Choctaw Utilities Authority
Special Board of Trustees Meeting No. 17
June 23, 2020 @ 7:00pm or Immediately
Following the City Council Meeting
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

In accordance with Senate bill 661, which temporarily modified the Open Meeting Act as approved by Governor Stitt on March 18, 2020, the Choctaw Utilities Authority will host a virtual meeting option until the State of Emergency is lifted. Please join us using either option.

Teleconference dial in number:  +1 301 715 8592
Conference ID: 838 0360 8379
Meeting Password: 476888
Join Meeting: https://us02web.zoom.us/j/83803608379?pwd=TG9sWUxIQTJBJNVvOTcyaUtXTGpaZz09

1. Call to Order.

2. Roll Call.
Chairman Randy Ross, Trustees Chad Williams, Mike Birdsong, Jeannie Abts, Roger Malone, Steve Krieske and Dale Gill will be attending the meeting via teleconference.

3. Public Comments: This agenda item is for public comments on utility related non-agenda items. In accordance with State law, the Board of Trustees and Trust Staff are not allowed to respond to any comments made. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

4. Business Agenda: The following items are hereby designated for discussion and consideration which requires individual action.

4.1 Resolution No. 20-21, amending Resolution No. 94-23, an alternate residential sewer rate by averaging utility customers for water usage during the summer months.

RECOMMENDATION: Pass or deny Resolution No. 20-21.

4.2 Resolution No. 20-24, providing for and establishing certain policies to govern the operations of the Utility System of the City and rescinding Resolution No. 95-03.

RECOMMENDATION: Pass or deny Resolution No. 20-24.
4.3 Resolution No. 20-29, amending the Fee Schedule for fiscal year 2020-2021.

RECOMMENDATION: Pass or deny Resolution No. 20-29.

5. Consent Agenda: The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

5.1 Regular Pre-Meeting minutes for 06-02-20
5.2 Regular Meeting minutes for 06-02-20
5.3 Vouchers and Claims as approved by the Executive Director:
   1. 06-04 Claims: $13,783.91
   2. 06-09 Credit Cards: $756.72
   3. 06-11 Claims: $17,288.09
   4. 06-12 Claims: $64,602.50
   5. 06-18 Claims: $9,519.05
5.4 Bi-weekly payroll in the amount of:
   1. 06-05 Payroll: $21,686.33
   2. 06-19 Payroll: $23,151.25
   3. 07-03 Payroll: $25,000.00
5.5 Permanent Easement, Ryan and Kelli James, 4956 N. Vargas Rd.
5.6 Permanent Easement, Jim and Nancy Cox, 610 and 616 S. Anderson Rd.

6. New Business: This item is listed to provide the opportunity for trustee discussion on items which may arise within twenty-four (24) hours prior to this meeting, and therefore, qualify as new business under the Oklahoma Open Meeting Act.

7. Trustee/Staff Remarks: This item is listed to provide an opportunity for the trustees and/or staff to make comments and/or request specific agenda items. No action will be taken.
   7.1 Board of Trustees;
   7.2 Trust Attorney;
   7.3 Executive Director; and
   7.4 Project Updates

8. Adjournment:

This agenda was posted in prominent public view at Choctaw City Hall on or prior to 5:00pm on June 19, 2020, in accordance with the Oklahoma Open Meeting Act.
THE CHOCTAW UTILITIES AUTHORITY ENCOURAGES PARTICIPATION FROM ALL ITS CITIZENS. IF PARTICIPATION AT ANY PUBLIC MEETING IS NOT POSSIBLE DUE TO A DISABILITY, PLEASE NOTIFY THE CITY CLERK AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING SO THAT NECESSARY ACCOMMODATIONS CAN BE MADE. ACCESS TO RESTROOMS DURING THE MEETING WILL BE AVAILABLE UPON REQUEST TO CITY STAFF.
AGENDA TITLE: Resolution No. 20-21, amending Resolution No. 94-23, an alternate residential sewer rate by averaging utility customers for water usage during the summer months

**Public hearing required if this box is checked**

General Report: The City of Choctaw established an alternative residential sewer rate for water usage during summer months. Utility customers are able to average their sewer charges when they use both the water and sewer service for the summer months. The current resolution calculates the sewer charge by averaging the total residential class for the preceding 36 months of service.

Staff Comments: The amended resolution will provide for sewer averaging when a customer uses both the city provided water and sewer services for a consecutive 24 month period. The sewer charge will now be calculated by averaging the total residential sewer charges billed for months of December, January and February of the preceding 24 months and applied to the customers July, August and September bill. The sewer charge will be recalculated and averaged each year depending upon the actual sewer billed of the total residential sewer charges for the next billing period and applied to the customers July, August and September bill. To qualify utility customers must have city provided water and sewer, have 24 months of consecutive service, and must enroll each year for the program.
RESOLUTION NO. 20-21

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CHOCTAW UTILITIES AUTHORITY, CHOCTAW, OKLAHOMA, AMENDING RESOLUTION NO. 94-23, AN ALTERNATE RESIDENTIAL SEWER RATE BY AVERAGING UTILITY CUSTOMERS FOR WATER USAGE DURING THE SUMMER MONTHS

WHEREAS, the Board of Trustees approved Resolution No. 94-23 on December 6, 1994 to establish an alternative summer rate for residential sewer.

THEREFORE, BE IT RESOLVED by the Board of Trustees of the Choctaw Utilities Authority, Choctaw, Oklahoma:

SECTION 1: That Section 1 of Resolution No. 94-23 is hereby amended as set forth in Section 2 below.

SECTION 2: SUMMER SEWER AVERAGING PROGRAM.

1. Without regard to the service period and except herein provided, all residential sewer customer billing, mailed or emailed on or after July 1, 1995, shall provide for sewer charge averaging when the customer uses both the city provided water and sewer services for a consecutive twenty-four (24) months period.

