

TOWN OF HOCHATOWN
SPECIAL MEETING OF THE BOARD OF TRUSTEES
July 10, 2024, 3:00 p.m.
Hocha Town Hall - 101 Rock Oak Lane - Hochatown, OK 74728

MEETING MINUTES

1. Call to Order.

Who ordered: Mayor Dian Jordan
Time: 3:00 p.m.

2. Roll Call of Board of Trustees.

Trustee Name	Present	Absent
Howard Haggard	Y	
Dian Jordan	Y	
Todd McDaniel	Y	
Chad Sargent	Y	
Brenda Walters	Y	

A quorum was present.

3. Recognition of Guests.

Mayor Dian Jordan recognized and thanked the guests for their attendance.

4. Public Comment: *Audience may address the Board in accordance with the Rules and Procedures set forth in Hochatown Resolution No. 10.*

Speaker: Ruth Notestine.

Agenda item: #30

Duration: 30 seconds

Ms. Notestine, Hochatown Library volunteer, recommended Carissa Dierksen to be promoted to full-time Administrative Assistant.

Speaker: Bert Bollinger

Agenda item: #16

Duration: 30 seconds

Mr. Bollinger, a local business owner, spoke regarding his support of the formation of Hochatown's Police Department.

Speaker name: Marc Logazino

Agenda item: #23

Duration: 2 minutes

Mr. Logazino, a Hochatown shuttle business owner, voiced his support of the Oklahoma Department of Transportation's US Highway 259 three lane improvement proposal and recommended roundabouts as an alternative solution.

5. Consent Docket: *The following items are considered routine by the Board of Trustees and will be enacted with one motion. Discussion desired on any item, that item will be removed from the Consent Docket and considered separately.*

- a. Approval of the June 30, 2024, Special Meeting Minutes.
- b. Approval of the June 5, 2024, Regular Meeting Minutes.
- c. Approval of Payment of Claims.

Discussion:

Trustee Howard Haggard requests to adjust the claims list to include Frank Crawford invoice for \$110. Trustee Haggard then requests the Treasury Department update QuickBooks to the online version for \$15 per month. The Town Attorney, Liz George, who was present, suggested holding the Crawford invoice until next month and updating QuickBooks.

Motion: To approval of the consent docket.

By: Dian Jordan

Second: Todd McDaniel

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

6. Discussion, consideration and possible action regarding items removed from the Consent Docket.

There were no items removed from the Consent Docket.

7. Treasurer's Report.

Discussion:

Treasurer Charles Ward explained the Profit & Loss Statement and the Balance Sheet.

Motion: To accept the Treasurer's Report.

By: Howard Haggard

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

(The Board advanced to Agenda item #29)

29. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to approve Timbercreek Estates Plat Review.

Discussion:

The developer explained that the Town has signed this plat before, but edits have been made and needs to be signed again. The Board of Trustees reviewed the Plat Map and discussed the easement dedication.

Motion: To approve the Timbercreek Estates Phase XI as presented on the condition a proposed letter is provided and there are no other changes made other than the vacated lots.

By: Brenda Walters

Second: Chad Sargen

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

(The Board returned to Agenda item #8)

8. Discussion only of Monthly Report by Hochatown’s Town Administrator.

Discussion:

Town Administrator Adam Vossen gave an update on the Road Projects. Mr. Vossen has spoken with property owners to get easement letters signed giving Hochatown the ability to perform maintenance on their section of the road. The legal team will be drafting a resolution that will allow Hochatown to perform road maintenance. The legal team is also creating a road inventory, which currently does not exist in McCurtain County. Mr. Vossen gave an update on STRs and Avenu. Mr. Vossen met with the wastewater engineers and TSW to discuss preliminary design phase, and establishing our zoning regulations and subdivision regulations.

9. Discussion and possible action (Approval, Rejection, Amendment and/or Postponement) to sign the Authority Having Jurisdiction Agreement (“AHJ”) with the Oklahoma State Fire Marshal’s Office committing the Town of Hochatown to perform as the Authority Having Jurisdiction (“AHJ”) to adhere to the minimum state-adopted building codes and standards within its entire political subdivision boundaries, Pursuant to 74 O.S. §§ 317 and 324.11.

