

Minutes of the August 2, 2021 Regular Meeting
Cedar Valley Town Board of Trustees
Cedar Valley Clubhouse 6:00 P.M.

In Attendance:

Stan Wieczorek	Mayor	Jayne Hill	Trustee
Deborah Wolek	Town Clerk	Jerry Cole	Trustee
Debra Shore	Treasurer	Tom Trello	Trustee
		Corey Timmons	Trustee

The regular meeting was called to order at 6:00 p.m. The full board was present.
There were 10 citizens.

Citizens comments:

Kathy Sikes reported to the Board on the progress that is being made on the request to the OK Department of Transportation to continue installing safety procedures on Highway 33. CLRS "continuous lane rumble strips" have been installed from Broadway to SH74. Sikes was asked why only one side of the Highway is marked 55 (going west) but still 65 on the other side at Cimarron East GC. She has not received an answer from the ODOT at this time. Kathy is requesting information on blind intersection signs and turning traffic signs. She is arranging a meeting with Logan Co. Sheriff for a Q & A with representatives of the CV Board. A report of this meeting will be provided. Regarding SH33, she is continuing the process to try and change designation from rural highway to arterial or collector. Sikes was thanked for continuing this process.

NEW BUSINESS

The minutes of the July meeting were reviewed. Cole motion to approve, Timmons second. Hill stated she had a problem with the questions that were listed as the attorney opinions. She wants people to understand that they are strictly his opinions. Hill asked that the entire section be stricken. Wolek stated for transparency reasons they should be part of the minutes. She also stated that she could show they were his initial opinions only.

Citizen commented that if the attorney already started to discuss these items they needed to be in the minutes. Wolek was advised to add a statement that these comments were attorney Initial opinions and not legally researched.

Motion then made by Cole that the minutes be approved changing only that these are the attorney initial opinions. Second by Trello. Motion carried.

Treasurer Debra Shore gave her report indicating the tax revenue received. She further stated that the grant from TSET was received and is now in the general fund. She advised what the other bills paid were. Cole asked if the invoice for the Emergency siren covered batteries and if insurance covers this item.

The response was this invoice is only for insurance in case the units were damaged. Maintenance does not include the cost of batteries. There are four sirens, two at CVW and two at CVE.

A citizen asked if the sirens go off warning golfers during lightening. He was advised that this would be the responsibility of the golf course and not the Town. The sirens only go off in case of a tornado or other severe weather.

Motion made by Hill second by Cole that the Treasurer report be accepted. Motion carried.

Shore stated that she had two bills to discuss with the Board. One was from the Logan County Economic Development Council for \$250.00 for annual membership. A discussion followed as to whether the town should continue to fund this. Trello stated he would like more information. Wolek asked who was current Executive Director. Wieczorek said it is being managed by Meridian Technology Center. Cole and Trello asked what the benefit to our Town would be. It was determined that it would be beneficial to have the current President of the LCEDC board come in and speak to the Board about benefits. Matter tabled until further clarification.

The second invoice is the billing from ACOG. Wieczorek discussed membership in ACOG, Association of Central Oklahoma Organizations. Last year this organization decided that if you wanted REAP/Rural Economic Development Programs grants you needed to be a member of ACOG. This is a \$1073.00 invoice. The Town has received benefits. Thereupon a motion was made by Cole second by Hill that the \$1,073.00 be paid. Motion carried.

OLD BUSINESS

Trello gave his report on road conditions and spraying. All roads within the town have been weed sprayed two times. Hill asked if Trello has sprayed the bridge on Broadway. He stated he has sprayed this three times. Citizen asked if May Avenue could be cleaned up and repaired. There are lots of broken tree limbs and the grass is unable to be mowed. Since this is a county road Trello will discuss with the commissioner.

Wieczorek stated that a citizen on Bassett Rd was complaining about the shape of the property owned by the Martins next to their maintenance shed. He has conversed with Jeff Martin regarding this property and Martin will look into it. There is also a property near there that no one lays claim to that needs mowing. Wieczorek has spoken to Trello and Cole about this. He also spoke to Blake Martin who stated he would clean it up for \$200.00. A motion was made by Trello second by Hill that the Town hire Blake Martin to clean up the overgrown lot on Bassett. Motion carried.

Wieczorek spoke to Cole about the abandoned property on Bassett. Cole thought it would be nice if the golf course offered the property to the town. Wieczorek contacted Jeff Martin, Martin stated he was going to bulldoze the building down. Wieczorek asked if the corporation would donate the whole property to CV town. Jeff Martin said he would speak with his co-owners to find out what they would like to do with this property and will get back to the town board. Wieczorek suggested this building was a mess now and he did speak to someone to find out what work would be needed to make it into a Town Hall. This is something that can be looked at once the Martin Corporation gets back to him regarding the corporations' decision on it. No board action taken.

