

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT INDUSTRIAL AUTHORITY

4:00 PM

**Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma
AGENDA**

January 6, 2026

CALL TO ORDER

INVOCATION

ROLL CALL

ORDER OF BUSINESS

1. **Consent Items**

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Discuss and Consider Approval of December 2, 2025 Regular Meeting Minutes

2. **Consider Items Removed from Consent**

3. **Information Items**

- a. November 2025 Durant Industrial Authority and Sales Tax Report (Kara Kuykendall)

4. **Administration**

- a. Consider and Discuss the January 2026 through December 2027 appointment to Durant Tourism Authority and take possible action
- b. Consider and Discuss the temporary appointment to the Durant Airport Advisory Board in the absence of an Executive Director and take possible action.
- c. Consider and Discuss version A (discussed in public meeting November 4, 2025) and version B (Attorney's review) of the proposed DIA By-Laws and take possible action.

5. **Executive Session**

- a. Consider Entering into Executive Session to Discuss Hiring New Executive Director (This Executive Session is authorized by Oklahoma State Statute,

Title 25, Section 307 (B) (1))

- b. Consider Action Pursuant to Executive Session Item 5A.

6. New Business

ADJOURNMENT

CERTIFICATE

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 12th day of December 2025 and that an agenda of said meeting was posted at the place of such meeting at 02:30 p.m. on the 2nd day of January, 2026.



Jennifer Wilcox, Board Secretary



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Discuss and Consider Approval of December 2, 2025 Regular Meeting Minutes

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. 12022025 Durant Industrial Authority Minutes

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 7th day of January, 2025 and that an agenda of said meeting was posted at the place of such meeting at 04:00 p.m. on the 26th day of November, 2025.



Jennifer Wilcox, Board Secretary

**MINUTES OF THE MEETING OF DURANT INDUSTRIAL AUTHORITY
December 2, 2025 AT 4:00 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma**

CALL TO ORDER

Chairman Rogers called the meeting to order at 4:02 PM.

INVOCATION/FLAG SALUTE

Chairman Rogers provided the invocation.

ROLL CALL

Present:

Trustee Scott Dewald
Trustee Kara Kuykendall
Trustee Grace Rudolf
Trustee Mike Simulescu
Chairman Brett Rogers

Absent:

Trustee Martin Tucker

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Discuss and Consider Approval of November 4, 2025 Regular Meeting Minutes

APPROVED

A motion was made by Scott Dewald and seconded by Mike Simulescu to approve the November 4, 2025 minutes as presented.

Passed with the following vote:

Ayes: Dewald, Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. October 2025 Durant Industrial Authority and Sales Tax Reports (Kara Kuykendall)

Trustee Kuykendall presented the October 2025 financial statements.

- b. Director's Report

Kathy Moore presented an update on numerous projects.

4. Administration

- a. Consider and Discuss Proposed DIA Meeting Schedule for 2026, Possible Action

APPROVED

A motion was made by Grace Rudolf and seconded by Kara Kuykendall to approve the 2026 DIA Meeting Schedule as presented.

Passed with the following vote:

Ayes: Dewald, Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: None

- b. Consider and Discuss Attorney's Review of Proposed DIA By-Law Revisions, Possible Action

NO ACTION TAKEN

Kathy Moore presented that the attorney is still reviewing the by-laws and will have an update ready soon.

5. Executive Session

- a. Consider Entering into Executive Session to Discuss Hiring New Executive Director (This Executive Session is authorized by Oklahoma State Statue, Title 25, Section 307 B-11)

APPROVED

A motion was made by Kara Kuykendall and seconded by Mike Simulescu to enter into executive session.

Passed with the following vote:

Ayes: Dewald, Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: None

b. Consider Action Pursuant to Executive Session Item 5(A)

NO ACTION TAKEN

6. New Business

ADJOURNMENT

APPROVED

A motion was made by Grace Rudolf and seconded by Scott Dewald to adjourn.

Passed with the following vote:

Ayes: Dewald, Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: None

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 31st day of October 2025 and that an agenda of said meeting was posted at the place of such meeting at 02:30 p.m. on the 31st day of October 2025.



Jennifer Wilcox, Board Secretary

**MINUTES OF THE MEETING OF DURANT INDUSTRIAL AUTHORITY
November 4, 2025 AT 4:00 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma**

CALL TO ORDER

Chairman Rogers called the meeting to order at 4:02 PM.

INVOCATION/FLAG SALUTE

Chairman Rogers provided the invocation.

ROLL CALL

Present:

Trustee Scott Dewald
Trustee Kara Kuykendall
Trustee Grace Rudolf
Trustee Mike Simulescu
Chairman Brett Rogers
Advisory Member Tammye Gwin
Advisory Member Taylor Downs

Absent:

Trustee Martin Tucker

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes from October 14, 2025

APPROVED

A motion was made by Kara Kuykendall and seconded by Mike Simulescu to approve the October 14, 2025 minutes with the corrections made to Trustee Rudolf's name.

Passed with the following vote:

Ayes: Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: Dewald

2. Consider Items Removed from Consent

3. Information Items

- a. September 2025 Financial Statements

Trustee Kuykendall presented the September 2025 financial statements.

- b. Director's Report

Kathy Moore presented to the authority. She thanked them for their service and the work they have done in her time as their director.

4. Administration

- a. Discuss and Consider Approval of Revisions and Updates to Durant Industrial Authority By-Laws as reflected in three sections: grammatical, legal and trustee structure.