2. The sewer charge average will be computed by averaging the total residential sewer charges billed for months of December, January and February of the preceding twenty-four (24) months and applied to the customers July, August and September bill.

3. The sewer charge average based on paragraph 2 above will be recalculated and averaged each year depending upon the actual sewer billed of the total residential sewer charges for the next billing period and applied to the customers July, August and September bill.

4. To qualify for the summer sewer averaging program the following criteria must be met:
   a. Utility customer must have city provided water and sewer services.
   b. Current utility customer with preceding twenty-four (24) months of consecutive service.
   c. Utility customers must enroll each year for the summer sewer averaging program.

SECTION 3: This resolution shall be reviewed each year before June 30 to ensure that the summer sewer averaging program is cost effective for the Choctaw Utilities Authority.
ADOPTED and APPROVED by the Board of Trustees of the Choctaw Utilities Authority, Choctaw, Oklahoma, this 23rd day of June, 2020.

CHOCTAW UTILITIES AUTHORITY

Randy Ross, Mayor

ATTEST:

Amanda Valent, City Clerk
Report:

Policies were established to govern the operations of the public utility system. The policy defines the duties of the Public Works Director, utility service application requirements, utility deposits and refunds, rates and charges for services, utility shut off procedures, statements and payments, termination of services, deferred payment plans, utility installation specifications and penalties for illegal connections. The last amendment to the policy was February 7, 1985.

With the recent changes to the water and sewer rates it was noticed that an amendment was needed to the policies. The changes are as follows:

1. All references to 'City Manager' were changed to 'Executive Director'
2. All references to 'City' were changed to 'Choctaw Utilities Authority'
3. Section 2-2, Utility Deposits - Subsection B, was removed. The CUA no longer waives utility service deposits with a letter of credit
4. Section 2-3, Rates and Charges and Section 2-14, Applicability to Users Outside Corporate Limits - '...approved by ordinance by the City Council.' was removed. The City does not approve water and sewer rates. The rates are approved solely by the CUA
5. Section 2-10, Statements and Section 2-11, Payments - With our new utility billing system statements and notices can also be emailed to customers.
6. Sections renumbered when necessary
RESOLUTION NO. 20-24

A RESOLUTION OF THE CHOCTAW UTILITIES AUTHORITY
PROVIDING FOR AND ESTABLISHING CERTAIN POLICIES TO
GOVERN THE OPERATIONS OF THE UTILITY SYSTEM OF THE
CITY AND RESCINDING RESOLUTION NO. 95-03

WHEREAS, it has been determined that certain policies should be established pertaining to the
operations of the utility system;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE
CHOCTAW UTILITIES AUTHORITY IT SHALL BE THE POLICY TO WIT:

ARTICLE I. IN GENERAL

SECTION 1-1. UTILITY DEPARTMENT CREATED; DIRECTOR OF PUBLIC
WORKS TO BE HEAD.

There shall be a utility department, the head of which shall be the Director of Public Works
appointed by the City-Manager Choctaw Utilities Authority Executive Director for an indefinite
term, removable by the City-Manager Executive Director. The Director of Public Works shall be
an officer of the City and have supervision and control of the utility department.

SECTION 1-2. GENERAL DUTIES OF DEPARTMENT.

The utility department shall maintain, improve and operate the water and sanitary sewer system of
the City.

SECTION 1-3. DIRECTOR OF PUBLIC WORKS DEFINED; DELEGATION OF
DUTIES.

The word “superintendent” wherever used in this chapter shall mean the Director of Public Works
of the utility department of the City. Any act in this chapter required or authorized to be done by
the Director of Public Works or his designee shall be done on behalf of the Director by an
authorized officer or employee of the utility department.

SECTION 1-4. QUESTIONS TO BE DECIDED BY DIRECTOR OF PUBLIC WORKS.

The Director of Public Works shall have the authority to decide any question which may arise and
which is not fully covered by any of the provisions contained in this division, and his decision in
such cases shall become final unless appealed to the City-Manager Executive Director.
SECTION 1-5. AUTHORITY OF CITY MANAGER CHOC'TAW UTILITIES AUTHORITY EXECUTIVE DIRECTOR.

The City Manager Executive Director is hereby empowered to issue necessary orders and regulations consistent therewith that he may deem necessary for the preservation and conservation of the City water supply, and for the protection of public health and safety.

ARTICLE II. UTILITY SERVICES

SECTION 2-1. APPLICATION, PREREQUISITES FOR UTILITY SERVICES.

Any person desiring to have premises connected with the public utility system of the City shall present to the Utility Clerk at City Hall, a copy of the utility connection permit containing the name, legal description of the lot, block, addition and the official house number of the premises on which services are desired; and shall make application therefore on such form as may be prescribed by the utility department, giving such information as may be deemed necessary to supply satisfactory utility service. The applications shall be filed with the Utility Clerk at City Hall, and at the time of filing such application, the applicant shall pay a deposit and all applicable fees (if any) for such utility service, and take a receipt therefore.

SECTION 2-2. UTILITY DEPOSITS.

Except for federal, state, county, and other local governmental entities, any person desiring to use the City utility services shall place with the City Choctaw Utilities Authority a service deposit in such amount as set by motion or resolution.

A. The minimum service deposit may be increased by either the City Manager Executive Director or his designee, whenever such an increase may be justified, based upon:

(1) The expected maximum monthly billing; or
(2) The customer's payment record; or
(3) When the utility service is terminated (other than non-payment)

B. A utility service deposit may be waived if the customer can show outstanding credit experience based upon:

(1) Whether the utility customer furnishes a letter of good credit from another utility company (i.e.: OG&E, ONG, another city)

C. B. All utility service deposits placed with the City Treasurer shall be:

(1) Annually audited;
(2) Deposited daily in its' own Fund and separately accounted;
(3) Invested and all interest earnings placed in the General Fund for use by the Authority;
(4) Applied to any end-of-service or miscellaneous billing and a check shall be issued with two (2) signatures and forwarded to the depositor for any portion remaining thereof.

