

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

NOTICE AND AGENDA

1. Call to Order
2. Roll Call

Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information *on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.*

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](#)
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: Resolution Town TIF 2021 Note](#)
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: Resolution 2021-xx-xx Board of Adjustment](#)
8. Reports
 - a. [Sales Tax Revenue and other Financial Reports:Statement of Revenue and Expenditures BOT Oct 2021](#)
 - b. [Town Administrator](#)

c. Legal Reports, Comments, and Recommendations to the Governing Body

9. Recognize Citizens wishing to comment on non-Agenda Items
Under Oklahoma Law, the Board of Trustees are prohibited from discussing or taking any action on items not on today's agenda. Citizens wishing to address the Board on items not on the agenda are required to sign-up no later than five (5) minutes prior to the scheduled start time of the meeting. The sign-in sheet will contain space for citizens name, address, phone number, and topic to discuss. In this way, staff will be able to follow-up on any issues presented, if necessary. Citizens will be provided three (3) minutes.
10. Comments and questions by Governing Body members regarding items for future consideration.
11. Adjournment

I certify that the foregoing Notice and Agenda was posted in prominent view at 10 Boulevard, Carlton Landing, Oklahoma, also known as "the High School Classroom"

at _____ M on the ____th day of November 2021, being at least 24 hours prior to the Regular Meeting described above.

Signature of Person Posting the Agenda

Jan Summers

Printed Name of Person Posting the

**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, October 16, 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 8:05 a.m. with Mayor Chinnici presiding.

2. Roll Call

PRESENT: Joanne Chinnici
Mary Myrick
Chuck Mai
Clay Chapman

ABSENT Kris Brule'

Consent Items

3. Approval of Minutes:

- a. Regular Meeting of the CL Board of Trustees on September 18, 2021

4. Acknowledge receipt of Claims and Purchase Orders Report

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

AYE: Myrick, Chinnici, Mai, Chapman

NAY: None

5. Consider, discuss, and possibly vote to amend, revise, approve or deny the Carlton Landing Board of Trustees meeting schedule for the year 2022 and set the meeting start time immediately following the Carlton Landing Economic Development Trust meeting, or take any other appropriate action.

Exhibit: (See attachment)

6. Items Removed from Consent Agenda

7. Presentation by Thomas Dougherty, Architect and Urban Designer, about "Godshuis", inner-block elderly housing courtyards, project within Phase 8 of Carlton Landing development.

Exhibit: (See attachment)

The concept of "Godshuis" (God Houses) was well received by the Board as a possibility for Carlton Landing if amenities such as access to healthcare, dining,

housekeeping, etc. were included.

8. Consider, discuss, and possibly vote to amend, revise, approve or deny an Ordinance replacing Ordinance #16 governing the operation of golf carts and replacing Ordinance #7 restricting the use of Gas-powered Recreational Vehicles within the Corporate boundaries of the Town of Carlton Landing, OK; Repealing Ordinances in conflict; Providing for severability; and, Declaring an Emergency, or take any other appropriate action.
Exhibit:

Ordinance #16 established rules and regulations related to operation of golf cart. Growing population of residents, guests, and visitors along with growing use of golf carts and other conveyance devices provides need to examine the rules and regulations for operating such equipment.

MOTION: A motion was made by Mai and seconded by Chinnici to approve an Ordinance replacing Ordinance #16 governing the operation of golf carts and replacing Ordinance #7 restricting the use of Gas-powered Recreational Vehicles within the Corporate boundaries of the Town of Carlton Landing, OK; Repealing Ordinances in conflict; Providing for severability; and Declaring an Emergency.

AYE: Myrick, Chinnici, Mai, Chapman

NAY: None

- 9 Consider, discuss, and possibly vote to amend, revise, approve or deny a Resolution of the Board of Trustees of the Town of Carlton Landing creating a Special Revenue Fund - STREET AND ALLEY FUND: establish funds received from milage tax and any other vehicle fuel tax shall be deposited in said FUND; and said fund shall be used for street and alley construction, repair, maintenance, cleaning, clearing, upkeep, drainage, and related improvement costs, or take any other appropriate action.
Exhibit: (See attachment)

MOTION: A motion was made by Chinnici and seconded by Mai to establish a Street and Alley Fund.