TABLED

The authority tabled the discussion on the By-Laws to have the attorney review the proposed changes.

5. New Business

Chairman Rogers announced that the City has approved a contract with Kathy Moore to continue doing work for Economic Development, and he would like the Authority to do the same.

More discussion and a motion will be available for this item at the next meeting.

ADJOURNMENT

APPROVED

A motion was made by Grace Rudolf and seconded by Scott Dewald to adjourn the meeting at 4:21 PM.

Passed with the following vote:

Ayes: Dewald, Kuykendall, Rudolf, Simulescu, Rogers

Nays: None

Abstain: None



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From:
Re: Information Items

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: November 2025 Durant Industrial Authority and Sales Tax Report (Kara Kuykendall)

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. 112025 DIA ED REPORTS

Income Statement

For Fiscal: 2025-2026 Period Ending: 11/30/2025

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining
Fund: 020 - DURANT INDUSTRIAL AUTH.						
RevDepartment: 000 - 000						
020-000-301-1000	BEGINNING BALANCE	230,126.00	264,992.00	0.00	0.00	264,992.00
020-000-361-1000	INTEREST EARNINGS	30,000.00	30,000.00	6,997.61	30,388.05	-388.05
020-000-361-4000	MISC. REVENUE	0.00	6,522.00	0.00	6,522.42	-0.42
020-000-364-1101	TRSF FROM ECONOMIC (110) REIMB	2,044,370.00	2,044,370.00	0.00	0.00	2,044,370.00
020-000-364-2800	TRANSFER FROM ECONOMIC-DEBT	20,000.00	20,000.00	0.00	20,000.00	0.00
020-000-375-0505	ES - CDBG LOAN PMT. REIMB.	20,000.00	20,000.00	1,666.48	8,332.40	11,667.60
020-000-375-0602	TIF#3-19 TUBACEX TAX REFND REV	0.00	429,691.00	0.00	429,690.69	0.31
020-000-375-0605	TIF#3-DIA 1% TAX REFND REV	0.00	4,340.00	0.00	4,340.31	-0.31
	RevDepartment: 000 - 000 Total:	2,344,496.00	2,819,915.00	8,664.09	499,273.87	2,320,641.13
Department: 017 - ECON. DEV. ADMINISTRATION						
ExpCategory: 520 - PROFESSIONAL SERVICES						
020-017-520-2130	PRORATED AUDIT FEES	12,538.00	12,538.00	3,021.49	3,341.27	288.00
	ExpCategory: 520 - PROFESSIONAL SERVICES Total:	12,538.00	12,538.00	3,021.49	3,341.27	288.00
ExpCategory: 530 - CONTRACTUAL						
020-017-530-3033	UTILITIES	0.00	2,000.00	70.17	717.13	1,282.87
020-017-530-3036	CONSULTING FEES	25,000.00	25,000.00	0.00	0.00	25,000.00
020-017-530-3038	PUBLICATIONS & ADVERTISING	25,000.00	25,000.00	0.00	1,362.50	2,725.00
020-017-530-3051	CONTRACT LABOR	75,000.00	109,866.00	2,750.00	2,750.00	72,250.00
020-017-530-3332	LEGAL FEES	50,000.00	50,000.00	0.00	3,500.70	20,000.00
	ExpCategory: 530 - CONTRACTUAL Total:	175,000.00	211,866.00	2,820.17	8,330.33	140,807.87
ExpCategory: 550 - MATERIALS/SUPPLIES/MAINT/SM TOOLS						
020-017-550-5051	OFFICE SUPPLIES	600.00	600.00	42.00	359.72	240.28
020-017-550-5849	COMP. SOFTWARE & ACCESSORIES	15,000.00	15,000.00	0.00	7,000.00	8,000.00
020-017-550-5857	MMBRSHIP/LCNSE/CRTFCATION/ECT	25,000.00	2,500.00	0.00	0.00	2,500.00
	ExpCategory: 550 - MATERIALS/SUPPLIES/MAINT/SM TOOLS Total:	40,600.00	18,100.00	42.00	7,359.72	10,740.28
ExpCategory: 570 - MISCELLANEOUS						
020-017-570-7010	MEETING EXPENSES	1,500.00	1,500.00	0.00	0.00	1,500.00
020-017-570-7015	PHOTOCOPIES	500.00	500.00	0.00	0.00	500.00
020-017-570-7130	MISC. EXPENDITURES	500.00	500.00	0.00	0.00	500.00
020-017-570-7200	TRAINING AND TRAVEL	3,000.00	3,000.00	0.00	1,323.92	1,676.08
020-017-570-7220	I.T. SERVICE FEES	4,857.00	4,857.00	404.75	2,023.75	2,833.25
	ExpCategory: 570 - MISCELLANEOUS Total:	10,357.00	10,357.00	404.75	3,347.67	7,009.33
	Department: 017 - ECON. DEV. ADMINISTRATION Total:	238,495.00	252,861.00	6,288.41	22,378.99	158,845.48
Department: 067 - INDUSTRIAL PROJECTS						
ExpCategory: 530 - CONTRACTUAL						
020-067-530-3502	TIF#3 19 TUBACEX REIMB PYMNT	0.00	429,691.00	0.00	429,690.69	0.31
	ExpCategory: 530 - CONTRACTUAL Total:	0.00	429,691.00	0.00	429,690.69	0.31
ExpCategory: 560 - CAPITAL - GENERAL						
020-067-560-6002	DIA ROAD PROJECT	2,044,370.00	2,044,370.00	0.00	0.00	2,044,370.00
	ExpCategory: 560 - CAPITAL - GENERAL Total:	2,044,370.00	2,044,370.00	0.00	0.00	2,044,370.00
ExpCategory: 570 - MISCELLANEOUS						
020-067-570-7400	CONTINGENCY RESERVE	21,631.00	52,993.00	0.00	0.00	52,993.00
	ExpCategory: 570 - MISCELLANEOUS Total:	21,631.00	52,993.00	0.00	0.00	52,993.00
ExpCategory: 580 - DEBT SERVICE						
020-067-580-8634	EB - CDBG LOAN PMT. EXP.	20,000.00	20,000.00	1,666.67	8,333.35	11,666.65
020-067-580-8635	ES - CDBG LOAN PMT. EXP.	20,000.00	20,000.00	1,666.48	8,332.40	11,667.60
	ExpCategory: 580 - DEBT SERVICE Total:	40,000.00	40,000.00	3,333.15	16,665.75	23,334.25
	Department: 067 - INDUSTRIAL PROJECTS Total:	2,106,001.00	2,567,054.00	3,333.15	446,356.44	2,120,697.56
	Fund: 020 - DURANT INDUSTRIAL AUTH. Surplus (Deficit):	0.00	0.00	-957.47	30,538.44	-41,098.09

