

**Minutes Town of Kiowa Regular Meeting
April 28, 2016
7:00 pm
Kiowa City Hall
813 South Harrison Street
Kiowa, Oklahoma**

The meeting was called to order by Mayor Serena Johnston at 7:00pm.

Roll Call: Ned Naugle, Regina VanBlaircom, Bob Ramey and Serena Johnston were present. Robert Burgett was absent.

Consideration of the Minutes:

Motion was made by Johnston to approve the Minutes from the Special Meeting March 23, 2016 and from the Regular Meeting March 31, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

Treasurers Report:

Coleene Lewis gave the Treasurers Report for the month of March, 2016.

Total Revenue was \$108,418.24 Total Expenses were \$39,425.98 with a profit of \$68,992.26.

Motion was made by Johnston to approve the Treasures Report for the month of March, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

Purchase Orders:

JoMae Peck said there was one additional Purchase Order # GF-5239 to TMA Laser Group for toner in the amount of \$548.85.

Motion was made by Johnston to approve the Purchase Orders for the month of April, 2016, seconded by VanBlaircom. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

1. Discussion and possible approval of a single wide mobile home to be moved into the Town of Kiowa. James Lawson.
Motion was made by Johnston to approve the single wide mobile home to be moved into the Town of Kiowa at Oyama and Grand, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
Mayor Johnston suggested that James Lawson make sure to get a burn permit and a building permit. James Lawson said he would contact Chief Johnston before they started burning. James Lawson also said all of the shingles have been removed from the old house.
2. Discussion: Mike Kerns from Kerns & Company (Accountant) would like to introduce himself to the Board of Trustees' and to give an overview of services his company has to offer.
Mike Kerns told the Board of Trustees' he has been in Governmental Accounting business for close to 30 years. He said he used to do the bookkeeping for the Town of Kiowa when Danny Drake was Mayor. He is currently working with the City of Krebs, Savanna, Haleyville, Canadian, Pittsburg and he currently does the budget for Pittsburg County and Latimer County.

Mike Kerns said that he has visited with Mayor Johnston and what they would like to do is sit down tomorrow and go into detail as to what services the Town of Kiowa needs.

Mike Kerns said there would be two sets of books one for the Public Utilities and one for the Town. He said the way he normally does business is a flat fee, he said that we don't have to do that. He said what they try to do is be fair on both sides, because he said if you go an hourly rate he feels like it gets out of hand he said that was his personal opinion, he said other people like to do it that way.

But his staff he said he had one lady that works in the office full time, he said they have worked together for fifteen years, he said she does all the current accounting for the Cities that he works with now. Mike Kerns said he goes to all the Council meetings for the City of Krebs, he said we try to work it by what your needs are, he said he only goes to the Town of Savanna every quarter. He said he tries to work with what the needs are, he doesn't dictate what you need because he is not in the Town's shoes. Mike Kerns said but you do need guidance and you do need to look at financial statements, you get your Treasurers' report that is not a true financial statements that's no reflection of your ability that is just what it is. He said it is like the Public Works Authority what you look at on the financial statements is what your billing are versus your cash that comes in, now we do on the monthly financials for the Public Utilities we do have what is called a cash flow statement it is one that is generally accepted County schedules, he said he does like to use that because you need to know what your cash standing is and whether you are gaining or losing cash.

Mike Kerns said the City side is pretty much straight cash it is whatever you get in and whatever you spend.

Mike Kerns said that tomorrow what the Mayor and he would be talking about would be first is the budget for this next year that is separate than doing the whole annual bookkeeping and service for next year, they would have to discuss that.

Mike Kerns said there are two forms of budget one is the New Budget Act and is basically you can set any revenues you want and the one he likes to use for small Town's is Estimate of Needs you can only budget 90% of your previous years revenue that is his personal experience from thirty years.

Mike Kerns said in preparing the budget the first thing he looks at is the employees' you have to build that first, because you have to pay your employees', and then they like to look at the history of the M&O. He said on the Public Works side it does have to have expense categories it operates like a regular business.

