

Tuesday, January 21, 2020  
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, January 21, 2020, the meeting was posted for public information on January 16, 2020, at 8:50 a.m. on the Courthouse front door, Commissioners Court, and basement handicapped entrance of the Kay County Courthouse in Newkirk, Oklahoma.

Chairman John Wilson called the meeting to order. Those present were as follows: Jason Shanks, Member; Jack Godberson, Member; Brian Hermanson, District Attorney (DA); Christy Kennedy, Kay County Treasurer; Blane Wood, OPEH&W; Jessica Windom, Ponca City News; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk. (See sign in sheet).

Chairman John Wilson led the Flag Salute.

Motion was made by Shanks and seconded by Godberson approving regular meeting minutes of January 13, 2020. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving on REAP Reimbursement Invoice for Fire Tanker Truck assembly for River Road Fire Department. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Affidavit Certifying REAP Project Completion for the River Road Fire Department Fire Tanker Truck assembly with attachments project. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Agreements between the BOCC and the following to have remote terminal capabilities with the Assessor's office. DA Hermanson approved as to form: State Farm Insurance; BMP Property; Kevin Randall. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving County Treasurer's Summary of Collections December 2019 Monthly Report. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Oklahoma Juvenile Affairs December 2019 Detention Transportation Claim in the amount of \$3,593.78. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Road and Bridge Projects/Circuit Engineering District (CED) No. 8 Road and Bridge Projects:  
Commissioner Godberson told crews were blading and hauling material to roads district wide, boom mowing, putting up bridge post and reflectors on varies bridges, drove sheeting around culvert on Rockcliff and on "Q" Str., and cleaning ditches on Furguson and on Rockcliff Rds.

Commissioner Shanks said crews are hauling rock and working at State Line to make roads passable. He noted the area is in need of a lot of materials. Also, he told crews are preparing for the predicted rain.

Commissioner Wilson said crews are digging shale at the pit, grading, laying shale at FEMA sites and grading shale, mowing roadsides, repairing signs and patching asphalt. Wilson stated site inspections were made four days last week by FEMA.

Motion was made by Shanks and seconded by Godberson approving placing stop signs on Fork Rd. at Pleasantview Intersection, Dist#2. Commissioner Shanks noted there was a recent wreck and he wants to put up stop signs for safety precautions. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Godberson and seconded by Shanks approving the following Public Service/Pipeline Crossing Line Installations: Kay Electric Cooperative, SW4/SW4 S6 T28N R2W ending SE4/SE4 S3 T28N R2W, Dist#3. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Kay County Monthly Reports for December 2019: Health Department, Court Clerk. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Resolution to dispose of equipment: Res#19, 20-89, General Government, Micro Rain 43 Traveler, donating to Newkirk Public Schools – Commissioner Shanks told the county would not be needing this piece of equipment especially once the annex is built and said the school will loan to us if needed. DA Hermanson suggested keeping the equipment on county inventory and letting the school borrow.

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No action was taken on Resolution disposing of equipment: Res#19, 20-89, General Government, Micro Rain 43 Traveler, donating to Newkirk Public Schools.

Motion was made by Shanks and seconded by Godberson approving the following Resolutions to deposit funds: Res#19, 20-90, Public Buildings Authority/PCPS-\$3,098.47, 6-30-19 Audit Fee; Res#19, 20-91, Highway Dist#2-\$18,012.00, BIA 6 Bridges Project Bridge#54. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving the following Transfer of Appropriations: Hwy. Dist#2-Maintenance & Operations-\$1,000.00 to Travel. 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.

Motion was made by Shanks and seconded by Wilson approving and awarding Bid#2020-9 Bridge#54 (Materials)/(Construction), Dist#2 to the lowest bidder-The Railroad Yard Inc. (Materials only)-\$55,820.00; High Point Partners, LLC (Labor only)-\$92,150.00 and Bid#2020-10 Bridge#55, Dist#2 to the only bidder High Point Partners, LLC (Labor & Material)-\$117,237.80. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godberson approving Contracts and all documents pertaining to Bid#2020-9 Bridge#54 and Bid#2020-10 Bridge#55. Motion carried: Godberson, aye; Wilson, aye; Shanks, aye.

No action taken on Payroll with warrants to be released on January 23, 2020, none were presented.

