

Choctaw Utilities Authority
Regular Board of Trustees Meeting No. 20
August 2, 2022 @ 7:00pm or Immediately
Following the City Council Meeting
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

1. **Call to Order.**
2. **Roll Call.**
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. **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.
 - 4.1 Regular Pre-Meeting minutes for 07-19-22
(Requested by City Clerk, Amanda Williams)
 - 4.2 Regular Meeting minutes for 07-19-22
(Requested by City Clerk, Amanda Williams)
 - 4.3 Vouchers and Claims as approved by the Executive Director:
 1. 07-21 Claims: \$ 3,208.12
 2. 07-21 Claims: \$ 65,882.04*(Requested by Finance Director, Melinda Lloyd)*
 - 4.4 Accept Maintenance Bond for the Water Line for Domino Express – Bond 9406666.
(Requested by Public Works Director, Randy Jacox)
 - 4.5 Accept Maintenance Bond for the Sewer Line for Domino Express – Bond 9406667.
(Requested by Public Works Director, Randy Jacox)

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

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 5:00 pm on July 29, 2022, in accordance with the Oklahoma Open Meeting Act.



Amanda Williams, City Clerk

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

City of Choctaw and Choctaw Utilities Authority
Regular Pre-Meeting of the City Council/Board of Trustees No. 20
July 19, 2022 @ 6:30pm
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020

MINUTES

1. Call to Order @ 6:33 pm

Roll Call:

5 Present: Chad Williams; Jeannie Abts; Donna Morris; Rick Modisette; Randy Ross

2 Absent: Brent Pendergraft; Steve Krieske

Staff Present: Brian Linley/City Manager; Amanda Williams/City Clerk; Lira Deer/Human Resources Director; Ray Vincent/City Attorney; Stuart Drake/Parks & Recreation Director; Purvi Patel/Development Services Director; Randy Jacox/Public Works Director; Loren Bumgarner/Fire Chief; Kerry Williams/Assistant Fire Chief; Kelly Marshall/Police Chief; Sarah Huffine/City Planner

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

**4. Adjournment:
Called @ 7:00 pm.**

ATTEST:

CHOCTAW UTILITIES AUTHORITY

Amanda Williams, City Clerk

Randy Ross, Chairman

**Choctaw Utilities Authority
Regular Board of Trustees Meeting No. 20
July 19, 2022 @ 7:00pm or Immediately
Following the City Council Meeting
Choctaw City Hall, 2500 N Choctaw Road
Choctaw, Oklahoma 73020**

MINUTES

1. Call to Order by **Chairman @ 7:17 pm.**

2. **Roll Call:**
 - 5 **Present:** **Chad Williams; Jeannie Abts; Donna Morris; Rick Modisette; Randy Ross**
 - 2 **Absent:** **Brent Pendergraft; Steve Krieske**

Staff Present: **Brian Linley/City Manager; Amanda Williams/City Clerk; Lira Deer/Human Resources Director; Ray Vincent/City Attorney; Stuart Drake/Parks & Recreation Director; Purvi Patel/Development Services Director; Randy Jacox/Public Works Director; Loren Bumgarner/Fire Chief; Kerry Williams/Assistant Fire Chief; Kelly Marshall/Police Chief; Sarah Huffine/City Planner**

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. **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.
 - 4.1 Regular Pre-Meeting minutes for 07-05-22
(Requested by City Clerk, Amanda Williams)
 - 4.2 Regular Meeting minutes for 07-05-22

(Requested by City Clerk, Amanda Williams)

4.3 Vouchers and Claims as approved by the Executive Director:

1. 06-30 Claims: \$ 290,155.41
2. 07-01 Refunds: \$ 480.45
3. 07-07 Claims: \$ 11,539.59
4. 07-07 Claims: \$ 32,963.68
5. 07-11 Credit Cards: \$ 427.51
6. 07-14 Claims: \$ 11,869.88
7. 07-14 Claims: \$ 2,018.97

(Requested by Assistant Finance Director, Tina Rodriguez)

MOTION BY Chad Williams and SECOND BY Rick Modisette to approve the consent agenda as presented.

MOTION CARRIED:

5 Ayes: Williams, Abts, Morris, Modisette, Ross
0 Nays: None
2 Absent: Pendergraft, Krieske
0 Abstain: None

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

- 5.1** Resolution No. 22-21, amending the Fee Schedule for fiscal year 2022-2023.
(Requested by Public Works Director, Randy Jacox)

MOTION BY Donna Morris and SECOND BY Chad Williams to pass and adopt Resolution No. 22-21.

MOTION CARRIED:

5 Ayes: Williams, Abts, Morris, Modisette, Ross
0 Nays: None
2 Absent: Pendergraft, Krieske
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

8. Adjournment:

Adjourned @ 7:19 pm.