Discussion:

Town Administrator Adam Vossen explained that signing the AHJ with the State Fire Marshal’s Office will give Hochatown the ability to hire inspections.

Motion: To sign the ‘Authority Having Jurisdiction Agreement’ with the Oklahoma State Fire Marshall’s Office.

By: Howard Haggard

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

10. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to approve invoice for CERT Team's CPR Certification in the amount of \$570.00.

Discussion:

Town Attorney Liz George explained this item was previously on the Claims List, but not approved. She advised that the invoice is legally appropriate to pay as the CPR class was given for public's benefit.

Motion: To approve the invoice for CERT Team's CPR Certification in the amount of \$570.00.

By: Brenda Walters

Second: Todd McDaniel

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

11. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to reimburse The Hochatown Historical Association for the cost of conducting an incorporation survey in the amount of \$11,137.50 which includes

Outer Boundary Survey, Subdivisions & Road Right of Way and 200 Scale Map of Entire Subdivision.

Discussion

After a brief discussion, the Board of Trustees agreed, from a legal standpoint, to ask the Hochatown Historical Association to convey ownership of the survey maps to Hochatown.

Motion: To reimburse the Hochatown Historical Association for the incorporation survey pending we receive a signed letter giving the rights, use and products to Hochatown.

By: Howard Haggard

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Abstain
Chad Sargent	Abstain
Brenda Walters	Y

The motion carried.

12. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to reimburse The Hochatown Historical Association for the cost of conducting an incorporation survey in the amount of \$28,750.00 which includes Research, Mapping, New Legal Descriptions, Field Hours Accrued, and Future Field Hours for Exterior Monuments ONLY.

Discussion:

After a discussion, a motion was made.

Motion: To reimburse the Hochatown Historical Association for the incorporation survey pending the receipt of a signed letter giving the rights, use and products to the Town of Hochatown.

By: Howard Haggard

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Abstain
Chad Sargent	Abstain
Brenda Walters	Y

The motion carried.

13. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) on entering into an agreement with Okie Safety Consulting, LLC to provide building permitting, plan review and inspection services for the Town of Hochatown.

Discussion:

Town Administrator Adam Vossen explained that OKIE Safety will be conducting Town inspections until a Building Code Inspector is hired. At that time, OKIE Safety will help the Building Code Inspector to be trained and certified, if needed. They will also conduct the Town's fire plan review, fire plan inspections, and other fire code-related instances. Town Attorney Liz George mentioned this is not an annual contract, that there is no charge if the Town does not use them, and there is a 30-day cancellation policy.

Motion: To enter into an agreement with Okie Safety Consulting, LLC to provide building permitting, plan review and inspection services for the Town of Hochatown.

By: Todd McDaniel

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

14. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to enter into a service agreement with TSW Planning Services of Tulsa, Oklahoma to engage with the Planning & Zoning Commission and provide services to complete a draft of zoning regulations for the Town, not to exceed \$48,500

Discussion:

Town Administrator Adam Vossen explained that TSW Planning Services is a professional planning firm from Tulsa, Oklahoma and they are AICB certified. The Town is close to completing its Planning & Zoning map but before the adoption of the regulations, TSW will provide public meetings and workshops. Town Attorney Liz George mentioned that from a legal perspective, there is some language that needs to be updated so she can then negotiate the contract for the board to sign.

Motion: To engage TSW Planning Services to complete a draft of zoning regulations for the Town, not to exceed \$48,500, contingent on Legal negotiating the proposed provisions.

By: Brenda Walters

Second: Howard Haggard

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

15. Approval of Service Agreement for Zoning Code Legal Service & Representation with Eller & Detrich, not to exceed \$25,000.

Discussion:

Town Administrator Adam Vossen explained that Eller & Detrich is a legal firm that works with TSW. They have the expertise to apply zoning regulations to specific parcels, which is needed for the Town's Planning & Zoning maps.

Motion: To approve the 'Service Agreement for Zoning Code Legal Service & Representation' with Eller & Detrich, not to exceed \$25,000.

By: Brenda Walters

Second: Todd McDaniel

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

16. Discussion, consideration and possible action to approve Resolution No. 2024-06 to establish the Hochatown Police Department.

