

Tuesday, January 4, 2022
Newkirk, Oklahoma

The Board of County Commissioners (BOCC) of Kay County, Oklahoma, met in special session at 10:00 o'clock a.m. on Tuesday, January 4, 2022, the meeting was posted for public information on December 30, 2021, at 9:50 a.m. on the Courthouse front door, Commissioners Court, basement handicapped entrance of the Kay County Courthouse in Newkirk, Oklahoma, and Kay County Website.

Member Jack Godberson called the meeting to order. Commissioners: John A. Wilson, Member, present. Other's present were as follows: Brian Hermanson, District Attorney (DA); Jerry Weiland, Blackwell City Manager; Ryan Smykil, Newkirk City Manager; Kirk Henderson, Tonkawa City Manager; Attorney Bryce Kennedy; Liz Nicholson and Shannon Mallory, OSU Extension; Glen Nickles, Evans & Assoc. Const. Co., Inc.; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk. Chairman Jason Shanks, absent.

Member Jack Godberson led the flag salute.

Motion was made by Wilson and seconded by Godberson approving the regular meeting minutes of December 27, 2021. Motion carried: Godberson, aye; Wilson, aye.

Motion was made by Wilson and seconded by Godberson approving and selecting Jason Shanks as Chairman of the BOCC for 2022. Motion carried: Godberson, aye; Wilson, aye.

Liz Nicholson, OSU Extension Educator 4-H, spoke on behalf of Brenda Medlock, Extension Educator FCS/4-H, CED, and stated about OHCE's participation in the BancFirst Tree Contest with a county tree and said each of the six groups also does a tree. Nicholson said BancFirst donates to each group that participates and awards additional donations to winners in several categories.

Nicholson said the Kay County Teen Leaders Christmas party was held December 13th in the home of the Horinek's; she said the groups used funds from the cinnamon roll fundraiser to do several angel trees gifts to youth in Kay County. Nicholson said the 4-H group participated with a decorated float in four Christmas Parades in five days going to Blackwell, Newkirk, Tonkawa, and Ponca City. She was excited to announce that 4-H participation retention has doubled in a year, explaining that when 4-H students get older and are able to be in FFA students leave 4-H, but now they are seeing more students participating in both organizations.

Nicholson said Colton Tripp returned to Fox 25 Living Oklahoma segment on December 22nd to join others in thanking Noble McIntyre for the contributions he provides to Oklahoma 4-H and to welcome him to the 4-H Foundation Board. Mr. McIntyre presents an award once a month to an exceptional young Oklahoma for going above and beyond in their community.

Shannon Mallory, OSU Extension Educator, AG/4-H, recognized Genny Coffman as the 2021 Lifetime Master Gardener, he stated this award is not given out annually, only given when deserved. He continued saying Genny has held multiple leadership positions in her almost 21 years, and said she is always looking to help the organization and community.

Mallory talked about the pesticide applicator CEU meeting that was held at Pioneer Technology Center with 24 in attendance. He mentioned his participation in his monthly radio program on KLOR and KPNC for OSU Extension. Mallory said he attended the Tulsa Farm show where he had the pleasure of demonstrating to youngsters "how to pull a calf" by using "Gypsy" a dummy cow, and using a dummy calf for the demonstration. He said the dummy cow cost \$35,000 and the dummy calf cost \$5,000 and said these were purchased through a grant funded project.

Tuesday, January 4, 2022
Newkirk, Oklahoma

Mallory said he is currently contacting people for donations for the upcoming local Junior Live Stock Show. He also presented a handout on curbside cotton in Tulsa.

Discussion regarding ARPA Funding for Water Projects: Jerry Wieland from the City of Blackwell began by thanking the BOCC for their time and consideration. He said he was speaking on behalf of Tonkawa, Newkirk and Blackwell requesting ARPA funds the county received to use to replace water lines. He talked about the lead and metal effect the Smelter has had on the Blackwell community and the mental welfare and how it has affected the residents. Wieland said to replace these lines it takes millions of dollars; he stated the importance of improving the water problems in these communities. He also told the benefits of replacing the water lines to a larger size, and stated it would help the Fire Departments to better protect the community as well. Godberson brought up the fact that Blackwell received a huge settlement from the Smelter law suit. Attorney Bryce Kennedy said about 40% of those monies went to pay attorney fees. He then went on to tell how the money was used and mentioned the hospital as one of the recipients of the law suit money.

DA Hermanson thanked the group for presenting their requests. He explained the BOCC has withheld making any discussions regarding the ARPA funds so a committee may be formed, and he said that the State Auditor has warned all counties to be very cautious on how they use these funds. DA Hermanson said he disagreed with a statement that was made in their request that stated ARPA monies may only be used for water, sewer, and telecommunication purposes for county residents. DA Hermanson said he is aware of additional funding that will be coming; he said the county needs to wait to see what happens. He said the proposal presented by the cities may very well be approved, after everything is reviewed.

