

**Minutes of the Regular Session  
Medicine Park Board of Trustees  
April 16, 2019**

After being posted in accordance with the *Open Meetings Act of Oklahoma*, the Regular Session of the **Medicine Park Board of Trustees** was called to order at 7:03 pm by Mayor Jennifer Ellis.

**Members Present:** David Schucker, Larry Cofer, John Branch, Dale Nomura, Jennifer Ellis.

**Members Absent:** John Branch

Citizen Comments: Jean Schucker-All Andy Anderson #24

**1. Discuss and Take Action to appoint Mayor, Acting Mayor, PWA Liaison, Human Resources Liaison, and two (2) BOT Members to MPEDA.**

Motion by Cofer to appoint Jennifer Ellis as **Mayor**. Second by Nomura.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Cofer to appoint David Schucker as **Acting Mayor**. Second by Nomura.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Ellis to Appoint Dale Nomura as **PWA Liaison**. Second by Cofer.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Nomura to appoint Larry Cofer as **PWA Liaison back-up**. Second by Schucker.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Cofer to appoint Dale Nomura as **Human Resource Liaison**. Second by Schucker.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Nomura to appoint Jennifer Ellis as **HR Liaison back up**. Second by Cofer.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Nomura to appoint **John Branch and Larry Cofer** as BOT Members to MPEDA. Second by Schucker.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

**2. Discuss and Take Action on Minutes of the March 27, 2019 Special Session and March 19, 2019**

**Rescheduled Session.** Motion by Ellis to table the March 27, 2019 Minutes to next month. Second by Nomura.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Motion by Nomura to approve the March 19, 2019 minutes with item #11 correction of adding "motion by" in front of Nomura. Second Cofer.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

**3. Discuss and Take Action to Approve Financial Reports.** Gurr reported the sales tax is about the same as this time last year. Gurr suggested that budget amendments in June for current year before the next Fiscal year budget. Motion by Nomura to approve financials. Second by Cofer.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

4. **Discuss and Take Action to Approve Claims/Encumbrances for April 2019/May 2019.** Gurr reported the firefighter reimbursement not on the list. That amount is \$1130.00, and needs included. Motion by Nomura to pay claims and purchase orders. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
5. **Acknowledge Fire Department Report; consider Mutual Aid Agreement with Comanche Nation; take any necessary action.** Anderson reported 10 EMR, 1 Fire Call. Anderson cannot comment on the Mutual Aid Agreement. Ellis recommends having a Mayor signature block to this agreement Nomura made a motion to approve with the amendment to add a signature block to this agreement and all other mutual aid agreements for the Mayor of Medicine Park to sign. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
6. **Acknowledge Police Department Report; consider accepting donation of a police car, take any necessary action.** Pickens provided report. An officer was hit by another vehicle on Highway 49. He is home and doing better. Town Clerk reported he is been released for light duty, which Chief has stated there is no light duty in Medicine Park for Officers. Ellis stated that Chad Cox and David McCoy purchased a cop car from an auction and would like to donate it to the Police Department. Motion by Nomura to accept the donation from Chad Cox and David McCoy. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
7. **Acknowledge Municipal Court Report; take any necessary action.** Gurr reported that there were 37 on the docket, 17 paid prior to court, 8 showed to court, 4 were review only, 1 plead not guilty, 8 were no shows. **No Action.**
8. **Committee/Authority/Commission Reports; take any necessary action.** Ellis stated that to become more efficient she would like to have reports submitted for the Trustees packets. This will give everyone an opportunity to read it and ask questions.  
  - Event Center** –See Report
  - Planning and Preservation Commission** –Boguski reported project list at beginning of meeting. Personally, thank Larry Cofer for placing Treks on the bridge. Boothe is working on recycling. Ellis is working on yard of the month quarter signs. Approved a company for Horse Carriage Ride. Remodel permits-if changes happen to permit Town Clerk must be notified. Looked at Letters for Code Enforcement. 2018 Building Code books to be purchased. Need to update Zoning Map as part of the Comprehensive Plan. AHJ is still a work in progress. Clean Up day is May 4<sup>th</sup>. Board of Adjustments-getting Board members together.
  - MPEDA** – Cofer reported new website is up. Reported Bath Lake is being purchased from Medicine park Properties. Still working on the “Y” Triangle Property. Hired a Bath Lake Supervisor. Voted to approve the Facebook Page owned by Gary Gregory. **No Action.**
9. **Update on new Post Office; take any necessary action.** Ellis reported she spoke with the Postmaster and he will contact all involved. **No Action.**
10. **Update on CCIDA Grant and new fire station at Hwy. 58; take any necessary action.** Ellis reported the agreement has not come back from legal to the Assistant City Manager. Lawton Parks and Rec have cleaned the property. **No Action.**
11. **Update on CCIDA Grant; for Health & Wellness Clinic Committee; authorize the Mayor to sign Construction Management with CDBL, take any necessary action.** Ellis stated the committee will have another meeting soon. She has requested a check from CCIDA. Next is the site plan and building plans. Motion by Nomura to authorize the Mayor to sign the Construction Management Proposal with CDBL. Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
12. **Update of letter to Comanche County Commissioners regarding road repair assistance; take any necessary action.** Ellis stated still waiting to get on the agenda. **No Action.**

