

Tuesday, October 10, 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, October 10, 2023, the meeting was posted for public information on October 5, 2023, at 4:15 p.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; Jeff Kreger, Member, present. Others present were as follows: Brian Hermanson, Kay County District Attorney (DA); Janell Leaming, Kay County Assessor; Jennifer Harp, Deputy County Clerk; Donna Parker, Oklahoma Court Services; Renae Ehler and Shirley Mears, Legal Shield; Joe Brining, Pre-Med Defender; Dereck Cassady, Citizen; Hallie Godbehere, Citizen; Travis Harris, Citizen; Dan Hesson, Citizen; Holly Wallen, Citizen; Pat Perry; Everett Brazil, Ponca City News; 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 Kreger approving the regular meeting minutes of October 2, 2023, and special meeting minutes of October 4, 2023. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Consideration and discussion with Renae Ehler presented instead of Shirley Mears, both of LegalShield, a service that would help protect employees from fraud, identity theft, etc. Ms. Ehler stated for \$14.95 a month employees would receive legal protection with phone calls and letters made and written on your behalf, preparation of your Will, trial defense, traffic-related issues, 24/7 emergency access for covered situations, and motor vehicles services. She also mentioned IDShield, Fun Owners LP, and member perks. In the packet that she presented, 101 reasons to use LegalShield. Ms. Ehler said if an employee leaves the County they can take this policy with them. Shirley Mears added employees cannot use the plan against the county. Questions were asked during the discussion.

Consideration and discussion with Joe Brining, Pre-Med Defender, a Group Supplemental Program designed to be paired specifically with HealthChoice Basic medical plan: Joe Brining said this is a supplemental insurance that is paired with the HealthChoice Basic plan, giving you the best defense against out-of-pocket expenses. You will have two premiums and utilize two cards combined to form one plan. He said HealthChoice Basic pays the first \$500 and PreMed Defender pays the next \$3,500, and then HealthChoice would cover anything after the \$4,000 deductible is met. Brining said this plan will cover anything that is covered by HealthChoice. Pre-Med Defender does not provide coverage for prescription drugs. Brining said around five counties have enrolled for this coverage and several schools. Questions were asked during the discussion.

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 reported for September 2023. She said there were eight clients in new community service, 48 in regular community service for the month, 263.5 hours completed for sanction community service, 803.17 total hours completed, and seven community service offender completions. Completed events for the month were held at Oxford House, New Life Trails, Newkirk Public Library, and Ponca City Disc Golf where the clients assisted with mowing, building fences, cleaning, clearing limbs, and trash. For upcoming events, clients will go to Wheatheart Nutrition, Salvation Army, Top of Oklahoma Museum, and Humane Society and clients will assist with various tasks.

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: Higginbotham Bros. & Co, LLC. DA Hermanson approved as to form. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Contract with Stolhand-Wells Group for water treatment for the Kay County OSU Extension Building: DA Hermanson questioned paying the 9.4% tax; Shanks said the County is not paying any tax. DA Hermanson mentioned the County does not go into an agreement for more than a year unless there is a savings to do so; Shanks said the Company will not even do an installation without a three-year agreement because of costs. DA Hermanson pointed out the clause that stated the Company would not be responsible for any injuries, etc., he said he was not comfortable with that language. DA Hermanson said if it was negligence on the County's part he could understand, but not with the way it was presented.

Motion was made by Shanks and seconded by Kreger approving Contract with Stolhand-Wells Group for water treatment for the Kay County OSU Extension Building and striking the language of the 9.4% tax and striking the language regarding the Company will not be liable for damages of any nature. DA Hermanson approved as to form. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

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Motion was made by Kreger and seconded by Shanks approving an Agreement by and between Dennis Bonewell and Kay County District No. 3 to remove sand from the west half of the southwest quarter of S12-28N-2W. Commissioner Kreger said Dist#3 will pay \$11.00 per semi load and \$6.00 per bobtail load, and the County will maintain the entrance road to the property. DA Hermanson approved as to form. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects: Commissioner Jones said crews put up guard rails on Prentice Rd. south of Kildare Rd., worked on asphalt roads, dug out spots and filled with asphalt and patched holes, repaired road signs, mowed ditches, boom mowed, and bladed roads district-wide.

