting to order: Commissioners: Shane Jones, Member, present; Jason Shanks, Member, present. Other's present were as follows: Robert Davis, Kay County Assistant District Attorney (ADA); Christy Kennedy, Kay County Treasurer; Rhonda Stephens, Kay County Treasurer Elect; Brenda Medlock, OSU Extension; Dennis Bonewell, Emergency Management Director; Travis Harris and James McIntosh, Kildare Fire Department; Lori Overton and Ernie Engelking, Bear Creek Fire Department; Billy Steichen, Ranch Drive Fire Department; Danny Beard, Peckham Fire Department; Craig Stephenson, Mayor Homer Nicholson and John D. Andrew, City of Ponca City; Kirk Henderson, City of Tonkawa; Jeff Koenke, Dale Township Volunteer Fire Department; Derek Cassidy, Adam Longcrier and Ryan Smykil, City of Newkirk; Landon Carpenter, River Road Fire Department; Cory Hanebrink and Jerry Wieland, City of Blackwell; Trevor Charles, Bruckner Truck Claude Williamson, Taxpayers for Transparency; Sharon Rowen, Kay NewsCow; Tammy Reese, Secretary/Kay County Clerk.

Chairman John Wilson led the flag salute.

Motion was made by Shanks and seconded by Jones approving the regular meeting minutes of August 15, 2022. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Resolution proposing county sales tax for local Fire Departments: ADA Robert Davis said both DA Brian Hermanson and ADA Billie Chrz have reviewed the resolution and have no objections with the language being presented.

Travis Harris, Kildare Fire Department, stated the fire departments have been working on language for several years to propose a county sales tax to help support the fire departments. He said this tax will help purchase equipment, safety and training, and would be used along with other grants that are received.

Commissioner Wilson said by signing this resolution the fire departments could move forward to place this matter on a ballot and out for a vote. ADA Davis said two other resolutions would need to be approved before moving forward.

Derek Cassidy, Mayor of Newkirk, asked for reconsideration on how the sales tax would be distributed. He said currently the way the resolution is written is for each of the participating fire departments to receive equal parts of the collected sales tax receipts. Cassidy suggested to distribute the receipts according to number of runs made by each department. He said the Emergency Medical Services (EMS) handled by municipalities receive the majority of calls. Cassidy stated he spoke with a Garfield County Commissioner who said their tax was divided equally, like what is being proposed, and it is not working well. Cassidy suggested that Kay County look at funding rural EMS. He reiterated EMS is a strain on all municipalities.

Commissioner Shanks said if you are asking the county to handle this you would be disappointed in the way it would be divided. Shanks said he thought everyone here was on the same page and that everyone was in agreement.

Craig Stephenson, City of Ponca City, said out of the 10,000 runs made 22% of total runs are rural fires and 78% is EMS, the 22% of rural fire department runs is the county's responsibility. Stephenson said rural fire departments make three percent (3%) of all runs yet the proposal is written for them to receive 53% of the total revenue of the sales tax. He stated he had a huge problem with the distribution of these funds, and mentioned again it is the county's responsibility to provide EMS services. Stephenson said the municipalities provide these services and that works until the municipalities decide to no longer provide these services. He did say that's not where we are but it is an option for the future. He stated municipalities need the EMS funds for these services more than the fire departments; he said he was not

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denying that the fire departments need money. Stephenson again said the fire departments make three (3%) of total runs yet, in this proposal, they are getting 53% of the revenue.

Commissioner Shanks questioned again if they had meetings regarding these issues. He was told many meetings have been held.

Travis Harris stated that Kay County is the only county in the Northern Oklahoma Development Authority (NODA) area without a sales tax funding source for fire departments. He told it is a six (6) year proposed tax to better equip, recruit fire fighters, and be able to offer training and safety, which is very important. Harris said Ponca City has the largest budget in the county; he said Kildare's budget is \$16-\$18,000 and must rely on REAP grants to help purchase their fireman's gear.

Cory Hanebrink, Blackwell Fire Chief, said there have been 13 fires in his district and he was assisted by rural fire departments on 12 of those fires. He told about one instance where a home was lost because their outdated trucks could not pump water fast enough. Hanebrink said he had 4-6 guys; he said each of the rural fire departments depend on each other.

Lori Overton, Bear Creek Fire Chief, said their budget is \$12,000 including the fish fry proceeds and NODA grants received. She told in her district there was 3,500 acres of grass fires and 25 runs made this year. Overton said the best truck they own is a 2012 with 100,000 miles that they were able to purchase because of a benevolent gift.

