

## KAY COUNTY GRAND JURY

On March 28, 2008, Claude Williams and Bill Williams filed a police report against Shane Frye, Executive Director of the Blackwell Chamber of Commerce and Blackwell Industrial Authority for not allowing them to videotape the Blackwell Chamber of Commerce monthly meetings. The case was forwarded to the Kay County District Attorney.

It has become a recent practice to videotape city meetings for rebroadcast over a local channel leased by Taxpayers for Transparency. The recordings have been well appreciated by many citizens that are unable to leave home and attend the meetings. It is also the goal of recording the meetings to help encourage individuals to become more involved in their local government.

Under the Tourism Development Contract between the City of Blackwell and the Blackwell Chamber of Commerce it states in section 2 the city shall remit a sum of money on a monthly basis to the Chamber of Commerce. Copy of contract attached.

Since 1999 the Blackwell Chamber of Commerce and Blackwell Industrial Authority agreed to combine with one director for both organizations. Shane Frye is the Executive Director for the Blackwell Chamber of Commerce and Blackwell Industrial Authority. Newspaper Article attached.

City of Blackwell 2007 and 2008 budget for the Blackwell Industrial Authority is 40,000 dollars plus 9,000 dollars for maintenance, utility, and insurance. Copy of budget attached.

The Blackwell Chamber of Commerce is receiving public funds for administration, salaries and other costs for the Blackwell Tourism and Blackwell Industrial Authority.

District Attorney Mark Gibson stated the Blackwell Chamber of Commerce is not subject to the Oklahoma Open Meetings Act. District Attorney Mark Gibson only cited the Blackwell Chamber of Commerce and Blackwell Tourism and did not mention the Blackwell Industrial Authority.

Oklahoma Statute Title 25 Section 312.C states any person attending a public meeting may record the proceedings of said meeting by videotape, audiotape or by any other method; providing, however, such recording shall not interfere with the conduct of the meeting.

Attorney General opinion number 2002-37 section 2.A states private organizations (either for profit or non-profit) are subject to the Open Meeting Act if they receive a direct allocation of public funds from tax or other revenues.

Ponca City Chamber of Commerce meetings are open to the public. Newspaper articles attached.

Claude Williams  
1216 West Padon  
Blackwell, OK 74631  
(580) 363-0266

TOURISM DEVELOPMENT CONTRACT

COPY

THIS AGREEMENT made and entered into by and between the CITY OF BLACKWELL, OKLAHOMA, a municipality, hereafter referred to as "the City" and the BLACKWELL CHAMBER OF COMMERCE, a non-profit association, hereafter referred to as "Chamber".

W I T N E S S E T H:

WHEREAS, Ordinance No. 2584 of the City of Blackwell created a hotel tax to be collected and administered by the City of Blackwell for the purpose of encouraging, promoting and fostering conventions, conferences and tourism development in the City of Blackwell; and

WHEREAS, Section 2-31 of said Ordinance No. 2584 specifically provides that the City may contract with the Chamber to implement the purpose of said Ordinance; and the parties hereto desire to enter into such a contract.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises set out herein, the parties hereto agree as follows:

1. Collection of Tax. City shall be responsible for collection of the hotel tax and the enforcement of all provisions of the Hotel Tax Ordinance (Ordinance No. 2584).
2. Provision of Funds to Chamber. In an effort to fully implement the purpose of the Hotel Tax Ordinance, the City shall remit a sum of money on a monthly basis to the Chamber, which sum shall be equal to the tax collected for the prior month, less reasonable costs of administration, not to exceed ten per cent (10%) of the gross tax collected.
3. Utilization of Funds. The Chamber shall use its best efforts to develop a program which promotes conventions, conferences and tourism in the City of Blackwell and shall use all funds provided pursuant to this Agreement exclusively for such purposes.
4. Quarterly Reports. The Chamber shall provide the City with a detailed report of the expenditure of the funds received pursuant to this Agreement in the preceding quarter on or before the 15th day of January, April, July and October of each year. Further the Chamber shall provide the City on or before June 15th of each year a proposed plan of work for utilization of such funds to be received the following fiscal year. In formulating the plan of work, the Chamber shall consult with and obtain

the input of the City. Deviations from the proposed plan of work may be made by the Chamber without prior approval of the City as long as the funds are expended for purposes authorized by the Ordinance.

