

MINUTES OF THE REGULAR MEETING  
OF THE TOWN OF PORTER HELD  
THURSDAY, FEBRUARY 6, 2020

1. Call to order.

The meeting was called to order by Mayor Sharon Payne at 7:02 p.m.

2. Roll call, declaration of a quorum being present.

Members present were: Tonya Springsted, Matt Willhite, Sam Hendrix, and Sharon Payne. A quorum was present.

Others present were: Lamar Jackson, Melissa Dawson, Nick Jackson, David Greeno, Adam Springsted, Wayne Collins, Jim Bias, Sheriff Chris Elliott, Kerry Yochum, Jackie Todd, Jeremy Pike, Tammy Cates, Ron Cates, and Shirley Herring.

3. Prayer.

Matt Willhite said a prayer.

4. Pledge of Allegiance.

Tonya Springsted led the Pledge of Allegiance.

5. Mayor to address Board members and audience.

Mayor Sharon Payne addressed the audience thanking everyone for coming. Mayor Payne said she appreciated everyone's attendance at the meeting.

6. Board members to address Town Attorney.

Town Attorney Ron Cates was present at the meeting. None of the Board members had any questions for Mr. Cates.

7. Necessary action concerning approval of the consent agenda.

- a. Approval of the minutes of the previous meeting.
- b. Approval of the purchase orders.
- c. Approval of the payroll purchase orders.

Motion was made by Sharon Payne to approve the consent agenda. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Matt Willhite, Sam Hendrix, and Sharon Payne. Voted no: None Motion carried

8. Consideration and possible action on items removed from the consent agenda.

No items were removed from the consent agenda

9. Appearances or petitions from the audience:

(a) Wagoner County Sheriff, Chris Elliott, concerning law enforcement. Sheriff Elliott said there have been a couple of incidents of larceny of utilities in Porter. He said if the Town discovers that a utility has been tampered with, or an illegal hook up has been made, the Town can contact the Sheriff's office and an investigation will be conducted. Sheriff said once the Sheriff's office is called, action will be taken. He said the Sheriff's office will not participate in collections or making arrangements for payments or deposits for the tampered with or stolen utility. He said his deputies will issue a citation to any adult inside the dwelling or building that is utilizing the stolen utility, and that adult will have to appear in court on the charge.

(b) David Greeno concerning ownership of a twenty foot strip of land in front of his residence due to road closure. David Greeno appeared before the Board. Mr. Greeno said years ago, the Board of Trustees of the Town of Porter closed the West twenty feet of North Main Street in front of his residence. He said he would like for the Board to vacate this property, so that it cannot be reopened in the future. Town Attorney Ron Cates told Mr. Greeno that he will need to go to District Court and ask for a foreclosure of the Town of Porter's right to reopen this strip of land.

(c) There were no appearances by others from the audience.

10. Appointing person as Town Clerk/Treasurer.

Motion was made by Sharon Payne to appoint Shirley Herring as Town Clerk/Treasurer. The motion was seconded by Tonya Springsted. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

11. Appointing person to fill the vacancy on the Town Board of Trustees until the next General Election.

Mayor Payne said she spoke to Jim Bias, who has been on the Board before, and he is willing to serve on the Board again. Motion was made by Sharon Payne to appoint Jim Bias to fill the vacancy on the Town Board of Trustees until the next General Election. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

12. Mayor to appoint Department Heads.

Mayor Payne said she would like to appoint Tonya Springsted over the offices, Matt Willhite over the Sewer, Sam Hendrix over the Planning and Zoning, Sharon Payne over the Water, and Jim Bias over Streets and Alleys. Matt Willhite said he would like to stay where he is at, over Streets and Alleys. Mayor Payne said Matt Willhite could stay over Streets and Alleys and Jim Bias could be over the Sewer. Motion was made by Sharon Payne to accept the Department Heads as listed above. The motion was seconded by Sam Hendrix. Voted yes; Sam Hendrix and Sharon Payne. Voted no: Tonya Springsted and Matt Willhite. Motion did not carry. After some discussion, Mayor Payne made a motion to have Tonya Springsted be over the offices, Sam Hendrix be over the Planning and Zoning and Code Enforcement, Matt Willhite over Streets and Alleys, Jim Bias over the Sewer, and the full Board over the Water. The motion was seconded by Sam Hendrix. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

13. Discussion and possible action concerning:

a. Appointing person to serve on Eastern Oklahoma Development District's (EODD) Board of Directors.

Motion was made by Sharon Payne to appoint Sam Hendrix to serve on the EODD Board of Directors. The motion was seconded by Tonya Springsted. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

b. Request from Melissa Dawson to install a privacy fence on her property located at 304 South Main Street.

