

**NOTICE OF MEETING AND AGENDA
THE BOARD OF TRUSTEES FOR THE
TOWN OF WEST SILOAM SPRINGS
MONDAY, MARCH 21, 2022, AT 6:00 PM**

NAME OF PUBLIC BODY: BOARD OF TRUSTEES FOR THE TOWN OF WEST SILOAM SPRINGS, OKLAHOMA

DATE: MARCH 21, 2022

TIME: 6:00 p.m.

LOCATION: West Siloam Springs Town Hall, Conference Room, 4880 Cedar Drive, Colcord, OK 74338

TYPE OF MEETING: Regular Meeting (X) Rescheduled Regular Meeting ()
Special Meeting () Continued or Rescheduled Meeting ()
Emergency Meeting ()

AGENDA

- 1) Call to Order
Called to order by Rhonda Wise at 6:00 p.m.
- 2) Roll Call and Determination of Quorum
Sam Byers here, Rhonda Wise here, Marty Thompson here, Linda Dixon here.
- 3) Statement of compliance with statutory notice requirements under 25 O.S. § 311(A)(9)
Agenda posted at the Town Hall on March 17, 2022 at 2:00 p.m., in compliance with the Open Meeting Act.
- 4) Andrew Conklin, Ward 4 Trustee - Oath of Office
Andrew Conklin sworn in by Rhonda.
- 5) Discussion and possible action on any matter related to approving the minutes from the SPECIAL meeting on February 15, 2022
Discussion, motion, and vote to approve the minutes
After acknowledgment of all having reviewed minutes of February's Special meeting, Rhonda motioned to approve the minutes, Sam seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes. *Municipal Attorney advised Item #4 in the minutes would need to be amended to indicate ARPA Funds authorized signer as Town Clerk. This was approved as amended.
- 6) Discussion and possible action on any matter related to approving the minutes from the REGULAR meeting on February 21, 2022
Acknowledgment of opportunity to review minutes
Discussion, motion, and vote to approve the minutes

After acknowledgment of all having reviewed minutes of February's Regular meeting, Rhonda motioned to approve minutes, Linda seconded. Sam yes, Rhonda yes, Marty no, Linda yes, Andrew yes.

7) FROM TOWN OFFICIALS AND/OR EMPLOYEES:

- a) **FINANCIAL:** Kris Kirk CPA reporting on financial status for February 2022
Kris advised the General Fund balance at \$44,000.00.
- b) **POLICE CHIEF LARRY BARNETT:** Summary report on Police Department activities. Asst. Chief Chuck Vaughn in for Chief Larry Barnett. Reported they had 18 incident reports written, 157 citations, 9 drug-related, 22 Tribal, 6 crashes, with one of those being a fatality. He also advised the Department received \$10,000.00 from Cherokee Nation for new vests for the Officers.
- c) **ZONING BOARD AND PLANNING COMMISSION:** WAYLON CHANDLER reporting on zoning status of new annexations. Waylon reported on the 3 annexations and the approval of the zoning of 3 annexations (residential) and business license of Red Billy Marijuana Dispensary.
- d) **CODE ENFORCEMENT:** No report.
- e) **MAYOR RHONDA WISE:** If necessary, Summary report on monthly activities not covered by Town officials or employees
- f) **VICE MAYOR LINDA DIXON:** NO REPORT
- g) **TOWN ATTORNEY:** No Report

8) PUBLIC INPUT (LIMITED TO 3 MINUTES PER PERSON)

No public input.

9) DISCUSSION AND POSSIBLE ACTION ON ANY MATTER RELATED TO PURCHASE ORDERS FOR FEBRUARY 2022.