Commissioner Shanks said crews finished the lean-to, worked on guard rail on River Rd., bladed, hauled rock, and mowed.

Commissioner Kreger said crews hauled shale and sand to the roads, graded roads, sprayed and mowed right of ways, placed rip rap around bridges and on Fountain Rd., cut trees out of the right of way on Highland, fixed signs, and filled potholes.

Motion was made by Shanks and seconded by Jones approving a Bridge Inspection Invoice and a Report of Conference between the Bridge Owner and Bridge Inspection Consultant or Circuit Engineering District on Bridge Inspection Contract No. LG-2349C, 22 bridges on this contract. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Kreger approving authorizing a Requisitioning Officer (RO), Receiving Agent (RA), and Inventory Clerk (IC) for the following accounts: Ponca City Fire Department-RO-Shane Jones/Jason Shanks/Jeff Kreger/Tammy Reese, RA-Butch Herring/Gary Wilson, IC-Shane Becker/Patricia Carlisle; Braman Fire Department- RO-Shane Jones/Jason Shanks/Jeff Kreger/Tammy Reese, RA-Kristopher Spencer/LaDonna Haven, OC-Kristopher Spencer. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones approving the following Kay County Monthly Reports for September 2023: Assessor, Treasurer, County Clerk, and Election Board. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Kreger approving the following Cash Fund Estimate of Needs and Request for Appropriations: Highway-\$332,008.99; D#1-\$110,221.21, D#2-\$109,347.46, D#3-\$112,440.32; ARPA 2021-\$21,263.36; Opioid Settlement-\$303.22; County Bridge & Road Improvement-\$27,496.29; Treasurer Mortgage Certification-\$485.00; Resale Property-\$19,125.91; Adult Drug Court-\$7,147.83; Family Drug Court-\$8,000.00; Mental Health Court-\$7,316.00; Local Assistance & Tribal Consistency (LATCF)-\$1,101.36; County Clerk Lien Fee-\$343.00; Bond-ST (PBA)-\$139,142.36; County Clerk Records Management & Preservation-\$7,860.00; Assessor Revolving Fee-\$923.04; County Sales Tax-\$371,231.83; Home Finance Trust Authority-\$17.56; Sheriff Service Fee-\$13,982.54; Rural Fire ST-\$140,068.74; Ambulance Service District ST-\$46,974.72; Use Tax-ST-\$135,808.27 (\$59,259.92/PBA-\$22,211.36/RFD-\$22,189.15/EMS-\$7,396.38); Highway-\$88,719.34 (D#1-\$55,600.72, D#2-\$20,154.42, D#3-\$12,719.34)-Lapsed Balances FY2022-23; Highway Dist#3-\$48,687.65- Lapsed Balances FY2022-23; ARPA-\$318,769.93- Lapsed Balances FY2022-23; Treasurer's Resale-\$443.00- Lapsed Balances FY2022-23; Visual Assessor Revolving-\$42.00- Lapsed Balances FY2022-23; County Clerk Lien Fee-\$338.17- Lapsed Balances FY2022-23; Sheriff Service Fee-\$11,675.78- Lapsed Balances FY2022-23. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Kreger to enter into Executive Session for the purpose of discussing the employment, hiring, appointing, promotion, demotion, disciplining or resignation of any **individual salaried public officer or employee, O.S. Title 25 § 307.B.1, interviewing for the Emergency Management position (10:06 a.m.)**. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Jones to reenter the regular meeting of the BOCC (11:26 a.m.). Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

Motion was made by Shanks and seconded by Kreger tabling to next Monday, October 16, 2023, hiring for the Emergency Management position (related to the Executive Session). Motion carried: Kreger, aye; Jones, 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.] None.

