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

**SPECIAL MEETING MINUTES**

**THURSDAY, AUGUST 26, 2021, AT 6:30 P.M.**

**LUTHER TOWN HALL**

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

1. Call to order **by Jeff Schwarzmeier.**
2. Invocation **by Jeff Schwarzmeier.**
3. Pledge of Allegiance **was led by Jeff Schwarzmeier.**
4. Roll Call **by Jeff Schwarzmeier. Present were Carla Caruthers, Joshua Rowton and Jeff Schwarzmeier. Terry Arps arrived prior to the vote on Item 7. Brian Hall was absent.**
5. Determination of a Quorum **by Jeff Schwarzmeier.**
6. Trustee Comments **- None.**

**Trustee One (Terry Arps)**

1. Consideration, discussion and possible action to adopt Ordinance2021-15, AN ORDINANCE OF THE TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 2-102 OF THE LUTHER CODE OF ORDINANCES, “ELECTIVE OFFICERS OF THE TOWN,” AND SPECIFICALLY REMOVING THE REQUIREMENT THAT THE CLERK-TREASURER BE ELECTED; ADDING SECTION 2-300, “CLERK-TREASURER,” AND SPECIFICALLY REMOVING THE REQUIREMENT THAT THE CLERK-TREASURER BE ELECTED; REPEALING SECTION 2-302.1, “TOWN CLERK-TREASURER;” REPEALING ORDINANCE NO. 2021-09; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY – **Carla Caruthers made a motion to adopt Ordinance 2021-15 as written, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
2. Consideration, discussion and possible action to approve Resolution 2021-16R, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AND MAYORAL PROCLAMATION CALLING FOR AN ELECTION IN THE TOWN OF LUTHER ON NOVEMBER 9, 2021, FOR THE PURPOSE OF SUBMITTING A QUESTION TO THE REGISTERED VOTERS REGARDING APPOINTMENT RATHER THAN ELECTION OF THE TOWN OF LUTHER CLERK-TREASURER; AND PROVIDING FOR THE CONDUCT OF THE ELECTION BY THE OKLAHOMA COUNTY ELECTION BOARD – **Carla Caruthers made a motion to approve Resolution 2021-16R as written, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
3. Consideration, discussion and possible action to accept a quote 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. – **Tabled to September 14, 2021.**
4. Consideration, discussion and possible action to adopt Ordinance 2021-14, AN ORDINANCE ADOPTING AN EMPLOYEE RETIREMENT SYSTEM, DEFINED CONTRIBUTION PLAN FOR THE Town of Luther, OKLAHOMA; PROVIDING RETIREMENT BENEFITS FOR ELIGIBLE EMPLOYEES OF THE Town of Luther, OKLAHOMA; PROVIDING FOR PURPOSE AND ORGANIZATION; PROVIDING FOR DEFINITIONS; PROVIDING FOR ELIGIBILITY AND PARTICIPATION; PROVIDING FOR EMPLOYER AND EMPLOYEE CONTRIBUTIONS; PROVIDING FOR ACCOUNTING, ALLOCATION, AND VALUATION; PROVIDING BENEFITS; PROVIDING FOR REQUIRED NOTICE; PROVIDING FOR AMENDMENTS AND TERMINATION; PROVIDING FOR TRANSFER TO AND FROM OTHER PLANS; CREATING A COMMITTEE AND PROVIDING FOR POWERS, DUTIES, AND RIGHTS OF COMMITTEE; PROVIDING FOR PAYMENT OF CERTAIN OBLIGATIONS; PROVIDING FOR DURATION AND PAYMENT OF EXPENSES; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR VESTING SCHEDULES; PROVIDING FOR A FUND TO FINANCE THE SYSTEM TO BE POOLED WITH OTHER INCORPORATED CITIES, TOWNS AND THEIR AGENCIES AND INSTRUMENTALITIES FOR PURPOSES OF ADMINISTRATION, MANAGEMENT, AND INVESTMENT AS PART OF THE OKLAHOMA MUNICIPAL RETIREMENT FUND; PROVIDING FOR PAYMENT OF ALL CONTRIBUTIONS UNDER THE SYSTEM TO THE OKLAHOMA MUNICIPAL RETIREMENT FUND FOR MANAGEMENT AND INVESTMENT; PROVIDING FOR NON-ALIENATION OF BENEFITS AND LOSS OF BENEFITS FOR CAUSE; ADOPTING THOSE AMENDMENTS MANDATED BY THE INTERNAL REVENUE CODE; PROVIDING FOR EMPLOYER PICKUP OF REQUIRED CONTRIBUTIONS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY. – **Terry Arps made a motion to adopt Ordinance 2021-14 as written, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes. Terry Arps made a motion to adopt Ord. 2021-14 Emergency Clause, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
5. Consideration, discussion and possible action to approve Resolution 2021-14R, A RESOLUTION OF THE Town of Luther ADOPTING BY REFERENCE THE TRUST INDENTURE TITLED "OKLAHOMA MUNICIPAL RETIREMENT FUND" AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE AGREEMENT TO POOL FUNDS WITH OTHER OKLAHOMA CITIES AND TOWNS FOR THE PURPOSES OF ADMINISTRATION, INVESTMENT, AND MANAGEMENT. – **Carla Caruthers made a motion to approve Resolution 2021-14R as written, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
6. Consideration, discussion and possible action to request Oklahoma County District #1 to redirect the water run-off into the storm drain located at N. Ash and N.E. 2nd Street. – **Terry Arps made a motion to make the request as written, 2nd by Jeff Schwarzmeier. The Vote: All (5) Yes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Carla Caruthers)**

1. Consideration, discussion and possible approval 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 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 from August 10, 2021 – **Carla Caruthers made a motion to approve Resolution 2021-13R as written, 2nd by Terry Arps. The Vote: All (4) Yes.**
2. 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 from August 10, 2021 – **No Action.**
3. 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 from August 10, 2021 – **Tabled to September 14, 2021**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Joshua Rowton)**

1. Consideration, discussion and possible action to enter into a lease agreement for Ballfield #1 with the Bad News Lions in the amount of $50.00 for the time period of August 26, 2021, through October 8, 2021. – **Joshua Rowton made a motion to sign the lease agreement as written, 2nd by Terry Arps. The Vote: All (4) Yes.**
2. Discussion and update on plans for the Culpepper & Merriweather Circus on September 29, 2021. – **Discussion was held on tasks that need addressed for the upcoming circus.**
3. 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. – **None.**
4. Adjourn. – **Terry Arps made a motion to adjourn, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**

Minutes transcribed by Scherrie Pidcock, Acting Town Clerk-Treasurer