Mike Kerns says he does recommend increasing water and sewer every year because the cost of chemicals goes up every year and cost of repairs goes up, your utility company cannot subsidize that, you have to consider a 3% to 5% increase each year. JoMae Peck asked if they come into our system and do reconciliation, Mike Kerns said normally they don't. JoMae Peck said that all of the Office employees' handle money and they should not be doing reconciliation. JoMae Peck said that she has a real issue with internal control. Mike Kerns said that is a very good point because if different people have access to your cash because if something happens you do not know who did it. JoMae Peck said another set of eyes does not hurt.

Mike Kerns said let me take that back we will do reconciliation. JoMae Peck asked if they would do it in our system. Mike Kern said they could remote in.

Mayor Johnston thanked Mike Kerns for coming.

Mayor Johnston said they had received a lot of people inquiring in Town and the last Budget workshop why we didn't have Kerns and Shores even though Kerns and Shores are not together anymore, questions like maybe the Town was better when they were here. Mayor Johnston said we owe it to the Town to look at other resources and it doesn't mean we have to accept them but if the Board is ok with it she will meet with them tomorrow and see what he has to offer and we are not under any obligation.

Mayor Johnston she was meeting with Mike Kerns tomorrow to ask some questions and if the Board had any questions to let her know and she would bring the answers back.

3. MONTHLY REPORTS:

a. **TENASKA POWER PLANT:** Mr. Battles gave the report for Tenaska. Mr. Battles said they were getting ready for summer and that everything was running well.

b. **MAINTENANCE:** Shawn Kinsey gave the report for the Maintenance Department: Shawn said that they had gotten the big trailer completed and it is now working to move our heavy equipment around. All the repairs are done to the Nutrition Center. Shawn said he had met with the Insurance Adjuster for the Nutrition Center, he was taking pictures. We will not get compensation for the termite damage but we will for the water damage, there was also wind damage to the north wall. He said we should be hearing from them in a few weeks.

Shawn said they have been weed eating and brush hogging daily, they have been doing some fence repair at the Cemetery and the Park.

c. **FIRE:** Fire Chief Patrick Johnston gave the report for the Fire Department. Chief Johnston said they had responded to four fires and six medical calls. Chief Johnston said asked about open carry. Pat Layden said Municipalities can set their own regulations on open carry.

d. **ANIMAL CONTROL:** Shawn Kinsey said they had been called out for 4 cats, 3 dogs, 1 mule and 1 pony.

e. **POLICE:** Police Chief Cody Poe gave the report for the Police Department. Chief Poe said they had written 287 citations, 171 warnings, they had responded to 117 calls, 17 cases, 10 narcotic cases, 2 pending cases and 2 alarm calls. Kris Bailey got his 2013 Charger back today it was free of charge, it was under warranty.

4. Discussion and possible approval to pay Micah Stites his comp and vacation time. Motion was made by Johnston to approve to pay Micah Stites his comptime and vacation time not to exceed \$3,054.24, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

