**REGULAR MEETING MINUTES**

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

**TUESDAY, JANUARY 11, 2022, 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 **was led by Terry Arps**.
4. Roll Call **by Terry Arps. Present were Terry Arps, Carla Caruthers, Jeff Schwarzmeier and Joshua Rowton. Brian Hall was absent.**
5. Determination of a quorum **was made by Terry Arps.**
6. Approval of the Consent Agenda,
	1. Approval of the Board Minutes from the meeting of December 14, 2021
	2. Approval of Claims, including Payroll
	3. Review and Approval of Acting Treasurer’s Report – **Terry Arps made a motion to approve the Consent Agenda as presented, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
7. Consideration of Items Removed from the Consent Agenda – **None.**
8. Trustee Comments – **None.**

**Trustee One (Terry Arps)**

1. Public Hearing - to consider and take appropriate action, including to approve or deny an application for a Specific Use Permit (SUP) for property generally located at 811 South Birch Street, Luther, Oklahoma, for purposes of building a Day Care Facility (SUP category Private School) on an R-2 zoned property. The property is currently zoned R-2, Residential/Manufactured Housing, and the legal description is as follows: Chamberlains Addition 020 000 Lots 9 thru 12 Section 27 Township 14N Range 1E QTR SW - Acres .3214 – **Terry Arps made a motion to table this item to the January 27 special meeting, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
2. Public Hearing - to consider and take appropriate action, including to approve or deny an application for a Specific Use Permit (SUP) for property generally located at 19305 N Dobbs Rd, Luther, Oklahoma, for purposes of placing a second residence on a five (5) acre tract of land. The Applicant has expressed an interest in filing an application to use the second residence for a Short Term Rental. The property is currently zoned A-1, Agricultural, and the legal description is as follows: UNPLTD PT SEC 22 14N 1E 000 000 PT SE4 SEC 22 14N 1E BEG 1987.78FT N OF SE/C SE4 TH W660FT N330FT E660FT S330FT TO BEG CONT 5ACRS MORE OR LESS SUBJ TO ESMTS OF RECORD – **Randy LeBlanc and Adam Lanman were present to speak on this request. After discussion, Terry Arps made a motion to approve the SUP contingent on the smaller residence being a minimum of 800 square feet, as recommended by the Luther Planning Commission on January 10, 2022, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
3. Public Hearing **-** to consider and take appropriate action, including to approve or deny an application for a Specific Use Permit (SUP) for property generally located at 20100 NE 178th St, Luther, Oklahoma, for purposes of placing a home with an event venue including a motocross track, training facility, and RV hookups on a 40 acre tract of land. The property is currently zoned A-1, Agricultural, and the legal description is as follows: LUTHER TOWNSHIP 000 000 PT NW4 SEC 35 14N 1E BEG AT NW/C NW4 TH E867.44FT S1925.84FT TO N R/W TURNER TURNPIKE SWLY882.02FT TO W LINE NW4 N2091.63FT TO BEG CONT 40ACRS MORE OR LESS – **The applicant was not present. Terry Arps made a motion to deny the application as recommended by the Luther Planning Commission in their meeting of January 10, 2022, 2nd by Joshua Rowton. The Vote: All (4) Yes. (permit denied)**
4. Consideration, discussion and possible action to approve a roof replacement at no cost to the Town of Luther for the building located at 309 SW 5th, Luther, Oklahoma, commonly known as the Armstrong Head Start, by the Community Action Agency, pursuant to the lease between the Agency and the Town of Luther. – **Terry Arps made a motion to approve roof replacement, 2nd by Carla Caruthers. The Vote: All (Yes).**
5. Consideration, discussion and possible action for recommendation to the Planning Commission for replacement membership. – **Terry Arps made a motion to request Chairman Keith to speak to an absentee Planning Commission member regarding his absence, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
6. Consideration, discussion and possible action to complete the equipping of the 2020 Dodge Ram police vehicle. – **Terry Arps made a motion to approve a quote from Blue Line Emergency Upfitters in the amount of $6,334.00 and authorize Chief Leafty to proceed with the work, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
7. Consideration, discussion and possible action to ratify the OMAG Proof of Loss claim for repairs to the 2016 Ford Explorer Interceptor in the amount of $9,039.43, less the $500.00 deductible. – **Terry Arps made a motion to ratify the Proof of Loss for the 2016 Ford Explorer, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
8. Consideration, discussion and possible action to ratify the OMAG Proof of Loss claim for repairs to the 2019 Dodge Ram 1500 4X4 in the amount of $2,391.20, less the $500.00 deductible. – **Terry Arps made a motion to ratify the Proof of Loss for the 2019 Dodge Ram, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
9. Consideration and discussion of infrastructure as it relates to housing in the Town of Luther. – **Terry Arps made comments regarding new homes being built and the need for infrastructure in the area of the development. No Action.**
10. Consideration, discussion and possible action regarding the historic feed scale building on Apple Street between North 1st and North 2nd Streets. – **Terry Arps made a motion to decline any offers to purchase the building at this time, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
11. Discussion and possible action on the formation and composition of the fire subscription advisory committee. – **Terry Arps made a motion to take no action, 2nd by Joshua Rowton. The Vote: All (4) Yes.**