Ryan Smykil, Newkirk, said water is the common theme with these cities. He told about the projects Newkirk is already involved in and stated Newkirk wants the opportunity to do these projects that in a normal situation they would not have.

Kirk Henderson, Tonkawa, said without water you cannot survive. He discussed water concerns and major projects needed, replacing water lines, increasing the size of the water line, and fire suppression. He also talked about water projects that Tonkawa is involved in.

Commissioner Wilson discussed the kind of pipes that are being used.

Attorney Bryce Kennedy said all these purposes are the heart and soul of why this money was given and he said what is more important than water. He told the cities only get money from sales tax and that money is allocated for salaries, Fire Department, paramedics, and vehicles. He stated all these people serve the entire county and everything they do is for all county residents. He said all three cities are providing great services to the entire county.

Shannon Mallory, OSU Extension, stated he is a strong advocate of using the ARPA funding for rural broadband.

Jerry Wieland once again thanked the BOCC and stated he appreciated their time regarding this matter. He said we are in unchartered waters right now and asked that the BOCC please consider their request.

No action was taken from a request of the Cities of Blackwell, Tonkawa and Newkirk for County ARPA Funding for Water Projects for county residents living within their corporate boundaries and consideration of approval of Resolution No. 21, 22-126 of the BOCC appropriating Two Million Dollars Six Million Dollars

Tuesday, January 4, 2022
Newkirk, Oklahoma

(\$6,000,000,000.00) of County ARPA money for the benefit of county residents living in the Cities of Blackwell, Tonkawa and Newkirk for water line replacement projects, subject to the regulations for the use of County ARPA monies, as such rules now exist or as they may be hereinafter amended, setting out the allowable purposes of ARPA monies and the rationale for such transfer and use.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects:
Commissioner Godbersen said crews removed trees on "R" Str., put in a culvert pipe on 106 Lane, boom mowed, built three heavy duty barricades, put in sand spreaders and put on snow plows, bladed and hauled materials district wide.

Commissioner Wilson told crews hauled FEMA rock and materials to FEMA sites, mowed road sides, bladed roads, worked beam project on 140th Street, and sanded roads due to weather conditions.

Motion was made by Godbersen and seconded by Wilson approving Amendment to Gas Sales Agreement (Contract #20171), and approving Chairman Shanks to sign the agreement and the DocuSign (online). DA Hermanson approved as to form. Chairman Shanks spoke with Clerk Reese and told her he visited with a representative regarding this and said the agreement indicates the company (Clearwater Enterprises) can buy from a public sector and can buy outside the public sector on the county's behalf in order to provide better pricing. Motion carried: Godbersen, aye; Wilson, aye.

Quotes to replace a roof on a shed, Dist#1: Godbersen received the following quotes: Outback Restoration and Roofing LLC-\$29,523.98; Durnal Construction, LLC-\$24,600.00; Gary Faul Construction-\$32,625.00

Motion was made by Godbersen and seconded by Wilson approving and awarding Durnal Construction, LLC-\$24,600.00 to replace a roof on a shed, Dist#1. DA Hermanson asked if this was the lowest bid and Godbersen stated it was. Motion carried: Godbersen, aye; Wilson, aye.

Commissioner Wilson wanted to take **no action** on Public Service/Pipeline Crossing Installations: Oklahoma Natural Gas Co., NW4 S34 T25N R2E ending NW4 S34 T25N R2E, White Eagle Dr., D#3, because he had not been contacted and wanted clarification on job.

Motion was made by Godbersen and seconded by Wilson approving and authorizing Requisitioning Officers-Janell Leaming/Staci Belair/Amber Boyer, Receiving Agents-Chandice Lawhon/Samantha Lewis, and Inventory Clerks-Samantha Lewis for Kay County Assessor, Visual Inspection and Visual Inspection Reimbursement accounts. Motion carried: Godbersen, aye; Wilson, aye.

Motion was made by Godbersen and seconded by Wilson approving the following Resolutions to dispose of equipment: Res#21, 22-124, Court Clerk, various office work station equipment, junked. Motion carried: Godbersen, aye; Wilson, aye.

Motion was made by Wilson and seconded by Godbersen approving the following Resolutions to deposit funds: Res#21, 22-125, Hwy. Dist#1-\$119.50, sale of plastic culvert pipe and crusher run rock; Res#21, 22-127, Hwy. Dist#3-\$250.00, Certificate of Compliance. Motion carried: Godbersen, aye; Wilson, aye.

Motion was made by Godbersen and seconded by Wilson approving the following Transfer of Appropriations: Hwy. Dist#2-Personal Services-\$20,000.00 to Capital Outlay. Motion carried: Godbersen, aye; Wilson, aye.

Tuesday, January 4, 2022
Newkirk, Oklahoma

Motion was made by Godberson and seconded by Wilson approving and awarding Bid#2021-39 Asphalt Spot Leveling, Dist#2 (opened in BOCC meeting 12-6-21) to Evans & Associates-\$187,151.00. (Chairman Shanks spoke with Clerk Reese and asked for this to be awarded and approved). Motion carried: Godberson, aye; Wilson, aye.

Motion was made by Godberson and seconded by Wilson approving and awarding Bid#2022-10 Election Ballots (opened in BOCC meeting 12-27-21) to Mid-West Printing, at the recommendation and letter of consideration from Election Board Secretary. Motion carried: Godberson, aye; Wilson, aye.

Opening of Bid#2022-9 Asphalt Overlay Lake Rd., D#1: Evans & Assoc. Const. Co., Inc.-\$378,136.00. This was the only bid received.

Motion was made by Godberson and seconded by Wilson approving and awarding to Evans & Assoc. Const. Co., Inc.-\$378,136.00 (only bid received). Motion carried: Godberson, aye; Wilson, aye.

DA Hermanson left the meeting to attend court.

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

FY 2021/2022 PURCHASE ORDER:

Drug Court Labor 2064 Chouteau, Danny J. 427.68; General Budget 1837 County Budgeting Services LLC 1500.00; Detention 1940 Craig Co. Detention Center 1725.00; Fuel 1953 Fuelman 1294.08; Maintenance 1960 Kelle Repair & Tire Center 2027.86; 2213 Burkes Auto Body & Restoration 600.00; Mileage 2358 Harp, Jennifer L. 133.28; Supplies 2137 Redlands Office Solutions LLC 205.36; Travel 1862 Medlock, Brenda 736.30; 1863 Nicholson, Elizabeth 610.39; 1970 Mallory, Shannon 567.40; Health Billing 2001 Centerpoint Energy 161.64; Internet 2004 Get Real Cable 50.00; Monitoring 1244 Falco Alarm Co. 213.00; Service 1998 AT&T 124.13; 2012 Sparklight 219.31; Supplies 68 Merrifield Office Plus 285.00; 2046 Farha Wholesale Co. 309.33; Highway null 1871 Circuit Engineering District #8 950.00; 2362 Oklahoma Tax Commission 88.00; Billing 1778 OK Natural Gas 309.10; COPIER LEASE 2029 Galaxie Business 80.90; Culvert 2323 Core & Main LP 720.00; Equipment 1981 Industrial Truck Equipment 8177.26; Fuel 2247 Farmers Grain Company 17139.48; Parts 2017 Owen Auto Supply 1663.34; 2018 Blackwell Auto Supply 346.34; 2116 Action Truck Parts 478.51; Phone Service 2028 Lingo Communications 120.85; Repairs 1463 Yellowhouse Machinery Co 633.14; 2027 Blackwell Tire Service 60.00; Rock 2141 Dolese Seven-mile 8428.14; ROCK 2234 Dolese Bros. Co 864.29; 2235 Dolese Seven-mile 8478.44; Service 2034 Dish Network 17.08; Sign 2101 Circuit Engineering District #8 91.50; Signs 1812 Circuit Engineering District #8 330.00; supplies 2301 Brandts 195.71; Tint 1808 Fisher Window Tinting 110.00; Tires 2103 Southern Tire Mart 5320.00; 2144 Southern Tire Mart 275.50; Title & registration 2325 Oklahoma Tax Commission 55.00; Training 2109 Pioneer Technology Center 40.00; Uniforms 1920 Cintas Corporation Loc 1266.68; 2020 Unifirst Holdings Inc 453.77; Mental Health Court Staffing 2066 Holmes Yates & Johnson 75.00; Labor 2069 Scott, Misti 566.69; SH Svc Fee Cleaning 1543 Opportunity Center 51.00; Equipment 2152 Ray Allen Professional K-9 Equipment 89.98; Fuel 777 Fuelman 1870.60; Maintenance 1958 Galaxie Business 125.40; Receipt books 2169 A+Printing 200.00; Rental 1949 Carys Sanitation 165.00; Transports 1519 O'Brien, John Trevor 177.00; 1935 Chouteau, Danny J. 177.00; 2172 O'Brien, Samantha 66.00

Tuesday, January 4, 2022
Newkirk, Oklahoma

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 Wilson and seconded by Godberson to adjourn at 11:07 a.m. Motion carried: Godberson, aye; Wilson, aye.

Approved this 10th day of January, 2022.

JASON SHANKS, CHAIRMAN

JACK GODBERSON, MEMBER

JOHN A. WILSON, MEMBER

ATTEST:

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