**REGULAR MEETING MINUTES**

**BOARD OF TRUSTEES FOR THE TOWN OF LUTHER**

**TUESDAY, AUGUST 10, 2021 AT 7:00 P.M.**

**LUTHER TOWN HALL**

**108 SOUTH MAIN STREET, LUTHER, OKLAHOMA 73054**

1. Call to order by **Mayor Terry Arps.**
2. Invocation by **Jeff Schwarzmeier.**
3. Pledge of Allegiance **led by Terry Arps**.
4. Roll Call **by Terry Arps. Present were Terry Arps, Brian Hall, Carla Caruthers, Jeff Schwarzmeier and Joshua Rowton.**
5. Determination of a quorum **was made by Mayor Terry Arps.**
6. Approval of the Consent Agenda,
   1. Approval of the Board Minutes from the meetings of July 13 and 22, 2021
   2. Approval of Claims, including Payroll
   3. Review and Approval of Acting Treasurer’s Report - **Motion was made by Terry Arps to approve the consent agenda as presented, 2nd by Carla Caruthers. The Vote: All (5) Yes.**
7. Consideration of Items Removed from the Consent Agenda – **None.**
8. Trustee Comments – **Mayor Arps mentioned an upcoming ACOG meeting date.**
9. Presentation from Myers Engineering – **Matthew Coe of Myers Engineering addressed the Board regarding flood plains and general engineering information relevant to the Town of Luther.**

**Trustee One (Terry Arps)**

1. Discussion of possible project, associated engineering costs and application deadline for an OWRB Reap Grant. **Discussion was had regarding the timeline to apply for a Rural Economic Action Plan (REAP) grant through Oklahoma Water Resources Board (OWRB).**
2. Consideration, discussion, and possible acceptance of land identified as lots three (3), four (4), and five (5) in Delaporte Second Addition to the Town of Luther, Oklahoma, as shown by the recorded plat thereof, pursuant to a Quit Claim Deed executed by the Oklahoma County Board of County Commissioners. **Joshua Rowton made a motion to accept as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**

1. Consideration, discussion, and possible acceptance of two acres of land located in the Northwest Quarter of the Southeast Quarter of Section Twenty-Eight (28), Township Fourteen (14) North, Range One East of the Indian Meridian, Town of Luther, State of Oklahoma, pursuant to a Quit Claim Deed executed by the Oklahoma County Board of County Commissioners. **Joshua Rowton made a motion to accept as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
2. Consideration, discussion and possible action, including direction to the Town Attorney to draft ordinances and resolutions for possible approval by the Board of Trustees, regarding a plan moving forward for the Clerk-Treasurer/Floodplain Administrator position. **Terry Arps made a motion to direct the Town Attorney to draft the legal documents required to call a special election to appoint a Clerk-Treasurer, 2nd by Brian Hall. The Vote: All (5) Yes.**
3. Consideration, discussion and possible action to hire a surveyor to conduct a survey of the area that would be South Birch Street between 8th and 178th Streets, in preparation for Oklahoma County to build a gravel road to specifications. **Terry Arps made a motion to accept item as written, 2nd by Joshua Rowton. The Vote: All (5) Yes.**
4. Consideration, discussion, and possible approval of a Professional Services Agreement with The Childs Law Firm, PLLC, for Fiscal Year 2021-2022. **Terry Arps made a motion to accept as written, 2nd by Carla Caruthers. The Vote: All (5) Yes.**
5. Consideration, discussion, and possible approval of a Judicial Services Agreement with the Honorable Dennis McGrath. **Terry Arps made a motion to approve as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
6. Consideration, discussion and possible action to approve a request from Dawn Shelton and Luther Register News to hold the Luther Pecan Festival on December 4, 2021. **Terry Arps made a motion to accept as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
7. Consideration, discussion and possible action to finalize the design of the Town’s Defined Contribution Plan through Oklahoma Municipal Retirement Fund. **Carla Caruthers made a motion to accept as written, 2nd by Jeff Schwarzmeier. The Vote: Four (4) Yes. Joshua Rowton had stepped out temporarily before the vote was taken but returned during the discussion in Item 19.**
8. Consideration, discussion, and possible approval of an Amended Property Improvements Agreement between the Town of Luther and Progressive Business Group, LLC, for the property generally located at 18725 East Highway 66. **Terry Arps made a motion to accept the agreement as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**
9. Consideration, discussion, and possible approval of an audit engagement letter with Russell and Williams, CPA’s, P.C., to conduct the annual audit. **Terry Arps made a motion to accept as written, 2nd by Joshua Rowton. The Vote: All (5) Yes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Carla Caruthers)**

