

**MINUTES OF REGULARLY SCHEDULED MEETING
SLAUGHTERVILLE TOWN BOARD OF TRUSTEES
DECEMBER 21, 2010**

1. CALL TO ORDER WITH SALUTE TO THE FLAG OF THE UNITED STATES AND INVOCATION

Mayor Bobby Cleveland called the meeting of the Town of Slaughterville Board of Trustees to order at 7:00 p.m. on December 21, 2010. Greg Mack led the invocation. Mayor Cleveland led in the salute to the flag of the United States. The meeting was held at the Slaughterville Town Hall at 10701 US Highway 77 and was conducted pursuant to the State Open Meeting Law with due and proper notice provided. Notice of the meeting was given by posting the agenda on December 20, 2010.

2. ROLL CALL, DECLARATION OF A QUORUM BEING PRESENT

JERRY GARRETT	PRESENT
JOHNNELL JONES	ABSENT
BOBBY CLEVELAND	PRESENT
JAMES RICO	PRESENT
LARRY IOVAN	PRESENT

A quorum was established. Also present were Town Attorney Cindee Pichot, Town Administrator/Clerk Marsha Blair, Town Treasurer Denise Dicksion, Code Enforcement Administrator Terry Johnson, Fire Chief Paul Long, Assistant Chief Jimmy Blair, Dana Rico, Joyce Smith and Greg Mack.

3. CONSIDERATION AND ACTION OF THE CONSENT AGENDA

ALL MATTERS UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. ANY ITEM MAY BE TAKEN OFF THE CONSENT AGENDA AND HEARD IN REGULAR ORDER AT THE REQUEST OF ANY BOARD MEMBER.

Mr. Iovan requested to consider each item individually

a. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES HELD ON NOVEMBER 16, 2010

A motion was made by Mr. Rico and seconded by Mr. Garrett to approve the minutes for the regular meeting of the Board of Trustees held on November 16, 2010.

AYES: Garrett, Rico
NAYS: None
ABSTAIN: Cleveland, Iovan

The motion failed.

A motion was made by Mr. Cleveland and seconded by Mr. Garrett to reconsider the item.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

A motion was made by Mr. Rico and seconded by Mr. Garrett to approve the minutes for the regular meeting of the Board of Trustees held on November 16, 2010.

AYES: Garrett, Cleveland, Rico, Iovan

NAYS: None

b. APPROVAL OF FINANCIAL REPORTS

A motion was made by Mr. Iovan and seconded by Mr. Rico to approve the financial reports.

AYES: Garrett, Cleveland, Rico, Iovan

NAYS: None

4. **CONTINUATION OF PUBLIC HEARING ON AN APPLICATION SUBMITTED BY GLENDA ROLEY FOR A PROPOSED USE PERMITTED ON REVIEW TO ALLOW A RESTAURANT ESTABLISHMENT TO SELL AND SERVE BEER WITH FOOD FOR A TRACT OF LAND IN A COMMERCIAL DISTRICT (C-1). THE PROPERTY IS LOCATED AT 10520 US 77 IN SLAUGHTERVILLE, OKLAHOMA. LEGAL DESCRIPTION: A PART OF LOTS TWO (2) AND TWENTY (20), IN BLOCK ONE (1), OF MCCASLIN SUBDIVISION, CLEVELAND COUNTY, OKLAHOMA, BEING A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVEN (7), TOWNSHIP SEVEN (7) NORTH, RANGE ONE (1) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 7 A DISTANCE OF 696.96 FEET TO A POINT; THENCE NORTH 00°00'00" WEST A DISTANCE OF 365.00 FEET TO A POINT OF BEGINNING; THENCE NORTH 00°00'00" WEST A DISTANCE OF 35.19 FEET TO A POINT, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF WAY OF HIGHWAY 77; THENCE CONTINUING ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF HIGHWAY 77 AROUND A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°33'21", HAVING AN ARC DISTANCE OF 212.80 FEET, AND A CHORD BEARING OF SOUTH 5L°31'20" EAST, A CHORD DISTANCE OF 212.68 FEET TO A POINT; THENCE CONTINUING ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF HIGHWAY 77 NORTH 54°48'00" WEST A DISTANCE OF 149.96 FEET TO A POINT; THENCE ALONG THE SOUTHWESTERLY RIGHT-OF-WAY OF HIGHWAY 77 NORTH 55°33'00" WEST A DISTANCE OF 95.81 FEET TO A POINT; THENCE SOUTH 00°00'00" EAST A DISTANCE OF 308.17 FEET TO A POINT; THENCE NORTH 90°00'00" EAST A DISTANCE OF 368.05 FEET TO THE POINT OF BEGINNING.**

The Public Hearing was opened.