AYE: Myrick, Chinnici, Mai, Chapman

NAY: None

10. Consider, discuss, and possibly vote to amend, revise, approve or deny Mayor's response letter to Pittsburgh County Commissioners related to Fire Protection Services in Carlton Landing, or take any other appropriate action
Exhibit: (See attachment)

MOTION: A motion was made by Mai and seconded by Chapman to approve the Mayor's letter to Pittsburgh County Commissioners related to Fire Protection Services.

AYE: Myrick, Chinnici, Mai, Chapman

NAY: None

11. Reports

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

Kay Wall, town attorney reported several meetings with Greg Buckley regarding the agenda

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

13. Comments and questions by Governing Body members regarding items for future consideration. None

14. Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 8:49 a.m., October 16, 2021

Mayor

Attest:

Town Clerk

NOTICE OF MEETING SCHEDULE
Carlton Landing Board of Trustees
for 2022

On October 16, 2021 the Carlton Landing Board of Trustees set the following dates for their regularly scheduled monthly meeting. The time of the meeting is set immediately following the Carlton Landing Economic Development Trust meeting or 8:00 am. The location of the regular scheduled meeting is:

10B Boulevard, Carlton Landing, OK 74432
Carlton Landing Academy - Cafeteria

Regular Meeting Dates:

January 15
February 19
March 19
April 16
May 21
June 18

July 16
August 20
September 17
October 15
November 19
December 17

Here is a little more information on the proposed 'Godshuis Presentation' for the October 16th, CL Town Council Meeting.

Thomas Dougherty will be presenting on a proposed inner-block development scheduled for Phase 8 of the Carlton Landing development. The proposed development consists of two interlinked inner-block residential courtyards, with a total of 14 dwelling units. These units will be designed specifically for elderly living with 10 units being ADA accessible.

Thomas is an Architect and Urban Designer working from West Chester, Pennsylvania and has been working on inner-block elderly housing courtyards for several years. He has been working with Grant Humphreys on the schematic design for this project.





Town of Carlton Landing
44 Water Street
Carlton Landing, OK 74432-3272

August 27, 2021

Board of County Commissioners, Pittsburg County
115 E. Carl Albert Parkway
Room 100
McAlester OK 74501

Att'n: Mr. Ross Selman

Dear Chairman:

Thank you for your letter of August 9, 2021. I as well of many Carlton Landing citizens share your concern about fire protection in our town.

As you know, until about one year ago, Carlton Landing was under the protection of a local Fire District. Sometime after that District was disbanded, the town was informed that there were some regulation issues which required the district to disband. Please know that since that time, this issue has been foremost in the minds of the Board of Trustees as well as the townspeople.

A Fire District Task Force, independent of the Town, has been formed and has met several times. I have audited those meetings. Currently they are seeking to establish a foundation to accept donations for the purpose of building a fire station and purchasing trucks and equipment. The former Fire Chief is helping in this endeavor and has begun to recruit volunteers for the Fire Service. The developer of Carlton Landing has donated land on which to build the station. The Town Architect has volunteered his time to assist in planning the building, and our Town Administrator has made himself available for consultation.

I hope you agree that we are making progress toward reestablishing a local Fire District. In the meantime, we extend our appreciation to nearby districts for offering their help as we rebuild. It is my understanding that our former Fire Chief has been in contact with Longtown and Canadian and offered any assistance he can provide to help those districts should they have a need.

The Town of Carlton Landing previously supported the Carlton Landing Volunteer Fire District and fully intends to do so when it is operational again. Please know and pass along as appropriate, our Town is willing and happy to provide some financial assistance to the Longtown and/or Canadian Volunteer Fire Districts for their assistance.