5. Term of Agreement. This Agreement shall have an initial term from its date of execution and approval by the parties hereto through and including June 30, 1993. Thereafter, this contract shall be automatically renewed for successive one (1) year terms unless and until either party to this contract provides thirty (30) days written notice to the other of said party's desire to terminate this Agreement. The right to terminate this contract is specifically reserved to both parties upon ninety (90) days written notice to the other.
6. Amendment. This Agreement embodies, in principal, the Agreement of the parties and may be amended from time to time, by written amendment.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement following approval of their respective governing boards the date and year set out below.

APPROVED BY THE BOARD OF  
COMMISSIONERS THE 15TH  
DAY OF MARCH, 1993.  
*April*

CITY OF BLACKWELL

By *Eileen Mackey*  
Eileen Mackey, Mayor

ATTEST: (seal)

*Sara J. Norris* City Clerk  
Sara J. Norris  
City Clerk

APPROVED BY THE BOARD OF  
DIRECTORS OF THE CHAMBER  
OF COMMERCE THIS 22nd  
DAY OF MARCH, 1993.

BLACKWELL CHAMBER OF COMMERCE

By *Joe Harris*  
Joe Harris, President

ATTEST: (seal)

*Lea Harris*  
Secretary

DWB/cs1/0393.88

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement following approval of their respective governing boards the date and year set out below.

APPROVED BY THE BOARD OF  
COMMISSIONERS THE 15th  
DAY OF July, 1997.

CITY OF BLACKWELL

By *Louis Gose*  
Louis Gose, Mayor

ATTEST: (seal)

*Sara J. Norris*  
Sara J. Norris  
City Clerk

APPROVED BY THE BOARD OF  
DIRECTORS OF THE CHAMBER  
OF COMMERCE THIS 21st  
DAY OF August, 1997.

BLACKWELL CHAMBER OF COMMERCE

By *Rebecca Sutton*  
\_\_\_\_\_, President

ATTEST: (seal)

*Lemmis Kelle*  
Secretary

BW/cs1/0797.88

**INDY**  
 ay: TEMP/75°  
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 Clear skies.  
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# Blackwell Journal-T

Friday, November 17, 1999 84th Year No. 225 Copyright© 1999 (UPS)

CHAMBER OF COMMERCE ASSOCIATION  
**AWARD WINNING NEWSPAPER**  
 OF INDIANAPOLIS

## Local Briefs

**COCK** assessment go home with student, according to ham, Blackwell principal.

**YS (SMOKED)** hams for sale. Will deliver, phone 363-5514.

**OF 1956** at High School will be at 12:30 p.m. The class gets the same location on the third Thursday of the month.

**McMURTRIE**, a new member of the American Angus Association. The association has 33,000 active members in

## Outlet mall gets boo

### From Motel Tax Revenue

By **CHARLES ABBOTT**  
 J-T Staff Writer

The city commission Tuesday night OK'd the use of motel tax revenue for tourism advertisement to promote the Blackwell Outlet Mall.

In another major action the commission amended its fiscal budget to increase funding of a tourism contract with the chamber of commerce.

City Attorney Brian Wiseman told commissioners the new ownership group of the mall west of 44th Street have detailed aggressive promotion plans.

Wiseman said the city's investment of "no more than \$65,000" could be used for a variety of promotion projects.

Wiseman indicated that tourism at the mall is "one element that can set us apart from other communities."

Mayor Louis Gose said several meetings have been held with mall officials. "We think its the right way to go," Gose said.

Wiseman said the resolution he prepared had a cap "not to exceed \$65,000 in expenditures" by the city as its investment in promoting mall tourism.

Commissioners unanimously approved the resolution, as well as an emergency clause, to take effect immediately.

In the second piece of major business the commission approved amending the budget to increase funding of a tourism contract with the chamber of commerce.

City Manager Sally Norris reminded the commission that if the budget were amended it would be for the remaining seven months of the current fiscal year.