Income Statement

For Fiscal: 2025-2026 Period Ending: 11/30/2025

	Original Total Budget	Current Total Budget	MTD Activity	YTD Activity	YTD Activity + Encumbrances	Budget Remaining	
Fund: 110 - 1/4 % ECONOMIC DEV. FUND							
RevDepartment: 000 - 000							
110-000-311-1000	SALES TAX REVENUE (.25%)	1,254,122.00	1,254,122.00	109,440.70	533,756.27	533,756.27	720,365.73
110-000-361-1000	INTEREST EARNINGS REVENUE	30,000.00	30,000.00	21,211.17	87,715.91	87,715.91	-57,715.91
	RevDepartment: 000 - 000 Total:	1,284,122.00	1,284,122.00	130,651.87	621,472.18	621,472.18	662,649.82
Department: 017 - ECON. DEV. ADMINISTRATION							
ExpCategory: 560 - CAPITAL - GENERAL							
110-017-560-6021	FUTURE PROJECTS	1,264,122.00	1,264,122.00	0.00	0.00	0.00	1,264,122.00
	ExpCategory: 560 - CAPITAL - GENERAL Total:	1,264,122.00	1,264,122.00	0.00	0.00	0.00	1,264,122.00
ExpCategory: 599 - TRANSFER							
110-017-599-0200	TRSF TO DIA (REIMB FOR EXPENSE	20,000.00	0.00	0.00	0.00	0.00	0.00
110-017-599-0201	TRANSFER TO DIA - DEBT PMTS	0.00	20,000.00	0.00	20,000.00	20,000.00	0.00
	ExpCategory: 599 - TRANSFER Total:	20,000.00	20,000.00	0.00	20,000.00	20,000.00	0.00
	Department: 017 - ECON. DEV. ADMINISTRATION Total:	1,284,122.00	1,284,122.00	0.00	20,000.00	20,000.00	1,264,122.00
	Fund: 110 - 1/4 % ECONOMIC DEV. FUND Surplus (Deficit):	0.00	0.00	130,651.87	601,472.18	601,472.18	-601,472.18



PO Box 130
 Durant OK 74702
 RETURN SERVICE REQUESTED

www.firstunitedbank.com
 First United - 20
 1400 W Main, PO Box 130
 Durant OK 74702-0130

Customer Service (800) 924-4427

Account XXXXXX3398

Page 1 of 3

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 CITY OF DURANT
 DURANT INDUSTRIAL AUTHORITY DIA
 PO BOX 578
 DURANT OK 74702-0578



6509B00X.002

CHECKING ACCOUNTS

Advantage United Commercial PF

Account Number	XXXXXX	Number of Enclosures	6
Previous Balance	\$331,423.05	Statement Dates	11/03/25 thru 11/30/25
Deposits/Credits	\$0.00	Days in Statement Period	28
6 Checks/Debits	\$7,759.89	Average Ledger	\$328,186.37
Service Charge	\$0.00	Average Collected	\$328,186.37
Interest Paid	\$0.00		
Current Balance	\$323,663.16		

Checks

Date	Check Number	Amount	Date	Check Number	Amount
11/17	1321	\$237.00	11/18	1324	\$1,666.67
11/28	1322	\$1,362.50	11/13	1325	\$77.24
11/18	1323	\$1,666.48	11/17	1326	\$2,750.00

(*) Denotes skip in check numbers

Daily Balance Summary

Date	Balance	Date	Balance	Date	Balance
11/03	\$331,423.05	11/17	\$328,358.81	11/28	\$323,663.16
11/13	\$331,345.81	11/18	\$325,025.66		

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CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1321

