

**TOWN OF HOCHATOWN  
REGULAR MEETING OF THE BOARD OF TRUSTEES**

March 7, 2023, at 5:00 p.m.

Chapel of the Pines  
9276 N. U.S. Hwy 259  
Hochatown, OK 74728

**MEETING MINUTES**

1. Call to Order

*Who ordered:* Mayor Dian Jordan

*Time:* 5:02pm

2. Roll Call of Board of Trustees

<b>Trustee Name</b>	<b>Present</b>	<b>Absent</b>
Janet Cress	Y	
Howard Haggard	Y	
Dian Jordan	Y	
Todd McDaniel	Y	
Chad Sargent	Y	

A Quorum was present.

3. Recognition of Guests

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

4. 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 February 16, 2023 Special Meeting Minutes

Mayor Jordan asked the Trustees for any corrections and none were brought forth.

*Motion:* To approve the Feb 16 Special Meeting Minutes.

*By:* Howard Haggard

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to approve the February 16, 2023 Special Meeting Minutes.

5. Discussion, Consideration and Possible Action regarding items removed from the Consent Docket.

*Discussion:*

There were no items removed from the Consent Docket.

6. Treasurer's Report

*Discussion:*

Treasurer Charles Ward expects to have the bank account opened soon. Howard Haggard has been in contact with the bank, gathering necessary documents needed. Treasurer Ward has prepared Profit & Loss Statements and notes the Town has received some donations to be deposited. He also notes that the Trustees who have used personal funds for required bonds will be reimbursed, once receipts are received, and he will present the expense to the board at that time.

Todd McDaniel stated that he has been researching ARPA funding from the State of Oklahoma for a general funds account.

Mayor Jordan asked for any corrections to the Treasurer's Report, and none were brought forth.

*Motion:* To approve the Treasurer's Report.

*By:* Howard Haggard

*Second:* Todd McDaniel

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to approve the Treasurer's Report.

7. Discussion, Consideration and Possible Action to approve Resolution No. 1 calling an election on the question of whether Ordinance No. 2023-03-07-01, Levying a Lodging tax of four percent (4%) shall be approved with an effective date of April 1, 2023, with the election to occur at a special town meeting to be held on March 23, 2023 at 5:00 PM.

*Discussion:*

Mayor Jordan explained that as Hochatown has unique lodging situations, she and the Trustees will need more time to make sure the language in the Resolution and Ordinance are correct and address each of those unique situations. The Trustees agreed.

*Motion:* To take no action on Resolution No. 1.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

The motion carried to take no action on Resolution No. 1.

8. Discussion, Consideration and Possible Action to approve Ordinance 2023-03-07-01 relating to the imposition of a Town Lodging Tax of four percent (4%); enacting new provisions of the Hochatown Town Code of Ordinances defining terms; providing that the lodging tax is in addition to all other taxes levied or assessed by the town, county, or state; providing that the ordinance shall remain in effect indefinitely and until lawfully amended, modified or repealed; providing for exemptions, acknowledgment and records; providing

that tax is to be separately designated on bills; providing that operator is responsible for collection of tax; providing for certificates of registration; requiring records be created; providing for returns; requiring payment of tax; identifying delinquent taxes and providing for a late fee; requiring interest on unpaid/delinquent taxes; providing for collection of taxes by suit; authorizing for the requirement of a bond; providing for assessment and determination of tax if return not filed or filed incorrectly or insufficiently; providing for refunds; providing for notices; providing for exclusive remedy; providing penalties for failure to file, submitting fraudulent returns; requiring records be kept confidential; designating use of funds; providing for regulations for the administration and enforcement of the lodging tax; providing that the treasurer shall have the authority to administer oaths and compel testimony; providing for proceedings to recover the tax; amendments; providing that provisions are cumulative; providing approval of ordinance by a majority of registered voters voting at an election on this ordinance and fixing an effective date.

*Discussion:*

Mayor Jordan again explained that as Hochatown has unique lodging situations, she and the Trustees will need more time to make sure the language in the Ordinance are correct and address each of those unique situations.

Howard Haggard commented that it was the wording that was concerning and the board needed to make sure the language is clear.

Todd McDaniel commented that the requested tax rate would stay the same at 4%.

*Motion:* To take no action on Ordinance 2023-03-07-01 relating to the imposition of a Town Lodging Tax.

*By:* Todd McDaniel

*Second:* Howard Haggard

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

The motion carried to take no action on Ordinance 2023-03-07-01 related to the imposition of a Town Lodging Tax.

9. Discussion, Consideration and Possible Action to approve the Emergency Clause of Ordinance 2023-03-07-01.

*Discussion:*

Mayor Jordan explained again that as Hochatown has unique lodging situations, she and the Trustees will need more time to make sure the language in the Resolution and Ordinance are correct and address each of those unique situations. There was no further discussion.

*Motion:* To take no action on the Emergency Clause of Ordinance 2023-03-07-01.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

The motion carried to take no action on the Emergency Clause of Ordinance 2023-03-07-01.

