

**TOWN OF CARLTON LANDING
REGULAR MEETING OF THE BOARD OF TRUSTEES**

Location: 10B Boulevard, Carlton Landing, Oklahoma, also known as "School Building 2"

Date and Time: Saturday, March 19, 2016 at 8:00 a.m.

Notice and Agenda posted in prominent view at 10B Boulevard, Carlton Landing, Oklahoma, also known as "School Building 2" and on the Community Bulletin Board on the Telephone Booth on the Boulevard, Carlton Landing, Oklahoma before 8:00 a.m. March 17, 2016

MINUTES

1. Call to Order.

The meeting was called to order at 8:00 a.m. with Mayor Chinnici presiding.

2. Roll Call.

A roll call reflected that Trustees Chinnici, Click, Kimmel, Clerk Blair and Treasurer Summers were present.

3. Minutes:

a. Regular Board of Trustees Meeting February 20, 2016

MOTION: A motion was made and seconded to approve the minutes as written.

AYE: Chinnici, Click, Kimmel

NAY: None

4. Sales Tax Revenue and other Financial and Administrative Reports

DISCUSSION: In February, 25 vendors reported sales tax with Mill Creek Lumber being the largest vendor. Sales tax revenue reported was \$7,379.

5. Discussion, Consideration and Action regarding the Assignment of the Legal Consulting Services Engagement agreement with the Center for Economic Development Law from the Town of Carlton Landing to the CLEDT

DISCUSSION: The Carlton Landing Economic Development Trust (CLEDT) is the public trust formed to provide oversight and authorization for the tax increment district and the project plan implementation. The Town of Carlton Landing will assign the CLEDT to act on behalf of the town through the engagement agreement. The Center for Economic Development Law will consent to the assignment by acknowledgement of the agreement.

MOTION: A motion was made and seconded to acknowledge the agreement and process.

AYE: Chinnici, Click, Kimmel

NAY: None

6. Entertainment of Motion to adjourn the Governing Body Meeting

MOTION: Motion made and seconded to adjourn from Town Board meeting to move to CLEDT meeting.

AYE: Chinnici, Click, Kimmel

NAY: None

7. Entertain a Motion to Call to Order the Meeting of the Carlton Landing Economic Development Trust (CLEDT)

a. Call to Order. Meeting was called to order at 0814

b. Roll Call. Chinnici, Click, Kimmel, Secretary Blair, Treasurer Summers, Attorney Wall,

c. Minutes. None. This is the first meeting of the CLEDT

d. Discussion, Consideration and Possible Action regarding the Trust Indenture including positions on the Board.

DISCUSSION: The CLEDT is an extension of the town's business. The general manager duties and actions will be rolled into the project costs and into the current administrative contract. There will not likely be additional costs. The CLEDT board positions will mirror the town board positions and will be filled with the incumbents to include the Chair (Chinnici), Vice-Chair (Click), Member (Hardway), Member (Kimmel), Secretary (Blair), Treasurer (Summers), and Attorney (Wall).

MOTION: A motion was made and seconded to approve positions as stated

AYE: Chinnici, Click, Kimmel

NAY: None

e. Discussion, Consideration, and Possible Action regarding the Memo from Leslie Batchelor and Jeff Sabin relative to Public Competitive Bidding

DISCUSSION: The Public Competitive Bidding Act (PCBA) (61 O.S. § 101) requires contracts for public improvements valued at \$50,000 or more be awarded to the lowest bidder through a competitive bid. The PCBA applies to the Town of Carlton Landing and the CLEDT. However, in accordance with the act, there is an exception to the requirement that as long as the contracted costs for the public improvements and public buildings do not exceed 25% of the total estimated public and private investment proposed in the Increment District, the requirement of a competitive bid does not apply. There may be times where competitive bid is appropriate and beneficial. For the first project, the Nature Center Trails Development in the amount of \$100,000, Attorney Wall is comfortable proceeding without competitive bidding.

MOTION: There was a motion and a second to acknowledge the memo from Leslie Batchelor at the Center for Economic Development Law.

AYE: Chinnici, Click, Kimmel

NAY: None

f. Discussion, Consideration and Possible Action regarding the Assumption of the Legal Consulting Services Engagement agreement with the CEDL from the Town of Carlton Landing to the CLEDT

DISCUSSION: The Carlton Landing Economic Development Trust (CLEDT) is the public trust formed to provide oversight and authorization for the tax increment district and the project plan implementation. The Town of Carlton Landing will assign the CLEDT to act on behalf of the town

through the engagement agreement. The Center for Economic Development Law will consent to the assignment by acknowledgement of the agreement.

MOTION: A motion was made and seconded to acknowledge the agreement and process.

AYE: Chinnici, Click, Kimmel

NAY: None

g. Discussion, Consideration and Possible Action regarding a Resolution approving the Assumption of the Engagement Agreement with the CEDL from the Town of Carlton Landing

DISCUSSION: Resolution #33 approves the assumption agreement as stated in Agenda item 7g. As stated previously, the CLEDT is an extension of the Town of Carlton Landing. Administrative documents related to CLEDT business will be incorporated into the Town of Carlton Landing tracking system for resolutions and ordinances.

MOTION: A motion was made and seconded to approve Resolution #33 as stated in Agenda item 7g.

AYE: Chinnici, Click, Kimmel

NAY: None

h. Discussion, Consideration and Possible Action regarding the Amended and Restated Project Cost Advancement and Eligibility Agreement by and between the Town of CL , the CLEDT, and Humphreys Partners 2009, LLC

DISCUSSION: Original agreement authorized \$75,000. Additional costs were spent due to the maps required for annexation. The request to increase the authorization to \$150,000 is to reimburse the developer for costs already incurred due to TIF. The funds will be reimbursed with TIF funds then they are received. Resolution #32 was approved by the Town Board on 20 Feb 2016 approving the CLEDT to amend and restate the project costs advancement.