Discussion:

Town Attorney Liz George explained that this Resolution is needed to formally establish a Police Department. With the approval of this Resolution, the Town can begin the hiring process for its first Police Chief. Before the motion was made, Trustee Howard Haggard recognized Mr. Vossen for all his hard work.

Motion: To approve Resolution No. 2024-06 to establish the Hochatown Police Department

By: Howard Haggard

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

17. Discussion only on status of obtaining road easements necessary to engage in repairs.

Discussion:

It was noted that this item has been addressed in a previous discussion.

18. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to adopt Ordinance No. 11: AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF HOCHATOWN, OKLAHOMA, AMENDING THE CODE OF ORDINANCES TITLE 1 “ADMINISTRATION”, ADDING CHAPTER 11 “TOWN SEAL” TO PROVIDE FOR ADOPTION OF THE TOWN SEAL AND USE OF THE TOWN SEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY.

Discussion:

Town Attorney Liz George suggested the official town seal needs to match the Town logo. Skip Copeland, graphic designer, consents that he can make whatever changes the Town needs, and Ms. George confirms. Trustee Howard Haggard added that the Town needs to pay for ownership & copyrights of the logo/town seal.

Motion: Adoption of the Town Seal and use of the Town seal providing for severability; providing for repealer, and declaring an emergency; with correct change to the clerk stamp to match the logo, making the logo the official new seal.

By: Howard Haggard

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

19. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to adopt the emergency clause of Ordinance No. 11: AN ORDINANCE OF THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF

HOCHATOWN, OKLAHOMA, AMENDING THE CODE OF ORDINANCES TITLE 1 “ADMINISTRATION”, ADDING CHAPTER 11 “TOWN SEAL” TO PROVIDE FOR ADOPTION OF THE TOWN SEAL AND USE OF THE TOWN SEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND DECLARING AN EMERGENCY.

Discussion:

After a brief discussion, a motion was made.

Motion: To approve the emergency clause of Ordinance No. 11

By: Brenda Walter

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

20. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to create a Government Relations Committee.

Discussion:

After a brief discussion, Mayor Dian Jordan, recommended revisiting this agenda item during a later scheduled Regular Board Meeting

Motion: To take no action.

By: Todd McDaniel

Second: Howard Haggard

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Brenda Walters	Y
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The motion carried.

21. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) on appointing members to the Government Relations Committee.

Discussion:

After a brief discussion, a motion was made.

Motion: To take no action.

By: Howard Haggard

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

22. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to approve engaging CMA Strategies for Public Relations and Legislative initiatives for a one-year contract for \$36,000.

Discussion:

Town Attorney Liz George explained this is not a contract, it is a proposal for a lobbying firm that will help coordinate and monitor issues that affects the Town.

Motion: To approve moving forward with the preparation of a contract to potentially engage CMA Strategies for a one-year contract for \$36,000.

By: Brenda Walters

Second: Todd McDaniel

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

23. Discussion, consideration, and possible action (Approval, Rejection, Amendment and/or Postponement) to support, oppose, or refrain from taking a position on Representative Eddy Dempsey's legislative request regarding Hochatown 259 interim study.

Discussion:

After a discussion, Trustee Chad Sargent recommended that Town Administrator Adam Vossen contact Rep. Dempsey's office to learn more details about the study.

Motion: To refrain from taking a position with an amendment that Mr. Vossen will get more details as to what the title of this interim study would say.

By: Chad Sargent

Second: Howard Haggard

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	N
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	N

The motion carried.

24. Discussion only regarding the adoption of a Code of Ethics Municipal Policy.

Discussion:

Town Attorney Liz George explained that the Code of Ethics Policy is a rough draft for the Trustees to review and is commonly adopted in towns which will help explain the various roles of employees and officers.

(At this time, the Board advanced to agenda item #30)

30. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to enter into an executive session for the purpose of:

- A) To discuss confidential communications between the Town and Town's Attorneys concerning a pending investigation, claim or action which the Town with the advice of the Town's Attorneys, has determined that disclosure will seriously impair the ability of the Town to process the claim or conduct the pending investigation, litigation, or proceeding in the public interest in compliance with its duty of confidentiality under the provisions of 25 O.S. §307B(4). (McCurtain Memorial Medical Management Inc. d/b/a McCurtain Memorial Hospital, et al v. Town of Hochatown, CJ-2023-74 pending in District Court of McCurtain County, State of Oklahoma)

- B) To discuss the employment and/or promotion of Carissa Dierksen pursuant to Title 25 of Oklahoma Statute, § 307(B)(1),

Motion: To enter in Executive Session.
By: Howard Haggard
Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Absent
Brenda Walters	Y

The motion carried.