13. **Discuss and Take Action to adopt Ordinance No. 190416," Authorizing Town Clerk to issue Contractor Permits".** Motion by Nomura to adopt Ordinance No. 190416. Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
14. **Discuss and Take Action to adopt the Emergency Clause for Ordinance No. 190416; and declare an emergency.** Motion by Nomura to adopt Emergency Clause for Ordinance No. 190416. Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried**
15. **Discuss and Take Action to Discuss and Take Action to adopt Ordinance No. 190416.1, Amending the Bath Lake Swimming Regulations".** Motion by Cofer to adopt Ordinance No. 190416.1 Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
16. **Discuss and Take Action to adopt the Emergency Clause for Ordinance No. 190416.1; and declare an emergency.** Motion by Schucker to adopt Ordinance No. 190416.1. Second by Cofer  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

**16B. Discuss and Take Action to consider a Social Media Post Retention policy.** Ellis stated the reason we are looking at this is due to the ever-evolving Social media. Attorney reported she attended training last week and copies of the two policies in the packets, come from other cities being sued for posts deleted on social media and possible violation of first amendment rights. It also is subject to Open Records Act. Attorney also presented a letter to the Board dated April 16, 2019 stated that MPEDA went against her legal advice in entering into a contract with Gary Gregory. If we enter into an agreement, whether we own a site or not, we are responsible for the content. This will take more than one meeting to evolve. We need to assign someone from Town to administer. Attorney asked the BOT and MPEDA to sign the letter acknowledging the failure to follow her advice. Schucker inquired what we need to do to correct the problem. He doesn't want to sign this. Attorney had advised not to sign contract and she was working on the changes and we don't have the mechanisms in place. Jean Schucker spoke that she never received any opinion written or email. Attorney reported she told Larry Cofer and Tom Null. Jean Schucker fully believes we should archive. Attorney inquired how that should be done, as it must be archived at Town hall for records requests. Jean Schucker states there is probably not anyway we can benefit from this. Ellis stated it is a matter of access to login information. Attorney stated biggest concern is being sued. Ellis reported Norman is currently being sued. Cofer inquired where the suggested new policy came from. Attorney reported from OMAA conference last week. Attorney stated the OML suggestion is to turn off all comments. Second thing would be disclaimer language. Direct messages cannot occur and there are other pages associated with this. Ellis stated that people hire marketing firms to do social media all the time, but we are a government not a private business and whoever runs the page needs to understand open meeting, open records. We need the policy in place before we move forward. Attorney reiterated that we must maintain complete ownership and control. Ellis wanted to make one thing clear again, she read the minutes, she did not reach out to Gary Gregory. Town Clerk clarified that the inflection of his voice did not clearly show through the minutes, his statement ran together making it appear he stated that again, which he did not. Nomura inquired of the liability we currently have since the contract was signed. Attorney stated that the trustees need to be aware that the Town is the beneficiary of MPEDA. Attorney stated if you are paying someone for advertising, you are still responsible for content. Nomura stated that since Attorney attended the class, we were unaware of the extent of liability and are responsible for what MPEDA does as the beneficiary. Jean Schucker reported the contract was not signed, it was approved to sign at MPEDA meeting, and she would like a copy of everything to discuss with him the concerns. Attorney clarified to Nomura that in the event of a lawsuit it would be both entities. Attorney stated that when the board is going through the drafts read the comments and her suggestion is to adopt as a resolution. Motion by Cofer to table to next month. Second from Nomura.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

17. **Discuss and Take Action on forms for Code Enforcement and designate a wrecker service.** Town Clerk noted that M & D Wrecker was contacted and to remove a non-operable, untagged vehicle. Cost to the Town would be \$112.00 each time, cost would carry over to owner. Motion by Nomura to approve the form with the correction on first letter on second paragraph from "have been" to "has been" and designate M & D Wrecker. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