Melissa Dawson appeared before the Board. Ms. Dawson showed the Board members two options that she had for the placement of the fence. The first option was at the sidewalk coming back ten feet from the house. The second option was fifteen feet from the sidewalk/even with the front porch coming back ten feet from the house. Ms. Dawson said this will be a six foot privacy fence and will be installed by Arrow Fence Company. She said she would prefer the first option because the neighbor's fence is at the sidewalk. She said she spoke with the neighbors and they have no objections to a privacy fence being placed at the sidewalk. Town Attorney Ron Cates said if the fence is installed at the sidewalk, it will be on the Town's right-of-way. He said the Board could give Ms. Dawson an encroachment permit, allowing her to encroach on the Town's right-of-way. Motion was made by Sharon Payne to allow Melissa Dawson to encroach on the Town's right-of-way in accordance with the dimensions that are set forth in the fence's sketch plat as well as information showing the composition, color, and material of the fence. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

c. Purchasing tractor, box blade, and bush hog to replace backhoe.

Sam Hendrix gave the Board members copies of three estimates for a tractor, front loader, grading scraper, cutter, pallet forks, and canopy. One estimate was from Stewart Martin Kubota for \$35,004.00, one from Tulsa New Holland for \$35,598.00, and another one from Tulsa New Holland for \$29,247.00 (canopy not included). Sam Hendrix said the tractor from New Holland for \$29,247.00 was a year-end close out model. Tonya Springsted asked Jackie Todd if he had a preference. Jackie said he prefers the Kubota. Mayor Payne said she prefers purchasing the tractor from Stewart Martin because the Town is already established with this company and this company is located in Muskogee. Motion was made by Sharon Payne to purchase the tractor, front loader, grading scraper, cutter, pallet forks, and canopy from Stewart Martin Kubota for \$35,004.00. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

d. Approval of Michael Seals as a volunteer firefighter.

Motion was made by Sharon Payne to approve Michael Seals as a volunteer firefighter. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

e. Approval of purchase orders for Fire Department.

Fire Chief Adam Springsted the engine in engine #1 went down and it have to be repaired. He said the cost of the repairs, which were done by BCS, was \$7,000.00. Motion was made by Sharon Payne to approve BCS's invoice for \$7,000.00. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

Fire Chief Adam Springsted said he also needs a purchase order for the repair of the motor for the Squad 4 Dodge. He said the repairs will cost \$7,100.00 and will be done by BCS. Motion was made by Sharon Payne to approve the purchase orders for \$7,100.00 to BCS for repair of the motor for the Squad 4 Dodge. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

f. Purchasing OML "Handbook for City and Town Officials" for Trustees.

Mayor Payne asked the Trustees if they wanted a copy of the handbook. Tonya Springsted, Matt Willhite, Jim Bias, and Sharon Payne said they would like to have a copy. Motion was made by Sharon Payne to purchase four copies of the OML "Handbook for City and Town Officials" for the Trustees. The motion was seconded by Tonya Springsted. Voted yes: Tonya Springsted, Matt Willhite, Sam Hendrix, and Sharon Payne. Voted no: None. Motion carried.

14. Discussion concerning Fairground Authority

Mayor Payne gave each Board member a copy of the Fairground Trust Authority Trust Indenture. Town Attorney Ron Cates said the Fairground Trust Authority is a trust created by the Town of Porter and the members of the Board of Trustees are also the Board of Trustees of the Fairground Trust Authority. He said the Fairground Trust Authority needs to hold a meeting, at least every three months. Mr. Cates said the Board of the Fairground Trust Authority needs to consider the condition of the property, improvements that need to be made, the use of the property, and charges for use of the property. He said the Board also needs to consider immediate goals and long range goals for the property.

15. Reports from:

a. Fire Department.

Fire Chief Adam Springsted had to go on a call, but he left a run report stating that in January, the firefighters responded to 37 calls, which included 27 medical calls, 6 motor vehicle accidents, 1 brush fire, and 3 vehicle fires.

b. Department heads.

Sam Hendrix said he is getting estimates for repair of the roof at City Hall. He said he will have three estimates for the special meeting, which will be held on February 13, 2020.


13. New business.

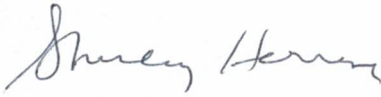
No new business was addressed.

14. Adjournment.

Motion was made by Sharon Payne to adjourn. The motion was seconded by Matt Willhite. Voted yes: Tonya Springsted, Sam Hendrix, Matt Willhite, and Sharon Payne. Voted no: None. Motion carried.

Meeting adjourned at 8:45 p.m.

  
Sharon Payne, Mayor

  
Shirley Herring, Town Clerk

