



**Amended Meeting Agenda for June 10, 2025
Notice**

As required by Section 311, Title 25 of the Oklahoma Statutes, notice is given that the Board of Directors of Rural Water District No. 5 of McCurtain County will meet at 4:00 p.m. June 10, 2025, at the water office for a regular monthly board meeting.

Order of Business

1. Call meeting to order.
2. Roll Call (Declare a quorum).
3. Recognition of Guests
4. Proof of Posting of Meeting.
5. Consideration & Approval of Consent Agenda.
 - a. Approval of Minutes.
 - b. Approval of Bills and Disbursement.
 - c. Approval of Financial Report.
 - d. Approval of New Benefit Units.
 - e. Approval of New Transfer of Benefit Units.
 - f. Approval of Submittals from the 2022A loan fund
6. Discussion/Consideration/Approval/Rejection of Manager's Report. Presented by Rod Pratt.
7. Comments from the Public. (Limit of 3 minutes per individual and must pertain to agenda items)
8. Discussion/Consideration/Approval/Rejection to purchase video camera & tripod for recording board meetings.
9. Review duties of all board members and their positions article 3 B, C, D, E, F & G. Article 10 section 1,2,3 & 4.
10. Agenda Item Agenda items from Mark W. Schilling with GKBK Law
Client Request: "(the requesting clients are Brad Snider and Steve Bruton, owners of HLD Properties, LLC)"
Presented by: Developers Brad Snider and Steve Bruton

Agenda Item

1: Consider and approve or reject developer's challenge to "Impact Fees" as being excessive, ultra vires and in violation of district bylaws.

Agenda Item

2: Consider and approve or reject developer's challenge to "Impact Fees" as being unjust, unreasonable and/or discriminatory in violation of 82 OK Stat § 1324.10.

Agenda Item

3: Consider and approve or reject developer's challenge to "Impact Fees" as being an unconstitutional "taking" by quasi-government entity under the 5th Amendment of the U.S. Constitution.



11. The Board will consider and determine whether or not formal board approval is necessary for the recent contract revision to make effective the Board's recent vote to suspend developer impact fees, and whether the contract revisions are purely administrative matters correctly carried out by staff to implement the Board's action to suspend developer impact fees and if Board approval is deemed necessary, the Board will decide whether or not to approve, disapprove or take no action regarding the revised developer contract which made effective the suspension of developer impact fees.
12. **Executive Session** - The board will conduct an executive session with its legal counsel pursuant to Title 25, Oklahoma Statutes, Section 307 (B)(4) concerning pending investigations by legal counsel relative to claims against the District. Legal counsel has advised the Board that disclosure to third parties of the report to be made by legal counsel to the Board during executive session would seriously impair the ability of the Board and its legal counsel to process claims and/or conduct the continuing investigation into the claims and potential litigation.
The claims to be considered are ones presented by legal counsel for Brad Snider and Steve Bruton, owners of HLD Properties, LLC in a letter dated June 5, 2025. A copy of the letter is available upon request and copies will be available at the Board Meeting.

13. **from Executive session**

Old Business:

14. Update: Richey Kirkpatrick ORWA Sustainability Specialist informed us on 5/7/25 that the rate analysis study was completed and approved. He should be present at the 7/8/25 meeting.
15. Agenda items from Mark W. Schilling with GKBK Law
Client Request
 - 1) Consider and approve or reject clarification of the Board's action on April 8, 2025 to suspend "Impact Fees" to include all currently ongoing and future development projects until further action of the Board.
 - 2) Consider and approve or reject making any "impact fees" only due and payable by the purchaser of the meter/service at the time water service is activated for that lot (i.e. when the actual impact to water system may occur).
16. Discussion/Consideration/Approval/Rejection Kevin Perry to provide an update if there is any news to be given on the architectural firm's comprehensive plan for new district office building and site.
Last meeting a Preliminary drawing was presented.
17. Discussion of proposed amendments to the District's Bylaws, at the annual meeting June 19, 2025, at 7:00 p.m. 82 O.S. 1324.7 specifically:

- Article 7	- Article 12	- Article 13	- Article 5
- Section 5	- Section 1	- Section 1	-Section 1
- Section 6	- Section 3	- Section 2	
- Section 7	- Section 5	- Section 3	
- Section 8			

-Article 12 Section 3 has two proposed amendment changes to review.

Copies of amendments will be provided at the office and in board member packets.

18. **New Business**

(Any matter not known about or which could not have been reasonably foreseen prior to the time of posting.)

19. **Consideration & Approval to Adjourn.**

State of Oklahoma McCurtain Co., SS
This instrument was filed for record

9:30 o'clock AM

JUN 09 2025

and duly recorded in book page
by Trish Ricketts County Clerk

by Randy L. Roper Deputy





I certify that the Notice and Agenda was posted in prominent view at McCurtain County Rural Water No. 5, no later than 3:00pm on the 9th of June 2025.

I certify that the Notice and Agenda was posted on the district's website <https://hochatownwater.com>.

Sarah Cash

Signature

Sarah Cash

Printed name of the person posting meeting agenda.

State of Oklahoma McCurtain Co., SS
This instrument was filed for record

4:30 o'clock AM

JUN 09 2025

and duly recorded in book 1 by Trish Ricketts, County Clerk
by Ronda L. Ferguson JUN 09 2025

