



# NOTICE AND AGENDA OF SPECIAL MEETING

Pursuant to the Oklahoma Open Meeting Act (25 O.S. Sec. 301, et seq.), notice is hereby given that the Project PCDC Tax Incentive District (TID) Review Committee, will hold a special meeting as follows

## FILED

APR 16 2026

TIME 10:46 AM  
HOPE TRAMMELL, COUNTY CLERK  
PITTSBURG COUNTY

BY \_\_\_\_\_ DEPUTY

DATE: April 21, 2026

TIME: 11:30 A.M

PLACE: 3RD FLOOR-TRAINING ROOM  
PITTSBURG COUNTY COURTHOUSE  
115 EAST CARL ALBERT PARKWAY  
MCALESTER, OKLAHOMA

\*\*\*CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO BE TAKEN ON THE FOLLOWING LISTED ITEMS ON THE AGENDA\*\*\*

## AGENDA

1. CALL MEETING TO ORDER
2. APPROVAL OF MINUTES OF PREVIOUS MEETING
3. DISCUSSION WITH RURAL WATER DISTRICT #11, PITTSBURG COUNTY, ABOUT WATER SUPPLY FOR PROJECT EMERALD CO
4. PROJECT UPDATE FROM DEVELOPER
5. REVIEW OF PROJECT PLAN DRAFT
6. MAKING A RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS OF PITTSBURG COUNTY RELATED TO THE PROJECT
7. ADJOURNMENT

  
Minute Clerk

**PCDC TAX INCENTIVE DISTRICT (TID) IREN REVIEW COMMITTEE  
SPECIAL MEETING  
MINUTES  
APRIL 21, 2026**

The PCDC Tax Incentive District (TID) Iren Review Committee, Pittsburg County, met in its final special session on April 21, 2026 at 11:30 A.M., Meeting held at the Pittsburg County Commissioner's Conference Room, after proper notice and agenda were posted indicating time and date. Agenda was posted at 10:46 A.M., April 16, 2026.

**1. CALL THE MEETING TO ORDER:** The meeting was called to order by Chairman Haynes.

**ROLL CALL:**

Mike Haynes, Governing Body Representative & Chairman	Present
Sam Rhyne, Kiowa Public Schools Representative	Present
James Schulz, Pittsburg County Health Department Representative	Present
Shelley Free, Kiamichi Technology Center Representative	Present
Michael Hull, southeast Oklahoma Public Library System Representative	Present
Brent Stone, At-Large , Business Community Member	Absent
Michael Kellogg, At-Large Member	Present
Rex Hatridge, At-Large Member	Absent

Also, present were David Floyd, Floyd & Driver Law Firm.

**2. APPROVAL OF MINUTES OF PREVIOUS MEETING:** Rhyne made a motion to approve the minutes from April 7, 2026 special meeting; seconded by Schulz.

AYE: Mike Haynes  
Sam Rhyne  
James Schulz  
Shelley Free  
Michael Hull  
Michael Kellogg

NAY: None.

Motion Passed.

**Brent Stone joined the meeting.**

**Haynes turned the meeting over to David Floyd of Floyd and Driver Law Fire.**

David Floyd stated that he is the attorney for Pittsburg County in regards to the review committee and explained that the two future public hearings and that today is a meeting for the committee receive input on the proposal.

**3. DISCUSSION WITH RURAL WATER DISTRICT #11, PITTSBURG COUNTY, ABOUT WATER SUPPLY FOR PROJECT EMERALDCO:** Candace Crutchfield stated that they Rural Water District Board has not appointed a representative to speak for the board. No further discussion as to the water supply.

**4. PROJECT UPDATE FROM THE DEVELOPER:** Jason Date with Iren stated that the project is south of the Town of Kiowa and consists of 2,000 acres and that they are in the early stages of the design.

