

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

Location: 10B Boulevard, Carlton Landing, Oklahoma, also known as
the Carlton Landing Academy Cafeteria

Saturday; November 20, 2021

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

MINUTES

1. Call to Order

The meeting was called to order at 8:19 a.m. with Mayor Chinnici presiding.

2. Roll Call

PRESENT: Joanne Chinnici
Mary Myrick
Chuck Mai
Kris Brule"

ABSENT Clay Chapman

Consent Items

3. Approval of Minutes:

a. Regular Meeting of the CL Board of Trustees on October 16, 2021

4. Acknowledge receipt of Claims and Purchase Orders Report

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

AYE: Myrick, Chinnici, Mai, Brule'

NAY: None

5. Items Removed from Consent Agenda

6. Consider, discuss, and possible action to approve Resolution 2021-11-01 of the Board of Trustees of The Town of Carlton Landing, Oklahoma (The "TOWN") authorizing the Carlton Landing Economic Development Trust (the "AUTHORITY") to assist the Town in carrying out and administering the Carlton Landing Economic Development Project Plan adopted by the Town; approving the incurrence of indebtedness by the Authority issuing its Tax Increment Revenue Note, Taxable Series 2021 (the "Note"); providing that the organizational document creating the Authority is subject to the provisions of the indenture authorizing the issuance of said Note; waiving Competitive Bidding with respect to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note and approving the proceedings of the Authority pertaining to the sale of said Note; ratifying and confirming a Security Agreement by and between the Town and the Authority pertaining to the pledge of certain Ad Valorem Tax Increment Revenue; approving the use of assistance in development financing; and containing other

provisions relating thereto, or take any other appropriate action.

Exhibit:

The TIF Committee met on October 13, 2021 to discuss recommending a 2021 TIF Revenue Note. Part of the meeting included review of existing TIF Notes, previously identified projects and additional projects. The Committee recognized several carryover projects were still a high priority for the community – Alley Beautification, Stephens Road, and the Community Center. Due to the current construction around the alley of Parking Lot 10, which was identified as Phase 3, the Committee is recommending doing Phase 4, the alley north of Park Street. The Committee also added a new alley project, Redbud. Stephens Road will provide a secondary ingress/egress to the Town and will be initially constructed as a gravel road. The intent is to get a sound base let the road stabilize and then hard surface with chip and seal or asphalt. The Community Center funding provides for design and engineering. The Committee further allowed for an unallocated balance of approximately \$214,000.00. The unallocated balance can be used to support Stephens Road or the Community Center.

In addition, there are a couple of upcoming Project costs associated with the Developer. The first being the Marina relocation and the other being infrastructure re-imburement. The Town and Developer entered into a joint project agreement for the Marina; however, no costs will be submitted until next year. Infrastructure reimbursement will be an ongoing obligation through the life of the TIF and as the community grows. Recognizing the community has other projects, wants, and desires, the Developer has proposed utilizing only twenty-five percent (25%) of each TIF Note towards any outstanding infrastructure reimbursement balance. The Committee supports this proposal and incorporated it into the future year allocations.

MOTION: A motion was made by Mai and seconded by Chinnici to approve accepting the responsibilities as designated to the Carlton Landing Economic Development Trust (the “Authority”) by the Town of Carlton Landing, Oklahoma (the “Town”) pursuant to the Carlton Landing Economic Development Project Plan adopted by the Town; authorizing the Authority to issue its Tax Increment Revenue Note, Taxable Series 2021 (the “Note”) in the aggregate principal amount of not to exceed \$1,320,000.00; waiving competitive bidding and authorizing the Note to be sold on a negotiated basis; approving and authorizing the execution of a Series 2021 Supplemental Note Indenture, as it amends that certain General Bond Indenture, as previously supplemented and amended (collectively, the “Indenture”) authorizing the issuance and securing the payment of the Note; ratifying and confirming a Security Agreement by and between the Town and the Authority pertaining to a pledge of certain Ad Valorem Tax Increment Revenue; providing that the organizational document creating the Authority is subject to the provisions of the Indenture; approving the use of assistance in development financing; authorizing and directing the execution of the Note and other documents relating to the transaction; and containing other provisions relating thereto.

