

# Durant Industrial Authority

## MINUTES OF THE DURANT INDUSTRIAL AUTHORITY REGULAR MEETING October 7, 2019 AT 3:00 P.M.

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### 1) Call to Order –

Chairman Chris Pierce called the meeting to order at 3:00 p.m., declared a quorum present, and opened the meeting.

### 2) Roll Call – Jennifer Taylor

The following Durant Industrial Authority members were present: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville

The following members were absent: Sean Burrage, Tammye Gwin

The following guests were present at this month's meeting: Tom Marcum

### 3) Opening Invocation – Paul Buntz

### 4) Consideration and Action – Approval of Minutes of Regular Meeting for September 9, 2019 – Chairman

A motion was made by Dennis Garrett to approve the minutes as presented. Jeff Hammock seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Janet Reed, Ashley Stuteville

Abstain: Chris Pierce, Jeff Shattuck

Nay: None

### 5) Review Industrial Authority Financial Reports – An-Chen Lai

An-Chen Lai was unavailable, Paul Buntz presented financial statements included in the October 7 packet to the trustees.

### 6) Further consideration revisions to allocations made to assess the DIA for General Liability Insurance, IT Service Fees, Audit Fees, and any other allocations included in the FY 2020 Budget.

No Action Taken

Paul Buntz discussed with the committee the findings he discovered. Dennis Garrett requested that the percentages be provided on the formula that is used to calculate these expenses.

**7) Consideration and Action – Durant Industrial Authority Claims – September 2019 – Chairman**

The Authority reviewed the claims for the Durant Industrial Authority:

○ AT & T Mobility.....	\$56.92
○ Center Economic Development Law .....	\$5869.90
○ Cheryl Jackson.....	\$2407.61
○ Durant Area Chamber of Commerce .....	\$1385.00
○ Loucinda French .....	\$30.00
○ Jennifer Taylor.....	\$150.00
○ John Jackson .....	\$2407.60
○ Oklahoma Department of Commerce .....	\$7020.66
○ Paul Buntz.....	\$2306.25
○ <b>TOTAL .....</b>	<b>\$21,633.94</b>

After some discussion on the claims, a motion was made to approve the claims by Dennis Garrett. Jeff Hammock seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**8) Discussion and possible consideration action regarding advisory legal opinion from Econ Law Firm regarding the prospective purchase of industrial property with funds from the City’s Economic Development Sales Tax.**

City Attorney, Tom Marcum addressed the authority and stated that he generally agreed with the opinion from Econ Law Firm that property could be purchased without a specific business in mind. His hesitation would be to protect the City and DIA from any accusation of just buying investment property. Example: DIA purchases land for \$1M, and instead of using for an industrial purchase they resale years later for a profit. So, his opinion is that it is permissible to do what is asked, he would recommend that the DIA look at establishing or expanding on the current industrial park in lieu of purchasing random properties in different locations.

The authority agreed that strategically they would only purchase land where they would be able to offer New Market Tax Credits. It was asked if the authority should establish the land as an industrial park. Tom Marcum stated that legally it would not be required. It may help with an optics look so that everyone is aware what the land is being purchased for.

**9) Consideration payment of temporary water taps on 12inch line for Tubacex Durant Project to be paid from Economic Development Sales Tax Funds.**

Paul Buntz explained to the authority the final plan for water supply that will happen with the CDBEG funds. However, Tubacex needs their water supply now. They are requesting a temporary tap into the current 12in tap in front of SteelFab. The cost would be \$3400.00. Janet Reed made a motion to approve the cost to provide Tubacex a temporary tap. Jeff Shattuck seconds the motion. The motion passes with the following vote:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck  
Abstain: Ashley Stuteville  
Nay: None

**10) Update on Durant Industrial Authority Projects and Related Items – Paul Buntz**

Paul Buntz updated the trustees on current projects and related items. Report included in the October 7, 2019 packet.

**11) Consideration Meeting Schedule for Calendar Year 2020.**

The Authority reviewed the 2020 meeting schedule provided in the October 7, 2019 packet. Discussion was held and it was decided to move the October 2020 meeting to October 5<sup>th</sup> due to the holiday. Ashley Stuteville made a motion to approve the schedule with the change of date. Jeff Shattuck seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**12) Consideration rescheduling Regular DIA Board Meeting Scheduled for November 11, 2019.**

Janet Reed made a motion to move the November 2019 meeting schedule to November 4, 2019 due to the holiday. Jeff Hammock seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**13) Information Items**

No Informational Items

**14) Consider Executive Session for the Durant Industrial Authority to discuss items (Executive Session Authorize by Title 25, Section 307B.1 and 307B.3 of the Oklahoma State Statues)**

- a. Discussion hiring, compensation, and employment contract of new Executive Director.**
- b. Discussion of the purchase or appraisal of real property for Economic Development.**

A Motion was made by Jeff Hammock to enter into executive session. Ashley Stuteville seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**15) Consider Motion to Return to Regular Session – Chairman**

A motion was made by Dennis Garrett to return to regular meeting. Jeff Hammock seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**16) Consideration and Action Pursuant to Items 14a. and 14b. above – Chairman**

14a. No Action Taken

14b. Jeff Shattuck made a motion to decline the offer. Ashley Stuteville seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None

**17) Durant Industrial Authority New Business – Chairman**

- Janet Reed requested to place on the agenda for next month her previous request to determine whether the DIA or the City should be paying administrative costs now that DIA has signed the contract.
- Janet Reed shared that the industrial lunch has been tentatively set for October 29<sup>th</sup>.
- Janet Reed shared the results from the Oct. 3 job fair. There were 47 businesses and 431 job seekers that attended.

**18) Adjournment – Chairman**

A motion was made by Jeff Hammock to adjourn the meeting. Ashley Stuteville seconds the motion. The motion carried by:

Aye: Steve Brittingham, Dennis Garrett, Jeff Hammock, Chris Pierce, Janet Reed, Jeff Shattuck, Ashley Stuteville  
Nay: None