CHOCTAW UTILITIES AUTHORITY

ATTEST:

Randy Ross, Chairman

Amanda Williams, City Clerk



Choctaw, OK

Receipt Register - Abridged - for Council packet

POPKT01615 - 07/21/22 CUA CLAIMS FYE22

Vendor	Purchase Order	Invoice	Bank Code	Post Date	Description:	Account	Vendor Amount Item Amount
<u>CUA: 011263 - CINTAS CORPORATION</u>							56.40
	REQ11248	5082535766	CUA AP	07/21/2022	safety cabinet restock	61-810-622500 - SMALL TOOLS & MINOR EQUIPMENT	56.40
<u>CUA: 000200 - CITY OF MIDWEST CITY</u>							1,865.00
	REQ11194	16380	CUA AP	07/21/2022	Household Hazardous Waste - June 2022	61-680-634500 - CONTRACTUAL SERVICES	1,865.00
<u>CUA: 01893 - METRON FARNIER, LLC</u>							400.00
	REQ10928	220832	CUA AP	07/21/2022	Tablet for meter installations	61-810-622000 - REPAIR & MAINTENANCE SUPPLIES	400.00
<u>CUA: 000544 - NICOMA PARK LUMBER CO</u>							1.92
	REQ10289	110437182	CUA AP	07/21/2022	screws and drill bit	61-910-622000 - REPAIR & MAINTENANCE SUPPLIES	1.92
<u>CUA: 01159 - S & S STAFFING</u>							884.80
	REQ11201	0500005684	CUA AP	07/21/2022	SEASONAL EMPLOYMENT	67-670-611100 - GROSS SALARIES	884.80
Report Total:							3,208.12

Ben & Lily 7-22-22
APPROVED



Choctaw, OK

Receipt Register - Abridged - for Council packet

POPKT01616 - 07/21/22 CUA CLAIMS

Vendor	Purchase Order	Invoice	Bank Code	Post Date	Description:	Account	Vendor Amount Item Amount
<u>CUA: 010756 - ADT SECURITY SERVICES</u>							233.46
	REQ11245	7219498 JUL 22	CUA AP	07/21/2022	Security System Bill	67-670-631000 - UTILITIES	233.46
<u>CUA: 000078 - ASSOCIATION OF CENTRAL</u>							1,811.00
	REQ11205	7600	CUA AP	07/21/2022	ACOG ASSESSMENT FOR FY-23	61-810-633000 - PROFESSIONAL SERVICES	1,811.00
<u>CUA: 01945 - CENTRAL OKLAHOMA STORMWATER ALLIANCE INC</u>							600.00
	REQ11195	162	CUA AP	07/21/2022	COSWA 2022-2023 MEMBERSHIP	61-680-634000 - TRAVEL & TRAINING	600.00
<u>CUA: 011263 - CINTAS CORPORATION</u>							508.32
	REQ11249	4125022106	CUA AP	07/21/2022	Cleaning Bill	67-670-634500 - CONTRACTUAL SERVICES	389.57
	REQ11259	4125761580	CUA AP	07/21/2022	Cleaning bill	67-670-634500 - CONTRACTUAL SERVICES	51.68
	REQ11260	4125761413	CUA AP	07/21/2022	Cleaning bill	67-670-634500 - CONTRACTUAL SERVICES	67.07
<u>CUA: 000216 - COMTEC ELECTRONIC SYSTEMS INC</u>							90.00
	REQ11228	269712	CUA AP	07/21/2022	comtec security	61-910-631000 - UTILITY SERVICES	90.00
<u>CUA: 01017 - HEALTH CARE SERVICE CORPORATION</u>							13,181.78
	REQ11273	0000894039 AUG 22	CUA AP	07/21/2022	HEALTH INSURANCE	61-680-634600 - HEALTH INSURANCE	1,535.28
					HEALTH INSURANCE	61-810-634600 - HEALTH INSURANCE	4,119.49
					HEALTH INSURANCE	61-900-634600 - HEALTH INSURANCE	4,140.46
					HEALTH INSURANCE	61-910-634600 - HEALTH INSURANCE	1,991.34
					HEALTH INSURANCE	67-670-634600 - HEALTH INSURANCE	1,395.21
<u>CUA: 01018 - MUTUAL OF OMAHA</u>							644.84
	REQ11280	001390225721	CUA AP	07/21/2022	LIFE INSURANCE	61-680-634600 - HEALTH INSURANCE	20.25
					LIFE INSURANCE	61-810-634600 - HEALTH INSURANCE	454.66
					LIFE INSURANCE	61-900-634600 - HEALTH INSURANCE	70.87
					LIFE INSURANCE	61-910-634600 - HEALTH INSURANCE	78.68
					LIFE INSURANCE	67-670-634600 - HEALTH INSURANCE	20.38
<u>CUA: 000544 - NICOMA PARK LUMBER CO</u>							35.75
	REQ11193	I10439069	CUA AP	07/21/2022	fittings for air hose	61-810-622000 - REPAIR & MAINTENANCE SUPPLIES	5.77
	REQ11218	I10439633	CUA AP	07/21/2022	1 1/4 pvc pipe for main line break on Maupin	61-810-622000 - REPAIR & MAINTENANCE SUPPLIES	29.98
<u>CUA: 000552 - O G & E ELECTRIC SERVICES</u>							12,242.14
	REQ11224	131488496-4 JUL 22	CUA AP	07/21/2022	June electric bill	61-910-631000 - UTILITY SERVICES	7,104.43