Upon submission of the claim and approval by the City Manager Executive Director or his designee, the City Treasurer is authorized to process payment to the Claimant by check which shall be signed by two authorized signatories of the City Choctaw Utilities Authority.

B. A. Claims for refunds may be presented by the person in whose name the utility deposit is maintained or the authorized agent or legal representative of any such person. It is expressly provided that the City Choctaw Utilities Authority, its agents, officers, employees, or representatives assume no liability or responsibility to verify the legal status, relation, or identity of any person claiming a refund pursuant to these provisions. It is further provided that the procedures for refunds established are hereby deemed to provide an internal control structure adequate to provide reasonable assurance against unauthorized or illegal payment of claims, all as set forth in 11 O.S. Section 17-102; 11 O.S. Section 35-107; 62 O.S. Section 310.1, and other applicable law.

C. B. Utility deposits shall be refunded to customers following twenty- four (24) months of prompt (no termination of services due to non-payment or deferred payment plan) utility payments to the City Choctaw Utilities Authority. The method of refund shall be a credit issued against the customer's utility account and accomplished by a written notice of such action to the customer.

SECTION 2-3. RATES AND CHARGES.

The rates and charges for utility services shall be set by Resolution adopted by the Board of Trustees, and approved by Ordinance by the City Council.

A. Such rates and charges shall be subject to an annual review by the Authority.

SECTION 2-4. OTHER FEES.

A. No utility service will be connected or meter installed until all inspection fees and permit fees have been paid.

B. The fees for installation of utility service and/or meter as herein provided shall be set by motion or resolution.

SECTION 2-5. DEFINITION OF SERVICES.

A. All users of the municipally owned utilities system shall be charged at least the minimum rate per month for services, unless such service has been either:

(1) permanently disconnected; or

(2) arrangements made in accordance with Section 2-6 7
SECTION 2-3.6. UTILITY DEPOSIT REFUNDS.

A. When service is permanently discontinued, deposit refunds will be made in accordance with Title 11, Oklahoma Statutes, Section 35-107 and then on the following basis:

(1) Money in the municipal treasury which has been acquired as a utility deposit from a customer of a municipal utility shall be refunded or credited to the customer upon termination of the utility service and payment of all charges due and connected with the service. If the deposit has not been claimed by or refunded to a customer within one (1) year following termination of the utility service to the customer, the Utility Clerk shall send written notice to the customer at his/her last-known address stating that the deposit will be paid over to the municipality unless it is claimed by the customer within ninety (90) days of the date of the notice is mailed by the Utility Clerk. The Utility Clerk shall publish in a newspaper of local circulation a list of names and last known addresses of customers stating the deposit will be paid over to the municipality if not claimed within ninety (90) days. If the money is not claimed or refunded within the ninety (90) days, the amount of the deposit shall be paid into the fund of the municipal utility for which the deposit was collected, or into the general fund as may be determined by the governing body. No municipal utility customer shall have a right to any claim or refund on the deposit after written notice or publication and expiration of the ninety (90) day period in accordance with this section.

(2) A claim which shall serve as an invoice, in a form which may be provided by the CUA, for refund of the utility deposit balance, certified by the Utility Clerk in writing that the conditions stated herein have been met so as to entitle the Claimant to a refund. The City Manager or Executive Director or his designee shall indicate their approval in writing. Such certification shall be made in the following form:

I hereby certify that the monies claimed herein are on deposit with the City and that the designed conditions have been met so as to entitle Claimant to the requested refund.

Dated this _______ day of ____________________________, __________

_________________________________________________________

Utility Clerk

Approved by the City Manager or Executive Director or his designee.

_________________________________________________________

(City Manager or Executive Director) or his designee
SECTION 2-6.7. VACANT PROPERTIES.

A. Whenever any premises connected to the water supply system of the City shall have become vacant but the service has not been disconnected, a bill for services will be issued based on actual consumption.

B. Whenever any rental premises connected to the water supply system of the City shall have become vacant and services disconnected by the renter and the owner thereof requests temporary services for purposes of cleaning, a bill for such services will be issued based on actual consumption.

C. When any new premises is connected with the water supply system of the City shall be under new construction, a bill for such services will be issued based on actual consumption.

D. In all cases, a utility services deposit shall be established for such services in accordance with Section 2-2 above.

SECTION 2-7.8. RIGHT TO SHUT OFF WATER.

The City Choctaw Utilities Authority reserves the right at any time, without notice, to shut off the water supply for repairs, extensions, nonpayment of rates or any other reason, and the City Choctaw Utilities Authority shall not be responsible for any damage, such as bursting boilers supplies by direct pressure, the breaking of any pipes or fixtures, stoppage or interruption of water supply, or for any other damage resulting from the shutting off of water.

SECTION 2-8.9. METERS.

A. All meters put in by the City Choctaw Utilities Authority shall be and remain the property of the City Choctaw Utilities Authority and will not be removed unless the use of the water on the premises is to be entirely stopped or the service connections discontinued. In all cases where meters are lost, injured or broken by carelessness or negligence of the owner or occupant of the premises, they shall be replaced or repaired by or under the direction of the superintendent and the cost charged against the owner or occupant. The City Choctaw Utilities Authority shall be responsible only for the proper functioning and registry of the water meter.

B. No meter shall be removed or in any way disturbed, or the seal broken, except in the presence of and under the direction of the superintendent.

C. All meters shall be read monthly by the Utility Department, and all readings shall be turned over to the Utility Clerk, who shall record and collect for the same.

D. In the event any user shall question the accuracy of any meter and if he shall want the meter tested, such user shall make his requests with the Utility Clerk who shall insure the meter is tested by the utility department.

SECTION 2-9.10. STATEMENTS.
A. A utility billing statement shall be mailed or emailed to each customer for services rendered by the first of each month.

