

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

This meeting shall be by videoconference/teleconference participation:

Saturday, May15, 2021; 8:00 a.m.

Immediately following the Regular Meeting of the Carlton Landing Economic Development Trust

MINUTES

1. Call to Order

The meeting was called to order at 8:36 a.m. by Mayor Chinnici

2. Roll Call

Consent Items

PRESENT: Joanne Chinnici
Mary Myrick
Kris Brule
Chuck Mai
Clay Chapman

ABSENT: None

3. Approval of Minutes:

a. Regular Meeting of the Board of Trustees on April 17, 2021

4. Acknowledge receipt of Claims and Purchase Orders Report

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

AYE: Myrick, Chinnici, Brule, Chapman, Mai

NAY: None

5. Items Removed from Consent Agenda

6. Presentation and Review of Street Light Ordinance and Policy by Freese and Nichols with possible discussion and direction to staff related to Street Light Ordinance and Policy, or take any other appropriate action.

Exhibit: Draft Ordinance – Policy

At the February Board of Trustees meeting the Trustees authorized Freese and Nichols to develop a Street Light Ordinance and Policy based on the Dark Sky principles.

Keith Beatty, Dawn Warrick and Dan Koss of Freese and Nichols made a presentation to review some of the criteria used in determining lighting.

Citizen Jennifer Lafferty shared concerns to include data regarding safety, the need for dark sky friending and that people come to Carlton Landing to escape light.

MOTION: A motion was made by Mai and seconded by Brule to provide direction to Freese and Nichols and Staff, if necessary, to develop an outdoor lighting Ordinance for Board review.

AYE: Myrick, Chinnici, Brule, Chapman, Mai

NAY: None

7. Consider and discuss possibly accepting, amending, revising, or denying an Easement(s) from Ridgeline Ranch, LLC for the right to erect, construct, install, lay, and thereafter use, operate, inspect, repair, and maintain, materials to establish a walking trail; for access for maintenance, or take any other appropriate action.

Exhibit: Easement, Easement Legals

The Board of Trustees has approved the construction of a Walking Trail along Ridgeline Road. Funding was approved and appropriated in the TIF 2020 Revenue Note for an amount of \$125,000.00. The Developer, Grant Humphreys, has offered a ten (10) foot easement adjacent to the Ridgeline Road right of way for the Town to install, construct and maintain a walking trail. The Ridgeline Road right of way provides a six (6) foot area for a sidewalk. The combined area allows for a sixteen (16) foot wide path from the Outlook to just short of Lower Greenway. Lot 6 and 7 of Block 23 are not owned by the Ridgeline Ranch, LLC. the trail will be installed within the allowed six (6) foot right of way within those lots.

With the acceptance of the Easement, the Town will be able to begin the installation and construction of the Trail.

MOTION: A motion was made by Chinnici and seconded by Brule to accept the Easement(s) from Ridgeline Ranch, LLC for the right to erect, construct, install, lay, and thereafter use, operate, inspect, repair, and maintain, materials to establish a walking trail; for access for maintenance.

AYE: Myrick, Chinnici, Brule, Chapman, Mai

NAY: None

8. Consider, discuss and possibly approve, revise, amend or deny a Marina Project Agreement between Humphrey's Partners 2009, LLC, the Town of Carlton Landing and Carlton Landing Economic Development Authority for the development and certain improvements of the Marina, or take any other appropriate action.

Exhibit: Marina Development Agreement, Map of Dock, DRAFT TIF Budget Review

Through continued discussion the terms of the original draft, presented in January, have changed and worked to incorporate the comments from the Corps. In addition, improvements to be made as part of the Marina Development Project Agreement and reimbursed by the Town are not eligible to be claimed by the Lender if there is a default on the loan.

The Phase 1 of the Marina Center has been designed in accordance with the requirement of the Eufaula Lakeshore Management Plan Revisions and Master Plan Supplemental Final Environmental Impact Statement, Lease No. DCW56-1-15-268. The Developer, Humphrey's Partners 2009, LLC. is wanting to move forward with the relocation of the

Marina and docks to its final identified location, per the Lease agreement. The Marina Concession Lease is with Carlton Landing Enterprises, LLC. This process is intertwined with the Marina Development Agreement which contracts with the Humphrey's Partners 2009 to perform the Marina improvements.