Shanks asked if all fire departments were participating. Harris said Ponca City and 106 did not sign a resolution of participation. The fire departments participating are: Bear Creek, Blackwell, Braman, Dale Township, Kaw City, Kildare, Newkirk, Peckham, Ranch Drive, River Road, and Tonkawa. Shanks asked if the fire department was not a Title 19 would they be able to receive the tax; Harris said yes. Shanks again said he thought everyone was in agreement before coming before the BOCC today; he said this matter needs to go before the voters and let the voters decide.

Motion was made by Shanks and seconded by Jones approving Resolution 22, 23-43, a Resolution of the BOCC of Kay County, Oklahoma levying and assessing an additional one-third of one cent (1/3 of 1%) county sales tax upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code, including but not limited to certain sales provided therein, prescribing the effective date, the duration of the tax, the purpose of the tax, requiring approval of the tax by a majority of the registered voters voting at the election held for such purpose as provided by law; providing exemptions from said tax; providing for the administration and collection of said tax; providing for the interest and penalties for failure to pay the tax when due; authorizing the BOCC of Kay County, Oklahoma, to make administrative and technical changes and additions except of said tax rate; and providing for severability of provisions. This Resolution is to provide revenues for the County to be distributed in equal amounts to all participating volunteer, combination and paid fire departments, associations or services, and the participating municipal emergency medical service. DA Hermanson approved as to form. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Resolution No. 22, 23-44 to approve participation in Distributors Oklahoma Settlement Agreement. DA Hermanson approved as to form. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Resolution No. 22, 23-45 to approve participation in Janssen Oklahoma Subdivision Opioid Settlement Agreement. DA Hermanson approved as to form. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving to enter into Executive Session O.S. 25 § 307.B.1 to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, this matter pertains to the custodians (9:39 a.m.). Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

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Motion was made by Jones and seconded by Shanks approving to reenter the BOCC meeting (10:11 a.m.). Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

No action was taken regarding the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, this matter pertains to the custodians.

Motion was made by Shanks and seconded by Jones approving Treasurer's Notes to the Financial Statement for the Fiscal Year ended June 30, 2022. Treasurer Kennedy said this is the year end fiscal report with attached notes. Motion carried: Jones, aye; Wilson, 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: EEG, Inc. DA Hermanson approved as to form. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Jones and seconded by Wilson approving the following Resolutions to deposit funds: Res#22, 23-46, Hwy. D#1-\$964.80, Sale of scrap metals. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Jones approving and establishing the regular meeting dates for calendar year 2023 for the BOCC. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving to go out for two (2) bids: Prisoner intercom upgrade and existing door control touchscreen software/hardware upgrade, and raw sewage wastewater pumps, Kay County Detention Center (KCDC) (using ARPA funding). Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: Commissioner Jones said crews put a culvert pipe in on Lake Rd., put rip rap around bridge on Prospect, hauled off scrap iron from yard to scrap yard, patched asphalt holes on 7th Str., mowed ditches, boom mowed roadsides, bladed and hauled material to roads.

Commissioner Shanks told crews worked in the shop, cleaned in the new shop, completed blading on all the roads until it rains, and crews continue to mow.

Commissioner Wilson said crews hauled material to bridge on 76th Str., hauled rock to roads and yard, bladed and mowed.

Quotes for Dist#2 shop building to run gas lines: Adams Plumbing-\$5,977.58, A-Plus Plumbing-\$2,760.00, Stolhand Wells Group-\$5,380.00

Motion was made by Shanks and seconded by Wilson approving and accepting the lowest quote from A-Plus Plumbing-\$2,760.00 for Dist#2 shop building to run gas lines. Shanks said the line would run from the existing shop to the new shop. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Land and Right-of-Way Acquisition Services Agreement by and between Pinnacle Consulting Management Group, Inc. and Kay County, J/P 25085(08) Peckham Rd., Dist#2. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Jones approving the following Public Service/Pipeline Crossing Line Installation: Pioneer Telephone Cooperative, Inc., fiber optic line, D#3. Shanks said he didn't realize Pioneer Telephone was located in Kay County. Clerk Reese said they didn't list a Kay County location on the permit. Wilson said locations are listed on the Exhibits and told Kay County locations are 156th Str., Cowboy Hill and 140th Str. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving Kay County Election Board accounts to authorize Requisitioning Officers-Carol Leaming/Lacie Holman, Receiving Agents-Maribeth Ratliff, and Inventory Clerks-Maribeth Ratliff. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

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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.] Dennis Bonewell, Emergency Management Director said the bathroom in his building has been completed.