Receipt Register - Abridged - for Council packet

POPKT01616 - 07/21/22 CUA CLAIMS

Vendor	Purchase Order	Invoice	Bank Code	Post Date	Description:	Account	Vendor Amount Item Amount
<u>CUA: 000552 - O G & F ELECTRIC SERVICES</u>							12,242.14
	REQ11226	131431463-2 JUL 22	CUA AP	07/21/2022	wells	61-810-631000 - UTILITY SERVICES	50.60
		35965502-4 JUL 22	CUA AP	07/21/2022	wells	61-810-631000 - UTILITY SERVICES	5,087.11
<u>CUA: 01465 - OKLAHOMA MUNICIPAL ASSURANCE</u>							17,398.01
	REQ11207	WCV140005607 #1 22-	CUA AP	07/21/2022	WORKMANS COMP INSURANCE PREMIUM	61-680-634602 - WORKERS COMP INSURANCE	862.06
					WORKMANS COMP INSURANCE PREMIUM	61-810-634602 - WORKERS COMP INSURANCE	8,885.90
					WORKMANS COMP INSURANCE PREMIUM	61-900-634602 - WORKERS COMP INSURANCE	3,869.90
					WORKMANS COMP INSURANCE PREMIUM	61-910-634602 - WORKERS COMP INSURANCE	2,580.79
					WORKMANS COMP INSURANCE PREMIUM	67-670-634602 - WORKERS COMP INSURANCE	1,199.36
<u>CUA: 01550 - QMUSA</u>							225.00
	REQ11268	03-10366	CUA AP	07/21/2022	DRUG & ALCOHOL TESTING	61-810-634500 - CONTRACTUAL SERVICES	112.50
					DRUG & ALCOHOL TESTING	61-900-634500 - CONTRACTUAL SERVICES	37.50
					DRUG & ALCOHOL TESTING	61-910-634500 - CONTRACTUAL SERVICE	37.50
					DRUG & ALCOHOL TESTING	67-670-621002 - OPERATING SUPPLIES: CONCESSIONS	37.50
<u>CUA: 000558 - O'REILLY AUTOMOTIVE STORES</u>							54.22
	REQ11011	0328-366337	CUA AP	07/21/2022	Battery for generator	67-670-621500 - FLEET PARTS & SUPPLIES	54.22
<u>CUA: 000636 - PIONEER SUPPLY</u>							1,168.20
	REQ11116	INV26855	CUA AP	07/21/2022	water meters 5/8 X 3/4	61-810-622000 - REPAIR & MAINTENANCE SUPPLIES	1,168.20
<u>CUA: 000644 - POSTMASTER</u>							12,500.00
	REQ11162	JUL 22 POSTAGE DEP	CUA AP	07/21/2022	POSTAGE FOR UTILITY BILLS	61-680-633500 - POSTAGE & METER SERVICE	6,250.00
					POSTAGE FOR UTILITY BILLS	61-690-633500 - POSTAGE & METER SERVICE	6,250.00
<u>CUA: 01415 - TDS INTERNET SERVICE</u>							316.42
	REQ11238	405-390-0514 JUL 22	CUA AP	07/21/2022	internet & phone for wwtp	61-910-631000 - UTILITY SERVICES	316.42
<u>CUA: 011220 - TYLER PEST SOLUTION LLC</u>							60.00
	REQ11261	14722	CUA AP	07/21/2022	Bug Control Bill	67-670-634500 - CONTRACTUAL SERVICES	60.00
<u>CUA: 01021 - VISION SERVICE PLAN</u>							263.75
	REQ11283	815657612	CUA AP	07/21/2022	VISION INSURANCE	61-680-634600 - HEALTH INSURANCE	29.72
					VISION INSURANCE	61-810-634600 - HEALTH INSURANCE	81.65
					VISION INSURANCE	61-900-634600 - HEALTH INSURANCE	77.50
					VISION INSURANCE	61-910-634600 - HEALTH INSURANCE	41.01
					VISION INSURANCE	67-670-634600 - HEALTH INSURANCE	33.87