B. The City Manager Executive Director or his designee may administratively adjust, in his discretion and for the purposes of equity, any billing when presented with evidence showing:

(1) A billing was incorrectly charged;
(2) The customer did not actually utilize the service charged; or
(3) A service line broke, which was promptly repaired, though any adjustment arising from such a water loss shall not be adjusted except for sewer only

Any adjustment decision of the City Manager Executive Director or his designee shall be administratively final.

SECTION 2-10.11. PAYMENTS DUE.

A. Charges for utility services are due and payable upon receipt of a bill not later than the fifteenth (15) of each month.

B. A penalty (late payment charge) as set by motion or resolution shall be assessed to the unpaid balance after the due date.

C. Delinquent notices shall be mailed or emailed to all customers with unpaid balances on or before the twentieth (20) of each month.

D. A courtesy notice shall be personally delivered sent to each customer with an unpaid balance, forty-eight (48) hours prior to the actual termination of services as outlined in Section 2-12.13

SECTION 2-11.12. DEFERRED PAYMENT PLAN.

A. Due to economic hardships, a customer may request a deferred payment plan to pay the outstanding delinquent balance on a weekly, twice a month or monthly agreement plan. Upon signing such an agreement, a customer must keep up payments in order to continue to receive services.

B. If the customer fails to make payments as agreed to, the City Manager Executive Director or his designee may upon his option declare the agreement null and void and begin proceedings to terminate services within a reasonable time.

SECTION 2-12.13. TERMINATION OF SERVICE.

A. If a utility bill remains unpaid, in whole or in part, and after service of the required termination notice and the appropriate time period of such notice has expired, and if:

(1) no hearing before the City Manager Executive Director or his designee named in such notice has been requested; or
(2) after such hearing before the City Manager Executive Director or his designee named in such notice has been requested;
then the utility service may be terminated.

B. Utility service which has been terminated pursuant to the provisions of this section shall not be reconnected until all past due utility bills, penalties, and any required deposit have been paid, together with a reconnection charge in an amount as set by motion or resolution.

C. Where utility service is turned off at the request of the customer, a fee in the amount as set by motion or resolution will be charged for turning on and off the water service.

SECTION 2-13.14. APPLICABILITY TO USERS OUTSIDE CORPORATE LIMITS.

Provisions of this Article shall apply equally to persons using the City water supply outside the corporate limits of the City. Service may be discontinued for the violation of the provisions of this Article by an outside customer of the City.

A. The rates and charges for all utility services delivered to customers outside the City limits shall be fixed by Resolution adopted by the Board of Trustees, and approved by Ordinance by the City Council.

ARTICLE III. UTILITY DESIGN AND SPECIFICATIONS

SECTION 3-1. GENERAL UTILITY INSTALLATION SPECIFICATIONS.

A. All water and sewer installation specifications will be in accordance with the City’s Standard Details and the Oklahoma Department of Environmental Quality.

B. No private water connection, whether inside or outside the City limits, shall be made to any waterline directly or indirectly connected with the City water system other than a main constructed to service the premises in question, except by special contract approved by the City Engineer.

C. All plumbing shall be in compliance with the BOCA National Plumbing Code, as adopted by the City. Utility service such as water will be installed to any premises at the closest point to the water main abutting the premises providing, however, that water service can be provided to property only where a water main is located in an easement abutting that property.

SECTION 3-2. WATER LINE AND APPURTENANCES ADJUSTMENTS.

The total cost of moving or adjusting water lines or appurtenances shall be borne by the person or firm requesting the change. All adjustments or changes shall be approved by the City Engineer, Director of Public Works or City Inspector and the work inspected by the same.

SECTION 3-3. WATER FACILITIES DESIGN POLICIES.

All water facilities designed for subdivision development shall be in accordance with the policies outlined in the 1993 Water Study, City’s Standard Details and the Oklahoma Department of Environmental Quality.
SECTION 3-4. SANITARY SEWER SERVICE.

The discharge and treatment of wastewater will be in accordance with Ordinance No. 254 Adopted 9/4/84, Ordinance No. 271 adopted 5/29/85 and Ordinance No. 272 adopted 5/29/85; rules and regulations as adopted from time to time by the Oklahoma Department of Environmental Quality; and the United States Environmental Protection Agency (EPA).

SECTION 3-5. FACILITIES TO BE KEPT IN REPAIR.

The service pipes, connections and other apparatus within any private premises must be kept in good repair and protected from freezing or other conditions at the expense of the owner or lessee, who will be responsible for damage from leaks and any changes or alterations required in the service.

ARTICLE IV. PENALTY

SECTION 4-1. PENALTY FOR ILLEGAL CONNECTION; WASTE PROHIBITED.

A. When fixtures or premises are connected without the application prescribed in the preceding section, such fixtures or premises shall be charged at double the rate for the time they are in use, and the service may be shut off by the superintendent and a charge as set by motion or resolution made for shutting off or turning on the service. In case water is turned off as provided in this section, then the same shall not be reconnected until the bill is paid in full.

B. It shall be unlawful for any person to willfully waste or cause to be wasted any water from the municipal water supply system.

SECTION 4-2. INTERFERENCE WITH SYSTEM.

It shall be unlawful for any person unless authorized by the Director of Public Works or a member of the fire department to open, operate, close, turn off, interfere with, attach any pipe to or hose to, or connect with any fire hydrant, stop valve or stopcock belonging to the City Choctaw Utilities Authority.

ADOPTED and APPROVED by the Board of Trustees of the Choctaw Utilities Authority, Choctaw, Oklahoma, this 23rd day of June, 2020.