GENERAL PO #'S 34948-35003 for a total of:	\$147,211.29
EMS PO #'s 138-139 for:	
\$21,444.78	
TRIBAL PO #'s 6-7 for:	\$565.00
PARK PO#'s 15-16 for:	\$282.84
FOR A GRAND TOTAL OF:	\$169,503.91

Rhonda motioned to approve above purchase orders, Sam seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

10) **EXECUTIVE SESSIONS.** 25 O.S. § 307(B) permits the public body to meet in Executive Session for certain specified reasons under certain specified conditions. It is the opinion of the town attorney that the Board of Trustees may adopt a motion to meet in executive session to discuss the following items:

Proposed executive session pursuant to 25 O.S. § 307(B)(1), and with guidance from the Attorney General's Office pursuant to 2006 OK AG 17, to discuss the qualifications of Laura Poteet for purposes of determining compensation for performance of "extra duties" as permitted by 11 O.S. § 10-117(5)

- i) Discussion, motion, and vote to convene or not convene in executive session
- ii) Acknowledge the board has returned to open session
- iii) Executive session minutes compliance statement
- iv) Discussion, motion, and vote to affirm that no votes or action taken during executive session
- v) Consideration, discussion, and possible action on items discussed in executive session

Rhonda motioned to go into Executive Session at 6:15 p.m., Sam seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

11) Discussion and possible action on any matter related to proposed ordinance that will establish compensation to Town Clerk/Treasurer for performance of duties unrelated to official statutory duties as permitted by 11 O.S. § 10-117(5) (Proposed Citation: Ordinance 2022-03-01)

Vote on Ordinance

Vote on Emergency Clause

Back from Executive Session at 7:00 p.m. Rhonda recused herself from voting on item #11.

Bryce Harp was secretary of Execution Session-no actions, no votes were taken.

Sam motioned to approve the Ordinance 2022-03-01; Linda seconded. compensation of \$13.00 per hour, up to 64 hours bi-monthly. Sam yes, Marty abstained, Linda yes, Andrew yes.

Sam motioned to approve Emergency Clause, Linda seconded. Sam yes, Marty yes, Linda yes, Andrew yes.

Annexations (public hearing, ordinance discussion and vote, and emergency clause discussion and vote) regarding the following territories:

PITTMAN PROPERTY LEGAL DESCRIPTION:

A tract of land located in the SE¼ SW¼ SW¼ of Section 28, Township 20 North, Range 25 East, Delaware County, Oklahoma, more particularly described as follows: Beginning at the SW corner of the E½ E½ SW¼ SW¼ of said Section 28; thence East 40.00 feet; thence North 250.00 feet; thence West 150.00 feet; thence South 250.00 feet; thence East

110.00 feet to the point of beginning, subject to any and all easements.

vi) PUBLIC HEARING - Public hearing on the proposed annexation of a tract of land located at 20194 E 578 Rd, Colcord, OK 74338 (Pittman Property) and as more specifically identified by the and legal description above. Notice of this public hearing was posted at Town Hall on February 22, 2022 at 8:00 AM and published in the Siloam Springs Herald Leader newspaper pursuant to the requirements of 11 O.S. § 21-103(B)

No one spoke at public hearing.

vii) Pittman Property Annexation Ordinance - Discussion and possible action about enacting ordinance to extend the corporate limits of the Town of West Siloam Springs, Oklahoma, to include the territory described above (Pittman Property) and designate WARD 1 as the ward which said property shall become.

No one spoke. Rhonda motioned to enact Ordinance 2022-03-02, above, Sam seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

viii) EMERGENCY CLAUSE - If the Board of Trustees votes to enact the ordinance annexing the territory described above, there will be discussion and possible action on whether to pass and adopt an emergency clause making Ordinance 21-12-01 effective immediately upon publication pursuant to 11 O.S. §§ 14-103, 14-107.

No one spoke. Sam motioned to enact Ordinance of annexation above, Linda seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

KETKEO PROPERTY LEGAL DESCRIPTION:

Part of the North 14 Acres of the Northwest Quarter of the Southeast Quarter of Section 36, township 20 North, Range 25 east, Delaware County, Oklahoma, being more particularly described as follows: Beginning at the NW Corner of the NW/4 of the SE/4 of said section 36; thence N 87°58'34" E 793.44'; Thence S 03°18'21" E 242.98'; Thence S 75°26'49" E 162.46'; Thence S 27°37'54" W 198.88'; Thence S 87°58'16" W 856.04'; Thence N 02°02'30" W 462.18' to the point of beginning and containing 8.965 acres. Property is subject to the right of way of the county road and to any easement of record.

ix) PUBLIC HEARING - Public hearing on the proposed annexation of a tract of land located at 58539 County Road 727, Watts, Oklahoma 74964 (KETKEO PROPERTY) and as more specifically identified by the legal description above. Notice of this public hearing was posted at Town Hall on February 22, 2022 at 8:00 AM and published in the Siloam Springs Herald Leader newspaper pursuant to the requirements of 11 O.S. § 21-103(B)

No one spoke at public hearing.