Once again, I thank you for your letter and your concern. Please know that the Town and the townspeople are aware and consider this situation with grave concern. Steps are being taken to correct the problem. As you can imagine, there are many steps to work through, most of them completely new to all of us. We appreciate your support and patience in this matter of reestablishing a local Fire Service to serve Carlton Landing.

Regards,

Joanne Chinnici, D.O.
Mayor, Town of Carlton Landing

RESOLUTION 2021-10-01

RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING CREATING A SPECIAL REVENUE FUND - STREET AND ALLEY FUND: ESTABLISH FUNDS RECEIVED FROM MILAGE TAX AND ANY OTHER VEHICLE FUEL TAX SHALL BE DEPOSITED IN SAID FUND; AND SAID FUND SHALL BE USE FOR STEEET AND ALLEY CONSTRUCTION, REPAIR, MAINTENANCE, CLEANING, CLEARING, UPKEEP, DRAINAGE, AND RELATED IMPROVEMENT COSTS.

WHEREAS, the Town of Carlton Landing is getting its apportioned Milage Tax from Pittsburgh County and at such time as the Town starts receiving any other Vehicle Fuel Tax;

WHEREAS, the Town wants to ensure a funding source for the construction, repair, maintenance, cleaning, clearing, upkeep and drainage of street and alleys; and

WHEREAS, funds received from vehicle related fuel taxes should be used for the construction, maintenance and general upkeep of the streets and alleys used by vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING that:

1. A Special Revenue Fund shall be created called the Street and Alley Fund.
2. All funds received from Milage Tax, Gasoline/Vehicle Tax and any other tax that may otherwise be created or collected related to vehicle fuel shall be deposited in the Street and Ally Fund.
3. Allowed expenses from the Street and Alley Fund shall include construction, repair, maintenance, cleaning, clearing, upkeep, drainage, and related improvement costs which are necessary to such listed purposes. Related Improvement cost would include, but not limited to, surveying, engineering, project management, equipment rental, and employee personnel expenses.

APPROVED by the Board of Trustees and SIGNED by the Mayor of Carlton Landing, Oklahoma this 16th day of October, 2021.

Mayor

ATTEST:

Town Clerk - Treasurer

10/14/2021
10:19 AM

General Fund
Statement of Revenue and Expenditures

Page 1 of 3

Acct	Current Period Sep 2021 Actual	Year-To-Date Jul 2021 Sep 2021 Actual	Annual Budget Jul 2021 Jun 2022	Annual Budget Jul 2021 Jun 2022 Variance	Jul 2021 Jun 2022 Percent of Budget
Revenue & Expenditures					
Revenue					
Non-Departmental Revenues					
Budget Carryover					
3999 Fund Balance Carryover	0.00	0.00	50,000.00	50,000.00	0.0%
Total Budget Carryover	\$0.00	\$0.00	\$50,000.00	\$50,000.00	
Other Revenue					
4000 Sales Tax	28,034.09	88,474.95	100,000.00	11,525.05	88.5%
4005 Use Tax	343.94	2,793.22	7,200.00	4,406.78	38.8%
4010 Utility Tax	0.00	1,896.99	12,000.00	10,103.01	15.8%
4011 Lodging Tax	15,631.81	33,983.69	24,000.00	(9,983.69)	141.6%
4015 Pittsburgh County Sinking Fund	0.00	0.00	57,190.00	57,190.00	0.0%
4100 Building Permits/Inspection Fe	0.00	4,112.68	23,580.00	19,467.32	17.4%
4105 Business License and Permits	0.00	977.76	200.00	(777.76)	488.9%
4500 Miscellaneous Revenue	281.60	380.60	0.00	(380.60)	0.0%
9002 Transfer IN from TIF	0.00	0.00	101,989.00	101,989.00	0.0%
Total Other Revenue	\$44,291.44	\$132,619.89	\$326,159.00	\$193,539.11	
Non-Departmental Revenues Totals	\$44,291.44	\$132,619.89	\$376,159.00	\$243,539.11	
Revenue	\$44,291.44	\$132,619.89	\$376,159.00	\$243,539.11	
Gross Profit	\$44,291.44	\$132,619.89	\$376,159.00	\$0.00	
Expenses					
Administration					
Personal Services					
5000 Salaries	9,555.80	23,016.25	88,424.00	65,407.75	26.0%
5010 Social Security	542.24	1,621.64	7,063.00	5,441.36	23.0%
5015 Unemployment Tax	0.00	0.00	1,846.00	1,846.00	0.0%
5020 Employer Paid Insurance	4,310.88	4,310.88	17,244.00	12,933.12	25.0%
5025 Employer Retirement Contributi	708.82	2,119.83	8,842.00	6,722.17	24.0%
5030 Vehicle/Cell Allowance	324.85	974.55	3,900.00	2,925.45	25.0%
Total Personal Services	\$15,442.59	\$32,043.15	\$127,319.00	\$95,275.85	
Materials & Supplies					
5500 Office Supplies	0.00	110.53	600.00	489.47	18.4%
5505 Postage	0.00	0.00	320.00	320.00	0.0%
5510 Building Maintenance & Repairs	80.00	80.00	0.00	(80.00)	0.0%
5530 Miscellaneous	0.00	0.00	100.00	100.00	0.0%