DATE 11/07/2025

PAY TO THE ORDER OF **HALL, ESTILL, HARDWICK, ATTN: ACCOUNTING**
521 E 2ND ST STE 1200
TULSA, OK 74120

PAY **Two Hundred Thirty Seven Dollars and 00/100 Cents**

AMOUNT \$237.00

VOID AFTER 90 DAYS

001321 ⑆103100881⑆ *0000

Number: 1321 Date: 11/17/2025 Amount: \$237.00

CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1322

DATE 11/07/2025

PAY TO THE ORDER OF **MARKETING ALLIANCE**
1420 CELEBRATION BLVD STE 200
CELEBRATION, FL 34747

PAY **One Thousand Three Hundred Sixty Two Dollars and 50/100 Cents**

AMOUNT \$1,362.50

VOID AFTER 90 DAYS

001322 ⑆103100881⑆ *0000

Number: 1322 Date: 11/28/2025 Amount: \$1362.50

CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1323

DATE 11/07/2025

PAY TO THE ORDER OF **OKLAHOMA DEPARTMENT OF COMMERCE**
ATTN: ADMINISTRATIVE SERVICES
900 NORTH STILES
OKLAHOMA CITY, OK 73104-3234

PAY **One Thousand Six Hundred Sixty Six Dollars and 48/100 Cents**

AMOUNT \$1,666.48

VOID AFTER 90 DAYS

001323 ⑆103100881⑆ *0000

Number: 1323 Date: 11/18/2025 Amount: \$1666.48

CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1324

DATE 11/07/2025

PAY TO THE ORDER OF **OKLAHOMA DEPARTMENT OF COMMERCE**
ATTN: ADMINISTRATIVE SERVICES
900 NORTH STILES
OKLAHOMA CITY, OK 73104-3234

PAY **One Thousand Six Hundred Sixty Six Dollars and 67/100 Cents**

AMOUNT \$1,666.67

VOID AFTER 90 DAYS

001324 ⑆103100881⑆ *0000

Number: 1324 Date: 11/18/2025 Amount: \$1666.67

CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1325

DATE 11/07/2025

PAY TO THE ORDER OF **OKLAHOMA GAS AND ELECTRIC**
PO BOX 24590
OKLAHOMA CITY, OK 73124-0990

PAY **Seventy Seven Dollars and 24/100 Cents**

AMOUNT \$77.24

VOID AFTER 90 DAYS

001325 ⑆103100881⑆ *0000

Number: 1325 Date: 11/13/2025 Amount: \$77.24

CITY OF DURANT - DURANT INDUSTRIAL AUTH
300 WEST EVERGREEN
P.O. BOX 578
DURANT, OKLAHOMA 74702-0578

First United
1400 W Main
Durant, OK 74701

CHECK # 1326

DATE 11/07/2025

PAY TO THE ORDER OF **SLATEN PROPERTY ADVISORS LLC**
PO BOX 5095
DURANT, OK 74702

PAY **Two Thousand Seven Hundred Fifty Dollars and 00/100 Cents**

AMOUNT \$2,750.00

VOID AFTER 90 DAYS

001326 ⑆103100881⑆ *0000

Number: 1326 Date: 11/17/2025 Amount: \$2750.00

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City of Durant, Oklahoma
4.375% Sales Tax Revenue Breakdown

Current Month Sales Tax Revenue Detail

1/4% Economic Development (effective 1/1/04)	\$109,440.70
1/2% Sales Tax Rev. (effective 10/1/24)	\$218,881.40
1% Capital Improvements (effective 1978, rev. 1999)	\$437,762.81
2% General Operations	\$875,525.61
5/8% DISD Improvements (effective 7/1/08)	\$273,601.75
Total Sales Tax Rev. Nov. 2025 @ 4-3/8%	\$1,915,212.27



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From:
Re: Administration

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Consider and Discuss the January 2026 through December 2027 appointment to Durant Tourism Authority and take possible action

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Consider and Discuss the temporary appointment to the Durant Airport Advisory Board in the absence of an Executive Director and take possible action.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Consider and Discuss version A (discussed in public meeting November 4, 2025) and version B (Attorney's review) of the proposed DIA By-Laws and take possible action.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Redline By-Laws from Attorney 12312025
2. Draft DIA By-Laws 10.31.2025

BY-LAWS
OF THE
DURANT INDUSTRIAL AUTHORITY

The By-Laws of the Durant Industrial Authority, an Oklahoma public trust (the “Authority” or the “Trust”), effective as of the day of ____ day of _____, 2025, shall be as follows:

ARTICLE I
THE AUTHORITY

Section 1. Name. The name of the Authority shall be the “Durant Industrial Authority”.

Section 2. Seal. The seal of the Authority shall be in the form of a circle and shall bear the name “Durant Industrial Authority” the words “Seal” and “Oklahoma”.

Section 3. Office of Authority. The office of the Authority shall be at such place in the City of Durant as the Trustees and the City Manager shall designate from time to time.

ARTICLE II
TRUSTEES

Section 1. Trustees. The Trustees of this Trust shall be residents and qualified electors of the Beneficiary. The number of Trustees shall be seven (7) and members thereof shall be those so designated and as set forth in the Trust Indenture. The Trustees, collectively, shall be the governing body of the Authority.

Section 2. Terms of Office. Each Trustee, once approved through the application process set forth in Section 3 herein, shall serve a term of two (2) years, commencing on January 1 of the year of appointment and ending on December 31 of the second year thereafter, or until a successor has been duly appointed and qualified. To ensure continuity of governance, the initial appointments of Trustees shall be staggered beginning January 1, 2026, according to the following schedule:

December 31, 2026: Finance/Accounting, Business/Industry, Seat 6, Non-Voting DISD.

