

MINUTES OF THE PUBLIC WORKS AUTHORITY MEETING, APRIL 21, 2009

Minutes of the regular meeting of the Chairman and Trustees of the Clinton Public Works Authority of Clinton, Oklahoma, Custer County, held in the City Council Room, City Hall on Tuesday, April 21, 2009 at 5:30 P.M. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on April 17, 2009.

Vice-Chairman Hendrickson called the meeting to order with the following present;

CHAIRMAN: Absent

TRUSTEES: Terry Wheeler, Mark Hendrickson, Bob Marcy, John Jordan

CITY MANAGER: Grayson Bottom

CITY CLERK: Lisa Anders

CITY TREASURER: Debra Blanchard

DEPUTY CLERK: Absent

CITY ATTORNEY: Ryan Meacham

NEWS MEDIA: Gerald Green and Mike Smith

OTHERS: Charles Fry, Brad Aneshansley, David Crabtree and others.

Dave Gerbrandt of the First Mennonite Church opened the meeting with prayer and Trustee Bob Marcy led the Pledge of Allegiance.

AGENDA ITEM NO. 3: CONSENT AGENDA

A. Minutes of the Regular Meeting of April 7, 2009

Moved by Trustee Wheeler and seconded by Trustee Marcy, that Consent Agenda Item No. 3 (a) be approved.

Vice-Chairman put the motion to a roll call vote:

Aye: Wheeler, Marcy, Jordan, Hendrickson

Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO. 4 ACTION ITEMS

4A. REQUEST AUTHORIZATION TO EXPEND FUNDS FOR DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRED SURVEY FOR NORTHEAST QUADRANT WATER LINE REPLACEMENT

City Manager Grayson Bottom explained that before a permit will be issued by DEQ, they are requiring a survey of the area to be involved in the upgrade. Three quotes have been sought for this professional service.

PW040709

Topographic No Bid	Garver Engineering Co. \$55,000.00	Lemke Land Surveying \$43,400.00
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Vice-Chairman Hendrickson said it was his understanding that this cost has been included in the current budget.

It was staff's recommendation to award the project to Lemke for the amount of \$43,400.00 as a sub-contractor for Garver Engineering Company.

Motion was made by Trustee Jordan and seconded by Trustee Marcy to authorize the expenditure of funds for the Department of Environmental Quality required survey for the Northeast Quadrant Water Line Replacement.

Vice-Chairman Hendrickson put the motion to a roll call vote:

Aye: Jordan, Marcy, Wheeler, Hendrickson
Nay: None

Vice-Chairman declared the motion carried.

4B. CONSIDER RESOLUTION NO. PW-09-01 REGARDING IDENTITY THEFT PREVENTION PROGRAM

City Manager Grayson Bottom explained that the Federal Trade Commission has required the adoption of the Red Flag Rules Identity Theft Prevention Program. Cities became aware of this requirement in October 2008 at which time the City of Clinton named the City manager as the Committee Chairman. He said Ryan Meacham has reviewed the plan for compliance with the requirements.

Assistant City Attorney Ryan Meacham said the plan explains clearly the steps that will be taken to protect customer's personal information.

Motion was made by Trustee Marcy and seconded by Trustee Jordan to approve Resolution No. PW09-01 regarding the Identity Theft Prevention Program.

Vice-Chairman put the motion to a roll call vote:

Aye: Marcy, Jordan, Wheeler, Hendrickson
Nay: None

Vice-Chairman declared the motion carried.

AGENDA ITEM NO .5: CITY MANAGER’S REPORT

None

AGENDA ITEM NO. 6: AUDIENCE PARTICIPATION

None

AGENDA ITEM NO. 7: ADJOURNMENT

Moved by Trustee Marcy and seconded by Trustee Jordan that the meeting adjourn.

Vice-Chairman put the motion to a roll call vote

Aye: Marcy, Jordan, Wheeler, Hendrickson

Nay: None

Chairman declared the meeting adjourned at 5:37 pm.

RESOLUTION NO. PW09-01

**A RESOLUTION OF THE MEMBERS OF CLINTON PUBLIC WORKS AUTHORITY
ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM; APPOINTING AN
OVERSIGHT COMMITTEE; AND AUTHORIZING THE CITY MANAGER TO
APPROVE MODIFICATIONS TO THE PROGRAM AS NEEDED**

WHEREAS, pursuant to federal law the Federal Trade Commission adopted Identity Theft Rules requiring the creation of certain policies relating to the use of consumer reports, address discrepancy and the detection, prevention and mitigation of identity theft;

WHEREAS, the Federal Trade Commission regulations, adopted as 16 CFR § 681.2 require creditors, as defined by 15 U.S.C. § 1681a(r)(5) to adopt red flag policies to prevent and mitigate identity theft with respect to covered accounts;

WHEREAS 15 U.S.C. § 1681a(r)(5) cites 15 U.S.C. § 1691a, which defines a creditor as a person that extends, renews or continues credit, and defines 'credit' in part as the right to purchase property or services and defer payment therefore;

WHEREAS the Federal Trade Commission regulations include utility companies in the definition of creditor;

WHEREAS the City of Clinton, Oklahoma is a creditor with respect to 16 CFR § 681.2 by virtue of providing water, sewer and sanitation utility services;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF CLINTON PUBLIC WORKS AUTHORITY:

Section 1. The Authority hereby adopts an Identity Theft Prevention Program in accordance with the requirements of the Fair and Accurate Credit Transaction Act.

Section 2. The Authority appoints the City Manager as the Oversight Committee to oversee the operation and compliance of the Authority's Identity Theft Prevention Program.

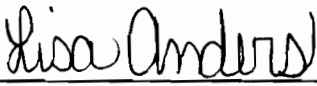
Section 3. The Authority authorizes the City Manager to approve modifications to the Identity Theft Prevention Program as needed to meet the needs of the utility department and to maintain compliance with the Fair and Accurate Credit Transaction Act.

PASSED AND APPROVED THIS 21st DAY OF April, 2009.

CLINTON PUBLIC WORKS AUTHORITY

By: 
Chairman

ATTEST:


Secretary

(SEAL)