Commissioner Gene Holcomb presented a motion to amend the budget to provide

\$58,220 for the remainder of fiscal year 1999-2000, effective Dec. 1.

Holcomb's motion was approved.

*'Hopefully, this will be our key to getting Blackwell off dead center and ready to move.'*

- Jim Ross

A delegation of chamber representatives was at the meeting and spokesman Jim Ross said the chamber of commerce and Blackwell Industrial Authority had agreed to combine with one director for both.

Ross said the two groups have recently been without a director for either. He said combining the two with a common director would help give "a single thrust" toward economic development in the community.

"Hopefully, this will be our

## All-school play set

# well nal-Tribune

This space  
for sale!  
See ad on  
page 3



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Achievement  
Banquet  
See 'At a  
glance' page 3

Year No. 225 Copyright© 1999 (UPS 057-640) 2 Sections: 18 Pages 50¢

## all gets boost from city

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"Hopefully, this will be our

key to getting Blackwell off dead center and ready to move," said Ross.

BIA trustee Darrell Grossardt echoed Ross's sentiments. "Ponca City has done this already," said Grossardt.

Early in the meeting City Manager Norris introduced Teresa Moses, who has been appointed city clerk. She is a veteran of nine years of experience as a deputy city clerk in Ponca City. Prior to that she was a communications officer for the City of Ponca City.

Moses will begin her duties as city clerk here Nov. 29.

In her comments, Norris said several areas of need have materialized recently.

One, a section of the street located west of Third on Southwest Blvd. has been closed due to failure of the culvert pipe, which Norris said is causing the street to sink. "This repair will begin as soon as possible, but at

the present time no start date has been set," said Norris.

Norris said a leak in the back wash water tank at the water treatment plant has worsened to the point of needing repair quicker than expected. Several contractors will be contacted prior to starting the work, Norris said.

The city manager said crews from Sober Brothers are continuing to repair the sewer line break off Fourth and Santa Fe. "The excavation has shown that high ground water exists," said Norris.

She said a dewatering process to get the water out of the excavation is being performed.

The city manager also said the waste water treatment plant is experiencing problems with the primary digester heat exchange. Two contractors have contracted to a quote of the cost to fabricate some steel to repair it, according to Norris.

