

**TOWN OF CARLTON LANDING
REGULAR MEETING OF THE CARLTON LANDING ECONOMIC DEVELOPMENT
TRUST**

Location: 10B Boulevard, Carlton Landing, Oklahoma, also known as
the Carlton Landing Academy Cafeteria
Saturday; June 20, 2020; 8:00 a.m.

MINUTES

1. Call to Order

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

2. Roll Call

Mary Myrick (teleconference)
Chuck Mai (teleconference)
Kris Brule (teleconference)
Clay Chapman (teleconference)
Joanne Chinnici (teleconference)
Jan Summers (teleconference)
Renee Norman (teleconference)
Kay Wall (teleconference)
Greg Buckley, present

ABSENT: None

Consent Items

3. Approval of Minutes:

- a. Regular Meeting of the CL Economic Development Trust of May 16, 2020

MOTION: A Motion was made by Mai and seconded by Brule to accept the consent agenda as presented.

AYE: Chinnici, Myrick, Brule, Mai, Chapman
NAY: None

4. Acknowledge receipt of Claims and Purchase Orders Report

5. Items Removed from Consent Agenda.

6. Consider convening into executive session, pursuant to 25 O.S. Section 307 B.3 for the purpose of purchasing real property for the benefit of the Town from the Developer.

MOTION: A motion was made by Chinnici and seconded by Chapman to enter into executive session with the approval of Kay Wall and Jan Summers in attendance. Approved by all.

MOTION: A motion was made by Chinnici and seconded by Mai to exit executive session. Approved by all.

7. Discuss and take possible action in open meeting, on executive session item 6, if necessary, approving:
 - a. a Sales Agreement
 - b. Resolution for property purchase and Deed.

MOTION: A motion was made by Chinnici and seconded by Brule to approve the warranty deed and sales agreement between Humphreys Partners 2009, LLC and the Town of Carlton Landing. (see attached)

AYE: Chinnici, Myrick, Brule, Mai, Chapman
NAY: None

8. Reports
 - a. Financial Reports (See Attached)
 - b. Town Administrator Report (See Attached)
 - c. Legal Reports, Comments, and Recommendations to the Governing Body. None
9. Recognize Citizens wishing to comment on non-Agenda Items
10. Comments and questions by Governing Body members regarding items for future consideration.
None
11. Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 8:36 a.m., June 20, 2020

Mayor

Attest:

Town Clerk

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS;

That Humphreys Partners 2009, LLC, an Oklahoma limited liability company, Grantor, party of the first part, in consideration of the sum of Ten and no/100-----dollars, and other valuable consideration, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto The Town of Carlton Landing, Grantee, with a mailing address of 60 Boardwalk, Carlton Landing, Oklahoma, 74432, party of the second part, the following described real property and premises situate in Pittsburg County, State of Oklahoma, to-wit:

A tract that is legally described on Exhibit A, attached hereto.
LESS AND EXCEPT all Easements and other restrictions of record;

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, its successors and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Said Grantor and Grantee hereby agree as follows:

1. The Town of Carlton Landing agrees to use the property for a non-fee based school.
2. In the event the school closes, the Seller has first right to purchase property and improvements from the Town for the original purchase price of \$577,760.83.
3. In the event the Seller chooses not to exercise the right to purchase, the Town shall pay the Seller an additional sum of \$1,000,000.00 (approx.\$17.772 per sq.ft.) which may be adjusted by the Consumer Price Index (CPI) from the Agreement date to date of exercising purchase option in exchange for releasing the restricted use of the property for a school.
4. Alternatively, the Seller and Town of Carlton Landing may agree to modify the use restriction for another public use agreeable to both parties.

Signed and delivered this _____ day of June, 2020.

Humphreys Partners 2009, LLC

By: The Humphreys Company, LLC, its Manager

Signed: _____ MINUTES Regular Meeting of the CLEDT
Grant Humphreys, Executive Vice President

STATE OF OKLAHOMA) INDIVIDUAL ACKNOWLEDGMENT
) **Oklahoma Form**
COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for said County and State, on this ____ day of June, 2020, personally appeared Grant Humphreys, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

Draft

Exhibit "A"

LEGAL DESCRIPTION

A tract of land being a part of the Southeast Quarter (SE/4) of Section Thirty-one (31), Township Nine (9) North, Range Seventeen (17) East of the Indian Meridian, Pittsburg County, Oklahoma, and being more particularly described as follows:

Beginning at the Southeast (SE) Corner of Boulevard and an Alley as shown on the plat of Carlton Landing.

THENCE North 88°25'31" East, along and with the South line of said Alley, a distance of 349.50 feet;

THENCE South 01°34'29" East, departing said South line, parallel to and 349.50 feet East of the East right-of-way line of Boulevard, a distance of 161.00 feet;

THENCE South 88°25'31" West, parallel to and 161.00 feet South of the South line of said Alley, a distance of 349.50 feet to a point on the East right-of-way line of Boulevard;

THENCE North 01°34'29" West, along and with the East right-of-way line of Boulevard, a distance of 161.00 feet to the POINT OF BEGINNING.