Mrs. Blair said the restaurant did not get a sales tax permit through the Oklahoma Tax Commission and has closed. Staff recommends denial of the requested Use Permitted on Review to sell and serve beer with food because the restaurant is closed.

The Public Hearing was closed.

5. **DISCUSSION AND/OR ACTION CONCERNING AN APPLICATION SUBMITTED BY GLENDA ROLEY FOR A PROPOSED USE PERMITTED ON REVIEW TO ALLOW A RESTAURANT ESTABLISHMENT TO SELL AND SERVE BEER WITH FOOD FOR A TRACT OF LAND IN A COMMERCIAL DISTRICT (C-1). THE PROPERTY IS LOCATED AT 10520 US 77 IN SLAUGHTERVILLE, OKLAHOMA. (LEGAL DESCRIPTION AS STATED IN ITEM # 4)**

A motion was made by Mr. Garrett and seconded by Iovan to deny the Use Permitted on Review requested by Glenda Roley to sell and serve beer with food.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

6. DISCUSSION AND/OR ACTION ON RESOLUTION 122110 A RESOLUTION CALLING A REGULAR MUNICIPAL ELECTION TO ELECT OFFICIALS OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA

A motion was made by Mr. Garrett and seconded by Mr. Iovan to approve Resolution 122110 A **RESOLUTION CALLING A REGULAR MUNICIPAL ELECTION TO ELECT OFFICIALS OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA**

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

7. DISCUSSION AND/OR ACTION CONCERNING THE APPOINTMENT OF MEMBERS TO SERVE ON THE BOARD OF ADJUSTMENT (INFORMATION: O.S. TITLE 11, SEC. 44-101 THE BOARD OF ADJUSTMENT SHALL CONSIST OF FIVE (5) MEMBERS, EACH TO BE APPOINTED FOR A TERM OF THREE (3) YEARS)

A motion was made by Mr. Iovan and seconded by Mr. Rico to reappoint current Board of Adjustment members Gary Pollock, Bud Shepherd, Lenny Mulder, Gerald Kruschek, and James Bundy.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

8. DISCUSSION AND/OR ACTION ON THE APPROVAL OF THE SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF TRUSTEES AND HOLIDAYS FOR CALENDAR YEAR 2011

A motion was made by Mr. Garrett and seconded by Mr. Rico to approve the schedule of regular meetings of the Board of Trustees for calendar year 2011 as presented: The Board of Trustees for the Town of Slaughterville meet the third Tuesday of each month at 7:00 p.m. at the Slaughterville Town Hall (10701 US 77) located at the northeast corner of US Highway 77 and Slaughterville Road.

January 18	7:00 p.m.
February 15	7:00 p.m.
March 15	7:00 p.m.
April 19	7:00 p.m.
May 17	7:00 p.m.
June 21	7:00 p.m.
July 19	7:00 p.m.
August 16	7:00 p.m.
September 20	7:00 p.m.
October 18	7:00 p.m.
November 15	7:00 p.m.
December 20	7:00 p.m.

The Town Hall will be closed to observe the following holidays:

New Years Day – December 31, 2010

Memorial Day - May 30
Independence Day - July 4
Labor Day - September 5
Thanksgiving - November 24 - 25
Christmas - December 26

REGULAR OFFICE HOURS FOR THE TOWN HALL are 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. Monday through Friday.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

9. DISCUSSION AND/OR ACTION CONCERNING PROPOSAL BY MUNICIPAL PROGRESS GROUP TO DO COMMUNITY PLANNING AND DEVELOPMENT

A motion was made by Mr. Rico and seconded by Mr. Iovan for the Town to do their own planning and not to use the Municipal Progress Group to do community planning and development.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

10. DISCUSSION AND/OR ACTION CONCERNING A NEWSLETTER

A motion was made by Mr. Iovan and seconded by Mr. Rico to set up a committee to plan and execute a newsletter.