5. Discussion and possible approval of the Contract with Aberdeen, for old fine collection.
Motion was made by Johnston to approve the Contract with Aberdeen, for old fine collection, seconded by VanBlaircom. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
6. Discussion and possible approval of the Mutual Aid Agreement with the Town of Savanna.
Motion was made by Johnston to approve the Mutual Aid Agreement with the Town of Savanna, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
7. Discussion and possible approval to purchase Billy Smith's K-9 and to issue the K-9 to Billy Smith, the purchase to be taken out of the Drug and Alcohol fund.
Motion was made by Johnston to approve the purchase of Billy Smith's K-9 and to issue the K-9 to Billy Smith, the purchase to be taken out of the Drug and Alcohol fund in the amount of \$2,000.00 and when Billy Smith leaves employment with the Town of Kiowa he will have the option to buy back the K-9 not to exceed \$2,000.00, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
8. Discussion and possible approval to put \$100,000.00 from General Fund into a CD.
Motion was made by Johnston to bypass this item and to put this on the Agenda for the Special Meeting on May 9th, 2016, seconded by VanBlaircom. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The Special Meeting May 9, 2016 at 6:00pm was cancelled 5-3-2016 by Mayor Johnston. This item will be put on the Agenda for the regular meeting May 26, 2016.
9. Discussion and possible approval of General Fund Budget Amendment #3 in the amount of \$69,040.00.
Motion was made by Johnston to approve the General Fund Budget Amendment #3 in the amount of \$69,040.00, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
10. Discussion and possible approval to repair the 2009 Charger.
Motion was made by Johnston to not repair the 2009 Charger, seconded by Ramey. Naugle voted no. VanBlaircom, Ramey and Johnston voted yes. Motion carried.
11. Discussion and possible approval to take the 2009 Charger out of service.
Motion was made by Johnston to take the 2009 out of service, seconded by VanBlaircom. Naugle voted no. VanBlaircom, Ramey and Johnston voted yes. Motion carried.
12. Discussion and possible approval to surplus the 2009 Charger.
Motion was made by Johnston to surplus the 2009 Charger, seconded by VanBlaircom. Naugle voted no. VanBlaircom, Ramey and Johnston voted yes. Motion carried.

- 13. Discussion and possible approval to purchase a new Police Vehicle.**
Motion was made by Johnston to approve the purchase of a new Police vehicle a Ford Interceptor not to exceed \$40,000.00 and to purchase outright, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
- 14. Discussion and possible approval of the annual agreement with Crawford & Associates for the next fiscal year 2016-2017.**
Motion was made by Johnston to bypass this item and to put it on the Agenda for the Special Meeting May 9, 2016 at 6:00pm, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The Special Meeting May 9, 2016 at 6:00pm was cancelled 5-3-2016 by Mayor Johnston. This item will be put on the Agenda for the regular meeting May 26, 2016.
- 15. Discussion and possible approval to purchase 2 (two) Fire King Turtle 4 (four) drawer file cabinets. Cody Poe.**
Motion was made by Johnston to bypass this item and to put it on the Agenda for May 26, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The seven (7) Executive Sessions will be held consecutively with findings after the Board of Trustee's return.
- 16. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Shawn Kinsey. OS TITLE 25 SECTION 307 (B) (1).**
Motion was made by Johnston to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Shawn Kinsey. OS TITLE 25 SECTION 307 (B) (1), seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried. Time 8:12pm.
- 17. Discussion and possible approval of the findings from Executive Session for Shawn Kinsey, number 16 on this agenda.**
Returned at 9:10pm. Motion was made by Johnston that things remain the same for Shawn Kinsey and we will continue to check progress on Fridays or at point during the week, and we will follow up with this and to put this on the Agenda for June 30, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
- 18. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Blake Powell. OS TITLE 25 SECTION 307 (B) (1).**
Motion was made by Johnston to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Blake Powell. OS TITLE 25 SECTION 307 (B) (1), seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried. Time 8:12pm.

19. Discussion and possible approval of the findings from Executive Session for Blake Powell, number 18 on this agenda.

Returned at 9:10pm. Motion was made by Johnston that things remain the same for Blake Powell and we will continue to check progress on Fridays or at point during the week, and we will follow up with this and to put this on the Agenda for June 30, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

20. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Seth Weber. OS TITLE 25 SECTION 307 (B) (1).

Motion was made by Johnston to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Seth Weber. OS TITLE 25 SECTION 307 (B) (1), seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried. Time 8:12pm.

21. Discussion and possible approval of the findings from Executive Session for Seth Weber, number 20 on this agenda.

Returned at 9:10pm. Motion was made by Johnston that things remain the same for Seth Weber and we will continue to check progress on Fridays or at point during the week, and we will follow up with this and to put this on the Agenda for June 30, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

22. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Ray Goss. OS TITLE 25 SECTION 307 (B) (1).