10. Discussion, Consideration and Possible Action to approve Resolution No. 2 calling an election for the purpose of submitting to the registered qualified electors of said town the question of approval or rejection of ordinance number 2023-03-07-02, levying a three percent (3%) excise tax (sales tax), in addition to all present town, county and state excise taxes, for the use and benefit of the town of Hochatown for general government purposes, as more specifically set out an ordinance number 2023-03-07-02 of said town shall be approved and go into effect on July 1, 2023, with the election to occur at a special town meeting to be held on March 23, 2023 at 5:00 pm.

*Discussion:*

Mayor Jordan explained that the board needs more time to review.

*Motion:* To take no action on Resolution No. 2 calling an election to approve or reject Ordinance number 2023-03-07-02, levying a 3% sales tax.

*By:* Todd McDaniel

*Second:* Chad Sargent

### **Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

The motion carried to take no action on Resolution No. 2 calling an election to approve or reject Ordinance number 2023-03-07-02, levying a 3% sales tax.

11. Discussion, Consideration and Possible Action to approve Ordinance No. 2023-03-07-02 relating to the imposition of a town excise tax (sales tax) of three percent 3% (in addition to any and all other excise taxes now in force) to be levied upon the gross proceeds or gross receipts derived from all sales within the municipal boundaries taxable under the Oklahoma Sales Tax Code; providing for the use of the proceeds of said excise tax for general government purposes; providing for the effective date; providing that the ordinance shall remain in effect indefinitely and until lawfully amended, modified or repealed; providing for no repeal of tax; providing for payment of tax; providing that the tax is in addition to taxes currently levied; providing that the provisions of this ordinance are cumulative and in addition to any and all taxing provisions of other town ordinances.

### *Discussion:*

Brief discussion regarding the need for more time to review the language of the ordinance.

*Motion:* To take no action on Ordinance No. 2023-03-07-02 relating to the imposition of a sales tax.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to take no action on Ordinance No. 2023-03-07-02 relating to the imposition of a sales tax.

12. Discussion, Consideration and Possible Action to approve the Emergency Clause of Ordinance No. 2023-03-07-02.

*Discussion:*

There was no discussion.

*Motion:* To take no action on the Emergency Clause of Ordinance No. 2023-03-07-02.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

The motion carried to take no action on the Emergency Clause of Ordinance No. 2023-03-07-02.

13. Discussion, Consideration and Possible Action to approve Notice of Special Meeting and Election setting an Election to occur at a Special Town Meeting to be held on Thursday, March 23, 2023 at 5:00 P.M. for the purpose of enacting an excise tax on Lodging and for the purpose of enacting an excise tax (sales tax) upon the gross proceeds or gross receipts

derived from all sales within the municipal boundaries which are taxable under the Oklahoma Sales Tax Code.

*Discussion:*

Mayor Dian Jordan noted the need to wait on approval, that there would be a special meeting to act on the tax ordinances, and the Trustees would still work towards having the election on March 23.

*Motion:* To take no action on the matter of a Notice of Special Meeting and Election.

*By:* Howard Haggard

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to take no action on the matter of a Notice of Special Meeting and Election.

14. Discussion, Consideration and Possible Action to approve Resolution No. 3 calling elections to occur at the Biennial Town Meeting on April 4, 2023 for the purposes of electing officers, including Trustees, Clerk, and Treasurer, of the town of Hochatown, Oklahoma, establishing the date for said election.

*Discussion:*

Mayor Dian Jordan explained that an election is needed as the current staff is interim. This will be a regular municipal election that will be held every two years.

Howard Haggard further explained that the staff will be elected on a two and four year rotation.

*Motion:* To approve the Resolution No 3 calling elections to occur at the Biennial Town Meeting on April 4, 2023.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to approve the Resolution No. 3 calling elections to occur at the Biennial Town Meeting on April 4, 2023.

15. Discussion, Consideration and Possible Action to approve Notice of Biennial Town Meeting and Election setting Biennial Town Meeting and elections to occur on April 4, 2023 for the purposes of electing officers, including Trustees, Clerk, and Treasurer, of the town of Hochatown, Oklahoma.

*Discussion:*

Brief discussion on the need for the election.

*Motion:* To approve the Notice of Biennial Town Meeting and Election to occur on April 4, 2023.

*By:* Todd McDaniel

*Second:* Chad Sargent

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to approve the Notice of Biennial Town Meeting and Election to occur on April 4, 2023.

16. Discussion, Consideration and Possible Action to establish Bond requirements for all Trustees and Treasurer and any Officer or Employee designated by Ordinance to sign municipal warrants or municipal checks pursuant to Title 11 Section 8-105. – Howard

*Discussion:*

Howard Haggard noted every elected official must be bonded, per state statutes, and the customary bond amount is \$10,000, which is effective for one year at the cost of \$100. Several of the Trustees have purchased their bonds.