18. **Discuss and Take Action on two (2) Scopes of Work; A&J Property and Shang McKenzie for mowing and weed eat specified areas for Town of Medicine Park.** Treasurer noted this has always been a PWA function. Motion by Ellis to recommend to PWA to approve at the Special Session A & J Contract from Justin Hackney for \$575.00 per month at the next session. Second by Nomura.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
19. **Discuss and Take Action to authorize the Mayor to sign the OMAG Sworn Statement in Proof of Loss form for the Event Center Roof.** Motion by Nomura to authorize the Mayor to sign statement. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
20. **Discuss and Take Action on OMAG Municipal Property Premium at \$7709.00 and Liability Premium at \$12,160.00, consider payment options and authorize Treasurer to notify MPEDA, PWA of cost share.** Motion by Cofer to acknowledge the premiums and pay the premiums quarterly and authorize Treasurer notify MPEDA and PWA of cost share portions. Second by Nomura
21. **Discuss and Take Action on replacing flooring in meeting room.** Nomura noted there are uneven or cracked tiles from Board Room Doors to treasurer door. The section needs replace. Treasurer suggest to get quotes to replace entire tile floor and rehab Board room, consider for the next year's budget. **No Action.**
22. **Discuss and Take Action to consider Art South, Attorney, for back-up Prosecutor for Town of Medicine Park.** Motion by Schucker table for cost information. Second by Nomura.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
23. **Discuss and Take Action to use MPPD on June 22, 2019 for the MPEDA approved Lawton-Red River PTSD Awareness Walk from 8:00am-11:00am for safety during the walk.** Ellis inquired about road closings and route. Route is the one for Boots and Bling. Jean Schucker noted they suggested to them to have road guards. Cofer stated that there was not any road closure. Motion by Schucker to approve use of police. Second by Nomura.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
24. **Discuss and Take Action to consider making Rex Leath one-way traffic during events.** **No Action.**
25. **Discuss and Take Action to accept the resignation of Keila Milam, Deputy Town Clerk.** Motion by Nomura. Second Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
26. **Discuss and Take Action to hire Michelle Barlow full time as Administrative Assistant at \$13.00 per hour.** Motion by Nomura to hire Michelle Barlow at \$13.00 per hour. Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
27. **Discuss and Take Action on recommendation from MPEDA to contribute towards increased pay to Leigh Gurr, Treasurer.** Cofer stated that previously MPEDA had discussed adding toward Town Clerk and Treasurer salaries. Motion Nomura to accept the recommendation for MPEDA to contribute toward Treasurer's salary. Second by Cofer.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**
28. **Discussion, consideration and possible action to enter Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried or hourly public officer or employee under the provisions of 25 O.S. §307.B.1, (Leigh Gurr Treasurer).** Motion by Nomura to enter into Executive Session. Second by Schucker.  
Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

Entered into executive Session 8:52 pm

**29. Conduct Executive Session.**

Executive Session conducted.

- 30. **Reconvene Regular Session and take any appropriate action.** Reconvened into Regular Session at 8:56pm. Motion by Nomura to increase pay to \$19.36 per hour, effective immediately. Second by Cofer. Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

**NEW BUSINESS**-Ellis stated that everyone had a letter from a citizen regarding firewood being used in the primitive camp area this evening. Letter also provide documents from the State of Oklahoma regarding bringing in outside firewood and could contain invasive bugs or fungi. May need to consider discussion at a later date.

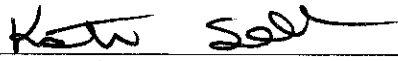
**ATTORNEY'S REPORT**- Attorney reported she attend the OAMA Conference last Friday. Great session regarding many topics and was first time that it was collaborative with OML, OMAG and OAMA. Wanted to bring attention to a couple of Bills either passed or being considered. Bill 1992 is a fee to be added to pay for law enforcement. If passed, would be similar to how the firefighters receive payments from County. SB400 cleans up road maintenance. Senate Bill proposes municipal fixes to the marijuana bill. Social Media Policy and Competitive Bidding were eye opening.

**BOARD COMMENTS**- Nomura commented she will start having monthly meetings with staff. Ellis reported that Cofer Jean Schucker and she attended a Tourism Summit with Lt. Governor Pinell as the speaker. His platform is to modernize tourism in Oklahoma. Cofer asked the Public restrooms to be added back to the agenda next month. The current bid to replace fixtures is \$9,000.00.

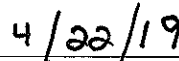
Motion by Schucker to adjourn. Second by Cofer.

Schucker YES Cofer YES Branch ABSENT Nomura YES Ellis YES **Motion carried.**

**Meeting adjourned at 9:18 p.m.**



Town Clerk



Date

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date