CHOCTAW UTILITIES AUTHORITY

ATTEST:  Randy Ross, Mayor

Amanda Valen, City Clerk
AGENDA TITLE: Resolution No. 20-29, amending the Fee Schedule for fiscal year 2020-2021

Report:

The CUA fee schedule for FY 2020-2021 was adopted by Resolution No. 20-19 on June 2, 2020. The following additional changes were made to the Utilities fee schedule:

1. Sewer Tap Fees - Removed
2. Water Meter Connection (Existing Tap) 3/4" and below water meter - $300 (decrease from $800)
3. Water Meter Connection (Existing Tap) 1" water meter - $500 (decrease from $800)
4. Sewer Connection Only (Existing Tap) 4" Sanitary Sewer Tap - $200 (increase from $20)
5. Sewer Connection Only (Existing Tap) 6" and above Sanitary Sewer - $400 (increase from $50)
RESOLUTION NO. 20-29

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
CHOCTAW UTILITIES AUTHORITY, CHOCTAW,
OKLAHOMA, AMENDING THE FEE SCHEDULE FOR
FISCAL YEAR 2020-2021

WHEREAS, modifications have been made to the fee schedule, which is included as part of the 2020-2021 budget; and

WHEREAS, the current fee schedule was adopted by Resolution No. 20-19 on the 2nd day of June, 2020; and

WHEREAS, the following fees pertaining to the Utilities Fees as set forth in the attached Supplement No. 1 are hereby recommended to be amended; and

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees of the Choctaw Utilities Authority, Choctaw, Oklahoma hereby adopts the Utilities Fee Schedule to become effective July 1, 2020

ADOPTED and APPROVED by the Board of Trustees of the Choctaw Utilities Authority, Choctaw, Oklahoma, this 23rd day of June, 2020.

CHOCTAW UTILITIES AUTHORITY

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Randy Ross, Mayor

ATTEST:

_____________________________
Amanda Valent, City Clerk
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<tr>
<td>Water Tap Fees (Includes Meter)</td>
<td>747</td>
<td>6/21/2016</td>
<td>17-106</td>
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<td></td>
<td></td>
<td>$800.00</td>
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<tr>
<td>1&quot; water meter (Short Service)</td>
<td>20-19</td>
<td>7/1/2020</td>
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<tr>
<td>1&quot; water meter (Long Service includes Road Bore)</td>
<td>20-19</td>
<td>7/1/2020</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Cost + 15%</td>
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<tr>
<td>Road Bore across S Hwy 62</td>
<td>20-19</td>
<td>7/1/2020</td>
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<td>Cost + 15%</td>
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<tr>
<td>1 1/2&quot; and above water meter</td>
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<td>Cost + 15%</td>
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<td>Repair fee</td>
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<td>Cost + 15%</td>
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<tr>
<td>Water Connection (Existing Tap)</td>
<td>747</td>
<td>6/21/2016</td>
<td>17-106</td>
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<td>$800.00</td>
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<td>3/4&quot; and below Water Meter</td>
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<td>1&quot; water meter</td>
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<td>1 1/2&quot; and above Water Meter</td>
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<td>Repair fee</td>
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<td>Cost + 15%</td>
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<tr>
<td>Sewer Connection Only (Existing Tap)</td>
<td>747</td>
<td>6/21/2016</td>
<td>17-151</td>
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<td>4&quot; Sanitary Sewer Tap</td>
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<tr>
<td>6&quot; and above Sanitary Sewer</td>
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<td>Cost + 15%</td>
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<tr>
<td>6&quot; and above Sanitary Sewer (if Manhole Required)</td>
<td>20-19</td>
<td>7/4/2020</td>
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<td>Cost + 15%</td>
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<td>Deposit Fees</td>
<td>654</td>
<td>10/28/2008</td>
<td>17-504</td>
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<tr>
<td>Residential Water &amp; Sewer</td>
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<td>Renter</td>
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<td>Residential Sewer Only</td>
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Utilities
### City of Choctaw - Choctaw Utilities Authority

#### FY 2021 Fee Schedule

<table>
<thead>
<tr>
<th>Utility Fees:</th>
<th>Resolution</th>
<th>Effective Date</th>
<th>Ordinance</th>
<th>Effective Date</th>
<th>Choctaw Municipal Code</th>
<th>State Statute</th>
<th>Fee Amount</th>
<th>Amended Fee</th>
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<tbody>
<tr>
<td>Homeowner</td>
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<td>Renter</td>
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<td>Commercial Water &amp; Sewer</td>
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<td>Cleaning rental property per service</td>
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<td><strong>Penalty Fees</strong></td>
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<tr>
<td>Unpaid after the 15th day of the month</td>
<td>691</td>
<td>12/18/2012</td>
<td>17-506 A</td>
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<td><strong>Disconnect</strong></td>
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<td>Request during business hours</td>
<td>691</td>
<td>12/18/2012</td>
<td>17-506 A</td>
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<td>Request after business hours</td>
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<td>Non-payment during business hours</td>
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<td>Non-payment after business hours</td>
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<td>Delivery charge for door hangers</td>
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<td><strong>Reconnect</strong></td>
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<td><strong>Transfer Fees</strong></td>
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<td>Request during business hours</td>
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<td>Non-payment after business hours</td>
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<td>Delivery charge for door hangers</td>
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<td><strong>DEQ Surcharge (State law)</strong></td>
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<td>Per Service per month</td>
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<td><strong>Stormwater Fees (Federal-EPA)</strong></td>
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<td>Stormwater fee per property per month</td>
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<td>Drainage fee per property per month</td>
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<td>Unpaid after balance is greater than $10.00</td>
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<td><strong>Solid Waste Fees (Waste Connection)</strong></td>
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<td>4/21/1992</td>
<td>17-214</td>
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<td>Residential disposal fee with 1 poly cart</td>
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<td>Senior Citizen disposal fee with 1 poly cart</td>
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<td>Additional poly cart</td>
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<td>Deposit fee for 1st poly cart for homeowner</td>
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<td>$30.00</td>
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<td>Deposit fee for 1st poly cart for renter</td>
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<td>$50.00</td>
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<td>Deposit fee for each additional poly cart</td>
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<td>Non-refundable set-up fee</td>
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<td>Unpaid after the 15th day of the month</td>
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<tr>
<td>Bulk Waste Over 3CYD</td>
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<td>Bulk Waste - Yard Waste - Loose/Unbundled</td>
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<td>$30.00</td>
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Utilities
## City of Choctaw - Choctaw Utilities Authority
### FY 2021 Fee Schedule