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

Mr. Iovan volunteered to serve as chairman and Mr. Cleveland, Ms. Pichot and Terry Johnson volunteered to serve on the committee.

11. DISCUSSION AND/OR ACTION REGARDING MAKING A DETERMINATION THAT DISCLOSURE OF CONFIDENTIAL COMMUNICATIONS BETWEEN THE ATTORNEY AND THE BOARD OF TRUSTEES, REGARDING THE PROPOSED EXECUTIVE SESSION SET FORTH IN AGENDA ITEM #12, WILL SERIOUSLY IMPAIR THE ABILITY OF THE TRUSTEES TO CONDUCT A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST (PURSUANT TO TITLE 25 O.S. SECTION 307-B-4).

A motion was made by Mr. Rico and seconded by Mr. Garrett to make a determination that disclosure of confidential communications between the Attorney and the Board of Trustees, regarding the proposed executive session set forth in agenda item #12, will seriously impair the ability of the trustees to conduct a pending investigation, litigation, or proceeding in the public interest (pursuant to title 25 O.S. Section 307-B-4)

AYES: Garrett, Cleveland, Rico, Iovan
NAYS: None

12. EXECUTIVE SESSION FOR THE PURPOSE OF CONFIDENTIAL COMMUNICATIONS BETWEEN A PUBLIC BODY AND ITS ATTORNEY CONCERNING A PENDING INVESTIGATION, CLAIM, OR ACTION IF THE PUBLIC BODY WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WOULD SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS

THE CLAIM OR CONDUCT A PENDING INVESTIGATION, LITIGATION OR PROCEEDING IN THE PUBLIC INTEREST CONCERNING PURSUING THE TOWN'S CLAIMS AGAINST: 13900 REBECCA ROAD; LOT 83, HIDEAWAY ACRES II, SLAUGHTERVILLE, OKLAHOMA IN THE NAME OF STEVEN R. AND BECKY MORGAN

A motion was made by Mr. Rico and seconded by Mr. Garrett to go into executive session at 7:25 p.m.

AYES: Garrett, Cleveland, Rico, Iovan

NAYS: None

Board members, Administrator Marsha Blair and Attorney Cindee Pichot went into executive session. They discussed confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body with the advice of its attorney, determines that disclosure would seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation or proceeding in the public interest concerning pursuing the Town's claims against: 13900 Rebecca Road; Lot 83, Hideaway Acres II, Slaughterville, Oklahoma in the name of Steven R. and Becky Morgan.

Board members went back into regular session at 7:45 p.m.

13. DISCUSSION AND/OR ACTION ON PURSUING COLLECTION OF THE TOWN'S CLAIM AGAINST 13900 REBECCA ROAD; LOT 83, HIDEAWAY ACRES II, SLAUGHTERVILLE, OKLAHOMA IN THE NAME OF STEVEN R. AND BECKY MORGAN

A motion was made by Mr. Iovan and seconded by Mr. Rico to table item 13.

AYES: Garrett, Cleveland, Rico, Iovan

NAYS: None

14. MAYOR'S REPORT:

a. DISASTER RESPONSE COMMITTEE – when the tornado occurred in May there was need for a generator. The Fire Department has generators from 3000 watt to 8000 watt that could fill that need in a future disaster event. Mr. Cleveland said that a generator was at top of the list of needs.

b. CONGRESS OF MAYORS TO BE HELD AT THE STATE CAPITOL ON JANUARY

The Council of Mayors will convene at the State Capitol to hold a mock Congress. Mayors will get to make laws. Mayor Cleveland wants to propose law changing newspaper publications for legal notices to be posted electronic on websites. Mr. Iovan would like to legislation on sales tax disbursement. Over 100 cities and towns in Oklahoma do not have their own zip code which impacts proper sales tax collection. Mr. Iovan suggested that legislation be drafted to require disbursements be done on a per capita basis.

15. REPORT ON ZONING COMPLIANCE PERMITS AND CODE COMPLIANCE BY CODE ENFORCEMENT ADMINISTRATOR TERRY JOHNSON

Code Enforcement Administrator Terry Johnson gave the following report:

Three (3) Zoning Compliance Permits were issued in the month of November.

Zoning compliance permits finalized: four (4)

Burn barrels: no complaints on burn barrels in November

Dilapidated manufactured homes: trying to help one citizen get some assistance to deal with his dilapidated manufactured home

Dog problems throughout the Town: two (2) suspected kennels seem to have gotten rid of most of their dogs

Follow up on last month's report: removal is almost completed for the manufactured home east of Highway 77 on Duffy Road and another one on Maguire Rd.

Number of Conditional Zoning Compliance Permits issued to date: twenty-nine (29)

Number of active code case files: thirty-four (34); there were 57 but several have been resolved.

Objectives and concerns: continuing to work on getting the tall grass and weeds cut to better control grass fires

Pit Bull dogs: one incident of a pit bull injuring another dog

16. REPORT ON FIRE DEPARTMENT RUNS AND GRANT PROGRESS UPDATE BY CHIEF PAUL LONG

Chief Long reported the following information:

- There were 16 fire runs since the last meeting: 7- grass, 4-structure, 5- good intent, and mutual aid was given 7 times and received 2 times.
- Chief Long has not heard from grant administrator on the Assistance to Firefighters Grant Program (AFG) concerning the department's grant application.
- Slaughterville Baptist Church provided good meal for the Annual Fire Department Christmas Dinner. Mayor Cleveland and State Representative Josh Cockcroft attended the event.
- Some of the new firefighters will be starting Fire Fighter I Academy soon.
- Trucks are running good.
- Red flag alerts and burn bans could be issued as the hazardous weather conditions continue.

17. ADMINISTRATOR'S REPORT

a. MAINTENANCE WORK DONE ON THE STREET DEPARTMENT BUILDING

The exterior frame boards around the overhead doors were replaced and painted. The walkthrough door was replaced with a steel door and dead bolt lock. Terry Johnson did the work on the walkthrough door and DeWayne Tolson with the assistance of a community service worker did the frame boards around the overhead doors. They did an excellent job.

b. POSITIVE ARTICLES ABOUT THE FIRE DEPARTMENT AND TOWN IN THE LEXINGTON OBSERVER

The Lexington Observer has written several positive articles in their past two issues about the Town and the Fire Department. Copies of the December paper were made available to the Board members. Clippings of the articles have been placed in the Town's scrap book.

18. HEARING OF DELEGATIONS OR CITIZENS

Joyce Smith recommended that the newsletter be addressed to “current resident” to insure delivery to every household.

19. REMARKS AND INQUIRIES BY BOARD MEMBERS

Mr. Cleveland would like to have money set aside for a building project so that the Town can have a community center.

Mr. Iovan contacted the Community Foundation of Oklahoma to see about setting up a fund to help citizens who have needs in our community and can't afford the cost. The Foundation serves as an umbrella as the Community Foundation so that groups can get 501 C(3) tax exempt status. There is a minimum of \$20,000 that must be deposited into the fund within the first year. A fee of 5% is charged for services to manage the fund. Examples of needs in the community are: people who do not have the finances to pay fire run charges, abatement, clean up and tornado damage and repairs. Board members expressed interest to check into the program and get more information.

Mrs. Blair asked for suggestions on how and where to display the “IN GOD WE TRUST” motto.

Mr. Cleveland stated that there was a report about the chromium levels in water that appeared on the front page of the newspaper. He said the validity of the tests are in question. EPA has not come out with anything that substantiates the information. Norman was only city that was tested in Oklahoma.

20. ADJOURN

A motion was made by Mr. Cleveland and seconded by Mr. Rico to adjourn.

AYES: Garrett, Cleveland, Rico, Iovan

NAYS: None

CLERK (ATTEST)

MAYOR