December 31, 2027: Law/Governance, Community/Nonprofit, Seat 7.

December 31, 2028: Finance/Accounting, Business/Industry, Seat 6, Non-Voting DISD.

December 31, 2029: Law/Governance, Community/Nonprofit, Seat 7.

*Due to initial staggering of appointments beginning January 1, 2026, certain seats may serve less than six (6) years in total.

Thereafter, each Trustee shall serve a term of two (2) years, with expirations continuing on the same schedule. Trustees may be reappointed for successive two-year terms, provided that including initial appointments, no individual shall serve more than six (6) years in total, whether consecutively or non-consecutively.

Any Trustee appointed to fill a vacancy shall serve for the unexpired term of the Trustee being replaced, and may thereafter be reappointed; provided, however, that no individual shall serve more than six (6) consecutive years in office.

Any individual who has served the maximum allowable term may reapply and be reappointed after one (1) year has elapsed following the conclusion of their service.

Section 3. Trustee Application and Appointment Schedule. Each Trustee shall be required to submit an application, participate in an interview process, and receive approval by a majority vote of the incumbent Trustees prior to appointment, in accordance with the schedule below. This requirement does not apply to those serving by virtue of office or as a designee (The Mayor of the City of Durant or the Mayor's designee, and the Chief of the Choctaw Nation or the Chief's designee.)

August 1-10: Authority votes on any necessary reappointments.

September 1-30: Applications Open.

October 1-10: Applications reviewed and candidates shortlisted for interview.

October 11-31: Candidate interviews shall be conducted, and final recommendations for Trustee appointments shall be prepared for the November meeting.

November Meeting: Authority vote on Trustee appointments during the regular November meeting.

November-December: All candidates notified of the outcome. Newly appointed Trustees shall receive orientation materials and resources to ensure readiness to assume office.

January 1 - Newly appointed Trustees shall officially assume their duties.

ARTICLE III OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chair, Vice Chair, Secretary and Treasurer as directed by the Trust Indenture.

Section 2. Chair. The Trustees shall select by majority vote, one from among them to serve as Chair. The Chair shall preside over all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chair shall sign all contracts, deeds, and other instruments made by the Authority.

Section 3. Vice Chair. The Trustees shall select by majority vote, one from among them to serve as Vice Chair. The Vice Chair shall perform the duties of the Chair in absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as a new Chair shall have been chosen in the manner provided for in Section 67 herein.

Section 4. Secretary. The Trustees shall select by majority vote, one from among them to serve as Secretary who may or may not also be a Trustee of the Authority. The Secretary shall keep the records of the Authority, act as Secretary of the meetings of the Authority, record all votes, and maintain a record of the proceedings for such purposes. ~~The~~ Secretary shall also perform all duties incident to the office, keep in safe custody the Seal of the Authority and shall have the power to affix the Seal to all contracts and instruments authorized to be executed ~~on behalf~~by of the Authority. An Assistant

Secretary likewise may be elected by majority vote of the Trustees and may or may not be a Trustee.

Section 5. Treasurer. The Trustees shall select by majority vote, one from among them to serve as Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit them in the name of the Authority in such bank or banks or with the beneficiary of the ~~t~~Trust for deposit in a bank or banks as the Authority may select. The ~~y~~Treasurer shall have such authority in signing of orders and checks for the payment of money as the Authority may by resolution from time to time designate. The ~~y~~Treasurer shall keep regular books of account(s) of the Authority showing receipts and expenditures and shall render to the Authority an account of the transactions of the Authority and the financial condition of the Authority when requested. The ~~y~~Treasurer shall give such bond for the faithful performance of their ~~Treasurer's~~Treasurer's duties as the ~~governing body~~Trustees by majority vote may designate.

Section 6. Additional Duties. The officers of the authority shall perform such other duties and functions as may, from time to time be required by the ~~governing body~~majority vote of the Trustees, these By-Laws or the rules and regulations of the Authority as adopted by majority vote of the Trustees.

Section 7. Vacancies. Should the office of Chair, Vice Chair, Secretary or Treasurer become vacant, the ~~Authority~~Trustees by majority vote shall appoint a successor at the next meeting and such appointment shall be for the interim period as set forth in the Trust Indenture creating the Authority.

Section 8. Additional Personnel. The Authority may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the Trust Indenture creating the Authority. The individual serving as General Manager shall hold the title of Executive Director, as set forth in these By-Laws.

ARTICLE IV GENERAL MANAGER

Section 1. As authorized by the Trust Indenture, the Trustees may select a general manager who shall hold the title of Executive Director of the ~~Durant Industrial~~ Authority.

Section 2. The Executive Director shall be responsible for employment of necessary secretarial and office assistants as may be authorized by a vote of the Trustees. The Executive Director shall have the responsibility of proposing an annual budget and the management thereof, marketing and seeking business, industrial and technological growth for the City of Durant and the micropolitan area.

ARTICLE V COMMITTEES

Section 1. Ad hoc Committees. The Chair may appoint ad hoc committees from among the Trustees as they ~~Chair~~Chair may deem appropriate, from time to time.

ARTICLE VI MEETINGS

Section 1. Regular Meetings. The Authority shall hold its regular meetings on the first Tuesday of each month at 4:00 p.m. in the Council Chamber of Durant City Hall. If any such date falls on a legal holiday, the Authority shall designate an alternate meeting date when adopting the annual regular meeting schedule.