10/14/2021
10:31 AM

General Fund
Payments Journal (Summary)
9/1/2021 to 9/30/2021

Page 1 of 1

Check Date	Check / Reference #	Payee	Amount
1000 Town of CL Checking 9683			
9/3/2021	1183	OPEH&W	4,310.88
9/3/2021	1182	Kiamichi Electric	97.00
9/3/2021	1181	Dan Hurd	900.00
9/3/2021	1180	Oklahoma Uniform Building Cod	32.00
9/3/2021	A-10041	James G Buckley	2,792.42
9/7/2021	EFT	RWS Cloud Services	135.00
9/9/2021	EFT	BOK Credit Card	1,325.36
9/14/2021	EFT	EFTPS	1,669.93
9/15/2021			65.99
9/15/2021	EFT	Oklahoma Tax Commission	253.00
9/15/2021	EFT	CSA Software	441.05
9/17/2021	1184	Freese and Nichols	766.75
9/17/2021	1185	Center for Economic Developm	229.50
9/17/2021	A-10042	James G Buckley	2,560.71
9/24/2021	1188	Kay Robbins Wall	600.00
9/24/2021	1187	Landmark	392.00
9/24/2021	1186	Pied Piper Service	80.00
9/28/2021	1189	BOK Credit Card	1,459.28
9/28/2021	1192	Amanda Harjo	800.00
9/28/2021	1191	Crawford & Associates, P.C.	3,573.75
9/30/2021	GJ-10065		2,792.42
1000 Town of CL Checking 9683 Totals			\$25,277.04

Report Options

Check Date: 9/1/2021 to 9/30/2021

Display Notation: No

Fund: General Fund

Town Administrator's Report – October 16, 2021

- ☐ Ridgeline Traill –The Trail is roughly 90% complete. The last two section toward Lower Greenway are being delayed until the home construction at the intersection of Ridgeline and Lower Greenway is to the point of landscaping and putting in the driveway. The delay will ensure the new sidewalk does not get broken during the last phase of construction. We will next be starting the finishing of the completed sections with backfill dirt to level the sides of the sidewalk and put down sod. I have seen the trail being used on a daily basis.
- ☐ 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 –Still waiting on Kiamichi to finish bringing power to the main electric panel. Mike is waiting on costs for installation of slate stone on entrance apron. Desire is to have that coordinated with the slate installation on Water Street.
- ☐ TIF 2021 – Chris Gander has been working on documents and financing for TIF 2021 Revenue Note. A carry-over of the Sinking Fund resulted in a bigger reduction in the Millage than projected. We are working to adjust the structure of payments to bring the Loan amount back up to the projection. We will bring TIF Revenue Note to the Trustees at November meeting for approval. The TIF Committee met on Wednesday, October 13, to review the financial status, projects, and recommendation for 2021 projects. The TIF Committee also approved an application process for submission of projects to be considered for TIF funding. The TIF Committee recommendation will be presented with the TIF Note approval.