1. Consideration, discussion and possible action to approve required “Instructor 1” training for Fire Chief Figueroa on September 18, 19, 25 and 26, 2021, through OSU Fire Service Training at a cost of $300.00 for the class and $77.00 for the training book, for a total cost of $377.00. **Carla Caruthers made a motion to accept as written, 2nd by Joshua Rowton. The Vote: All (5) Yes.**
2. Consideration and discussion of Resolution 2021-13R, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, APPROVING AND AUTHORIZING AGREEMENTS WITH INDIVIDUALS, FIRMS, PRIVATE CORPORATIONS, ASSOCIATIONS, AND POLITICAL SUBDIVISIONS FOR FIRE PROTECTION OUTSIDE THE CORPORATE LIMITS OF THE TOWN; ESTABLISHING THE FEES FOR FIRE APPARATUS AND PERSONNEL, AS WELL AS EQUIPMENT AND SUPPLIES FOR BOTH INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE TOWN; ESTABLISHING A SUBSCRIPTION SERVICE FOR RESIDENTS OF THE TOWN; AND AUTHORIZING THE TOWN MANAGER TO PROVIDE NOTICE TO THOSE OUTSIDE THE TOWN LIMITS AND ENTER INTO AGREEMENTS FOR THE PURPOSES OF PROVIDING FIRE PROTECTION IN ACCORDANCE WITH THE PROVISIONS OF THIS RESOLUTION AND BY THE LUTHER CODE OF ORDINANCES. **Tabled to August 26, 2021.**
3. Consideration and discussion of amounts to be charged for Fire Protection fees, including apparatus, personnel, equipment, supplies, as well as subscription fees and contract agreements for fire protection. **Tabled to August 26, 2021.**
4. Consideration, discussion and possible action to have the fire hydrant and associated equipment at the Town Water Drop location diagnosed and repaired or replaced. **Tabled to August 26, 2021.**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Joshua Rowton)**

1. Consideration, discussion and possible action to enter into an agreement with Oklahoma Dirt Diamonds 2013 to lease Softball Field #2 from August 13 to November 12, 2021, for the sum of $100.00. **Joshua Rowton made a motion to accept as written, 2nd by Terry Arps. The Vote: All (5) Yes.**
2. Review, consideration, discussion, and possible action to approve all matters related to the Culpepper & Merriweather Circus. **Terry Arps made a motion to approve matters related to the circus and appoint Joshua Rowton as the Board member liaison to make sure all actions are completed, 2nd by Brian Hall. The Vote: All (5) Yes.**
3. **New Business:** In accordance with the Open Meeting Act, Title 25 O.S. 311.A.9 of the Oklahoma Statutes, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda. – **None**.
4. **Citizen participation:**  Citizens may address the Board during open meetings on any matter on the agenda prior to the Board taking action on the matter. On any item not on the current agenda, citizens may address the Board under the agenda item Citizen Participation. Citizens should fill out a Citizen’s Participation Request form and give it to the Mayor. Citizen Participation is for information purposes only, and the Board cannot discuss, act or make any decisions on matters presented under Citizens Participation. Citizens are requested to limit their comments to two minutes. – **Dawn Shelton of Luther Register News was present and made mention of the Town’s good audit reports over the past four (4) years.**
5. Adjourn. **Terry Arps made a motion to adjourn, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**

Minutes Transcribed by Scherrie Pidcock, Acting Town Clerk-Treasurer