Receipt Register - Abridged - for Council packet

POPKT01616 - 07/21/22 CUA CLAIMS

Vendor						Vendor Amount
Purchase Order	Invoice	Bank Code	Post Date	Description:	Account	Item Amount
<u>CUA: 010090 - WASTE CONNECTIONS OF OKLAHOMA</u>						
REQ11221	2624573V013	CUA AP	07/21/2022	sludge haul for june	61-910-634501 - SLUDGE REMOVAL	4,549.15
						4,549.15
						Report Total: 65,882.04

Brian E Luby 7-22-22
APPROVED

MAINTENANCE BOND

Bond Number 9406666

KNOW ALL MEN BY THESE PRESENTS, That we **Cimarron Construction Company**

as Principal, and Fidelity and Deposit Company of Maryland as Surety, are held and firmly bound unto **The City of Choctaw** as Obligee, in the penal sum of Eighty-four Thousand One Hundred Thirty & 00/100 (\$84,130.00)

to which payment well and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assign jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a contract with the Obligee dated June 1, 2022 for Water Line for Domino Express

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to guarantee for the period of 2 year(s) after approval of the final estimate on said job, by the owner, against all defects in workmanship and materials which may become apparent during said period, and

WHEREAS, the said contract has been completed, and was approved on

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of 2 year(s) from and after completion of contract then this obligation shall be void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED THIS 7th **DAY OF** June, 2022 .



Principal: Cimarron Construction Company

By: Chris McHenry Sec. Title

Surety: Fidelity and Deposit Company of Maryland

(seal)

By: Deborah L Raper Deborah L Raper Attorney-in-Fact

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Clayton HOWELL, Vicki WILSON, Robert JENSEN, Austin K. GREENHAW, J. Kelly DEER, Shelli R. SAMSEL, Travis E. BROWN, Jamie BURRIS, Vaughn P. GRAHAM, Vaughn P. Graham, Jr., Stephen M. POLEMAN, Deborah L. RAPER, Dwight A. PILGRIM, Gary LILES, Randy D. WEBB, Bobby Joe YOUNG, Aaron WOOLSEY, Carey L. KENNEMER and Cathy COMBS, all of Oklahoma City, Oklahoma**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 26th day of September, A.D. 2019.



**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 26th day of September, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn

Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 7th day of June, 2022.



Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577

MAINTENANCE BOND

Bond Number 9406667

KNOW ALL MEN BY THESE PRESENTS, That we **Cimarron Construction Company**

as Principal, and Fidelity and Deposit Company of Maryland as Surety, are held and firmly bound unto **The City of Choctaw** as Obligee, in the penal sum of **Forty-seven Thousand Six Hundred Ninety-five & 00/100** (**\$47,695.00**)

to which payment well and truly to be made we do bind ourselves, our and each of our heirs, executors, administrators, successors and assign jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a contract with the Obligee dated June 1, 2022 for **Sewer Line for Domino Express**

WHEREAS, said contract provides that the Principal will furnish a bond conditioned to guarantee for the period of 2 year(s) after approval of the final estimate on said job, by the owner, against all defects in workmanship and materials which may become apparent during said period, and

WHEREAS, the said contract has been completed, and was approved on

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which become apparent during the period of 2 year(s) from and after completion of contract then this obligation shall be void, otherwise to remain in full force and effect.

SIGNED, SEALED AND DATED THIS 7th **DAY OF** June, 2022

Principal: Cimarron Construction Company



(seal)

By: Chris McHenry Sec. Title

Surety: Fidelity and Deposit Company of Maryland

By: Deborah L Raper Deborah L Raper Attorney-in-Fact

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by **Robert D. Murray, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Clayton HOWELL, Vicki WILSON, Robert JENSEN, Austin K. GREENHAW, J. Kelly DEER, Shelli R. SAMSEL, Travis E. BROWN, Jamie BURRIS, Vaughn P. GRAHAM, Vaughn P. Graham, Jr., Stephen M. POLEMAN, Deborah L. RAPER, Dwight A. PILGRIM, Gary LILES, Randy D. WEBB, Bobby Joe YOUNG, Aaron WOOLSEY, Carey L. KENNEMER and Cathy COMBS, all of Oklahoma City, Oklahoma**, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 26th day of September, A.D. 2019.



**ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: *Robert D. Murray*
Vice President

By: *Dawn E. Brown*
Secretary

**State of Maryland
County of Baltimore**

On this 26th day of September, A.D. 2019, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Robert D. Murray, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2023

EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 7th day of June, 2022.



Brian M. Hodges, Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
www.reportsfclaims@zurichna.com
800-626-4577