Thank you.

Draft

11/17/2021
4:39 PM

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

Page 1 of 1

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

Item No. _____

Date: November 20, 2021

AGENDA ITEM COMMENTARY

ITEM TITLE: Consider, discuss, and possible action to approve Resolution _____ 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, or take any other appropriate action.

INITIATOR: Greg Buckley, Town Administrator

STAFF INFORMATION SOURCE: Greg Buckley, Town Administrator

BACKGROUND: 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 upcoming Project costs associated with the Developer. The first being the Marina relocation and the other being infrastructure re-imbursement. 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.

FUNDING: None

EXHIBITS: TIF Resolution- Town

RECOMMENDED ACTION: 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.

RESOLUTION NO. 2021-11-__

A RESOLUTION 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; 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.

WHEREAS, the Carlton Landing Economic Development Trust (the “Authority”) was created by a Trust Indenture dated as of July 19, 2014, for the use and benefit of the Town of Carlton Landing, Oklahoma (the “Town”), under authority of and pursuant to the provisions of Title 60, Oklahoma Statutes 2011, Sections 176 to 180.4, inclusive, as amended and supplemented (the “Act”), the Oklahoma Trust Act and other applicable statutes of the State of Oklahoma; and

WHEREAS, the Town has adopted and approved the Carlton Landing Economic Development Project Plan, as may be amended from time to time (collectively, the “Project Plan”) by Ordinance No. 26 dated September 5, 2015, as may be amended from time to time (collectively, the “TIF Ordinance”), pursuant to the Oklahoma Local Development Act, Title 62, Oklahoma Statutes, Section 850, *et seq.* as amended (the “Local Development Act”); and

WHEREAS, the Town, by virtue of the TIF Ordinance, has created Increment District No. 1, Town of Carlton Landing (the “Increment District”), pursuant to the Local Development Act; and

WHEREAS, the Authority, on behalf of the Town, has heretofore entered into certain economic development agreements related to the implementation of the Project Plan (collectively referred to herein as the “Development Agreements”), for the purpose of providing a framework for the development of a portion of the Increment District and the completion of certain improvements contemplated by the Project Plan; and

WHEREAS, the Authority and the Town have agreed to provide assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act), including specifically the reimbursement of authorized Project Costs, all as more fully set forth in the Development Agreements; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF CARLTON LANDING, OKLAHOMA:

SECTION 1. AUTHORITY THE DESIGNATED PUBLIC ENTITY. The Authority is designated as the public entity authorized to assist the Town in carrying out and administering the provisions of the Project Plan and to exercise all powers necessary thereto except those powers reserved to the Town by the TIF Ordinance and the Local Development Act.

SECTION 2. INDEBTEDNESS AUTHORIZED. The Authority is hereby authorized to incur an indebtedness by the issuance of its Tax Increment Revenue Note, Taxable Series 2021 in the principal amount of not to exceed \$1,320,000.00 (the "Note"), according to the terms and conditions of a General Bond Indenture dated as of April 1, 2018, as previously supplemented and amended, and as further supplemented and amended by a Series 2021 Supplemental Note Indenture (collectively, the "Indenture"), all by and between the Authority and BOKF, NA, as Trustee (the "Trustee"), provided that said Note shall never constitute a debt of the Town of Carlton Landing, Oklahoma.

SECTION 3. ORGANIZATIONAL DOCUMENT SUBJECT TO INDENTURE. The organizational document creating the Authority, is hereby made subject to the terms of the Indenture authorizing the issuance and securing the payment of the Note as more fully described in Section 2 hereof.