DA Hermanson left the meeting to attend court.

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

**FY 2023-2024 PURCHASE ORDER:**

Drug Court Contractual Services 1010 Herren, Brian 153.30; Court Staffing 1008 Lane, Tom 500.00; Office rent 1191 Chu-ona Plaza 234.00; Phone 1232 Zulty's Inc 66.76; Travel 1323 Roquemore, Carmon Chastine 121.83; Family Drug Court Rent 1197 Chu-ona Plaza 234.00; Service 1196 Zulty's Inc 66.75; General Cleaning 747 Opportunity Center 51.00; Fees 1218 Tisdal & O'Hara PLLC 147.00; 1402 Payroll Tax Account 3875.98; Fuel 940 Earnheart Oil Inc 556.55; Maintenance 806 Kelle Repair & Tire Center 3091.16; 1051 Standley Corp 111.97; Storage 1050 Newkirk Mini-Storage 53.00; Supplies 949 Redlands Office Solutions LLC 292.04; 1313 Redlands Office Solutions LLC 16.47; Travel 1163 Medlock, Brenda 495.92; Utilities 677 City of Newkirk 4805.51; Health Fans 827 Unipro Business Resources 525.00; Lawn Care 592 E & E Mowing & Lawncare LLC 750.00; Service 173 B & L Heat & A/C Inc 212.50; 174 B & L Heat & A/C Inc 590.00; Shredding 854 The Meadows Center For Opportunity 45.00; Software 776 Kellpro Computer 2092.98; Supplies 131 Locke Supply 113.66; 598 Amazon Capital Services 450.26; Testing 128 Newkirk Family Health Center 45.00; Travel 836 Johnson, Kara 176.06; Highway null 1344 Hetrick Electric 2554.60; 1347 OXFORD TIRE 225.00; 1357 LUNN'S LAWN SERVICE 2150.00; Concrete 1159 Ponca City Concrete Co 4524.00; DEF 1182 Cross Oil 364.65; Dumpster 1041 Davis Sanitation 65.00; Internet 1250 KanOkla Networks 60.00; 1310 Chisholm Broadband 68.00; Parts 741 Fleetpride Heavy Duty Parts & Service 451.94; 981 P & K Equipment 380.47; 983 Owen Auto Supply 1525.58; 1175 Owen Auto Supply 661.79; 1203 Highway 60 Tire & Service Inc 1467.30; Rental 1204 Stolhand-Wells Group 32.35; Repairs 11 Blackwell Tire Service 25.00; Seat Covers 1393 Atwoods Distributing 139.98; Service 555 OK Natural Gas 32.63; Shale 681 Mike Redding 972.25; supplies 985 Brandts 298.42; Telephone 1044 Nextiva Inc 93.70; Water 1034 Merz Brothers 520.00; 1040 City of Newkirk 30.00; Mental Health Court Staffing 1004 Lane, Tom 500.00; Mileage 1188 Roquemore, Carmon Chastine 94.32; Office rent 1194 Chu-ona Plaza 234.00; Phone 1193 Zulty's Inc 66.76; Supplies 1157 J & P Supply 149.76; ML Fee Travel 1396 Leyva, Patsy D. 167.13; 1397 Reese, Tammy J. 108.73; Resale Ink Cartridges 1299 Redlands Office Solutions LLC 5363.74; SH Svc Fee FUEL 802 Fuelman 2220.22; Rental 451 Carys Sanitation 165.00; Towing 1295 Ponca Body & Paint 95.00

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 11:27 a.m. Motion carried: Kreger, aye; Jones, aye; Shanks, aye.

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Approved this 16<sup>th</sup> day of October 2023.

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SHANE JONES, DIST#1, CHAIRMAN

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JASON SHANKS, DIST#2, MEMBER

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JEFF KREGER, DIST#3, MEMBER

ATTEST:

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

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