The annual schedule of regular meetings shall be established and approved by the Authority each year and filed with the City Clerk of Durant, Oklahoma, no later than December 15th of the prior year, in compliance with the Oklahoma Open Meeting Act.

Any change in meeting date, time, or location shall be filed with the City Clerk of Durant, Oklahoma, no later than ten (10) days prior to the rescheduled meeting, in compliance with the Oklahoma Open Meeting Act.

Section 2. Special Meetings. The Chair and/or Executive Director of the Authority may, when ~~they~~either ~~deems~~ it necessary, and shall, upon the written request of two (2) members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated on the call agenda for the special meeting. When the call is made at the request of two (2) ~~members~~Trustees, ~~it~~the agenda for the special meeting shall designate any business for consideration, as specified by the requesting ~~members~~Trustees. At each special meeting, no business shall be considered other than that designated on the call agenda for the special meeting.

Notice of such meetings shall be filed with the City Clerk, and delivered to each member of the authority via electronic mail at least forty-eight(48) hours in advance of the meeting, and posted at the site of the meeting at least twenty-four (24) hours in advance of the meeting, all in compliance with the Oklahoma Open Meeting Act.

Section 3. Quorum. All powers of the Authority shall be exercised by the Trustees holding office at any given time. A majority of the total Trustees shall constitute a quorum for conducting business and exercising the Authority's powers. When a quorum is in attendance, action may be taken by the Authority upon a favorable vote of the majority of the Trustees present.

Section 4. Manner of Voting. The voting on all questions coming before the Authority shall be by roll call, and the AYE's and NAY's shall be entered upon the minutes of such meeting, all in compliance with the Oklahoma Open Meeting Act.

ARTICLE VII ACCOUNTING MANNTERS

Section 1. Fiscal Year. The Authority shall operate on the basis of a fiscal year ending June 30 of each year, unless altered by amendment to these By-Laws.

Section 2. Annual Audit. The Authority shall be audited together with the City of Durant as part of the City's annual audit. If an independent audit is deemed necessary, the Authority may, by majority vote of the Trustees, designate a certified public accountant

or accounting firm to conduct an independent audit of ~~its~~the Authority's financial records.

ARTICLE VIII

CONFLICT OF INTEREST POLICY

The ~~Conflict of Interest~~Conflict-of-Interest Policy adopted by majority vote of the Trustees on December _____, 2025, (attached hereto) is hereby incorporated by reference and shall be a binding policy on all Trustees and employees of the Authority.

ARTICLE ~~VIII~~X
AMENDMENTS

Section 1. Amendments to By-Laws. The By-Laws of the Authority may be amended with the approval of a majority of the Trustees at a regular or special meeting.

Except by unanimous consent of all the Trustees, no proposed amendment to the By-Laws shall be voted upon until it has been reduced to writing, filed with the Secretary and approved at a regular meeting immediately preceding the meeting at which the same is voted upon.

Passed and approved this _____ day of _____, 2025.

BRETT ROGERS, Chair

ATTEST:

JENNIFER WILCOX, Secretary

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~~21439831.1:014990.00003~~



CITY OF DURANT

DURANT INDUSTRIAL AUTHORITY

300 W. Evergreen St, Durant, OK

(580) 931-6600 • www.ok-durant.org

Based on the feedback from the By-Laws workshop. Attached is a working document of the By-Laws with changes in the document identified by three different colors.

Yellow – grammatical type update

Blue – Trustee Structure update

Pink – Legal updates (update the by-laws to revise the by-laws to be current with Oklahoma law.

BY-LAWS
OF THE
DURANT INDUSTRIAL AUTHORITY

The By-Laws of the Durant Industrial Authority, an Oklahoma public trust (the "Authority" effective as of the day of ____ day of _____, 2025~~19~~, shall be as follows:

ARTICLE I
THE AUTHORITY

Section 1. Name. The name of the Authority shall be the "Durant Industrial Authority".

Section 2. Seal. The seal of the Authority shall be in the form of a circle and shall bear the name "Durant Industrial Authority", the words "~~Official~~", "Seal", and "Oklahoma".

Section 3. Office of Authority. The office of the Authority shall be at such place in the City of Durant as the Trustees ~~and the City Manager shall designate from time to time., but shall initially be the Office of the Durant Chamber of Commerce, 215 North Fourth Ave, Durant, Oklahoma.~~

ARTICLE II
TRUSTEES

Section 1. Trustees. The Trustees of this Trust shall be ~~residents and qualified electors~~~~citizens and residents~~ of the Beneficiary. The number of Trustees shall be seven (7) and members thereof shall be those so designated and as set forth in the Trust Indenture.

Section 2. Terms of Office. Each Trustee, once approved through the application process set forth in Section 3 herein, shall serve a term of two (2) years, commencing on January 1 of the year of appointment and ending on December 31 of the second year thereafter, or until a successor has been duly appointed and qualified. To ensure continuity of governance, the initial appointments of Trustees shall be staggered beginning January 1, 2026, according to the following schedule:

December 31 2026: Finance/Accounting, Business/Industry, Seat 6, Non-Voting DISD.

December 31, 2027: Law/Governance, Community/Nonprofit, Seat 7.

December 31, 2028: Finance/Accounting, Business/Industry, Seat 6, Non-Voting DISD.

December 31, 2029: Law/Governance, Community/Nonprofit, Seat 7.