Motion was made by Shanks and seconded by Jones approving and awarding Bid#2022-31-Steel Lateral Filing Cabinets Courthouse, District Attorney (opened 8-15-22) to the lowest bidder Merrifield Office Supply-\$25,479.30. ADA Robert Davis said DA Hermanson had no problems with awarding to the lowest bidder. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Opening Bid#2022-32, Used Dump Truck, Dist#1 (10:30 a.m.): Only one bid was received-Bruckner Truck Sales, Inc.-\$83,900.00

Motion was made by Jones and seconded by Shanks approving and awarding Bid#2022-32, Used Dump Truck, Dist#1 to Bruckner Truck Sales, Inc.-\$83,900.00. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving Payroll with warrants to be released on August 30, 2022, Maintenance & Operation Claims, and Blanket Purchase orders. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

FY 2021/2022 PURCHASE ORDER:

Health Payroll 3985 Oklahoma State Dept of Health 41214.02; Highway Dumpster 4148 Davis Sanitation 65.00; RM&P End panels 2829 Southwest Solutions 8298.00; SH Svc Fee Ammunition 2638 GT Distributors Inc. 1723.00

FY 2022/2023 PURCHASE ORDER:

ARPA 2021 Parts 405 Locke Supply 1010.87; Plumbing 853 Locke Supply 1003.70; 854 A+ Plumbing 1800.00; Assr Rev Fee Anti-virus 775 McDonald Computer Services LLC 500.00; Renewal 839 J D Power & Associates 325.00; Supplies 834 Amazon Capital Services 115.48; Bond- ST Collections 864 Kay County PBA Gross Revenue, Acct#7303000186 142931.30; General Copier maintenance 419 Galaxie Business 129.00; Detention 92 Craig Co. Detention Center 2350.00; Fuel 242 Fuelman 1556.28; Lodging 168 Tulsa Marriott Southern Hills 576.00; Maintenance 495 Standley Corp 262.80; Mileage 851 Harp, Jennifer L. 103.25; 852 Kirkendall, Mary Ann 91.38; Natural Gas Service 13 Clearwater Enterprises LLC 50.00; Notary Renewal 648 Secretary of State 20.00; Polling place rent 863 Kay County Election Board 655.00; Supplies 389 Staples 127.70; Utilities 268 City of Newkirk 3511.04; Health Forms 732 Pearson 609.00; 733 Riverside Insights 157.00; Phone 596 Alliance Business Services 812.35; Service 117 Chavez, Leonel 1800.00; 118 OK Natural Gas 165.41; 598 AT&T 240.53; Translation 116 Language Line Services 102.00; Utilities 113 City of Blackwell 663.95; Vaccines 752 Sanofi Pasteur Inc 838.27; Highway null 774 LOBBY, HOBBY 33.98; Culvert 730 Dub Ross Co. Inc. 1470.16; Dumpster 188 Davis Sanitation 65.00; Filters 762 P & K Equipment 111.03; Fuel 757 Farmers Grain Company 26072.25; 766 Earnheart Oil Inc 5140.77; 768 Earnheart Crescent LLC 5161.71; 844 Cross Oil 11195.66; Iron 753 Railroad Yard 730.08; MILEAGE 842 Shanks, Jason R. 122.50; Parts 326 Yellowhouse Machinery Co 520.58; 330 John Deere Credit 1166.08; 338 Southwest Truck Parts 434.22; 383 Hotsy of Oklahoma Inc. 980.69; 665 Hats Auto Supply 461.51; Phone 585 Lingo Communications 156.25; Propane 779 Throop Propane Co. 147.69; Radio 765 Total Com Inc. 722.00; Rebar 769 Railroad Yard 135.00; Reimbursement 776 Copelin, Jill Denise 18.28; Repairs 346 G & B Auto Service Inc 195.00; 347 Kelle Oil Company 450.50; 671 John Deere Credit 7237.46; supplies 328 S & K Direct Steel LLC 175.03; Tires 837 Direct Discount Tire 338.20; Utilities 400 City of Blackwell 903.53; Jail Debt-ST Collections 865 Kay County JFA #124183 380626.60; LEPC Refund 396 OK Dept Of Environmental Quality, Accounts Receivable 1000.00; Mental Health Labor 534 Butler, Kristopher 646.32; Resale Supplies 764 Redlands Office Solutions LLC 1148.73; Toner 763 Redlands Office Solutions LLC 1485.91; SH Svc Fee Fuel 246 Fuelman 1709.44; Use-ST Collections 866 Kay County PBA Gross Revenue, Acct#7303000186 24031.20

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.

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There being no other business, motion was made by Jones and seconded by Shanks to adjourn at 10:52 a.m. Motion carried: Jones, aye; Wilson, aye; Shanks, aye.

Approved this 29th day of August, 2022.

JOHN A. WILSON, DIST#3, CHAIRMAN

SHANE JONES, DIST#1, MEMBER

JASON SHANKS, DIST#2, MEMBER

ATTEST:

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