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

**FY 2019/2020 PURCHASE ORDERS:**

Assr Rev Fee Printer 2376 McDonald Computer Services LLC 189.99; Supplies 2365 Southwest Business Products 524.54; 2366 Farha Wholesale Co. 162.29; Family Drug Court Internet 2409 Sparklight 78.00; 2410 Sparklight 78.00; General Auditing 448 OK State Auditor & Inspector 1377.75; Booth 2350 Inclusion Solutions 24269.00; Detention 1849 Craig Co. Detention Center 825.00; Election expenses 2351 Kay County Election Board 166.72; Expenses 1662 Card Service Center 277.10; Fuel 1664 Valero Short Stops 118.75; 2110 Fuelman 1435.09; Maintenance 1048 R.K. Black Inc 92.00; 1136 R.K. Black Inc 92.00; 1777 R.K. Black Inc 92.00; Printing 2084 Tulsa County 62.30; Uniforms 1603 COPS Products LLC 696.14; Upgrade 439 American Telephone Inc 1750.00; Health Janitorial 2238 ANCO Services 2085.00; Phone 2236 AT&T 360.80; Recalibration 2052 Control Solutions 103.00; Repairs 2330 Stolhand Heating & Air 90.00; Translation 1983 Language Line Services 125.92; Utilities 1982 City of Blackwell 326.36; Highway Batteries 2378 Hats Auto Supply 199.98; Billing 2354 Encounter Wireless Service 58.00; Dumpster 2007 Davis Sanitation 55.00; Glass 2380 Chuck Hoddy Glass Co. 250.00; Hose 2344 Southwest Truck Parts 69.50; Lease 2411 Welch State Bank 2136.55; 2412 SNB NA 4113.28; 2413 SNB NA 857.19; 2414 RCB Bank 3096.08; 2415 Caterpillar Financial Services Corp 3846.88; Machine Work 2432 Moonlight Machine LLC 300.00; Mileage 2434 Shanks, Jason R. 112.13; Parts 2257 Hats Auto Supply 188.96; 2375 Yellowhouse Machinery Co 188.72; Pipe 2311 Dub Ross Co. Inc. 1941.00; Rock 1451 Dolese Bros Co 7340.67; 1560 APAC-Central Inc 3680.25; 2060 Sober Brothers 2965.68; 2364 Dolese Bros Co 7535.89; Service 2370 Hotsy of Oklahoma Inc. 632.00; SIGN POSTS 2268 Circuit Engineering District #8 450.00; Signs 1202 Circuit Engineering District #8 255.00; 1822 Circuit Engineering District #8 90.00; 1969 Circuit Engineering District #8 22.00; Solvent 2358 Action Truck Parts 66.66; Supplies 2255 Atwoods Distributing 8.48; Tank 2313 Railroad Yard 14998.50; Utilities 2151 City of Blackwell 721.71; Jail Debt-ST Tax Collections 2427 Kay County JFA #124183 310182.06; ML Fee Maintenance 1049 R.K. Black Inc 141.00; 1137 R.K. Black Inc 141.00; 1778 R.K. Black Inc 141.00; Resale Fees 1991 Forte 851.00; SH Svc Fee Body armor 2160 Bootleg Hills Firearms 470.00; Camera Repairs 2289 Watchguard Video 329.00; Dues 2316 Oklahoma Sheriffs Association 600.00; Equipment 2133 Card Service Center 427.09; Maintenance 2126 Galaxie Business 119.00; OLETS 849 Dept. of Public Safety 210.00; 1536 Dept. of Public Safety 350.00; 1859 OK Dept of Public Safety 350.00; Repairs 2315 Locke Auto Parts 150.00; Services 2122 OK Dept of Public Safety 350.00; Transports 2286 Roquemore, Heather N. 90.00; 2334 Harrison, Stella 66.00; 2368 Harp, Dean 60.00; Upgrade 2159 Card Service Center 130.94; windshield 2137 Daves Auto Glass 282.58

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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.

10:00 a.m. – Opening of the following bid: Bid#2020-11 Election Ballots – Bids were received from Mid-West Printing Co. and Royal Printing Co., Inc.; prices are line itemized by the different sizes of ballots (bid is on file in the county clerk's office). Tulsa County Administrative Services submitted a no bid.

Motion was made by Shanks and seconded by Godbersen tabling Bid#2020-11 Election Ballots for further review: Motion carried: Godbersen, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godbersen to enter into Executive Session (10:06 a.m.) as follows: Pete Lively, Marvin Swopes and Dorvin Constant v. Kay County Case No. CIV-19-446-D U.S.D.C. for the Western District of Oklahoma Possible Executive Session, upon the advice of legal counsel, for the purpose of confidential communications between the Board of County Commissioners of Kay County and its attorney concerning the lawsuit previously referenced. Public disclosure of these confidential communications would seriously impair the ability of the Board and its attorney to properly process and defend this litigation. As such, the communications in this Executive Session are confidential. Authority: Title 25 Okla. Statute, § 307(B)(4). Motion carried: Godbersen, aye; Wilson, aye; Shanks, aye.

Motion was made by Shanks and seconded by Godbersen approving to return to regular meeting and vote to take any necessary action related to Executive Session identified for: Pete Lively, Marvin Swopes and Dorvin Constant v. Kay County Case No. CIV-19-446-D U.S.D.C. for the Western District of Oklahoma. Motion carried: Godbersen, aye; Wilson, aye; Shanks, aye.

Motion was made by Wilson and seconded by Godbersen approving to appoint Jack Godbersen to be the point person for the Kay County Board of Commissioner in CIV-19-446-D for the Western District of Oklahoma and give authority to make settlement offers up to the amount of the Plaintiff's most recent offer. Motion carried: Godbersen, aye; Wilson, aye; Shanks, nay.

There being no other business, motion was made by Wilson and seconded by Godbersen to adjourn at 12:04 p.m. Motion carried: Godbersen, aye; Wilson, aye; Shanks, aye.

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Approved this 27th day of January, 2020.

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JOHN A. WILSON, CHAIRMAN

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JASON SHANKS, MEMBER

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JACK GODBERSON, 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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