SECTION 4. WAIVING COMPETITIVE BIDDING; APPROVAL OF SALE PROCEEDINGS. The waiving of competitive bidding for the sale of the Note and the sale of said Note by the Authority to a financial institution, at a price of par, is hereby approved. Said purchaser shall be determined pursuant to the Certificate of Determination authorized and to be executed by the Authority.

SECTION 5. SECURITY AGREEMENT. The City hereby ratifies and confirms the execution of a Security Agreement dated as of April 1, 2018, by and between the Authority and the Town (the "Security Agreement"), which Security Agreement pertains to the transfer of the Ad Valorem Increment Revenues (as defined in the TIF Ordinance) to the Authority in furtherance of the implementation of the Project Plan.

SECTION 6. ASSISTANCE IN DEVELOPMENT FINANCING. The use of assistance in development financing, as may be contemplated in the Development Agreements, and as authorized by Section 853(14)(o) of the Local Development Act, is hereby approved.

SECTION 7. AUTHORIZING EXECUTION. The Mayor or Vice Mayor and Town Clerk or Deputy Town Clerk of the Town representing the Town at the closing of the above-referenced note issue are hereby authorized to execute and deliver on behalf of the Town any and all certifications and documentation necessary or attendant to the delivery of the Note, as directed by Bond Counsel; and are further authorized to approve and make any changes to the documents approved by this Resolution, for and on behalf of the Town, the execution and delivery of such documents being conclusive as to the approval of any terms contained therein.

[Remainder of Page Left Blank Intentionally]

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER, 2021.

TOWN OF CARLTON LANDING, OKLAHOMA

(SEAL)

By: _____
Mayor

ATTEST:

By: _____
Town Clerk

CERTIFICATE
OF
BOARD OF TRUSTEES ACTION

I, the undersigned, hereby certify that I am the duly qualified and acting Town Clerk of the Town of Carlton Landing, Oklahoma.

I further certify that the Board of Trustees of the Town of Carlton Landing, Oklahoma, held a Regular Meeting immediately following the Carlton Landing Economic Development Trust at 8:00 o'clock a.m., on November 20, 2021, after due notice was given in full compliance with the Oklahoma Open Meeting Act.

I further certify that attached hereto is a full and complete copy of a Resolution that was passed and approved by said Board of Trustees at said meeting as the same appears in the official records of my office and that said Resolution is currently in effect and has not been repealed or amended as of this date.

I further certify that below is listed those Trustees present and absent at said meeting; those making and seconding the motion that said Resolution be passed and approved; and those voting for and against such motion:

PRESENT:

ABSENT:

MOTION MADE BY:

MOTION SECONDED BY:

AYE:

NAY:

WITNESS MY HAND THIS 20TH DAY OF NOVEMBER, 2021.

TOWN OF CARLTON LANDING, OKLAHOMA

(SEAL)

Town Clerk

AGENDA ITEM COMMENTARY

ITEM TITLE: 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.

INITIATOR: Greg Buckley, Town Administrator,

STAFF INFORMATION SOURCE: Greg Buckley, Town Administrator

BACKGROUND: 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.

FUNDING: None

EXHIBITS: Resolution Confirming Board of Adjustment

RECOMMENDED ACTION: None.

TOWN OF CARLTON LANDING

Resolution 2021-XX-XX

A RESOLUTION CONFIRMING THE ESTABLISHMENT OF A BOARD OF ADJUSTMENT FOR THE TOWN OF CARLTON LANDING, OKLAHOMA, PROVIDING FOR THE COMPOSITION AND REAPPOINTMENT OF THE MEMBERS OF THE BOARD AND SETTING MEETINGS.