Motion was made by Johnston to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Ray Goss. OS TITLE 25 SECTION 307 (B) (1), seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried. Time 8:12pm.

23. Discussion and possible approval of the findings from Executive Session for Ray Goss, number 22 on this agenda.

Returned at 9:10pm. Motion was made by Johnston that things remain the same for Ray Goss and we will continue to check progress on Fridays or at point during the week, and we will follow up with this and to put this on the Agenda for June 30, 2016, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.

24. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Kris Bailey. OS TITLE 25 SECTION 307 (B) (1).

Motion was made by Johnston to bypass this item and to put it on the Agenda for the Special Meeting for May 9, 2016 at 6:00pm For Kris Bailey, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The Special Meeting May 9, 2016 at 6:00pm was cancelled 5-3-2016 by Mayor Johnston. This item will be put on the Agenda for the regular meeting May 26, 2016.

25. Discussion and possible approval of the findings from Executive Session for Kris Bailey, number 24 on this agenda.
No findings.
26. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Cody Poe for the increase in salary after completion of Chief School.
OS TITLE 25 SECTION 307 (B) (1).
Motion was made by Johnston to bypass this item and to put it on the Agenda for the Special Meeting for May 9, 2016 at 6:00pm for Cody Poe, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The Special Meeting May 9, 2016 at 6:00pm was cancelled 5-3-2016 by Mayor Johnston. This item will be put on the Agenda for the regular meeting May 26, 2016.
27. Discussion and possible approval of the findings from Executive Session for Cody Poe, number 26 on this agenda.
No findings.
28. Discussion and possible approval to enter into Executive Session for the purpose of discussion of possible promotion and /or pay raise or disciplinary action for Jerry Ford.
OS TITLE 25 SECTION 307 (B) (1).
Motion was made by Johnston to bypass this item and to put it on the Agenda for the Special Meeting for May 9, 2016 at 6:00pm for Jerry Ford, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried.
The Special Meeting May 9, 2016 at 6:00pm was cancelled 5-3-2016 by Mayor Johnston. This item will be put on the Agenda for the regular meeting May 26, 2016.
29. Discussion and possible approval of the findings from Executive Session for Jerry Ford, number 28 on this agenda.
No findings.

New Business: JoMae Peck asked the Board of Trustees' to think very seriously about the decision they will be making about the Financial Advisor.

Shawn Kinsey said there are two storage buildings that need to be painted, the one at the Fire Department and one at the Cemetery they are starting to rust.

Shawn said he does have an airless sprayer that we could use to apply an oil based Paint. If we have an account at Sherwin Williams to purchase the tip for the gun, Shawn said he would gladly donate the use of his airless paint gun. Shawn said he would like to get approval to purchase the tip for the airless gun and to purchase the paint.

Regina VanBlaircom asked what the cost was going to be. Shawn Kinsey said for 5 gallons of paint it cost \$75.00 and he said it should take 10 gallons to do both buildings. Shawn said Lowes has the best deal for paint. Regina VanBlaircom said she was making sure it would be under \$500.00. Shawn said it would be.

Ned Naugle asked Shawn how many gallons of paint it was going to take, Shawn said they are going to use 5 gallons of Kilz to spray on both buildings and then come back with the paint. Mayor Johnston said she didn't have an issue with it.

Chief Poe asked if they could start using the fogger again, because the mosquitoes are bad. Shawn Kinsey said they were told not to do it because they were not suppose to get any comptime. Regina VanBlaircom said that they could grant permission of comptime to do the spraying.

Mayor Johnston said that Blake was talking about an Animal Control School, Mayor Johnston said he was going to get some information.

Public Discussion:

None.

Adjourn:

Motion to adjourn was made by Johnston, seconded by Naugle. Naugle, VanBlaircom, Ramey and Johnston voted yes. Motion carried. Time 9:25pm.