Trello has contacted the County commissioner about repairing some roads that they are responsible for. Commissioner stated he would be starting the repairs within the next two weeks. Trello asked if there was anything further regarding roads. He said he would like more clarification as to what properties are owned by the town and what are not. A search for deeds will be undertaken. No further action to be taken by Board at this time.

Wieczorek addressed the citizens saying that he knew they were in attendance because of the possible covenant violations with the Air B n B business on May Avenue. Wieczorek spoke to the building committee regarding the C.C.&Rs and the statement that *"no one shall operate a business out of their home."* There is no specific mention of renting a home out per Building committee member Terry Hixon. Citizen present stated that others who tried operating businesses out of their homes were stopped as it was a violation of the present C.C.&Rs. Hill asked if the owners have ever lived at the location. Hamilton, a neighboring citizen to the property, stated no. Citizens commented that per the ad for the rental of the Air B n B it spells out that they can park farm equipment, trailers, etc. outside on the south side of the property. Another citizen called attention to the stipulation in the C.C.&Rs about no parking "construction" "farm" equipment, etc. There was a dump truck parked on the vacant lot next to the rental and when advised, the "renter" pulled the truck into the fenced in area of the home. C.C. & Rs address the homes in CV as all single-family homes, there is no mention of home rentals either long or short term. The B'nB is advertised as a "get away" vacation rental. Wieczorek stated he believes it is up to the Martin building committee for enforcement and that it is up to them to send a letter to the owner stating this is not allowed. Citizen commented that from a legal standpoint, the longer this business continues the tougher it will be to get this issue addressed.

Wolek stated that the question has been asked of town attorney to give a legal opinion as to what the Town can enforce, if anything, or if the C.C.&R's and if the Martin corporations are the only entity that can determine what

can/cannot be done with the land and homes. Wieczorek said the town attorney advised him that this issue will take him approximately six months to look into and address.

Hill said this should be moved on quickly and made a town priority.

Citizen also stated that there have been questionable activities since this has been rented. One of the renters seemed to be slowly driving along the road and "looking" into open garages. Citizen further stated that he stopped the vehicle and spoke to the occupants in a friendly manner and offered them his hospitality.

Original C.C.&Rs were adopted in 1982 or 83. Trello asked what the resolution is at this time. Timmons said there were a couple issues that were touched on; from determining if this was a business violation and also enforcement issue. What authority that falls under seems to be a gray area.

Hill said that there were covenant issues at CVE which she discussed with Bo Martin. Bo stated that because it was a covenant issue, it was a building committee action. If legal actions were to be taken that would have to be civil, one neighbor suing another. Hill asked if we wanted to be the type of community that has people renting as a B & B business.

Motion made by Cole to take immediate action for mayor to discuss with Martin this issue within the next week so this won't drag out. That Martin address this issue with his corporate attorney.

Hill stated she agreed but said enforcement would need to be looked into. Asking the Martin attorney to look into it. Motion amended: Motion to take action asking the mayor to have a formal meeting with Jeff Martin addressing with the building committee violations of the C.C.&R's (covenants) as they pertain to the business being operated at 1750 May Avenue Air B'nB. Motion made by Cole, second by Trello. Motion carried.

Regarding Communications, Email and Website. Carla Johnson is still on vacation. No report on website. Hill stated that if the website and email mailing does not go out soon the town will have to look at another way to post town information so residents are notified.

Wieczorek said he has been receiving calls regarding the newsletter. The town determined at a previous meeting that they were no longer going to pay and distribute the newsletter door-to-door. He has spoken to Jeff Martin who said the golf course would pay for the newsletter printing and Jan Hixon stated she will continue writing it. The town will be able to add information as a part of this "Golf Course Newsletter" but will no longer have the responsibility of it. Wieczorek clarified to the citizens present that this newsletter cannot be distributed in peoples' mailboxes. He spoke to the Hayward Postmaster who advised that this was against the law and is a federal crime subject to a \$10,000.00 fine to the town and a \$5,000.00 fine to the person who is putting it in the mailbox. It will be up to the golf course to figure out the distribution of "their" newsletter.

Wieczorek brought to the Boards attention that a decision on the REAP grant. A decision must be made soon as to what projects the town would want to apply grant funds for. He stated that Par Avenue is in very bad shape. He has spoken to Jeff Martin since the road would have to be deeded to the town. Martin stated he was unsure if he wanted to deed this over. Wieczorek would like to beautify our community by taking over "owning" this road and repaving it. Cole stated this road project can't go forward (Par Avenue) until Martins get back to the board as this is not a town road.