WHEREAS, the Board of Adjustment for the Town of Carlton Landing was established by an Ordinance of the Town of Carlton Landing, Oklahoma on July 18, 2015; and

WHEREAS, the Board of Adjustment consists of five (5) members with the term of office being three (3) years; and

WHEREAS, members of the Board of Adjustment are reappointed by the Trustees of the Town of Carlton Landing, Oklahoma when each term ends; and

WHEREAS, the terms of all Planning Commission members are due for reappointment at the time of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Carlton Landing:

1. That the **members** of the Board of Adjustment for the Town of Carlton Landing, Oklahoma shall be:

Member #1:	XXXX XXXXX	for a term ending	April 2023
Member #2:	XXXX XXXXX	for a term ending	April
Member #3:	XXXX XXXXX	for a term ending	April
Member #4:	XXXX XXXXX.	for a term ending	April
Member #5:	XXXX XXXXX	for a term ending	April

2. **Reappointments:** Reappointments shall occur at the first regular meeting of the Town Trustees in April of the year of reappointment.

3. **Meetings:** The Board of Adjustment shall convene as necessary to hear any appeal(s) relative to any zoning ordinance in the Town of Carlton Landing, Oklahoma. Exceptions or variances may be allowed by the board of adjustment only after notice and public hearing as provided by statute or other ordinance. 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.

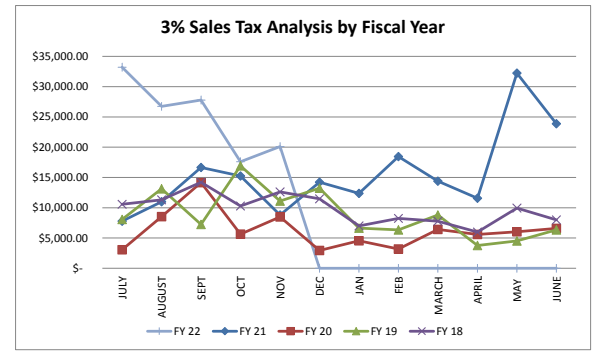
ADOPTED by the Trustees of the Town of Carlton Landing and SIGNED by the Mayor of the Town of Carlton Landing on this _____

Joanne Chinnici, Mayor

Jan Summers, Clerk

**TOWN OF CARLTON LANDING
SALES TAX COLLECTIONS**

	<u>JULY</u>	<u>AUGUST</u>	<u>SEPT</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>FEB</u>	<u>MARCH</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>TOTALS</u>
<u>FY22</u>	\$ 33,205.30	\$ 26,739.30	\$ 27,778.11	\$ 17,599.62	\$ 20,093.03								\$ 125,415.36
<u>FY21</u>	\$ 7,780.42	\$ 10,987.42	\$ 16,659.44	\$ 15,249.30	\$ 8,792.06	\$ 14,225.44	\$ 12,374.07	\$ 18,444.22	\$ 14,390.75	\$ 11,578.57	\$ 32,227.87	\$ 23,870.40	\$ 186,579.96
<u>FY20</u>	\$ 3,067.59	\$ 8,520.10	\$ 14,155.52	\$ 5,628.66	\$ 8,477.29	\$ 2,939.35	\$ 4,537.13	\$ 3,188.78	\$ 6,419.86	\$ 5,595.92	\$ 6,020.78	\$ 6,589.58	\$ 75,140.56
<u>FY19</u>	\$ 8,070.42	\$ 13,116.45	\$ 7,242.33	\$ 16,914.86	\$ 11,104.80	\$ 13,214.80	\$ 6,638.89	\$ 6,335.74	\$ 8,803.50	\$ 3,763.47	\$ 4,516.85	\$ 6,346.49	\$ 106,068.60
<u>FY18</u>	\$ 10,565.93	\$ 11,304.10	\$ 14,205.42	\$ 10,281.23	\$ 12,606.99	\$ 11,481.49	\$ 7,003.16	\$ 8,229.47	\$ 7,767.43	\$ 5,982.22	\$ 9,944.07	\$ 7,985.29	\$ 117,356.80
<u>FY17</u>	\$ 7,479.32	\$ 6,320.67	\$ 9,864.58	\$ 12,332.60	\$ 12,558.21	\$ 13,933.97	\$ 12,932.01	\$ 7,767.94	\$ 17,407.20	\$ 10,848.10	\$ 14,906.00	\$ 7,974.32	\$ 134,324.92