The Collateral Assignment allows Crossfirst Bank to take a first security interest in the Marina Lease Agreement. Under the Town's Master Lease Agreement with the U.S. Corps of Engineers, the Corps has to also agree to any amendment, changes or assignments related to any sub-lease Agreement. I have submitted the proposed Agreement to the Corps. The Corps provided a couple amendments to the proposed Agreement, which incorporates the Town and the Corp's approval on an assignment of the lease based on a default of the loan.

Carlton Landing Enterprises and Crossfirst Bank were provided the Corps language changes and are evaluating those changes.

If the Trustees approve the proposed Collateral Assignment of Concession Agreement, it would be submitted to the Corps for their approval.

MOTION: A motion was made by Chinnici and seconded by Brule to approve, acknowledge and consent to Collateral Assignment of Concession Agreement (Marina Lease) between the Town of Carlton Landing, Carlton Landing Enterprises, LLC., and Crossfirst Bank for the development and certain improvements of the Marina.

AYE: Myrick, Chinnici, Brule, Chapman, Mai

NAY: None

9. Consider and discuss possibly renewing, amending, revising, or denying a Financial Services Agreement with Renee Norman and, if necessary, provide direction to Staff, or take any other appropriate action.

Exhibit: Financial Services Agreement

MOTION: A motion was made by Chinnici and seconded by Brule to terminate Renee Norman's contract at the end of June, 2021.

AYE: Myrick, Chinnici, Brule, Chapman, Mai

NAY: None

10. Reports

- a. Sales Tax Revenue and other Financial Reports (See attachments)
- b. Town Administrator (See attachment)
- c. Legal Reports, Comments, and Recommendations to the Governing Body

Kay Wall affirmed her position as a licensed attorney with over 44 years of municipal law.

11. Recognize Citizens wishing to comment on non-Agenda Items

Citizen Jennifer Lafferty asked 1) Will there be an amendment to the

Fireworks Ordinance? 2) Will there be an update on fireworks 3) Update on projects

12. Comments and questions by Governing Body members regarding items for future consideration.

Trustee Mai suggested we appoint a committee task force to explore options for developing a fire house and fire department, to include a representative from the HOA.

13. Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 10:04 a.m., May 15, 2021

Mayor

Attest:

Town Clerk

Draft

**General Fund
Bank Register
4/1/2021 to 4/30/2021**

| Trans. Date | Trans. Number | Name / Description | Receipts & Credits | Checks & Payments | Balance |
|--|----------------------|----------------------------|-------------------------------|------------------------------|---------------------|
| General Fund | | | | | |
| Town of CL Checking 9683 | | | | | |
| | | Beginning Balance | | | 188,725.59 |
| 4/1/2021 | R-00098 | Clay Chapman | 694.94 | | 189,420.53 |
| 4/2/2021 | 1114 | Crawford & Associates, P.C | | 247.50 | 189,173.03 |
| 4/2/2021 | 1115 | Crawford & Associates, P.C | | 220.00 | 188,953.03 |
| 4/2/2021 | 1116 | Crawford & Associates, P.C | | 110.00 | 188,843.03 |
| 4/2/2021 | 1118 | Dan Hurd | | 2,100.00 | 186,743.03 |
| 4/2/2021 | 1120 | Oklahoma Uniform Building | | 48.00 | 186,695.03 |
| 4/2/2021 | 1121 | OnSolve LLC | | 1,597.50 | 185,097.53 |
| 4/2/2021 | A-10030 | James G Buckley | | 2,745.07 | 182,352.46 |
| 4/2/2021 | EFT | Cross Telephone Co | | 52.00 | 182,300.46 |
| 4/2/2021 | EFT | Kiamichi Electric | | 112.00 | 182,188.46 |
| 4/5/2021 | R-00099 | Anchor Homes | 2,084.82 | | 184,273.28 |
| 4/8/2021 | 01117 | CSA Software | | 989.00 | 183,284.28 |
| 4/8/2021 | 1119 | Kay Robbins Wall | | 600.00 | 182,684.28 |
| 4/8/2021 | 1122 | OPEH&W | | 1,424.12 | 181,260.16 |
| 4/8/2021 | 1123 | Pied Piper Service | | 80.00 | 181,180.16 |
| 4/8/2021 | 1124 | Renee Norman | | 750.00 | 180,430.16 |
| 4/8/2021 | EFT | BOK Credit Card | | 266.55 | 180,163.61 |
| 4/9/2021 | R-00094 | Oklahoma Tax Commission | 11,578.57 | | 191,742.18 |
| 4/9/2021 | R-00096 | Oklahoma Tax Commission | 921.44 | | 192,663.62 |
| 4/9/2021 | R-00097 | Oklahoma Tax Commission | 408.92 | | 193,072.54 |
| 4/13/2021 | R-00095 | Oklahoma Tax Commission | 145.87 | | 193,218.41 |
| 4/15/2021 | EFT | CSA Software | | 441.05 | 192,777.36 |
| 4/16/2021 | A-10031 | James G Buckley | | 2,513.34 | 190,264.02 |
| 4/16/2021 | R-00100 | Kerney Homes | 762.91 | | 191,026.93 |
| 4/19/2021 | 1125 | OMAG | | 1,040.00 | 189,986.93 |
| 4/19/2021 | 1126 | OMAG | | 125.00 | 189,861.93 |
| 4/19/2021 | 1127 | Center for Economic Devel | | 180.00 | 189,681.93 |
| 4/19/2021 | 1128 | Center for Economic Devel | | 1,465.00 | 188,216.93 |
| 4/19/2021 | 1130 | OkMRF | | 2,086.68 | 186,130.25 |
| 4/20/2021 | EFT | RWS Cloud Services | | 90.00 | 186,040.25 |
| 4/26/2021 | R-00101 | Kerney Homes | 786.00 | | 186,826.25 |
| 4/30/2021 | | | | 77.01 | 186,749.24 |
| 4/30/2021 | A-10032 | James G Buckley | | 2,513.34 | 184,235.90 |
| Town of CL Checking 9683 Totals | | | \$17,383.47 | \$21,873.16 | \$184,235.90 |
| General Fund Totals | | | \$17,383.47 | \$21,873.16 | \$184,235.90 |
| Report Totals | | | \$17,383.47 | \$21,873.16 | \$184,235.90 |
| Records included in total = 34 | | | | | |

General Fund
Statement of Revenue and Expenditures

| Acct | Current Period Apr 2021 Apr 2021 Actual | Year-To-Date Jul 2020 Apr 2021 Actual | Annual Budget Jul 2020 Jun 2021 | Annual Budget Jul 2020 Jun 2021 Variance | Jul 2020 Jun 2021 Percent of Budget |
|---|--|--|---------------------------------------|---|--|
| Revenue & Expenditures | | | | | |
| Revenue | | | | | |
| Non-Departmental Revenues | | | | | |
| 3999 Fund Balance Carryover | 0.00 | 0.00 | 77,917.47 | 77,917.47 | 0.0% |
| 4000 Sales Tax | 11,724.44 | 131,641.31 | 80,000.00 | (51,641.31) | 164.6% |
| 4005 Use Tax | 921.44 | 6,136.18 | 7,200.00 | 1,063.82 | 85.2% |
| 4010 Utility Tax | 0.00 | 16,252.39 | 8,000.00 | (8,252.39) | 203.2% |
| 4011 Lodging Tax | 408.92 | 14,506.06 | 5,000.00 | (9,506.06) | 290.1% |
| 4015 Pittsburgh County Sinking Fund | 5,319.53 | 58,261.00 | 58,790.00 | 529.00 | 99.1% |
| 4100 Building Permits/Inspection Fe | 4,328.67 | 28,522.67 | 15,000.00 | (13,522.67) | 190.2% |
| 4105 Business License and Permits | 0.00 | 16.00 | 200.00 | 184.00 | 8.0% |
| 9002 Transfer IN from TIF | 0.00 | 71,030.44 | 111,458.30 | 40,427.86 | 63.7% |
| Non-Departmental Revenues Totals | \$22,703.00 | \$326,366.05 | \$363,565.77 | \$37,199.72 | |
| Unallocated | | | | | |
| 9002 Transfer IN from TIF | 0.00 | 0.00 | 6,093.75 | 6,093.75 | 0.0% |
| Unallocated Totals | \$0.00 | \$0.00 | \$6,093.75 | \$6,093.75 | |
| Revenue | \$22,703.00 | \$326,366.05 | \$369,659.52 | \$43,293.47 | |
| Gross Profit | \$22,703.00 | \$326,366.05 | \$369,659.52 | \$0.00 | |
| Expenses | | | | | |
| Administration | | | | | |
| 5000 Salaries | 9,946.14 | 73,438.36 | 87,924.00 | 14,485.64 | 83.5% |
| 5001 Stipend | 0.00 | 750.00 | 0.00 | (750.00) | 0.0% |
| 5010 Social Security | 785.71 | 5,923.77 | 6,726.19 | 802.42 | 88.1% |
| 5015 Unemployment Tax | 31.33 | 545.42 | 1,758.48 | 1,213.06 | 31.0% |
| 5020 Employer Paid Insurance | 1,424.12 | 14,241.20 | 17,205.00 | 2,963.80 | 82.8% |
| 5025 Employer Retirement Contributi | 1,027.10 | 7,618.68 | 8,792.40 | 1,173.72 | 86.7% |
| 5030 Vehicle/Cell Allowance | 324.85 | 3,248.50 | 3,600.00 | 351.50 | 90.2% |
| 5500 Office Supplies | 0.00 | 99.00 | 600.00 | 501.00 | 16.5% |
| 5510 Building Maintenance & Repairs | 80.00 | 80.00 | 0.00 | (80.00) | 0.0% |
| 6000 Utilities | 216.00 | 3,724.52 | 7,825.00 | 4,100.48 | 47.6% |
| 6005 Rent | 0.00 | 7,300.49 | 9,000.00 | 1,699.51 | 81.1% |
| 6035 Dues & Memberships | 0.00 | 1,199.00 | 1,180.00 | (19.00) | 101.6% |
| 6040 School, Training, Travel | 0.00 | 324.00 | 4,000.00 | 3,676.00 | 8.1% |
| Administration Totals | \$13,835.25 | \$118,492.94 | \$148,611.07 | \$30,118.13 | |
| General Government | | | | | |
| 5500 Office Supplies | 149.70 | 1,335.72 | 1,500.00 | 164.28 | 89.0% |
| 5520 Software Programs/ Services | 1,584.90 | 6,364.35 | 6,372.70 | 8.35 | 99.9% |
| 5530 Miscellaneous | 77.01 | 634.27 | 600.00 | (34.27) | 105.7% |
| 6010 Publication & Notice Expense | 0.00 | 1,533.90 | 2,500.00 | 966.10 | 61.4% |
| 6015 Insurance | 1,165.00 | 1,253.08 | 1,800.00 | 546.92 | 69.6% |
| 6020 Professional Services | 7,318.00 | 49,747.00 | 40,000.00 | (9,747.00) | 124.4% |
| 6030 Community Support Agreement | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.0% |
| 6035 Dues & Memberships | 0.00 | 620.00 | 1,079.00 | 459.00 | 57.5% |
| 6040 School, Training, Travel | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.0% |
| 6045 Road Maintenance | 0.00 | 6,529.42 | 9,800.00 | 3,270.58 | 66.6% |
| 6050 Website Expense | 0.00 | 1,200.00 | 2,500.00 | 1,300.00 | 48.0% |
| 7010 Projects | 0.00 | 1,873.48 | 77,917.47 | 76,043.99 | 2.4% |
| 8000 GO Bond Payments | 0.00 | 600.00 | 58,790.00 | 58,190.00 | 1.0% |
| 8500 Interest Expense | 0.00 | 14,055.83 | 0.00 | (14,055.83) | 0.0% |
| General Government Totals | \$10,294.61 | \$85,747.05 | \$210,859.17 | \$125,112.12 | |