AYE: Myrick, Chinnici, Mai, Brule'

NAY: None

7. Consider and discuss a Resolution confirming the establishment of a Board of Adjustment, composition of the Board and the need for members to serve on the Board or take any other appropriate action.

Exhibit:

The Board of Adjustment was previously established, but as we reviewed the Ordinances for creating the Code of Ordinances, we were unable to find record any members had been appointed to the Board. Under Statute a municipality that exercises zoning power shall provide for a Board of Adjustment. The Board shall consist of five (5) members serving three (3) year terms. The Board of Adjustment shall hold meeting when called by the Chairman, or as needed, and is subject to the Open Meeting Act.

The basic powers of the Board of Adjustment are:

1. hear and decide appeals if it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance;
2. hear and decide special exceptions to the zoning ordinance to allow a use, or a specifically designated element associated with a use, which is not permitted by right in a particular district because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the board of adjustment, where specifically authorized by the zoning ordinance, and in accordance with the substantive and procedural standards of the zoning ordinance;
3. authorize in specific cases a variance from the terms, standards and criteria that pertain to an allowed use category within a zoning district as authorized by the zoning ordinance when such cases are shown not to be contrary to the public interest if, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done; provided, however, the board shall have no power to authorize variances as to use except as provided by paragraph 4 of this section;
4. hear and decide oil and/or gas applications or appeals unless prohibited throughout a municipality by municipal ordinance. The board of adjustment shall be required to make the findings prescribed by Section 44-107 of this title in order to grant a variance as to use with respect to any such application or appeal.

Exceptions and/or variances may be allowed by the board of adjustment only after notice and hearing as provided in Section 44-108 of this title. The record of the meeting at which the variance or special exception was granted shall show that each element of a variance or special exception was established at the public hearing on the question, otherwise said variance or special exception shall be voidable on appeal to the district court.

Discussion: The Board will make assignments when 5 people have been identified who are willing to serve.

8. Reports

- a. Sales Tax Revenue and other Financial Report (See attachments)
- b. Town Administrator (See attachment) In addition to the Town Administrator's Report, Mr. Buckley stated that we may need a Special meeting regarding lighting.
- c. Legal Reports, Comments, and Recommendations to the Governing Body

Town attorney, Kay Wall, reported that a resolution may be needed stating no official business can be sanctioned by the town to include signage.

9. Recognize Citizens wishing to comment on non-Agenda Items.
None

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 9:16 a.m., November 20, 2021

Mayor

Attest:

Town Clerk

General Fund
Payments Journal (Summary)
10/1/2021 to 10/31/2021

| Check Date | Check / Reference # | Payee | Amount |
|---|---------------------|-------------------------------|--------------------|
| 1000 Town of CL Checking 9683 | | | |
| 10/1/2021 | A-10043 | James G Buckley | 2,792.42 |
| 10/5/2021 | EFT | RWS Cloud Services | 90.00 |
| 10/8/2021 | 1196 | Kiamichi Electric | 88.00 |
| 10/8/2021 | 1197 | Cross Telephone Co | 52.00 |
| 10/8/2021 | 1198 | OPEH&W | 1,436.96 |
| 10/8/2021 | 1195 | Landmark | 403.92 |
| 10/8/2021 | 1194 | City Management Assoc of OK | 490.00 |
| 10/8/2021 | 1193 | McAlester News Capital | 150.00 |
| 10/14/2021 | EFT | Oklahoma Tax Commission | 253.00 |
| 10/14/2021 | EFTPS | EFTPS | 1,669.93 |
| 10/15/2021 | | | 77.01 |
| 10/15/2021 | EFT | CSA Software | 441.05 |
| 10/15/2021 | 1199 | Kiamichi Electric | 572.00 |
| 10/15/2021 | A-10044 | James G Buckley | 2,560.71 |
| 10/22/2021 | 1204 | Andrew Rogers | 599.00 |
| 10/22/2021 | 1203 | Freese and Nichols | 3,102.75 |
| 10/22/2021 | 1202 | DEQ | 695.42 |
| 10/22/2021 | 1201 | OMAG | 87.50 |
| 10/22/2021 | 1200 | Kay Robbins Wall | 600.00 |
| 10/28/2021 | 1205 | Crawford & Associates, P.C. | 852.50 |
| 10/29/2021 | 1210 | Joanne Chinicci - Reimburseme | 276.44 |
| 10/29/2021 | 1209 | Amanda Harjo | 800.00 |
| 10/29/2021 | 1208 | McAlester News Capital | 192.30 |
| 10/29/2021 | 1207 | OMAG | 70.00 |
| 10/29/2021 | 1206 | Landmark | 392.00 |
| 10/29/2021 | A-10045 | James G Buckley | 2,560.71 |
| 1000 Town of CL Checking 9683 Totals | | | \$21,305.62 |
| 1080 BOK 3045 Rev Bond 2020 | | | |
| 10/28/2021 | | United Rentals | 296.26 |
| 1080 BOK 3045 Rev Bond 2020 Totals | | | \$296.26 |