USE TAX COLLECTIONS

	<u>JULY</u>	<u>AUGUST</u>	<u>SEPT</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>FEB</u>	<u>MARCH</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>TOTALS</u>
<u>FY22</u>	\$ 985.86	\$ 1,463.42	\$ 343.94	\$ 1,165.01	\$ 715.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,673.79
<u>FY21</u>	\$ 714.83	\$ 569.76	\$ 313.48	\$ 228.44	\$ 424.74	\$ 559.76	\$ 579.16	\$ 957.30	\$ 867.27	\$ 921.44	\$ 711.20	\$ 1,154.16	\$ 8,001.54
<u>FY20</u>								\$ 34.13	\$ 651.90	\$ 788.30	\$ 402.88	\$ 1,877.21	

LODGING TAX COLLECTIONS

	<u>JULY</u>	<u>AUGUST</u>	<u>SEPT</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>FEB</u>	<u>MARCH</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>TOTALS</u>
<u>FY22</u>	\$ 5,672.25	\$ 12,679.63	\$ 15,631.81	\$ 9,357.10	\$ 6,728.90	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,069.69
<u>FY21</u>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,753.09	\$ 4,547.48	\$ 1,912.94	\$ 1,856.63	\$ 408.92	\$ 5,277.35	\$ 3,009.90	\$ 22,766.31

Statement of Revenue and Expenditures

	Current Period	Year-To-Date	Annual Budget	Annual Budget	Jul 2021
	Oct 2021	Jul 2021	Annual Budget	Jul 2021	Jun 2022
	Oct 2021	Oct 2021	Jul 2021	Jun 2022	Percent of
	Actual	Actual	Jun 2022	Variance	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%

Statement of Revenue and Expenditures

	Current Period	Year-To-Date	Annual Budget	Annual Budget	Jul 2021
	Oct 2021	Jul 2021	Annual Budget	Jul 2021	Jun 2022
	Oct 2021	Oct 2021	Jul 2021	Jun 2022	Percent of
	Actual	Actual	Jun 2022	Variance	Budget
Miscellaneous Revenue	0.00	380.60	0.00	(380.60)	0.00%
Pittsburgh County Sinking Fund	0.00	0.00	57,190.00	57,190.00	0.00%
Sales Tax	17,988.49	106,463.44	100,000.00	(6,463.44)	106.46%
Transfer IN from TIF	0.00	0.00	101,989.00	101,989.00	0.00%
Use Tax	1,165.01	3,958.23	7,200.00	3,241.77	54.98%
Utility Tax	3,008.32	4,905.31	12,000.00	7,094.69	40.88%
Revenue	\$33,807.65	\$166,427.54	\$376,159.00	\$209,731.46	
Gross Profit	\$33,807.65	\$166,427.54	\$376,159.00	\$0.00	
Revenue Less Expenditures	\$33,807.65	\$166,427.54	\$376,159.00	\$0.00	
Net Change in Fund Balance	\$33,807.65	\$166,427.54	\$376,159.00	\$0.00	

TIF Projects

Expenses

2020 Rev Bond- Rdgline Trail	296.26	296.26	0.00	(296.26)	0.00%
Expenses	\$296.26	\$296.26	\$0.00	(\$296.26)	
Revenue Less Expenditures	(\$296.26)	(\$296.26)	\$0.00	\$0.00	
Net Change in Fund Balance	(\$296.26)	(\$296.26)	\$0.00	\$0.00	

Report Options

Fund: General Fund

Period: 10/1/2021 to 10/31/2021

Detail Level: Level 1 Accounts

Display Account Categories: No

Display Subtotals: No

Revenue Reporting Method: Budget - Actual

Expense Reporting Method: Budget - Actual

Budget: General Fund Master

Display Fund Balance Section: No

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 versus 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.