MOTION: A motion was made and seconded to approve the amended and restated project cost advancement and eligibility agreement as presented

AYE: Chinnici, Click, Kimmel

NAY: None

i. Discussion, Consideration and Possible Action regarding a Resolution Approving the Amended and Restated Project cost advancement and Eligibility Agreement by and Between the Town of Carlton Landing, Carlton Landing Economic Development Trust, and Humphreys Partners 2009 LLC

DISCUSSION: Resolution #34 is the CLEDT approval of the amended and restated project cost advancement.

MOTION: A motion was made and seconded to approve the resolution as presented

AYE: Chinnici, Click, Kimmel

NAY: None

j. Discussion, Consideration and Possible Action regarding a Resolution approving the Nature Center Trails Development Agreement with Humphreys Partners 2009 LLC, to Construct a system of Trails and Related Improvements Throughout the Town of Carlton Landing and in the Area Leased from the USACE

DISCUSSION: Resolution #35 is the CLEDT approval of the Nature Center Trails Development Agreement with Humphreys Partners 2009 LLC to construct a system of trails and related improvements throughout the town of Carlton Landing and in the area leased from the United States Army Corps of Engineers.

MOTION: A motion was made and seconded to approve the resolution as presented

AYE: Chinnici, Click, Kimmel

NAY: None

k. Adjourn the CLEDT meeting and return to the Governing Body meeting

Meeting was adjourned at 0841 and moved back into the Regular Town Board meeting.

8. Discussion, Consideration and Possible Action regarding a GO Bond Resolution Fixing Maturities and Authorizing Sale of Bonds

DISCUSSION: Item is not ready for presentation at this time.

MOTION: A motion was made and seconded to table Agenda Item #8.

AYE: Chinnici, Click, Kimmel

NAY: None

9. Discussion, Consideration and Possible Action regarding a Notification to the Rural Water District when a New Building Permit is Issued

DISCUSSION: It benefits the Rural Water District to receive notification when a new building permit is issued. The process is routinely executed in this way in other towns and cities.

MOTION: A motion was made and seconded to make notification as stated in agenda item #9.

AYE: Chinnici, Click, Kimmel

NAY: None

10. Discussion, Consideration, Possible action to purchase Liability Insurance to cover the Carlton Landing Governing Body for the approximate cost of \$1500.00 per year from OMAG.

DISCUSSION: Liability insurance is required. Oklahoma Municipal Assurance Group (OMAG) provided coverage. Cost estimate is \$1540 per year. This expense is not currently included in the budget but is of an amount that can be reprogrammed from another area to cover the required cost. Attorney Wall recommended a notice of payment of any claims be presented on the agenda with supporting documents for the trustees approval.

MOTION: A motion was made and seconded to approve liability coverage from OMAG as presented.

AYE: Chinnici, Click, Kimmel

NAY: None

11. Discussion, Consideration and Possible Action regarding a Issuance of a Letter of Confirmation for monthly Fire Department funding from the Town of Carlton Landing

DISCUSSION: The Carlton Landing Volunteer Fire Department is a non-profit entity. The Town of Carlton Landing pays \$250 per month for fire protection services. Funds paid by the town should only be paid after receipt of a detailed invoice. The letter confirms payment was made in 2015 for fire services in lieu of a detailed invoice. In the future an invoice will be provided.

MOTION: A motion was made and seconded to approve a confirmation letter as stated in agenda item #11

AYE: Chinnici, Click, Kimmel

NAY: None

12. Discussion, Consideration and Possible Action for the Mayor to select and appoint a Code Official for administration of the Town's fire codes, as authorized by Ordinance #20

DISCUSSION: Ordinance #20 authorizes the Mayor to select and appoint code officials. The Mayor will appoint Jesse Elmore, Reliable Fire Systems, Inc, as the Town of Carlton Landing Fire Code Official. The fees apply to large commercial structures and multi-family homes and not to single family homes. The ordinance outlining the fee code schedule will be amended with the approved amount of the fire code fee.

ACTION: Mayor Chinnici appoint Jesse E. Moore, Reliable Fire Systems, Inc as the Fire Code Official.

13. Legal Reports, Comments, and Recommendations from Kay Wall, Town Lawyer to the Governing Body

a. Attorney Wall presented a draft letter for the County Commissioners regarding the Section Line Road opening request and is requesting this issue be placed on the County Commissioners agenda for April 25, 2016.

b. Attorney Wall suggested a master fee schedule be prepared and maintained for all fee schedules approved by ordinances and resolutions. Referencing the fee schedule in ordinances and providing updates to fee changes by resolution will ease cost and administrative burdens for public notice and will allow for transparency and clarity for required fees.

c. Attorney Wall requested that previously discussed cut off dates for meeting agenda items be honored to the greatest extent possible as it is difficult to review agenda items with the detailed required when received at the last minute.

14. Comments and questions by governing body members regarding items for future consideration.

a. The next regular town board meeting will be held on 23 April at 0800, the 4th Saturday vice the normal 3rd Saturday as noted in the 2016 meeting schedule notice, approved on 21 November 2015.

15. New Business: Any matter not known about or which could not have been reasonably foreseen prior to the time of posting.

a. Auditor Report. Anne Elfrink delivered the end of year audit report for 2015.

16. Public Comment

None

17. Adjournment

The meeting was adjourned at 0915

Joanne Cheniece
Mayor

Attest:

Carol J. Bain
Town Clerk