Mayor Dian Jordan stated she believed it would be best to have a bond that would cover everyone on the board and staff and noted there is a difference between personal bonds and Town of Hochatown insurance. She furthered that she has spoken with OMAG, and the current cost for municipality insurance would be \$1000 a year.

*Motion:* To establish bond requirement at \$10,000 for each Trustee.

*By:* Howard Haggard

*Second:* Todd McDaniel

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to establish bond requirement at \$10,000 for each Trustee.

17. Discussion Only regarding Community Engagement – Temporary Website and Logo Contest

*Discussion:*

Chad Sargent reported that the Hochatown website is ready to go live on Friday. He thanked Skip and Shellye Copeland for their volunteer work to make that possible, and the Board and guests gave them a round of applause. The website will be a repository for meeting agendas and minutes. The website will begin as a ‘.org’ and will transfer to

‘.gov’ when the application is approved. He also noted that the website will be in addition to an active social media presence – again thanks to the Copelands.

Chad Sargent also announced a Hochatown logo design contest – all the information on the contest will be available on the new website and there is hope that there will be active participation. He also noted it is a great idea to get the community involved.

#### 18. Discussion Only regarding Community Engagement – Visitation of Board Meetings throughout the County

*Discussion:*

Howard Haggard reported that he has been attending other board and council meetings, including the McCurtain County Rural Water District #5 meeting, the county commissioner’s meeting, etc. He said he is committed to attend as many as possible and asked for Trustee volunteers to attend county wide meetings as well.

Mayor Dian Jordan encouraged all citizens to get involved.

#### 19. Discussion Only regarding Safety and Communications Update

*Discussion:*

Janet Cress briefed the Trustees on several topics including the need for persons to become CERT trained. She explained that citizens in different areas of Hochatown, and the county, would be trained to provide help while waiting for first responders in an emergency. Training consists of a 20 – 24 hour program, to train volunteers with decision making skills to give immediate assistance while waiting for professional help. She is hoping to organize a CERT class of 30 people.

Janet Cress reported that she has also met with Don Cook regarding a wildlife preparation plan for Hochatown, which includes evacuation routes. Mr Cook has discovered Hochatown’s plan needs to be updated soon, and the plan needs updating every 3-5 years.

Janet Cress is also speaking with the Choctaw Nation of Oklahoma (CNO) to learn from them.

She reminded all of the LP Gas Administration meeting that she organized for Thursday, March 9, which will address codes, and encouraged all to attend.

#### 20. Discussion Only regarding Library System

*Discussion:*

Mayor Dian Jordan began by thanking Paul and Debra Stuart for their donation on the Town Hall sign for the Hocha Town Hall office space.

She furthered that the Library Reading Room is not just about books, but it is about the services it will provide. She explained that taxpayers have been paying for these services for decades, which includes wifi, up to five community wide wifi hotspots and computers.

21. Discussion, Consideration and Possible Action regarding Road Improvements

*Discussion:*

Todd McDaniel reported that he continues talks with ODOT, and working on wording for a Resolution so they can hopefully start work on 259 South and 259 North.

Mayor Dian Jordan added that she has the Resolution, and it needs to be added to a future agenda.

Todd McDaniel further noted that regarding the roads within Hochatown – until there is a budget, nothing can be done.

He updated the Board on the loop around Hochatown and stated more information should be available soon as the key players are meeting later this month.

Mayor Dian Jordan noted that ODOT has left maps to show how 3 lanes and 5 lanes would look. Maps are available for viewing at the Hocha Town Hall.

Howard Haggard expressed he would like more information on the maintenance of Hochatown's gravel roads, that by law the county is still responsible for them. He advised all to let our commissions know we need work done. Howard reported that the county currently has six road graders, but has personnel issues.

*Motion:* To take no action regarding road improvements.

*By:* Dian Jordan

*Second:* Todd McDaniel

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y
Chad Sargent	Y

Motion carried to take no action on road improvements.

22. Presentation by and discussion with George Purefoy and Maher Maso regarding town planning priorities

*Notes:*

Mayor Dian Jordan introduced Maher Maso, former Mayor of Frisco, Texas and noted George Purefoy was not able to join.

Mr. Maso addressed the Trustees and guests noting that this is an exciting time for Hochatown, and that the Trustees were setting a foundation that will last forever – the Town is forever. He cautioned to use patience as the outcome of many decisions will not be realized for years, and cited the similarities with Frisco as they started their economic growth. Partnerships are critical.

He also cited that most cities are trying to achieve exactly what Hochatown has today, which is tourism revenue. He also advised sustainability – to look at long term returns and good planning is a major key to success.

23. Adjourn

*Motion:* To adjourn the meeting.

*By:* Howard Haggard

*Second:* Todd McDaniel

**Roll Call Vote**

<b>Trustee Name</b>	<b>Vote</b>
Janet Cress	Y
Howard Haggard	Y
Dian Jordan	Y
Todd McDaniel	Y

Chad Sargent	Y
--------------	---

The motion carried to adjourn the meeting.

*Time meeting adjourned:* 6:21 pm