- x) **Ketkeo Property Annexation Ordinance** - Discussion and possible action about enacting ordinance to extend the corporate limits of the Town of West Siloam Springs, Oklahoma, to include the territory described above (Ketkeo Property) and designate **WARD 5** as the ward which said property shall become.

Sam motioned to enact Ordinance 2022-03-03, above, Linda seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

- xi) **EMERGENCY CLAUSE** - If the Board of Trustees votes to enact the ordinance annexing the territory described above, there will be discussion and possible action on whether to pass and adopt an emergency clause making Ordinance 21-12-01 effective immediately upon publication pursuant to 11 O.S. §§ 14-103, 14-107.

Sam motioned to pass and adopt an emergency clause on above Ordinance, Rhonda seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

NAVARETTE PROPERTY LEGAL DESCRIPTION:

The South 386.66 feet of the West 168.00 feet of the East 176.25 feet of the W½ E½ SW¼ SE¼ of Section 28 Township 20 North, Range 25 East, Delaware County Oklahoma.

- xii) **PUBLIC HEARING** - Public hearing on the proposed annexation of a tract of land located at 20660 E. 578 Road, Colcord, OK 74338 (NAVARETTE PROPERTY) and as more specifically identified by the legal description above. Notice of this public hearing was posted at Town Hall on February 22, 2022 at 8:00 AM and published in the **Siloam Springs Herald Leader** newspaper pursuant to the requirements of 11 O.S. § 21-103(B)

No one spoke at public hearing.

- xiii) **Navarette Property Annexation Ordinance** - Discussion and possible action about enacting ordinance to extend the corporate limits of the Town of West Siloam Springs, Oklahoma, to include the territory described above (Navarette Property) and designate **WARD 1** as the ward which said property shall become.

Sam motioned to enact Ordinance 2022-03-04, above, Rhonda seconded.

Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

- xiv) **EMERGENCY CLAUSE** - If the Board of Trustees votes to enact the ordinance annexing the territory described above, there will be discussion and possible action on whether to pass and adopt an emergency clause making Ordinance 21-12-01 effective immediately upon publication pursuant to 11 O.S. §§ 14-103, 14-107.

Sam motioned to pass and adopt emergency clause, Linda seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

Discussion and possible action on whether to approve the following business license application:

Name: RedBilly Dispensary 1, LLC
Business Location: 3144 HWY 412
Business: Medical Marijuana Dispensary
Owner: Maia Gage & John Hembree
Commercial Dispensary License #: DAAA-X2YW-YA5F
OBN #: 10004418

Rhonda motioned to approve above business license, Sam seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

Discussion only on the RedBilly Entertainment, LLC business license application.

Waylon spoke-advised they have all licenses, permits, with the exception of Health Dept. license, which they are working on. Advised they will be a venue a couple of times a month, RSVP (private party). Normally with hours of 5 pm-10 pm, and not expecting any issues with noise ordinance. ABLE Commission has been contacted and ok'd outdoor venue/alcohol.

Business Location: 251 N Sassafras St, Colcord, OK 74338
Business: Outdoor Private Concert Events, Beer & Wine Sales,
Owner: Maia Gage & John Hembree

Discussion and possible action on new matters that could not have been anticipated prior to posting of agenda, if any.

MOTION AND VOTE TO ADJOURN.

Sam motioned to adjourn at 7:22 p.m., Linda seconded. Sam yes, Rhonda yes, Marty yes, Linda yes, Andrew yes.

This regular monthly meeting is being held consistent with the Open Meeting Act codified at 25 O.S. §§ 301, *et seq*, and notice of the meeting and the agenda was posted according to the mandates of 25 O.S. § 311.

POSTED ON MARCH 17, 2022, BY 4:00 PM. BY LAURA POTEET

Time Posted: 2:00 p.m.

LP
(initial)