**PCDC Tax Incentive District Iren Data Review Committee Special Meeting Minutes  
April 21, 2026**

**Page 2**

Date stated that they will not use a lot of water daily and that they have spoken to the City of Kiowa and that they can supply the water for the ongoing operations if required. Date stated that they can haul the water from outside of the county and state, that they have spoken to nine different water haulers to supply water if there isn't sufficient water available locally. Date also stated that they have projects in other states as well as Canada and that they understand water at times can be a scarce commodity and that in Childress they haul in water from an outside water supply. Date stated that they are still in early stages but they can haul in water from an outside water source.

**5. REVIEW OF DRAFT PROJECT PLAN DRAFT:** Floyd stated that the current draft is based off of ongoing conversations that he has had with the developer since the last meeting. Floyd stated that the first part of the structure is setting a floor on required payments to the county, that this is an earned incentive and that the higher the megawatts produced the higher the abatement on the taxes up to 85%. Floyd stated that they have set a base as to what taxes will be paid and it is phased in during the construction and once the project has reached stabilization then the rate will be set to whatever the abatement is for that period. Floyd explained the steps for the calculation of the abatement percentage. Floyd stated that they have also increased the amount of community betterment payments with a reminder that those are betterment payments from the developer to the county and taxing entities that are outside the ad valorem structure and explained the ramp up of the payments. The required minimum sets a floor that they will not fall below but does not act as a cap, so as ad valorem values increase there is no limit on what that 15% will bring to the county or the other taxing entities, but we know for certain that they will not fall below the floor, and we have factored in variables such as depreciating equipment or less demand. Floyd stated that the actual numbers are included in another document called a tax incentive agreement and stated that it is the last part of the process. Floyd stated the project plan is the first phase and the governing document that outlines the structure of the deal. Then there is an economic development agreement between the county and Iren that lays out what they have to do to earn the incentives. Then there is tax incentive agreement where the taxing entities would have to agree to provide the tax abatement and give up a portion of their taxes by each board individually. Floyd stated that we are in the first phase setting up the structure of the abatement process. Floyd stated that some of the committee has went to Childress to tour the facility and asked for a them to explain the tour. Sam Rhyne stated that 4 committee members toured the facility and spoke to residents of the area. Rhyne stated that they cannot guarantee what they were told they can only relay what they were told and what they saw. Rhyne stated that the facility is only connected to the local water supply for the office building only and that their water usage from the local source was very minimal. Rhyne stated that they have wells to help in the construction to keep the dust down and they do truck the water in for the cooling units. Rhyne stated another concern for the board was noise complaints. Rhyne stated that according to the data center executives they have been operational since 2023 and they have had 3 complaints do to noise and they were all in one day when they had farming machinery causing the noise. Rhyne stated that he did talk to people in the area and you can step outside on a still night and hear a hum but in the town of Childress the city noise drowns it out. Also, they were briefed on the power grid and how if there was a shortage that the generators could facility running if there was a strain on the grid such as a shortage. Rhyne explained that with a project of that magnitude there were many jobs that are available to the people there. Rhyne stated these were some of the concerns that the committee had.

Floyd stated that additionally the community betterment payments that first the statute that sets this out only requires the participation of the taxing entities that are directly

impacted, with the geographic nature this would exclude the Town of Pittsburg and the Town of Kiowa.