## play set

## Deer Creek sets date for

2007-2008 1st Quarter Report

| City of   | General Government              | 2007-2008      | 2007-2008      | '2006-2007    | Difference     |
|-----------|---------------------------------|----------------|----------------|---------------|----------------|
| Blackwell |                                 | Org Budget     | 1st qtr        | 1st qtr       | 06-07 to 07-08 |
|           | FICA                            | 1,054          | 150            | 143           | 7              |
|           | Work Comp                       | 1,320          | 159            | 153           | 6              |
|           | part time                       | 14,000         | 1,958          | 1,869         | 89             |
|           | <b>TOTAL</b>                    | <b>16,374</b>  | <b>2,267</b>   | <b>2,165</b>  | <b>102</b>     |
|           | B I A                           | 40,000         | 7,858          | 7,500         | 358            |
|           | Golf course                     | 35,000         | 8,750          | 8,750         | 0              |
|           | Museum                          | 4,500          | 1,125          | 1,125         | 0              |
|           | Insur-refunds                   | 37,000         | 10,648         | 10,786        | (138)          |
|           | Insur - Bldg                    | 7,000          | 2,026          | 1,817         | 209            |
|           | Insur - Vehicle                 | 500            | 22             | 141           | (119)          |
|           | Pension (old retire fund)       | 0              | 0              | 13            | (13)           |
|           | paggers                         | 500            | 156            | 188           | (32)           |
|           | postage & freight               | 5,000          | 1,950          | 1,950         | 0              |
|           | youth center                    | 2,500          | 1,250          | 1,250         | 0              |
|           | utilities- mall/135 street lgt  | 4,000          | 678            | 700           | (22)           |
|           | property clean up               | 10,000         | 13,396         | 5,590         | 7,806          |
|           | <b>TOTAL</b>                    | <b>146,000</b> | <b>47,859</b>  | <b>39,810</b> | <b>8,049</b>   |
|           | mnt/util/ins - youth center     | 6,000          | 59             | 475           | (416)          |
|           | mnt/util/ins - museum           | 2,000          | 199            | 0             | 199            |
|           | miscellaneous exp               | 1,700          | 99             | 93            | 6              |
|           | mnt/util/ins - senior citizen   | 3,000          | 173            | 75            | 98             |
|           | mnt/util/ins - wheathart        | 4,000          | 830            | 764           | 66             |
|           | mnt/util-ins - county court     | 1,000          | 60             | 28            | 32             |
|           | mnt/util/ins - fair grounds     | 11,000         | 12,555         | 10,933        | 1,622          |
|           | mnt/util/ins - morgan field     | 2,500          | 14             | 2,001         | (1,987)        |
|           | mnt/util/ins - B/Dewey ball     | 1,000          | 0              | 0             | 0              |
|           | mnt/util/ins - legion park      | 2,500          | 435            | 0             | 435            |
|           | mnt/util/ins - lake blackwell   | 400            | 0              | 0             | 0              |
|           | mnt/util/ins - BIA              | 9,000          | 0              | 0             | 0              |
|           | mnt/util/ins - golf course      | 2,700          | 0              | 0             | 0              |
|           | mnt/util/ins - armory           | 75             | 0              | 0             | 0              |
|           | mnt/util/ins - sw cupid compl   | 1,000          | 0              | 0             | 0              |
|           | RR Depot                        | 2,000          | 0              | 0             | 0              |
|           | mnt/util/ins - ferg & b st ball | 500            | 0              | 0             | 0              |
|           | supply misc                     | 0              | 75             | 0             | 75             |
|           | supply/custodial                | 2,500          | 1,127          | 1,088         | 39             |
|           | <b>TOTAL</b>                    | <b>52,875</b>  | <b>15,626</b>  | <b>15,457</b> | <b>169</b>     |
|           | Morgan Field Back Stop          |                |                | 16,831        | (16,831)       |
|           | Morgan Field Sewer Line         |                | 95,054         | 0             | 95,054         |
|           | <b>GRAND TOTAL</b>              | <b>215,249</b> | <b>160,806</b> | <b>74,263</b> | <b>86,543</b>  |

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# Chamber Board Hears Special Review From PCDA About ConocoPhillips

By LOUISE ABERCROMBIE  
News Business Editor

Ponca City Development Authority Chairman Lee Evans in his report to the Chamber of Commerce Board of directors said, "Since the ConocoPhillips optimization study was made public, we've been working with the company, community leaders, our partners at Oklahoma Employment Security Commission Pioneer Technology Center and government officials."

Evans said that they are working in a variety of areas including available jobs in Ponca City are identified for those impacted; a system that is in place for those employ-

ees to search for work; that ConocoPhillips is aware of our desire to keep as many jobs here as possible and that there are community resources available.

"We are executing plans that we have been working on for some time relative to the use of buildings on the ConocoPhillips campus, speaking to churches, clubs and businesses about this new economy."

He added, "PCDA can't speak for the company but we can tell you that almost all of the rumors being spread throughout town are not true. The refinery is safe and those jobs are fine."

"There are no plans to

tear down the big buildings, although there will be some small buildings that will be removed. We are speaking with the company about the North and South Towers, Research West, the Park building and potentially others although no plans have been made for these structures or the jobs in those buildings.

"As part of our ongoing economic development program, we're staying in close contact with our other industries. Some continue to grow. Some report that business is slowing down as a result of the global economic slowdown but that they are otherwise healthy."

Evans said further, "The

Ponca City industrial base remains one of the strongest in the nation, relative to our size, and there are very few local industries that depend upon those sections of ConocoPhillips that are under review for a lot of their business.

"Economies run on confidence and we do have a challenge before us due to the ConocoPhillips study but our economy will come through this."

"Businesses continue to come to Ponca City to see if they can build a future here."

"In the last month, we've had three out of state groups, two of them since the ConocoPhillips news. We're also working with several local industries that continue to plan for expansion. We are getting the word out to site consultants and businesses nationwide that we might have some workers available soon."