**Trustee Two (Brian Hall)**

**Trustee Three (Carla Caruthers)**

1. Consideration, discussion and possible action to amend the Town of Luther Fire Department subscription program as set forth in Resolution No. 2021-13R. Tabled from Dec 14, 2021. – **Carla Caruthers made a motion to table the item until the special meeting scheduled for Thursday, February 8, 2022, at 5:00 PM, 2nd by Terry Arps. The Vote: All (4) Yes.**
2. Discussion of needed repairs for the Fire Department Engine Truck 757. – **No Action**
3. Consideration, discussion, and possible ratification of training books purchase for Firefighter One class in the amount of $537.97. – **Terry Arps made a motion to ratify the purchase of Firefighter One training books, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
4. Consideration, discussion and possible ratification of Hazmat training books purchase in the amount of $271.52. – **Terry Arps made a motion to ratify the purchase of Hazmat Training books, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
5. Consideration, discussion and possible action to create the wording for a notification to be mailed to members of the Luther Fire District announcing a special meeting relating to fire subscriptions scheduled for February 8, 2022, 5:00 PM. – **Carla Caruthers made a motion to send a post card mailer to all property owners in the Luther Fire District regarding a special meeting on February 8, 2022, to discuss fire subscriptions, 2nd by Terry Arps. The Vote: All (4) Yes.**

**Trustee Four (Jeff Schwarzmeier)**

**Trustee Five (Joshua Rowton)**

1. Presentation and proposal by Friends of the Park, the Luther Parks Commission members or others regarding a disc golf course at Wildhorse Park. – **Disc Golf presentation was made by Patrick Proc. – No Action.**
2. Consideration, discussion and possible action to approve as proposed, amended, or revised, the disc golf proposal, should compromise be required. – **Joshua Rowton made a motion to approve installation and operation of a disc golf course at Wildhorse Park, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
3. **PROPOSED EXECUTIVE SESSION:**Consideration and possible action to enter into executive session for confidential communications to discuss the employment, hiring, and appointment of Interim Town Clerk/Treasurer Scherrie Pidcock, including possible appointment to the full time position of Town Clerk/Treasurer, job duties, and compensation, as authorized by 25 O.S. Section 307(B)(1). **Terry Arps made a motion to enter into executive session, 2nd by Joshua Rowton. The Vote: All (4) Yes.**
4. **PROPOSED ACTION ITEMS FOR MATTERS DISCUSSED IN EXECUTIVE SESSION:** Consideration, discussion, and possible appropriate and related action on matters discussed in Executive Session, including appointment of Scherrie Pidcock as Town Clerk/Treasurer, and action including job duties, compensation and other related matters. – Tabled from December 14, 2021. – **Terry Arps made a motion to appoint Scherrie Pidcock as Town Manager/Clerk/Treasurer/Floodplain Administrator with a beginning salary of $58,000 annually, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
5. Consideration, discussion, and possible adoption of ORDINANCE NO. 2022-01, AN ORDINANCE OF THE TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING SECTION 2-301 OF THE LUTHER CODE OF ORDINANCES, “DUTIES OF TOWN CLERK-TREASURER”; AMENDING SECTION 2-302, “TOWN CLERK-TREASURER SALARY AND BENFITS”; REPEALING SECTION 2-302.1 “TOWN CLERK-TREASURER”, SECTION 2-302.2, “PAY PERIOD, SALARY AND BENEFITS FOR TOWN CLERK-TREASURER”, AND SECTION 2-302.3, “ADDITIONAL PAY FOR TOWN CLERK FOR EXTRA DUTIES”; REPEALING ALL ORDINANCES TO THE CONTRARY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY – **Terry Arps made a motion to adopt Ordinance 2022-01 as written, 2nd by Joshua Rowton. The Vote: All (4) Yes. Terry Arps made a motion to adopt the Emergency Clause for Ordinance 2022-01, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
6. Consideration, discussion, and possible approval of a Job Description for the position of the Town Manager/Clerk-Treasurer/Floodplain Administrator. – **Terry Arps made a motion to approve the job description as presented, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**
7. Consideration, discussion, and possible approval for the Town Clerk-Treasurer to begin the process of hiring an additional staff person to provide administrative support and possibly Code Enforcement duties. – **Terry Arps made a motion for Scherrie Pidcock to begin the search for an additional staff person, 2nd by Carla Caruthers. The Vote: All (4) Yes.**
8. **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.**
9. **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.**
10. Adjourn. **– Terry Arps made a motion to adjourn, 2nd by Jeff Schwarzmeier. The Vote: All (4) Yes.**

 

Minutes transcribed by Scherrie Pidcock, Town Clerk