<table>
<thead>
<tr>
<th>Utility Fees:</th>
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<th>Choctaw Municipal Code</th>
<th>State Statute</th>
<th>Fee Amount</th>
<th>Amended</th>
<th>Amended Fee</th>
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<tbody>
<tr>
<td>Loose/Unbundled Over 3CYD</td>
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<td>$30.00</td>
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<td>+$15.00 pr yd</td>
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**Amendment History:**
- Res 19-33, Adopted 9/16/2019: Added fees for Bulk Waste Collection (Over 3CYD and Unbundled Waste)
- Res 20-19, Adopted 6/2/2020: Amended Water Tap Fees and Sewer Connection Fees

Utilities
In accordance with Senate bill 661, which temporarily modified the Open Meeting Act as approved by Governor Stitt on March 18, 2020, the Choctaw City Council hosted a virtual meeting option for the Regular Meeting of the City Council/Board of Trustees on May 19, 2020 at 6:30pm using the following options:

Teleconference dial in number: +1 301 715 8592
Conference ID: 816 6825 9882
Meeting Password: 985820

Join Meeting:
https://us02web.zoom.us/j/81668259882?pwd=elZIOFZOS0lLTm5JS0VobGxTN3JLUT09

1. Call to Order @ 6:30pm

7 Present: Chad Williams (teleconference);
           Mike Birdsong (teleconference);
           Jeannie Abts;
           Roger Malone @ 6:35pm;
           Steve Krieske;
           Dale Gill (teleconference);
           Randy Ross

0 Absent: None

Staff Present: Ed Brown, City Manager/Executive Director;
               Ray Vincent/City Attorney; Lira Deer/HR Director (teleconference); Kelly Marshall/Chief of Police (teleconference); Amanda Valent/City Clerk; Guy Henson/Development Services Director; Tanner McGuire/Park & Recreation Director (teleconference); Tracy Jordan/Director of Finance (teleconference); Randy Jacox (teleconference)

2. Business Agenda: The following items are hereby designated for discussion only.

2.1 Staff briefing and clarification on agenda items.
City Manager/Executive Director briefed the City Council/Board of Trustees on each agenda item and answered any questions.

2.2 Staff briefing on current and upcoming projects and/or issues relating to the City and CUA.

City Manager/Executive Director briefed Council/Board on current and upcoming projects and or issues relating to the City.

3. Adjournment:  
   Called @ 7:02 pm.

CHOCTAW UTILITIES AUTHORITY

__________________________________________
Randy Ross, Mayor

ATTEST:

__________________________________________
Amanda Valent, City Clerk
MINUTES

In accordance with Senate bill 661, which temporarily modified the Open Meeting Act as approved by Governor Stitt on March 18, 2020, the Choctaw City Council hosted a virtual meeting option for the Regular Meeting of the City Council/Board of Trustees on June 2, 2020 at 6:30pm using the following options:

Teleconference dial in number:  +1 301 715 8592
Conference ID: 815 5320 8126
Meeting Password: 320916
Join Meeting:
https://us02web.zoom.us/j/81553208126?pwd=NklheWxPOVdqZmh4WXpuZnh6RjNDdz09

1. Call to Order by Chairman @ 7:58pm.
2. Roll Call:
   7 Present: Chad William; Mike Birdsong; Jeannie Abts; Roger Malone; Steve Krieske; Dale Gill; Randy Ross
   0 Absent: None

Staff Present: Ed Brown, City Manager/Executive Director; Ray Vincent/City Attorney; Lira Deer/HR Director (teleconference); Kelly Marshall/Chief of Police (teleconference); Amanda Valent/City Clerk; Tanner McGuire/Park & Recreation Director; Tracy Jordan/Director of Finance; Chanell Easton/Communication Specialist

3. Public Comments: This agenda item is for public comments on utility related non-agenda items. Preference will be given to Choctaw Citizens and NO formal action will be taken. Speakers are limited to 3 minutes for a total of 15 minutes.

None.
4. **Business Agenda:** The following items are hereby designated for discussion and consideration which requires individual action.

   
   A. **Open public hearing – 7:59pm**
   
   B. **Receive Comments**
   
   C. **Close public hearing – 7:59pm**
   
   D. Resolution No. 20-17, approving the Choctaw Utilities Authority, Choctaw, Oklahoma budget for Fiscal Year 2020-2021 beginning July 1, 2020 and ending June 30, 2021 and establishing budget amendment authority.

   **MOTION BY Roger Malone and SECOND BY Mike Birdsong to approve Resolution No. 20-17 as presented.**

   **MOTION CARRIED:**
   
   7  Ayes:  Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
   
   0  Nays:  None
   
   0  Absent:  None
   
   0  Abstain:  None

4.2 Resolution No. 20-19, adopting the Choctaw Utilities Authority (CUA) Fee Schedule for fiscal year 2020-2021.

   **MOTION BY Roger Malone and SECOND BY Chad Williams to approve Resolution No. 20-19 with the correction of the scrivener error on the Utility Fee Schedule.**

   **MOTION CARRIED:**
   
   7  Ayes:  Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
   
   0  Nays:  None
   
   0  Absent:  None
   
   0  Abstain:  None

4.3 Street Improvement Agreement between Abel O. Wills and Kimberly D. Uselton and the Choctaw Utilities Authority for the installation of a cul-de-sac located at 2246 West Circle Drive.
MOTION BY Steve Krieske and SECOND BY Chad Williams to deny the agreement.