**Due to initial staggering of appointments beginning January 1, 2026, certain seats may serve less than six (6) years in total.*

Thereafter, each Trustee shall serve a term of two (2) years, with expirations continuing on the same schedule. Trustees may be reappointed for successive two-year terms, provided that

including initial appointments, no individual shall serve more than six (6) years in total, whether consecutively or non-consecutively.

Any Trustee appointed to fill a vacancy shall serve for the unexpired term of the Trustee being replaced, and may thereafter be reappointed; provided, however, that no individual shall serve more than six (6) consecutive years in office.

Any individual who has served the maximum allowable term may reapply and be reappointed after one (1) year has elapsed following the conclusion of their service.

~~The terms of the office of the two designee Trustees (appointed by Mayor of Durant) shall be for staggered four (4) year terms beginning on February 1 of each even numbered year. Upon the occurrence of a vacancy in the office of the "designated" Trustee, a successor Trustee to serve for the remainder of the unexpired term of office shall be appointed in the manner prescribed in the Trust Indenture, as supplemented and amended. Each such successor in office shall without any further act, deed, or conveyance, automatically become a Trustee of this Trust and become fully vested with all the estate, properties, rights, powers, duties, and obligations his predecessor hereunder with like effect if originally named as a Trustee herein.~~

Section 3. Trustee Application and Appointment Schedule. Each Trustee shall be required to submit an application, participate in an interview process, and receive approval by a majority vote of the ~~incumbent Trustees prior to appointment~~ Board of Trustees prior to appointment, in accordance with the schedule below. This requirement does not apply to those serving by virtue of office or as a designee (The Mayor of the City of Durant or the Mayor's designee, and the Chief of the Choctaw Nation or the Chief's designee.)

August 1-10: Authority votes on any necessary reappointments.

September 1-30: Applications Open.

October 1-10: Applications reviewed and candidates shortlisted for interview.

October 11-31: Candidate interviews shall be conducted, and final recommendations for Trustee appointments shall be prepared for the November meeting.

November Meeting: Authority vote on Trustee appointments during the regular November meeting.

November-December: All candidates notified of the outcome. Newly appointed Trustees shall receive orientation materials and resources to ensure readiness to assume office.

January 1 - Newly appointed Trustees shall officially assume their duties.

ARTICLE III OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chair, Vice Chair, Secretary and Treasurer as directed by the Trust Indenture.

Section 2. Chair. ~~The Trustees shall select by majority vote, one from among them to serve as Chair. A person from among the Trustees, selected by majority vote of the Trustees, shall be the Chair.~~ The Chair shall preside ~~over~~ at all meetings of the Authority. Except as otherwise

authorized by resolution of the Authority, the Chair shall sign all contracts, deeds, and other instruments made by the Authority. ~~At each meeting, the Chair shall submit recommendations and information as he/she may consider proper concerning business affairs and policies of the Authority.~~

Section 3. Vice Chair. The Trustees shall select by majority vote, one from among them to ~~serve as~~ Vice Chair. The Vice Chair shall perform the duties of the Chair in absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as a new Chair shall have been chosen in the manner provided for in Section 62 herein.

Section 4. Secretary. The Trustees shall select by majority vote, ~~one from among them a person~~ to serve as Secretary who may or may not also be a Trustee of the Authority. The Secretary shall keep the records of the Authority, ~~shall act as Secretary of the meetings of the Authority, and record all votes, and maintain~~ ~~shall keep~~ a record of the proceedings for such purposes of the Authority in a journal of proceedings to be kept for such purposes, and shall perform all duties incident to said office. ~~They~~ He/She shall also perform all duties incident to the office, keep in safe custody the Seal of the Authority and shall have the power to affix the Seal to all contracts and instruments authorized to be executed on behalf of the Authority. An Assistant Secretary likewise may be elected by majority vote of the Trustees and may or may not be a Trustee.

Section 5. Treasurer. ~~The Trustees shall select by majority vote, one from among them to serve as Treasurer.~~ The Treasurer shall have the care and custody of all funds of the Authority and shall deposit ~~them the same~~ in the name of the Authority in such bank or banks or with the beneficiary of the trust for deposit in a bank or banks as the Authority may select. ~~They~~ He/She shall have such authority in signing of orders and checks for the payment of money as the Authority may by resolution from time to time designate. ~~They~~ He/She shall keep regular books of account(s) of the Authority showing receipts and expenditures and shall render to the Authority an account of the transactions of the Authority and of the financial condition of the Authority when requested. ~~They~~ He/She shall give such bond for the faithful performance of ~~their~~ his/her duties as the governing body may designate.

Section 65. Additional Duties. The officers of the authority shall perform such other duties and functions as may, from time to time be required by the governing body, ~~or by these By-Laws or the~~ rules and regulations of the Authority.

Section 76. Vacancies. Should the office of Chair, Vice Chair, Secretary or Treasurer become vacant, the Authority shall appoint a successor at the next meeting and such appointment shall be for the interim period ~~as until the office is filled by appointment pursuant to the procedures set forth in the Trust Indenture creating the Authority.~~

Section 87. Additional Personnel. The Authority may, from time to time, employ such personnel as it deems necessary to exercise its powers, duties, and functions as prescribed by the Trust

Indenture creating the Authority. The individual serving as General Manager shall hold the title of Executive Director, as set forth in these By-Laws. ~~The Authority may from time to time employ such personnel, such as General Manager and/or Executive Director, as it deems necessary to exercise its powers, duties and functions as prescribed by the Trust Indenture creating the Authority.~~

ARTICLE IV GENERAL MANAGER

Section 1. As authorized by the Trust Indenture, the Trustees may select a general manager who shall hold the title of Executive Director of the Durant Industrial Authority.