Report Options
Check Date: 10/1/2021 to 10/31/2021
Display Notation: No
Fund: General Fund

**General Fund
Statement of Revenue and Expenditures**

| | Current Period Oct 2021 Oct 2021 Actual | Year-To-Date Jul 2021 Oct 2021 Actual | Annual Budget Jul 2021 Jun 2022 | Annual Budget Jul 2021 Jun 2022 Variance | Jul 2021 Jun 2022 Percent of Budget |
|-----------------------------------|--|--|---------------------------------------|---|--|
| Revenue & Expenditures | | | | | |
| Administration | | | | | |
| Expenses | | | | | |
| Building Maintenance & Repairs | 0.00 | 80.00 | 320.00 | 240.00 | 25.00% |
| Dues & Memberships | 560.00 | 1,648.00 | 1,210.00 | (438.00) | 136.20% |
| Employer Paid Insurance | 1,436.96 | 5,747.84 | 17,244.00 | 11,496.16 | 33.33% |
| Employer Retirement Contributi | 1,046.99 | 3,166.82 | 8,842.00 | 5,675.18 | 35.82% |
| Insurance | 87.50 | 245.00 | 350.00 | 105.00 | 70.00% |
| Miscellaneous | 0.00 | 0.00 | 100.00 | 100.00 | 0.00% |
| Office Supplies | 0.00 | 110.53 | 600.00 | 489.47 | 18.42% |
| Rent | 0.00 | 1,433.34 | 5,760.00 | 4,326.66 | 24.88% |
| Salaries | 7,352.65 | 30,368.90 | 88,424.00 | 58,055.10 | 34.34% |
| School, Training, Travel | 0.00 | 892.51 | 5,700.00 | 4,807.49 | 15.66% |
| Social Security | 800.93 | 2,422.57 | 7,063.00 | 4,640.43 | 34.30% |
| Unemployment Tax | 0.00 | 0.00 | 1,846.00 | 1,846.00 | 0.00% |
| Utilities | 140.00 | 838.65 | 4,339.00 | 3,500.35 | 19.33% |
| Vehicle/Cell Allowance | 324.85 | 1,299.40 | 3,900.00 | 2,600.60 | 33.32% |
| Expenses | \$11,749.88 | \$48,253.56 | \$145,698.00 | \$97,444.44 | |
| Revenue Less Expenditures | (\$11,749.88) | (\$48,253.56) | (\$145,698.00) | \$0.00 | |
| Net Change in Fund Balance | (\$11,749.88) | (\$48,253.56) | (\$145,698.00) | \$0.00 | |
| General Government | | | | | |
| Revenue | | | | | |
| Vehicle Gas/Fuel Tax | 14.79 | 14.79 | 0.00 | (14.79) | 0.00% |
| Revenue | \$14.79 | \$14.79 | \$0.00 | (\$14.79) | |
| Gross Profit | \$14.79 | \$14.79 | \$0.00 | \$0.00 | |
| Expenses | | | | | |
| Building Maintenance & Repairs | 1,279.36 | 1,392.15 | 2,500.00 | 1,107.85 | 55.69% |
| Community Support Agreements | 0.00 | 0.00 | 6,000.00 | 6,000.00 | 0.00% |
| Dues & Memberships | 0.00 | 1,469.79 | 2,830.00 | 1,360.21 | 51.94% |
| GO Bond Payments | 0.00 | 0.00 | 57,190.00 | 57,190.00 | 0.00% |
| Insurance | 0.00 | 0.00 | 1,800.00 | 1,800.00 | 0.00% |
| Interest Expense | 77.01 | 289.98 | 0.00 | (289.98) | 0.00% |
| Miscellaneous | 695.42 | 734.42 | 1,460.00 | 725.58 | 50.30% |
| Office Supplies | 0.00 | 1,134.16 | 1,500.00 | 365.84 | 75.61% |
| Professional Services | 2,252.50 | 17,023.75 | 58,800.00 | 41,776.25 | 28.95% |
| Projects | 3,102.75 | 7,951.25 | 50,000.00 | 42,048.75 | 15.90% |
| Publication & Notice Expense | 342.30 | 376.45 | 2,500.00 | 2,123.55 | 15.06% |
| Road Maintenance | 16,192.00 | 33,168.00 | 14,400.00 | (18,768.00) | 230.33% |
| School, Training, Travel | 0.00 | 0.00 | 2,000.00 | 2,000.00 | 0.00% |
| Software Programs/ Services | 531.05 | 2,914.16 | 7,428.00 | 4,513.84 | 39.23% |
| Utilities | 572.00 | 572.00 | 1,000.00 | 428.00 | 57.20% |
| Website Expense | 0.00 | 0.00 | 2,500.00 | 2,500.00 | 0.00% |
| Expenses | \$25,044.39 | \$67,026.11 | \$211,908.00 | \$144,881.89 | |
| Revenue Less Expenditures | (\$25,029.60) | (\$67,011.32) | (\$211,908.00) | \$0.00 | |
| Net Change in Fund Balance | (\$25,029.60) | (\$67,011.32) | (\$211,908.00) | \$0.00 | |
| Non-Departmental Revenues | | | | | |
| Revenue | | | | | |
| Building Permits/Inspection Fe | 2,288.73 | 6,401.41 | 23,580.00 | 17,178.59 | 27.15% |
| Business License and Permits | 0.00 | 977.76 | 200.00 | (777.76) | 488.88% |
| Fund Balance Carryover | 0.00 | 0.00 | 50,000.00 | 50,000.00 | 0.00% |
| Lodging Tax | 9,357.10 | 43,340.79 | 24,000.00 | (19,340.79) | 180.59% |

