

Monday, June 13, 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, June 13, 2022, the meeting was posted for public information on June 10, 2022, at 8:50 a.m. at the Commissioners Room, at 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: Billie Chrz, First Assistant District Attorney (ADA); Dennis Bonewell, Emergency Management; Shane Jones, Commissioner Dist#1 Elect; Eric Fladie, Garver/City of Enid; Carol Lahman, City of Enid; Julie Combs, Associate, Pipestem Law, P.C.; Donna Campbell, Braman Mayor; Donna Parker, Oklahoma Court Services; 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 June 6, 2022. Motion carried: Godberson, aye; Wilson, aye Shanks, aye.

Request for ARPA funding to help with electric lines: Braman Mayor Donna Campbell said she was requesting ARPA funding for the Town of Braman to rebuild electrical lines due to a large grow plant, RV Park, and Kaw Nation housing. She said these additional businesses have put a strain on the electrical lines and said the town needed larger lines. Ms. Campbell said the town would like to relocate the lines to 44th Street and she explained the reasons for suggesting this location. Commissioner Shanks asked Campbell where the towns electricity comes from; Campbell replied that it comes from the City of Blackwell. Campbell said they were not able to receive any grant money because audits have not been made and reported. Campbell presented to the board rebuild estimates listing different locations for the line rebuild.

Motion was made by Shanks and seconded by Wilson tabling electrical line rebuild request and request for assistance with ARPA funding. Motion carried: Godberson, aye; Wilson, aye Shanks, aye.

Report by Donna Parker, Oklahoma Court Services, presenting the number of community service hour's defendants are working and the projects they are involved in: Ms. Parker presented the May 2022 reporting new community service clients-9, regular community service clients-51, sanction community service hours completed-122, total hours completed-709.50, and community service offender completions-9. Completed events for the month where the clients sorted clothes, cleaned, picked up trash, cleaned and fed animals, and picked up items: My Favorite Things, Blackwell Schools, Ponca City Disc Golf, Northern Oklahoma Humane Society, and Habitat Restore. Upcoming events where clients will assist with various duties will be held at Blackwell Fire Department, Peachtree Landing, Wheatheart Nutrition and Meals on Wheels.

Motion was made by Godberson and seconded by Shanks approving Agreements between the BOCC and the following to have remote terminal capabilities with the Assessor's office: Valbridge Property Advisors. DA Hermanson approved as to form. 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 cutting trees out of the roadway due to storms, mowing ditches, boom mowing, spraying around signs and bridges, putting up bridge reflectors district wide, digging out ditches and putting in rip rap on Waverly and Riverview, putting in culverts, and dug out a ditch on Union north of Riverview.

Commissioner Shanks said his crews having been blading and mowing.

Commissioner Wilson told crews have been hauling shale and rocks to roads, grading roads, patching blacktop on 13th Str., took a truck and trailer to Oklahoma City for repairs, hauled asphalt to yard, rip rapped a ditch on 76th & Dry Rd., fixed signs, and pushed trees off roadway.

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,

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Garver/City of Enid, said he has nothing new to provide. Julie Combs, Associate, Pipestem Law, P.C., stated she emailed a Memorandum regarding approval of right-of-way to BOCC and others involved. Ms. Combs asked the BOCC to delay or cancel the City of Enid's request to approve a statutory right-of-way along Fountain Rd., (Sections 16, Township 25N, Range 2E) to install the Kaw Lake pipeline. She said more time would allow the BIA to do a formal inspection. Ms. Combs said this would be beneficial to the tribe, otherwise there could be legal issues. Dennis Bonewell asked what constitutes an abandoned road? Ms. Combs said no work has been done by the county on said road and stated the road is impassable. ADA Chrz said several farmers are using the road to access their fields. Commissioner Godberson said you can't travel that road all the way through and stated that's the portion that is tribal; he said the farmers are using the 60' easement, not the entire road because of the bridge on that road that is impassable. Ms. Combs said a formal report needs to be made by the BIA because both sides of the roads are tribal. Eric Fladie said he believes the tribal's request is between the City of Enid and the BIA.

Motion was made by Godberson and seconded by Shanks approving the City of Enid to utilize the county owned 60' easement, section line jurisdiction of Fountain Road between Union and Waverly roads (Sections 16, Township 25N, Range 2E) and permitting approval to allow City of Enid to install a 30-inch raw water pipeline with this right-of-way. Roll call vote: Godberson, aye; Shanks, aye; Wilson asked ADA Chrz her opinion regarding this matter. ADA Chrz said the county has the right to grant, it's on the county inventory, it has an active electrical line, and the county has not abandoned said easement. Shanks said he has a similar situation in Dist#2. Wilson, aye (after being advised by ADA Chrz). Motion carried.

Motion was made by Godberson and seconded by Shanks approving the following Public Service Pipeline/Crossing Line Installations: City of Enid, SE4/SE4 S9 T25N R2E ending SW4/SW4 S9 T25N R2E, E0250 (Fountain Rd. between Union & Waverly), D#1; City of Enid, SW4/SW4 S11 T25N R2E ending SE4/SE4 S10 T25N R2E, N0333 Road (S. Pleasant View Rd.), D#1; City of Enid, SE4/SE4 S10 T25N R2E ending NE4/NE4 S15 T25N R2E, E0250 Road (Fountain Road), D#1; City of Enid, NE4/NE4 S16 T25N R2E ending SE4/SE4 S9 T25N R2E, E0250 (Fountain Rd. & Union Rd. vicinity), D#1; City of Enid, SW4/SW4 S9 T25N R2E ending NW4/NW4 S16 T25N R2E, E0250 (Fountain Rd. & Waverly Rd. vicinity), D#1. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Wilson approving the following Public Service Pipeline/Crossing Line Installations: Phillips 66 Carrier, LLC, NE4 S15 T27 R2 ending NW4 S14 T27 R2, N. 42nd Str., D#3; Phillips 66 Carrier, LLC, NE4 S16 T27 R2 ending NW4 S15 R27 R2, N. 108th Str., D#3; Phillips 66 Carrier, LLC, SE4 S17 T27 R2 ending SW4 S16 T27 R2, N. 124th Str., D#3; Phillips 66 Carrier, LLC, SE4 S18 T27 R2 ending SW4 S17 R27 R2, N. 140th Str., D#3; Phillips 66 Carrier, LLC, NW4 S19 T27 R2 N. 156th Str., D#3; Phillips 66 Carrier, LLC, NE4 S14 T27 R2 ending SW4 S12 T27 R2, Adobe Rd., D#3; Phillips 66 Carrier, LLC, SE4 S11 T27 R2 ending SW4 S12 T27 R2, N. 76th Str., D#3; Phillips 66 Carrier, LLC, SE4 S12 T27 R2 ending SW4 S7 T27 R1, N. 60th Str., D#3; Phillips 66 Carrier, LLC, SE4 S7 T27 R1 ending SW4 S8 T27 R1, N. 44th Str., D#3; Phillips 66 Carrier, LLC, SE4 S8 T27 R1 ending SW4 S9 T27 R1, N. 29th Str., D#3. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Godberson briefly stepped out of the meeting.

Motion was made by Shanks and seconded by Godberson approving signing a Docu-Sign Sales Agreement for a drill bit, Dist#2. Shanks said he purchased a drill bit for the skid steer for \$1,250 out of Hwy. Dist#2 account. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Shanks approving KellPro Software and Service Agreement by and between KellPro, Inc. and Kay County District #1, #2 and #3 for FY 2023. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Resolution No. 21, 22-228 to Execute the Agreement Establishing the Association of County Commissioners of Oklahoma for the purpose of establishing a self-insured governmental risk pool for Oklahoma counties and the Intent to Participate in ACCO-SIF (Worker's Compensation) FY 2022-2023. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

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Motion was made by Godbersson and seconded by Shanks approving the following Kay County Monthly Reports for May 2022: Assessor, Election Board, County Clerk. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godbersson and seconded by Wilson approving the following Resolutions to deposit funds: Res#21, 22-229, Highway Dist#3-\$250.00, Certificate of Compliance. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godbersson and seconded by Wilson approving the following Transfer of Appropriations: Treasurer Personal Services-\$263.16, Part-time-\$130.70, Travel-\$148.44, Capital Outlay-\$5.00 Total-\$547.30 to Maintenance & Operation (M&O); Assessor Travel-\$300.00 to M&O. Motion carried: Godbersson, 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.

Six-month bids for commonly used items (first opened in BOCC meeting 6-6-22): NOTE: EACH SIX-MONTH BID IS LINE-ITEMIZED LISTING SEVERAL DIFFERENT PRODUCTS PER BID NUMBER. THE LOWEST BIDDER (unless noted) IS SELECTED PER LINE ITEM, FOR THAT REASON MORE THAN ONE VENDOR WILL BE AWARDED TO EACH BID NUMBER. ALL BIDS ARE FILED IN THE COUNTY CLERK'S OFFICE AND ARE AVAILABLE FOR REVIEW.

Motion was made by Shanks and seconded by Godbersson approving and awarding the lowest or best bids as follows: Bid#2022-19 Asphalt-Evans & Associates, T&C Asphalt Materials, Vance Brothers; Bid#2022-20 Bridge Materials-The Railroad Yard Inc.; Bid#2022-21 Grader Blades-Dub Ross Co. Inc., Wear Parts & Equipment; Bid#2022-22 ConcreteP.C. Concrete Co. Inc.; Bid#2022-23 Road Rock-APAC-Central Inc., Burbank Materials LLC, Diemer Construction Co., Dolese Bros. Co., Sober Brothers Inc. (**NOTE: 1 1/2" Crusher Run 30-40% Wear was not awarded**); Bid#2022-24 Culvert Pipe-Core & Main LP, Dub Ross Co. Inc., The Railroad Yard Inc.; Bid#2022-25 Office Supplies-Farha Wholesale, Redlands Office Solutions; Bid#2022-26 Janitorial Supplies-Farha Wholesale, Redlands Office Solutions, Pyramid School Products. (On one line item with the lowest bid for janitorial supplies was not selected because it was not bid correctly). Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godbersson to rebid Bid#2022-23 Road Rock on 1 1/2" Crusher Run 30-40% Wear only. Motion carried: Godbersson, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Godbersson approving Payroll with warrants to be released on June 29, 2022, Maintenance & Operation Claims, Blanket Purchase Orders. Motion carried: Shanks, aye; Godbersson, aye; Wilson, aye.

FY 2021/2022 PURCHASE ORDER:

Assr Rev Fee 71, Top Secret Document Destruction Svcs, 21.00, Shredding72, Pioneer Technology Center, 20.00, Maps; Bond- ST 12, Kay County PBA Gross Revenue, Acct#7303000186, 136057.29, Collections; Donations 5, Northern OK Southern KS Peace Officers Assoc, 180.00, Registration; General 2078, Grainger, 74.07, Signs2079, Ultimate Pest Management LLC, 96.00, Pest Control2080, Amy Stittsworth Funeral Services, 500.00, Charity cremation2081, OK Juvenile Justice SVCS, 1240.00, Detention2082, Standley Systems Inc, 100.20, Maint. agree. for copier2083, McDonald Computer Services LLC, 860.00, Anti-virus2084, CommunityWorks, 1147.50, Detention2085, Accurate Auto, 2531.78, Maintenance2086, Craig Co. Detention Center, 1500.00, Detention2087, Mallory, Shannon, 355.68, Travel2088, R.K. Black Inc, 91.64, Maintenance Agree.2089, Galls, 108.26, Uniforms 2090, Fuelman, 2283.49, Fuel2091, Locke Supply, 22.23, Supplies2092, Redlands Office Solutions LLC, 254.45, Supplies2093, Village Screen Print, 453.10, Uniforms ; Health 398, R.K. Black Inc, 8.39, Maintenance399, Frazier, Angela, 104.83, Travel400, R.K. Black Inc, 191.29, Maintenance401, Camo Electric, 3642.86, Repairs402, E & E Mowing & Lawncare, 500.00, Lawn Care403, Pitney Bowes Global Financial Service LLC, 144.93, Postage; Highway 1825, Kelle Oil Company, 302.69, Repairs1826, Highway 60 Tire & Service Inc, 592.46, Parts1827, Brandts, 293.97, Parts1828, MOONLIGHT MACHINE, 25.00, 1829, Yellowhouse Machinery Co, 432.48, Repairs1830, Rolling Prairie, 84.10, Filter Service1831, Whitaker Aggregates Inc, 8369.61, ROCK1832, Kay Electric Cooperative, 217.00, Billing1833, Quality Water Service, 36.25, Water1834, Chisholm Broadband, 79.99, Internet1835, Nextiva Inc, 87.96,

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Telephone1836, Caterpillar Financial Services Corp, 2727.00, Lease1837, OK Dept. of Transportation, 7759.55, Lease1838, SNB NA, 1599.53, Lease1839, SNB NA, 3455.16, Lease1840, OK Dept. of Transportation, 8226.58, LEASE PURCHASE1841, Welch State Bank, 2136.55, Lease1842, Southwest Truck Parts, 1339.35, Parts1843, Klinger's Collision Center, 2341.70, Repairs1844, Cintas Corporation, 72.81, supplies; Jail Debt-ST 12, Kay County JFA #124183, 362321.07, Collections; Resale 143, Kennedy, Christine L., 13.03, Reimbursement; SH Svc Fee 349, Bumper To Bumper, 6.06, Parts350, Farha Wholesale Co., 238.74, Supplies351, LiveView GPS Inc, 251.40, Subscription352, Lowes Companies Inc., 906.63, Refrigerator353, O'Brien, John Trevor, 138.00, Transports354, American Telephone Inc, 130.00, Repairs; Use-ST 12, Kay County PBA Gross Revenue, Acct#7303000186, 22253.71, Collections

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 Godberson and seconded by Shanks to adjourn at 11:10 a.m. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Approved this 21st day of June, 2022.

JOHN A. WILSON, DIST#3, CHAIRMAN

JACK GODBERSON, 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)
