

**DELAWARE COUNTY ECONOMIC
DEVELOPMENT AUTHORITY SPECIAL
MEETING**

APRIL 02, 2012

The Trustees of the Delaware County Economic Development Authority at Jay, Oklahoma, met in Special Session on April 02, 2012 at 1:00 P.M. Agenda was posted March 28, 2012 at 1:30 P.M. on east entrance door of the Delaware County Courthouse and office building. This meeting was adjourned at 1:46 P.M.

Members of the Trust present were Chairman-Doug Smith, Vice Chairman-Dr. James Rutter, Tim Carson-Member, Joe Hutchison-Member, and Lendell Bass-Member. Also present was - Carol Fortner, Delaware County Clerk, as General Manager and Secretary of the Delaware County Economic Development Authority; Susan Duncan, Delaware County Treasurer, as Treasurer of the Delaware County Economic Development Authority; Leon Hurt, Delaware County Assessor, Dan Batchelor from the Center for Economic Development Law, as development counsel for the Delaware County Economic Development Authority, and Jason Sheffield with Shangri-La Development, LLC. The Delaware County Economic Development Authority is hereby authorized to take action on the following items:

A motion was made by Lendell Bass and seconded by Joe Hutchison to approve of the agenda as posted. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter- yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

A motion was made by Tim Carson and seconded by Dr. James Rutter to approve the minutes of the Special Meeting held on April 21, 2011. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member- yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

NEW BUSINESS

AGENDA #1-A motion was made by Lendell Bass and seconded by Dr. James Rutter to ratify and approve the reappointment of Dr. James Rutter, Tim Carson, and Joe Hutchison as trustees and names and terms of each of the trustees as herein listed: Lendell Bass-Term shall end on July 1, 2013, Doug Smith-Term shall end on July 1, 2013, Dr. James Rutter-Term shall end on July 1, 2014, Tim Carson-Term shall end on July 1, 2015, and Joe Hutchison-Term shall end on July 1, 2015. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #2-A motion was made by Joe Hutchison and seconded by Tim Carson to elect the officers of the Delaware County Economic Development Authority as follows: Chairman-Doug Smith, Vice Chairman-Dr. James Rutter, Treasurer- Delaware County Treasurer, Secretary-Delaware County Clerk, 1st Assistant Secretary-Shirley Hinman. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #3-A motion was made by Dr. James Rutter and seconded by Lendell Bass to determine that the Delaware County Economic Development Authority was financially inactive for the fiscal years ending June 30, 2009 and June 30, 2010, and to approve the financial statements of the Delaware County Economic Development Authority for the fiscal year ending June 30, 2011. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried. Any necessary documents will be filed accordingly.

AGENDA #4-A motion was made by Tim Carson and seconded by Joe Hutchison to consider/approve a Resolution authorizing requests for waivers of an annual audit for the fiscal years ending June 30, 2009, June 30, 2010, and June 30, 2011, pursuant to Title 60 Oklahoma Statutes, Section 180.1. Roll call: Chairman Doug Smith-yes, Vice Chairman-Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #5-A motion was made by Lendell Bass and seconded by Dr. James Rutter to receive presentation of Project Report by developer. Jason Sheffield, Shangri-La General Manager, provided a Project update including the progress taking place at Shangri-La Golf Club, Resort, and Marina. As of this date, memberships have increased to 644 from 150 in December 2010. After a few minor delays, Project construction is back on schedule. Completion of the 18 hole golf course is near. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #6- A motion was made by Lendell Bass and seconded by Dr. James Rutter to receive presentation of report by County Treasurer of Ad Valorem tax increment revenues collected as of the fiscal year ending June 30, 2011, review of sales and use tax increment revenues generated by the Project and collected through the fiscal year ending June 30, 2011, and the Ad Valorem tax increment revenues projected to be collected through the fiscal year ending June 30, 2012. Ad Valorem tax increment revenues collected for 2011 totaled \$1,425.26, Sales and use tax increment revenues collected for 2011 totaled \$1,455.08. Sales and use taxes collected for 2012 through December 2011 totaled \$3,223.13 and totaled \$8,667.76 through February 2012. As of this date no Ad Valorem taxes have been collected for 2012. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #7-A motion was made by Joe Hutchison and seconded by Tim Carson to accept the Peninsula Resort & Club-Grand Lake, LLC's quarterly and annual reports of retail sales transactions and project costs for the period of time from June 30, 2008 through December 31, 2011 in connection with Increment District No. 1, County of Delaware, in accordance with the Amended Redevelopment Agreement. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #8-A motion was made by Dr. James Rutter and seconded by Lendell Bass to consider/approve a Resolution approving and ratifying the issuance of Delaware County Economic Development Authority Grand Lake Economic Development and Tourism Project Plan Tax Apportionment Revenue Notes in the amount of \$1,675,821.00 for the payment of project costs in connection with Grand Lake Economic Development and Tourism Project Plan, in accordance with the Resolution of the Board of Trustees dated August 28, 2008. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

AGENDA #9-A motion was made by Dr. James Rutter and seconded by Lendell Bass to consider/approve a Resolution approving Assignment of Redevelopment pursuant to the Amended and Restated Redevelopment Agreement and the Assignment of the Project Cost Advancement and Eligibility Agreement from the Peninsula Resort & Club-Grand Lake, LLC, to Shangri-La Development, LLC. Roll call: Chairman Doug Smith-yes, Vice Chairman Dr. James Rutter-yes, Tim Carson-Member-yes, Joe Hutchison-Member-yes, Lendell Bass-Member-yes. Motion carried.

No unfinished business or staff reports.

A motion was made to adjourn the meeting by Tim Carson and seconded by Dr. James Rutter. Meeting adjourned at 1:46 p.m.

ATTEST:

Shirley Hinman

Shirley Hinman-Secretary
1ST Assistant Secretary Delaware County Clerk



Doug Smith

Doug Smith-Chairman

Dr. James Rutter

Dr. James Rutter-Vice Chairman

Lendell Bass

Lendell Bass-Member

Joe Hutchison

Joe Hutchison-Member

Tim Carson-Member