Town Administrator's Report – November 20, 2021

- Ridgeline Trail –The Trail is roughly 90% complete. After reconsideration and discussion, we decided to use rock gravel to backfill the sides of the sidewalk. The gravel will provide a secure shoulder to the sidewalk and cut down on ongoing maintenance verse the sod.

- Code of Ordinances – Dr. Summers received notice that Municode has almost completed developing our Code of Ordinances. Once completed the compilation will be provided for review and approve/acceptance. Dr. Summers and the Mayor have done a great job in getting all the approved Ordinances to Municode, ensuring the accuracy of the Ordinances, their publishing dates, etc. Once we go live with the completed Code of Ordinances we will be able to maintain them ourselves and meet the Statutory requirement of publishing them once every ten years.

- Pavilion –Electricity has been completed to the Pavilion. The lights are working and do a great job enhancing the Pavilion. We are looking for a timer to put on the lights. Trees have been removed to open up the view from the Pavilion to the lake.

- Snow Removal – Bids/Quotes have been received for snow removal for the winter season. I wanted to be prepared before any bad weather hits. Based on amounts, I will be able to award the contract.

- Entrance Road – The County has been having difficulty getting asphalt and is planning to send a crew to fill-in the potholes when they can. Also, I have received several requests to install a stop sign or yield sign at the first merge point coming into town. The oncoming traffic and incoming traffic are not self-yielding and that spot is becoming dangerous. I have asked the County if they can install a Yield sign on the inbound lane at the first merge.

Thank you.