Time: 4:37 p.m.

31. Reconvene open session and take any appropriate action on matters discussed in executive session pursuant to 25 O.S. §307B(4) and 307(B)(1) at 5:05 p.m.

32. Statement of executive session minutes from Board of Trustees.

Statement from Mayor Dian Jordan:

Item A was a confidential discussion between the Town and the Town's Attorney concerning a pending investigation, claim or action.

Item B was a discussion about the employment and possible promotion of Carissa Dierksen.

33. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) on any discussion from the Executive Session.

Discussion:

Regarding Item A - the Board of Trustees will to take no action.

Regarding Item B - the Board of Trustees approved the promotion of Carissa Dierksen to full-time.

Motion: To take no action on Item A. Regarding Item B, to promote Carissa Dierksen to full-time employment pursuant to Title 25 of Oklahoma Statute, § 307(B)(1), pending a satisfactory background check, credit check and drug screening, and will be subject to regular town benefits to be determined.

By: Brenda Walters

Second: Todd McDaniel

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

(At this time, the Board returned to Agenda item #25)

25. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to approve the appointment of Chris Chandler as the Municipal Prosecutor for the Town of Hochatown.

Discussion:

Town Administrator, Adam Vossen, clarifies that the position will require one day a month with a flat rate of \$250 for the full day. Chris is interested and he meets all the requirements.

Motion: To appoint Chris Chandler as the Municipal Prosecutor for the Town of Hochatown.

By: Brenda Walters

Second: Chad Sargent

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

26. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) legislative request regarding municipal lodging tax collections.

Discussion:

After a discussion, the Board of Trustees asked Town Administrator Adam Vossen to reach out for more information regarding municipal lodging tax collections and how to hold third party lodging sites accountable for remitting those taxes.

Motion: To take no action.

By: Chad Sargent

Second: Todd McDaniel

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

27. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to appropriate \$ 2M (two million) dollars to the Hochatown

2024/2025 Budget, for Capital Outlay, for the purpose to acquire and purchase property and or properties for the expansion of, but not limited to, Hochatown Town Hall and Administration Offices.

Discussion:

The Board of Trustees agreed that the Town will soon outgrow the current building and location and it is time to start the process to purchase property.

Motion: To approve to appropriate \$2,000,000 to the Town of Hochatown 2024/2025 Budget for Capital Outlay.

By: Howard Haggard

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

28. Discussion, consideration and possible action (Approval, Rejection, Amendment and/or Postponement) to direct Hochatown Town Administrator to acquire a "Fair Market Appraisal" on the 1.8-acre property located at 9628 N. US Highway 259 in Hochatown, Oklahoma.

Discussion:

The Board of Trustees agreed to gather more information on other available properties before getting them appraised.

Motion: To take no action to acquire a "Fair Market Appraisal" on the 1.8-acre property located at 9628 N. US Highway 259 in Hochatown, OK.

By: Chad Sargent

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	N
Dian Jordan	Y
Todd McDaniel	Abstain
Chad Sargent	Y
Brenda Walters	Y

The motion carried.

34. New Business: any matter not known, or which could not have been reasonably foreseen prior to the time of posting the agenda.

No new business was brought forth.

35. Discussion, consideration and possible action to adjourn.

Motion: To adjourn the meeting.

By: Todd McDaniel

Second: Brenda Walters

Roll Call Vote:

Trustee Name	Vote
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y
Brenda Walters	Y

The motion carried and the meeting adjourned.

Time: 5:22 p.m.

Howard Haggard
Howard Haggard, Trustee

Dian Jordan
Dian Jordan, Mayor

Todd McDaniel
Todd McDaniel, Trustee

Chad Sargent
Chad Sargent, Trustee

Brenda Walters
Brenda Walters, Trustee

Attest:
Helen Harden
Helen Harden, Town Clerk