Said tract containing 56,269.5 square feet or 1.2917 acres, more or less.

Statement of Revenue and Expenditures

Acct		Current	Year-To-Date	Annual Budget	Annual Budget	Jul 2019
		Period	Jul 2019	Jul 2019	Jul 2019	Jun 2020
		Jul 2019	Jun 2020	Jun 2020	Jun 2020	Percent of
		Actual	Actual	Actual	Variance	Budget
Revenue & Expenditures						
Revenue						
Non-Departmental Revenues						
4015	Pittsburgh County Sinking Fund	0.00	0.00	190,253.00	190,253.00	0.0%
4050	Tax Increment from County	206,428.00	206,428.00	0.00	(206,428.00)	0.0%
	Non-Departmental Revenues Totals	\$206,428.00	\$206,428.00	\$190,253.00	(\$16,175.00)	
TIF Projects						
4050	Tax Increment from County	584,774.87	584,774.87	0.00	(584,774.87)	0.0%
	TIF Projects Totals	\$584,774.87	\$584,774.87	\$0.00	(\$584,774.87)	
	Revenue	\$791,202.87	\$791,202.87	\$190,253.00	(\$600,949.87)	
	Gross Profit	\$791,202.87	\$791,202.87	\$190,253.00	\$0.00	
Expenses						
General Government						
7100	2018 Rev Bond	0.00	0.00	165,135.04	165,135.04	0.0%
7101	2018B Rev Bond	0.00	0.00	25,118.40	25,118.40	0.0%
9500	Transfer OUT to General Fund	0.00	0.00	99,404.00	99,404.00	0.0%
	General Government Totals	\$0.00	\$0.00	\$289,657.44	\$289,657.44	
TIF Projects						
7100	2018 Rev Bond	1,500.00	1,500.00	906,067.00	904,567.00	0.2%
7101	2018B Rev Bond	0.00	0.00	759,100.00	759,100.00	0.0%
8101	2018B Revenue Bond	1,500.00	1,500.00	0.00	(1,500.00)	0.0%
8500	Interest Expense	104,184.83	104,184.83	0.00	(104,184.83)	0.0%
	TIF Projects Totals	\$107,184.83	\$107,184.83	\$1,665,167.00	\$1,557,982.17	
	Expenses	\$107,184.83	\$107,184.83	\$1,954,824.44	\$1,847,639.61	
	Revenue Less Expenditures	\$684,018.04	\$684,018.04	(\$1,764,571.44)	\$0.00	
	Net Change in Fund Balance	\$684,018.04	\$684,018.04	(\$1,764,571.44)	\$0.00	
Fund Balances						
	Beginning Fund Balance	0.00	0.00	0.00	0.00	0.0%
	Net Change in Fund Balance	684,018.04	684,018.04	(1,764,571.44)	0.00	0.0%
	Ending Fund Balance	99,243.17	99,243.17	0.00	0.00	0.0%

Town Administrator's Report – June 20, 2020

- Alley Improvements –We are working with one contractor on getting a quote for the Alley's, which will be priced in phases. We are still reaching out to see if any other contractors may have interest in quoting the project.
- Entrance Road – The County has made good progress on the drainage and discussion has begun on a plan for the overlay. Mike is trying to coordinate a meeting next week to plan on dates, communicate to residents, contractors, emergency services, etc. when the work will be done. It appears there will be some time(s) the road will need to be closed while material is being put down. This will be to protect the workers, equipment, and potential damage to vehicles.
- Forms on Website – I received a proposal from Heath Corbin, Hyperfaze, our website manager on putting our application forms on the website. This would allow our customers to fill out and pay, if applicable, for building permit, fireworks permit, or business license online without having to come to the office. We will need to set up a merchant account to accept payments. I think this would be good enhancement to our website and allow our customers better service.
- Lodging Tax Election – Reminder the Lodging Tax Election is June 30, 2020. Some residents have received absentee ballots and hopefully saw Chuck's information letter about the Tax. To date I have not received any negative comments or feedback. Early Election will be June 25 and 26 from 8 am – 6 pm and June 27 from 9 am – 2 pm. On June 30, the polling place for Carlton Landing is No 9 Community Center, 131 Bower Rd, Eufaula OK (its south of HWY 9 in Longtown)
- Fireworks and 4th of July – The 4th of July is approaching fast and want to help remind everyone that a Fireworks Permit is now required to be able to shoot off fireworks and must be 100 feet from a structure.

. Residential Areas

- a. Seventy-two hours (72) before and after July 4 each year between the hours of Noon (12:00) p.m. and ten thirty o'clock (10:30) p.m.
- b. July 4 of each year between the hours of Ten o'clock (10:00) a.m. and Twelve o'clock (12:00) midnight, and
- c. December 31st of each year between the hours of Nine o'clock (9:00) p.m. and Twelve Thirty o'clock (12:30) a.m. on January 1st of the New Year.

Overlook and Town Green Areas