"The PCDA Board of Trustees approved a contract to finish out the building formerly known as Bob for one of our newest companies, Continental Technologies. That should be completed by the end of May. It's worth noting that almost every one of their employees are former ConocoPhillips staff who were formerly employed in positions that are now under review."

"We know people have a lot of questions about the ConocoPhillips study. This is what we do at PCDA so give us a call if you have questions about our economy. Feel free to invite us if you would like us to speak to your group or business."

Mayor Homer Nicholson commented in the Chamber Board meeting, that the main thing is that the rumor mill has had bad information, "The refinery is not for sale, the company has invested half a lot of money in recent years and a major turnaround is slated for 2010 and this will be a major investment."

Cantillon Congratulated Janet Martin, Chamber Chairman, congratulated Rich Cantillon, Chamber executive, for being named the Chamber

(See REVIEW, Page 3A)

## Significant Ceremony



CUTTING THE RIBBON on the new location of Larry Murphy Insurance at 113 East Grand Avenue, is Larry Murphy. The business has moved to the downtown location and the building has been completely renovated.

## Review

(Continued From Page 2A)

executive of the Year for Oklahoma. She congratulated the City for being a wireless city.

She urged support for the extension of the sales tax for the sports complex. This will not change the tax but is an extension. The vote is on Dec. 9 and the tax will end when project is paid for.

New members of the Chamber are Albright United Methodist Church, B.W. Supply Company, Carpet Specialties, Enrique's Mexican Restaurant, Marry Me, Joe B. Otto, DDS, and Wedd Photography. The membership drive resulted in 38 new members.

The Chamber banquet has

been set for Jan. 22 and Bobby Gibson is the master of ceremonies. The theme will be on key leadership.

Activities for the month included the dedication of the Louise Fluke Plaza at Marland's Grand Home, and the ribbon cutting for the new offices of Larry Murphy Insurance on Grand Avenue.

Mary Beth Moore reported on Tourism activities and Sue Lunsford reported about the Business Council; Leadership Ponca City and the Education Committee.

Business After Hours is scheduled at John's and United Way, this evening, Nov. 25, from 5 to 7 p.m.

## Chamber Session Deals With Several Reports, Activities

By **LOUISE ABERCROMBIE**  
News Business Editor

A number of reports and activities were reported at the August Ponca City Area Chamber of Commerce meeting, presided over by Steve Crank, president-elect, in the absence of Chairman Janet Martin.

Andy Wachtel, interim CEO at Ponca City Medical Center, and Cathy Sebring, of the Leadership Ponca City Class, were guests.

Crank, heads up the Governmental Affairs Division, and during that report discussion centered on upcoming election forums.

Rich Cantillon, Chamber CEO executive gave the organization and membership development report.

Community development issues included; the Hubbard/Waverly Road project,

the City Comprehensive Plan; the City's hiring of a construction manager at risk for the Aquatics Center; airport taxiway improvement slated for fall and a major sewer project from Ponca Plaza to Lake Road.

Mayor Homer Nicholson announced that in 1995 the City had \$13 million in capitol improvements and currently the City has \$53 million in capital improvement projects under way. This is a record for the City.

Nicholson said a consultant company has been retained to search for a replacement for retiring city manager Gary Martin. The City plans to have a replacement by Dec. 1.

The membership drive of the Chamber continues through next week. New members include All Star Advertising and Promotions, Deband Rex Advertising and Simply Unique.

Sue Lunsford, Business and Community Development,

announced the Education Committee is setting up two workshops, one for mentoring and another for tutoring. Helene Schwartz is working with the Pie Partners and the kick-off is Sept. 11. The Apples for Teachers program was reported as a success. Dr. David Pennington, superintendent of schools, and Dr. Mike Simpson, assistant school superintendent in charge of facilities attended the education meeting.

The Business Council has completed four sessions of Pride Training at Ponca City Medical Center. Joe Theobald is setting up an evening Pride Training session for Sept. 25 at the Chamber Conference Room for smaller businesses that can not do training during regular business hours. Eric Liberton has been instrumental working with the business committee.

The treasurer's report was given by Ryan Schwabe.