

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 20th day of August, 2020 and that an agenda of said meeting was posted at the place of such meeting at 3:00 p.m. on August, 26 2020.

MINUTES OF THE SPECIAL MEETING OF THE DURANT TOURISM ECONOMIC DEVELOPMENT AUTHORITY OF August 28, 2020, 2020 AT 3:00 PM, Roscoe J. Hatfield Council Chambers, 300 West Evergreen, Durant, Oklahoma

CALL TO ORDER

Chairman Jim Thorpe called the meeting to order at 3:02 p.m.

INVOCATION/FLAG SALUTE

Chairman Thorpe provided the invocation. Trustee Reed led the flag salute.

ROLL CALL

Present:

Trustee Debbie Anthony
Trustee Tammy Cross (appeared via Zoom)
Trustee Brandon Johnson (appeared via Zoom)
Trustee Janet Reed
Vice Chairman Danny Sherrer
Chairman Jim Thorpe

Absent:

Trustee Charles Calhoun

Chairman Thorpe declared a quorum.

ORDER OF BUSINESS

1. **Confer with legal counsel, Mark A. Morrison, regarding advanced Lighting Project for Downtown Durant, that was previously tabled, and possibly take action thereon.**

Mark Morrison gives his legal opinion regarding what the Authority can and cannot do. Analyzed Article 10 Section 19 of the State of Oklahoma Statute regarding tax initiatives, which states that the tax which was established must be used for said purpose and nothing else. Specific provisions of ordinance or the hotel/motel tax shall be used for the purpose of encouraging, promoting, and fostering "Tourism Economic Development." Mr. Morrison goes on to state that the funds of the Authority cannot be used for capital improvement. Finally, Mr.

Morrison states that, in his legal opinion, that the advanced lighting project is a capital improvement project and that it would be unlawful for the Authority to use their funds toward the project. While referring to Title 11: XVII of the Oklahoma State Statute, Mr. Morrison suggested that the lighting project would be considered capital improvement based on the definition of capital improvement that the Statute provides "all items or articles, either new or replacements, not consumed with use, but only diminished in value with prolonged use" and a list of items that was provided.

Motion was made by Chairman Thorpe and seconded by Trustee Cross for no action on this item.

NO ACTION

Ayes: Johnson, Anthony, Cross, Reed, Sherrer, Thorpe

Abstain: None

Trustee Calhoun was absent from vote

2. Discuss and Approve Additional Advertising

Jennifer Taylor presented the Durant Tourism Economic Development Tax Trust Authority additional advertising offer for print advertising for travel guide and outdoor guide. The travel guide would be half a page and outdoor guide would be the second page. To do both, an additional \$1,950 dollars is needed to fund this advertising to the original \$5,000.

Motion was made by Trustee Sherrer and seconded by Trustee Cross to approve the additional \$1,950 for advertising. The grand total would be \$6,950.

APPROVED

Ayes: Johnson, Anthony, Cross, Reed, Sherrer, Thorpe

Abstain: None

Trustee Calhoun was absent from vote

Adjournment

Motion was made by Trustee Cross and seconded by Trustee Reed to adjourn meeting.

Motion Passed with the following vote:

Ayes: Johnson, Anthony, Cross, Reed, Sherrer, Thorpe

Abstain: None

Trustee Calhoun was absent from vote

This is to certify that the foregoing is a true and complete copy of the original minutes in draft form. The minutes contained herein have not been approved by the Durant Tourism Economic Development Authority and are scheduled to appear on the September 9, 2020 regular agenda for consideration.

**BLAKE M. HOFFMAN, ADMINISTRATIVE SPECIALIST
CITY OF DURANT, OKLAHOMA**