MOTION TO DENY THE AGREEMENT:
7  Ayes:  Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross  
0  Nays:  None  
0  Absent:  None  
0  Abstain:  None

4.4 Annual Household Hazardous Waste Disposal Agreement between the City of Choctaw and the Midwest City Municipal Authority for FY 2020-2021.

MOTION BY Dale Gill and SECOND BY Mike Birdsong to approve the agreement as presented.

MOTION CARRIED:
7  Ayes:  Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross  
0  Nays:  None  
0  Absent:  None  
0  Abstain:  None

5. Consent Agenda: The following items are hereby designated for routine approval, acceptance or acknowledgment by one motion, subject to any conditions included therein. If any item does not meet with the approval of all members, that item will be heard in regular order.

5.1 Regular Pre-Meeting minutes for 05-19-20  
5.2 Regular Meeting minutes for 05-19-20  
5.3 Vouchers and Claims as approved by the Executive Director:  
1.  05-15 Credit Cards:  $ 3,109.59  
2.  05-21 Claims:  $ 13,218.68  
3.  05-22 Credit Cards:  $ 360.09  
4.  05-28 Claims:  $ 75,650.70  
5.4 Bi-weekly payroll in the amount of:  
1.  05-22 Payroll:  $ 21,831.63  
2.  06-05 Payroll:  $ 25,000.00  

MOTION BY Steve Krieske and SECOND BY Jeannie Abts to approve the Consent Agenda as presented.
MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

6. New Business: This item is listed to provide the opportunity for trustee discussion on items which may arise within twenty-four (24) hours prior to this meeting, and therefore, qualify as new business under the Oklahoma Open Meeting Act.

None.

7. Trustee/Staff Remarks: This item is listed to provide an opportunity for the trustees and/or staff to make comments and/or request specific agenda items. No action will be taken.

7.1 Board of Trustees;
7.2 Trust Attorney;
7.3 Executive Director; and
7.4 Project Updates

None.

The meeting recessed at 8:04pm.

*******************************************************************************

The meeting reconvened at 8:04pm.

7 Present: Chad William; Mike Birdsong; Jeannie Abts; Roger Malone; Steve Krieske; Dale Gill; Randy Ross
0 Absent: None

8. Proposed Executive Session: An executive session will be held if found to be in accordance with the State Law referenced below, to wit:

8.1 Discussing the employment, hiring, appointment, promotion, demotion disciplining or resignation of any individual salaried public officer or employee,
concerning the City Manager performance evaluation. [Authorized by Title 25 O.S. Section 307(B)(1)].

MOTION BY Chad Williams and SECOND BY Steve Krieske to enter into executive session in accordance with Title 25 O.S. Section 307(B)(1), concerning the City Manager performance evaluation.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

The meeting entered executive session at 8:04pm.

******************************************************************************

The meeting entered open session at 8:33pm.

7 Present: Chad William; Mike Birdsong; Jeannie Abts;
Roger Malone; Steve Krieske; Dale Gill;
Randy Ross
0 Absent: None

MOTION BY Dale Gill and SECOND BY Steve Krieske to approve the City Manager Agreement.

MOTION CARRIED:
7 Ayes: Williams, Birdsong, Abts, Malone, Krieske, Gill, Ross
0 Nays: None
0 Absent: None
0 Abstain: None

9. Adjournment:
Adjourned @ 8:35pm.

CHOCTAW UTILITIES AUTHORITY

ATTEST:

_____________________________
Randy Ross, Chairman

Amanda Valent, City Clerk
<table>
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<tr>
<th>Item</th>
<th>Description</th>
<th>Date</th>
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**Total:**

- Fuel Water: $123,456.78
- Service: $9,876.54

**Note:**

- All transactions are in USD.
- CUA refers to the vendor's account number.
- Item Amounts are in dollars.

**Accounting Inquiry:**

- Item: Fuel Water
- Vendor: CUA
- Date: 6/8/209
- Amount: $123,456.78

**Vendor Inquiry:**

- Item: Service
- Vendor: CUA
- Date: 6/8/209
- Amount: $9,876.54
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Report Total: 13.7500
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Vendor: Choclaw, OK
Receipt Register - Ab bridged - For Council packet
Receipts Total: 756.72

Note: The table contains information about various items and their corresponding amounts, descriptions, and dates.
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<td>WW/plant construction</td>
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<td>06/12/2020</td>
<td>WW/plant construction</td>
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**Vendor Details:**
- **Vendor:** Chotaw, OK
- **Purchase Order:** 021060-021057
- **Purchase Order:** 021060-021057
- **Purchase Order:** 021060-021057

**Account Information:**
- **Account:** 0406-021057
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- **Account:** 0406-021057
- **Account:** 0406-021057
- **Account:** 0406-021057

**Vendor Information:**
- **Vendor:** Chotaw, OK
- **Vendor:** Chotaw, OK
- **Vendor:** Chotaw, OK
- **Vendor:** Chotaw, OK
- **Vendor:** Chotaw, OK
PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Ryan and Kelli James, 4956 N Vargas Road, Choctaw, OK 73020, herein after referred to as Grantor, for and in consideration of One Dollar ($1.00) cash in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, from THE CITY OF CHOCTAW (a Municipal Corporation)- CHOCTAW UTILITIES AUTHORITY, (a public trust), P O Box 567, Choctaw, Ok 73020, created and existing under and by virtue of the laws of the State of Oklahoma, hereinafter referred to as Grantee, does hereby assign, grant, and convey unto said Grantee, a perpetual utility, roadway easement and right-of-way over, through, under, and across the following described real property situated in Oklahoma County, State of Oklahoma, to-wit:

A part of the Northwest Quarter (NW/4) of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Fourteen (14), Township Twelve (12) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter (NW/4) of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Fourteen (14), thence S00°28’25”W along the West line of the NW/4, NE/4, NW/4 a distance of 33.00 feet to the POINT OF BEGINNING; thence continuing S00°28’25”W a distance of 17.00 feet; N89°30’30”E and parallel with the North line of the NW/4 distance of 322.15 feet; thence N00°23’56”E a distance of 17.00 feet; thence S89°30’30”W a distance of 322.13 feet to the point of beginning.

with the right of ingress and egress to and from the same, for the purpose of constructing, operating, and maintaining roadway and other public utilities as may be necessary from time to time, and affording the Grantee, its successors, assigns, officers, agents, employees and any and all persons under contract with it, the right to enter upon said premises and strip of land for the purpose of surveying, constructing, operating, repairing, inspecting, and maintaining said public roadway and other public utilities and their appurtenances and systems.