Draft

**CLEDT, General Fund, Reserve Fund
General Ledger
7/1/2020 to 4/30/2021**

| Transaction Date | Transaction Number | Name / Description | Debits | Credits |
|--------------------------------------|--------------------|-------------------------|--------|---------------------|
| 4000 Sales Tax | | | | |
| 7/9/2020 | R-00014 | Oklahoma Tax Commission | | 7,780.42 |
| 7/13/2020 | R-00013 | Oklahoma Tax Commission | | 70.38 |
| 8/10/2020 | R-00016 | Oklahoma Tax Commission | | 10,987.42 |
| 8/12/2020 | R-00031 | Oklahoma Tax Commission | | 74.30 |
| 9/9/2020 | R-00023 | Oklahoma Tax Commission | | 16,659.44 |
| 9/11/2020 | R-00025 | Oklahoma Tax Commission | | 102.19 |
| 10/9/2020 | R-00044 | Oklahoma Tax Commission | | 15,249.30 |
| 10/13/2020 | R-00046 | Oklahoma Tax Commission | | 160.54 |
| 11/9/2020 | R-00052 | Oklahoma Tax Commission | | 8,792.06 |
| 11/11/2020 | R-00054 | Oklahoma Tax Commission | | 147.52 |
| 12/10/2020 | R-00048 | Oklahoma Tax Commission | | 14,225.44 |
| 12/11/2020 | R-00051 | Oklahoma Tax Commission | | 91.36 |
| 1/8/2021 | R-00062 | Oklahoma Tax Commission | | 12,374.07 |
| 1/12/2021 | R-00063 | Oklahoma Tax Commission | | 144.13 |
| 2/8/2021 | R-00070 | Oklahoma Tax Commission | | 18,444.22 |
| 2/10/2021 | R-00073 | Oklahoma Tax Commission | | 93.81 |
| 3/8/2021 | R-00084 | Oklahoma Tax Commission | | 14,390.75 |
| 3/10/2021 | R-00085 | Oklahoma Tax Commission | | 129.52 |
| 4/9/2021 | R-00094 | Oklahoma Tax Commission | | 11,578.57 |
| 4/13/2021 | R-00095 | Oklahoma Tax Commission | | 145.87 |
| Net Activity for: Sales Tax | | | | \$131,641.31 |
| Ending Balance | | | | \$131,641.31 |
| 4005 Use Tax | | | | |
| 7/9/2020 | R-00015 | Oklahoma Tax Commission | | 714.83 |
| 8/10/2020 | R-00017 | Oklahoma Tax Commission | | 569.76 |
| 9/9/2020 | R-00024 | Oklahoma Tax Commission | | 313.48 |
| 10/9/2020 | R-00045 | Oklahoma Tax Commission | | 228.44 |
| 11/9/2020 | R-00053 | Oklahoma Tax Commission | | 424.74 |
| 12/9/2020 | R-00050 | Oklahoma Tax Commission | | 559.76 |
| 1/8/2021 | R-00060 | Oklahoma Tax Commission | | 579.16 |
| 2/8/2021 | R-00072 | Oklahoma Tax Commission | | 957.30 |
| 3/8/2021 | R-00082 | Oklahoma Tax Commission | | 867.27 |
| 4/9/2021 | R-00096 | Oklahoma Tax Commission | | 921.44 |
| Net Activity for: Use Tax | | | | \$6,136.18 |
| Ending Balance | | | | \$6,136.18 |
| 4010 Utility Tax | | | | |
| 7/17/2020 | R-00019 | Kiamichi Electric | | 1,892.04 |
| 10/9/2020 | R-00047 | Kiamichi Electric | | 2,515.80 |
| 1/29/2021 | R-00069 | Kiamichi Electric | | 1,848.12 |
| Net Activity for: Utility Tax | | | | \$6,255.96 |
| Ending Balance | | | | \$6,255.96 |
| 4011 Lodging Tax | | | | |
| 12/9/2020 | R-00049 | Oklahoma Tax Commission | | 5,753.09 |
| 1/8/2021 | R-00061 | Oklahoma Tax Commission | | 4,574.48 |
| 2/8/2021 | R-00071 | Oklahoma Tax Commission | | 1,912.94 |
| 3/8/2021 | R-00083 | Oklahoma Tax Commission | | 1,856.63 |
| 4/9/2021 | R-00097 | Oklahoma Tax Commission | | 408.92 |
| Net Activity for: Lodging Tax | | | | \$14,506.06 |
| Ending Balance | | | | \$14,506.06 |

Town Administrator's Report – May 15, 2021

- Declaration of Emergency – Governor Stitt has rescinded the Declaration of Emergency related to COVID-19. While the Legislature passed legislation that allowed virtual meetings under modified rules until February 2022 or until 30 days after the rescinding of the Declaration of Emergency. Governor Stitt rescinded the Emergency effective May 4, 2021 which make June 4, 2021 the last day the special provisions of Public Meetings will expire. We will need to go back to regular in person meetings after June 4, 2021.
- Alley Improvements – The SWH Construction is working to finish the last pieces of the project. The sidewalks were to be replaced have been installed; however, upon a preliminary walk through we did not accept the sidewalks. SWH has agreed to replace those sections of sidewalk they installed.
- Sales Tax Revenue– The past several months has been very strong and have been some of the highest sales tax months ever received by the Town. April Financials shows April 2021 was the highest April receipts comparing April year to year. May's collection is almost 2X higher than the previous highest month. May's receipts are \$32,227.87, the previous highest monthly sales tax was \$18,444.22. Very exciting, but I think this will go back down as material costs correct themselves and until Phase 6 opens.
- Wastewater Treatment Plant – The RWD received three bids for the construction of the Plant. The RWD Board is scheduled to award the Bid at their May 15, 2021 Board meeting.

Thank you.