Hamilton asked what other projects was the town thinking of using the money for. Wieczorek stated he looked at the building of a town hall. He thought a building could be put up for \$100,000.00 or less. A citizen inquired "besides one meeting a month what would you use the building for." He stated it would be nice to have a building for securing all town documents and equipment acquired in one location. It could also be used for special meetings with town citizens and as a community center.

Wolek addressed the citizens present advising that she has asked for a legal opinion from the attorney asking if the town would need to put the issue of a building before the entire town as this would be a long-term encumbrance to

the entire citizens. No response has been received from the attorney. Since the town does not levy any tax other than ¼ of a percent how do you pay for this after grant money is used.

Wieczorek said the town did not apply for a grant in 2020. There were 26 applicants for a half-million dollars. We can apply but may not even get the grant. In his opinion it's easier to apply for a road rather than a facility right now. Hamilton said May Avenue, Hogan, Broadway and other roads are falling apart. Why not get the grant to apply for funds to repair all the current town roads. Trello agreed with this suggestion as did Hill stating that road conditions at CVE needed repair.

Another citizen stated that the town roads are destroyed by new building contractors. Wieczorek stated that Wolek has prepared the first draft of an ordinance that will hold contractors financially responsible for any damage to roads. This will be acted on once the final document is presented to the Board. It is in the attorney's hands for final review.

Timmons stated that the County roads should be maintained by the county. Maybe this should be a discussion with the county commissioners asking who is responsible for which roads.

Cole wanted to know why the town applied for a \$100,000.00 REAP grant and repaired May Avenue which is a county road, does that mean the town did the road for the county at that time. Wieczorek stated it was to make this road better for our township.

Trello again stated that research needs to be done to find out who owns the various roads and who has to maintain them. If it takes going to the courthouse and researching who owns what, we should look into this.

Again, Trello stated all roads on both CVE & CVW need repairs and it would be good to apply for the funds to repair them. Timmons stated that the roads won't repair themselves, they will only continue to get worse.

Trello will get road repair bids and then come back to the board at the next meeting. He will ask what are the hot spots and what would it cost to fix.

Sikes wanted to know if a "long-term" plan could be put into place. Trello agreed with this. Timmons stated that the road subgrade is important and since the county does not have paving standards, everyone seems to take a band aid approach. This matter will be discussed at a future meeting. Long range planning would be a good idea.

Wieczorek will contact the REAP grant person and find out more specifics on applying for the grant.

This will be taken up at the next meeting. Trello will be asking for bids in the interim. No board action taken at this time.

Kim Hamilton reported on actions taken by the Community Foundation on the park project. She advised that a surveyor will be coming out on August 18. She will be submitting the invoice to the town as this amount is to be paid from the TSET grant money. Motion by Cole second by Trello that this bill be paid with these funds. Motion carried.

Hamilton further stated that all lines will have to be marked before the survey can be performed. Timmons thought that if you call 811, they notify every utility to do all the marking. The Rural Water District will have to be contacted directly. Cedar Valley Corporation also has its own private water lines so Bo Martin will be contacted. The Park needs an address which can be obtained through Wolek and the 911 address system.

Hamilton also stated that a resident suggested holding a community wide neighbor get-together in September so people can meet one another. Since the foundation has some money, they will contribute to this event. Details will be forthcoming. This will be a family event. This is for both CVE and CVW. The next foundation meeting is on Wednesday.

Wieczorek stated the letter went out on asking people to maintain their property. Cole sent to five owners at CV West only. There were two separate letters one signed by Jeff Martin and one by Stan Wieczorek. The letters were

made a part of the minutes. Hill stated there might be a location at CV East on Cimarron Manor that might need a letter sent. She will advise.

Cole advised that as the Community Emergency Response representative he prepared a town brochure which is being made ready for the printer. The brochure is very explanatory in the event of an emergency, such as chemical spills, covid and tornados and will be handed to every resident. He is also looking at development of a “phone tree” so the community can help one another, especially some of the disabled and elderly. Discussion was held regarding possibly purchasing defibrillators for each location. This is a matter that can be discussed at a later time.

New Business:

Wieczorek stated that the next meeting would be held on September 13, 2021 due to the Labor Day Holiday falling on the first Monday of the month.

Wolek stated that an item left off the agenda was to give the mayor authority to make purchases if needed for emergencies. Cole made a motion that mayor should have emergency authorization to spend up to \$500.00. Shore did not see a need for this type of a motion. If there is an emergency for a large expenditure to be made a special meeting can be called. Cole withdrew his motion.

There being no further business, meeting adjourned at 7:48 p.m.

Minutes submitted by Deborah Wolek, Town Clerk