The Grantor and Grantee agree and understand that a portion of said consideration given, granted and received above recited shall constitute payment in full to Grantor for all damages to the said property or any other property, both real or personal, on account of laying, maintaining, constructing or operation of the said public roadway and other public utilities and any of its appurtenances, extensions, repairs or maintenance.

TO HAVE AND HOLD SUCH easements and right-of-way above described unto THE CITY OF CHOCTAW (a Municipal Corporation)/CHOCTAW UTILITIES AUTHORITY (a public trust), its successors or assigns.

DATED this ____________ day of ____________________, 2020
STATE OF OKLAHOMA       )
COUNTY OF OKLAHOMA     ) SS:

Before me, the undersigned, a Notary Public, in and for the State and County aforesaid, on this ___ day of ______________, 20____, personally Ryan and Kelli James to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that they executed the same as the free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

(Seal)       Notary Public

My commission expires: ______

When recorded return to: City of Choctaw, Attn: Amanda Valent, P O Box 567, Choctaw, OK 73020
PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, Jim and Nancy Cox, 318 S Czech Hall Road, Mustang OK 73064, herein after referred to as Grantor, for and in consideration of One Dollar ($1.00) cash in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, from THE CITY OF CHOCTAW (a Municipal Corporation)- CHOCTAW UTILITIES AUTHORITY, (a public trust), P O Box 567, Choctaw, Ok 73020, created and existing under and by virtue of the laws of the State of Oklahoma, hereinafter referred to as Grantee, does hereby assign, grant, and convey unto said Grantee, a perpetual utility, roadway easement and right-of-way over, through, under, and across the following described real property situated in Oklahoma County, State of Oklahoma, to-wit:

See Exhibit A

(610 and 616 S. Anderson Road, Choctaw OK 73020)

with the right of ingress and egress to and from the same, for the purpose of constructing, operating, and maintaining roadway and other public utilities as may be necessary from time to time, and affording the Grantee, its successors, assigns, officers, agents, employees and any and all persons under contract with it, the right to enter upon said premises and strip of land for the purpose of surveying, constructing, operating, repairing, inspecting, and maintaining said public roadway and other public utilities and their appurtenances and systems.

The Grantor and Grantee agree and understand that a portion of said consideration given, granted and received above recited shall constitute payment in full to Grantor for all damages to the said property or any other property, both real or personal, on account of laying, maintaining, constructing or operation of the said public roadway and other public utilities and any of its appurtenances, extensions, repairs or maintenance.

TO HAVE AND HOLD SUCH easements and right-of-way above described unto THE CITY OF CHOCTAW (a Municipal Corporation)/CHOCTAW UTILITIES AUTHORITY (a public trust), its successors or assigns.

DATED this __________ day of __________________, 2020

_________________________________  _________________________________________
Jim Cox                                 Nancy Cox
ACKNOWLEDGMENT

STATE OF OKLAHOMA       )
) SS:
COUNTY OF OKLAHOMA      )

Before me, the undersigned, a Notary Public, in and for the State and County aforesaid, on this ____ day
of __________________, 20____, personally Jim and Nancy Cox to me known to be the identical person(s)
who executed the within and foregoing instrument and acknowledged to me that they executed the same
as the free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and seal the day and year last above written.

(Seal)       Notary Public

My commission expires:_____

When recorded return to: City of Choctaw, Attn: Amanda Valent, P O Box 567, Choctaw, OK 73020
Exhibit "A"
17' Roadway & Utility Easement
A Part of the NW/4 of Section 4
T 11 N, R 1 W IM,
Oklahoma County, Oklahoma,
Project No. 4616.12

A 17' Roadway and Utility Easement in favor of the City of Choctaw, being a part of the South Half (S/2) of the North Half (N/2) of the Southwest Quarter (SW/4) of the Northwest Quarter (NW/4) of Section Four (4), Township Eleven (11) North, Range One (1) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described by Curtis Lee Hale, LS 1084 on February 24, 2020, with metes and bounds as follows:

Commencing at the Northwest corner of said NW/4;
Thence South 00°41'14" East as the Basis of Bearing on the West line of said NW/4 a distance of 1500.31 feet to the Northwest corner of the N/2 S/2 N/2 SW/4 of said NW/4;
Thence South 89°29'46" East a distance of 33.00 feet to the Point of Beginning, said point being on the East Statutory Right-of-Way line of South Anderson Road:

Thence continuing South 89°29'46" East a distance of 17.00 feet;
Thence South 00°41'14" East and parallel to the West line of said NW/4 a distance of 330.45 feet to a point on the South line of the S/2 S/2 N/2 SW/4 of said NW/4;
Thence North 89°30'38" West on said South line a distance of 17.00 feet to the East Statutory Right-of-Way line of South Anderson Road;
Thence North 00°41'14" West on said East Statutory Right-of-Way line and parallel to the West line of said NW/4 a distance of 330.46 feet to the Point of Beginning.

This description contains 5,618 square feet or 0.13 acres, more or less.

Curtis Lee Hale, LS 1084
Date 2-24-20

Certification of Authorization 819
Expires: June 30, 2021

Hale & Associates Survey Company, Inc.
P.O. Box 891747
Oklahoma City, OK 73189-1747

Tel.: (405) 686-0174 Fax: (405) 681-4881
www.halesurvey.com