Section 2. The Executive Director shall be responsible for employment of necessary secretarial and office assistants as may be authorized by a vote of the Trustees. The Executive Director shall have the responsibility of proposing an annual budget and the management thereof, marketing and seeking business, industrial and technological growth for the City of Durant and the micropolitan area.

ARTICLE V COMMITTEES

Section 1. Ad hoc Committees. The Chair may appoint ad hoc committees from ~~among~~ ~~amount~~ the Trustees as ~~they~~ ~~he~~ may deem appropriate from time to time.

ARTICLE VI MEETINGS

Section 1. Regular Meetings. The Authority shall hold its regular meetings on the first Tuesday of each month at 4:00 p.m. in the Council Chamber of Durant City Hall. If any such date falls on a legal holiday, the Authority shall designate an alternate meeting date when adopting the annual regular meeting schedule.

The annual schedule of regular meetings shall be established and approved by the Authority each year and filed with the City Clerk of Durant, Oklahoma, no later than December 15 the prior year, in compliance with the Oklahoma Open Meeting Act.

Any change in meeting date, time, or location shall be filed with the City Clerk of Durant, Oklahoma, no later than ten (10) days prior to the rescheduled meeting, in compliance with the Oklahoma Open Meeting Act. ~~Regular meetings of the Authority shall be held in accordance with established meeting schedules to be determined by a majority of the Trustees from time to time, at the regular meeting place of the Authority. Should any such date be a legal holiday, the meeting shall be held on the next business day at the same time and place.~~

Section 2. Special Meetings. The Chair and/or Executive Director of the Authority may, when they he deems it necessary expedient, and shall, in any event upon the written request of two (2) members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated on in the call. When Where the call is made at the request of two (2) members, it shall designate any business for consideration specified by the requesting members. At each special meeting no business shall be considered other than that designated on the call.

Notice of such meetings shall be filed with the City Clerk, and delivered to each member of the authority via electronic mail at least forty-eight(48) hours in advance of the meeting, and posted at the site of the meeting at least twenty-four (24) hours in advance of the meeting, in compliance with the Oklahoma Open Meeting Act.

~~The call of a special meeting may be delivered to each member of the Authority via electronic mail or may be mailed to the business or home address of each member of the Authority at least forty-eighttwo (482) hoursdays prior to the date of such special meeting. At each special meeting no business shall be considered other than that designated in the call. Notice of such meetings must be filed with the City Clerk, and delivered to each member of the authority via electronic mail at least forty-eight (48) hours in advance of the meeting, and posted at the site of the meeting at least twenty-four (24) hours in advance of the meeting in compliance with the Oklahoma Open Meeting Act.~~

Section 3. Quorum. All powers of the Authority shall be exercised by the Trustees holding office at any given time. A majority of the total Trustees shall constitute a quorum for conducting business and exercising the Authority's powers. ~~The powers of the Authority shall be vested in the Trustees thereof in office from time to time. A majority of Trustees shall constitute a quorum for the purpose of conducting its business and exerocising its powers.~~ When a quorum is in attendance, action may be taken by the Authority upon a favorable vote of the majority of the Trustees present.

Section 4. Manner of Voting. The voting on all questions coming before the Authority shall be by roll call, the AYE's and NAY's shall be entered upon the minutes of such meeting in compliance with the Oklahoma Open Meeting Act., ~~except in case of elections when the vote may be by ballot, at the direction of the chair.~~

ARTICLE VII ACCOUNTING MANNERS

Section 1. Fiscal Year. The Authority shall operate on the basis of a fiscal year ending June 30 of each year, unless altered by amendment to these By-Laws.

Section 2. Annual Audit. The Authority shall be audited together with the City of Durant as part of the City's annual audit. If an independent audit is deemed necessary, the Authority may, by majority vote, designate a certified public accountant or accounting firm to conduct an

~~independent audit of its financial records. The Authority shall annually, by October 1 of that year, designate a certified or public accountant or accounting firm to conduct an independent audit of the financial records of the Authority for the preceding fiscal year, in keeping with state law.~~

ARTICLE VIII
AMENDMENTS

Section 1. Amendments to By-Laws. The By-Laws of the Authority may be amended with the approval of a majority of the Trustees at a regular or special meeting.

Except by unanimous consent of all the Trustees, no proposed amendment to the By-Laws shall be voted upon until ~~it has~~ the same shall have been reduced to writing, filed with the Secretary and approved at a regular meeting immediately preceding the meeting at which the same is voted upon.

Passed and approved this _____ day of _____, 2025~~10~~.

BRETT ROGERS ~~JERRY L. TOMLINSON~~, Chair

ATTEST:

JENNIFER WILCOX ~~TOMMY KRAMER~~, Secretary



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Consider Entering into Executive Session to Discuss Hiring New Executive Director (This Executive Session is authorized by Oklahoma State Statute, Title 25, Section 307 (B) (1))

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

[AGENDA_ITEM_DEPARTMENT]

Memorandum

Date: 1/6/2026
To: Mayor and City Council
From: Jennifer Wilcox, Executive Admin
Re: Consider Action Pursuant to Executive Session Item 5A.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS: