

KAY COUNTY PUBLIC BUILDINGS AUTHORITY

Post Office Box 450
Newkirk, Oklahoma 74647

Monday, August 2, 2021

Special Meeting

8:45 a.m.

Newkirk, Oklahoma

The Trustees of the Kay County Public Buildings Authority (PBA) met in special session at 8:45 a.m. on Monday, August 2, 2021, in the Kay County Courthouse, First Floor, Commissioners Court, in Newkirk, Oklahoma. Notice of the meeting was posted for public information on July 27, 2021, at the Courthouse front door, Commissioners Court, basement handicapped entrance of the Kay County Courthouse in Newkirk, Oklahoma, and the Kay County Website.

Chairman Jason Shanks called the meeting to order. Trustees: Jack Godberson, Vice-Chairman, absent, John A. Wilson, Member, present. Other's present were as follows: Brian Hermanson, District Attorney; David Cummings, Baumert, Cummings & Hiatt/PBA Attorney; Jeff Raley, Floyd Law Firm, P.C.; Randall W. Nelson, D. A. Davidson & Co.; Randy Kyler, KSB Construction; Susan Keen, Kay County Assessor; Claude Williams, Taxpayers for Transparency; Tammy Reese, Secretary/Kay County Clerk.

Motion was made by Wilson and seconded by Shanks approving special meeting minutes of July 19, 2021. Motion carried: Shanks, aye; Wilson, aye.

Resolution regarding incurring of indebtedness: PBA Attorney David Cummings explained the resolution to incur indebtedness through the issuance of lease revenue bonds, bonds, etc. not to exceed \$2,150,000.00, and to hire professionals to put together the bonds and sale the bonds. He told Bond Series 2019 and Bond Series 2020, Baker Group was the underwriter who sold the bonds publicly and BancFirst was the Trustee Bank; he said that would remain the same for Bond Series 2021. Chairman Shanks asked what the interest cost would be and Randall W. Nelson, D. A. Davidson & Co. said 2.14 percent; he also stated there is a big demand for bonds at this time. Shanks said after all is said and done the PBA would receive \$2 million and \$150,000 would be the fees for the selling of the bonds. Shanks said after he reviewed the finances it seemed to him the shortage would be around \$2.3 million but Randall Nelson was stating \$2.7 million. It was noted that Architects In Partnership (AIP) fees would be \$470,000; Shanks said using the percentage charged previously the fees would be \$570,000. Cummings said \$470,000 was the amount given to him from AIP. Construction Manager Randy Kyler told several items would need to be rebid to save money. Shanks said in order to proceed we have to have \$2 million. DA Hermanson informed he had sent a letter to the IRS asking for guidelines on how the American Rescue monies may be used and if these monies can be used to help with the renovation of the courthouse. Trustees Shanks and Wilson discussed possibilities to reduce the amount needed for the renovation of the courthouse but due to public building codes there was no way to cut \$2 million.

Motion was made by Wilson and seconded by Shanks approving a resolution authorizing and approving the incurring of indebtedness by the Kay County Public Buildings Authority (herein the "Authority") to be accomplished by the issuance of lease revenue bonds, bonds, notes or other evidences of indebtedness in one or more series on a tax-exempt or taxable basis, at a premium or discount, in the aggregate principal par amount of not to exceed Two Million, One Hundred Fifty Thousand Dollars (\$2,150,000) for the financing of the design, construction, financing, furnishings, capital facilities and improvements, equipment, fixtures, site acquisition, site preparation, street improvements, relocation of offices, and other facilities, and

maintenance and operation expenses for the Kay County Courthouse renovation and annex construction project located in Kay County; establish a reserve fund, if any, capitalize interest and pay costs of issuance; waiving competitive bidding in regard to the sale of said bonds; approving and authorizing the execution and delivery of documents in connection therewith, including, but not limited to, a bond indenture, a preliminary official statement, an official statement, a continuing disclosure agreement, written compliance procedures, a federal tax certificate and a bond purchase agreement; selection of professionals to effect said financing and the taking of other action with respect thereto. Motion carried: Wilson, aye; Shanks, aye.

CM Randy Kyler discussed when he could move forward, bids for subcontractors, approving previous bids, approving pricing, etc. Cummings said we cannot approve more than we know we have and noted we have \$7.7 million in the construction fund.

Randall Nelson said closing of the bonds would be the week of August 20th.

There being no further business, motion was made by Shanks and seconded by Wilson to adjourn (9:10 a.m.). Motion carried: Shanks, aye; Wilson, aye.

Approved this 9th day of August, 2021.

TRUSTEES
KAY COUNTY PUBLIC BUILDINGS AUTHORITY

JASON SHANKS, CHAIRMAN

JACK GODBERSON, VICE-CHAIRMAN

JOHN A. WILSON, MEMBER

ATTEST:

TAMMY REESE, SECRETARY-TREASURER/KAY COUNTY CLERK
KAY COUNTY PUBLIC BUILDINGS AUTHORITY
(SEAL)