**PCDC Tax Incentive District Iren Data Review Committee Special Meeting Minutes  
April 21, 2026  
Page 3**

Floyd stated that Iren has requested that the committee consider including them in the community betterment payments and the project plan is now worded to allow the committee to do so and would be worked into the tax incentive agreement. Floyd stated the he recommends a public trust that has representatives of each of the taxing entities as trustees and they could give Kiowa and Pittsburg a representative as well. Floyd explained how the trustees would be in charge of dispersing the funds based on the tax incentive agreement. Michael Kellogg stated that he has previously asked if Iren would be able to protest the taxes and that Floyd stated it would be a breach of contract and would go on the tax rolls, after it goes on the tax rolls there is a lack of expertise to evaluate these things, if they didn't like their valuation would they then be able to protest the valuation that the county gives them. Floyd stated that once they are on the tax rolls they can protest their assessment just like everybody else once the Tid district is gone away. Rhyne asked if that did occur would the payment then fall to the minimum required payment according to contract it wouldn't be part of the protest. Floyd explained if they challenged the valuation, they would be outside of the abatement and the challenge would then be based off of 100% of the valuation. Floyd explained the protection to the taxing entities. Hull asked what happens if a taxing entity does not approve to participate. Floyd explained that if they are not participating, they would collect outside of the formula but they would not get any of the community betterment payments and there wouldn't be the floor and they could protest as to that portion. Floyd also explained the steps of the process and public hearings and then the project plan will go to the commissioners for approval. Floyd stated that starts a 90 day clock in which the taxing entities have the approve the tax incentive agreement. Floyd stated they would like the tax incentive to mirror the project plan so that the entities have an opportunity to review it in advance of the 90 day cutoff.

**6. MAKING A RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS FO PITTSBURG COUNTY RELATED TO THE PROJECT:**

Floyd stated that they have negotiated a fair deal with Iren they be cooperative in getting us to this point, but it is ultimately the committee's decision if they want to recommend the plan. Kellogg asked for Floyd to explain the framework of the plan. Floyd stated it is the mechanism for the community betterment payments the earning of the ad valorem abatement and the minimum floor, the actual numbers will be set out in the tax incentive agreement between the county , Iren and all of the boards and that his opinion is that it is better for all of the boards to determine than be locked in stone here. Floyd stated we have put together the framework and now they will work on the actual tax incentive agreement for the committee to present to their boards, but that cant happen until the next step of the public hearings. Rhyne stated that the numbers in the documents are estimates. Floyd stated that they are illustrated to show what they framework is. Rhyne stated that they have received the projected phase 1 and phase 2 maps of the facilities and asked if Iren could show where in the maps the actual facilities will be located. Floyd stated that the maps show they have up to 2,000 acres and the are allowed to have 2 increment districts within the area. The reason for the two districts is time to build the first center and get it online and activate those incentives then build the second one and activate those incentives at a separate time, the plan allows for minor deviations from the boundaries of 5% if they were to exceed that they would have to come back and request permission from this board. Rhyne stated that they the board have had several meetings and that some of them have done research and tried to educate themselves to make an informed decision and that this board did not lure this business in here, they were put in place to review the tax incentive as set up by the State of Oklahoma and the legislature and the role of the committee is to look at the framework and to look at the process by which they receive an abatement and to negotiate the best financial situation for the entities. Rhyne made a motion to approve the project plan today; seconded by Hull.

**PCDC Tax Incentive District Iren Data Review Committee Special Meeting Minutes  
April 21, 2026  
Page 4**

AYE: Mike Haynes  
Sam Rhyne  
James Schulz  
Brent Stone  
Michael Hull  
Shelley Free  
Michael Kellogg

NAY: None.

Motion Passed.

Floyd thanked the members of the review committee. Haynes stated that they will need to set the two public hearing dates and that he feels Kiowa would be a good place to have it if the school approves. Haynes stated that they will have to give a 2 week notice for advertising. Floyd stated that it will also need to be published in the newspaper. Shulz requested the hearing be after 5:00 PM so that everyone has a chance to attend. Candance Crutchfield requested clarifying the two centers and what is the megawatts going to be. Floyd stated that the questions will be taken at the public hearings

**7. ADJOURNMENT:** There being no further business brought before the board; Haynes made a motion to adjourn; seconded by Kellogg.

AYE: Mike Haynes  
Sam Rhyne  
James Schulz  
Shelley Free  
Brent Stone  
Michael Hull  
Michael Kellogg

NAY: None.

Motion Passed. Meeting Adjourned.

**Attest:**

**I Hope Trammell, Secretary of the Committee and the minutes are a true and correct record of the proceedings of April 21, 2026, "as this was the final meeting of the committee and no subsequent meeting will occur, these minutes are certified as the official record in lieu of approval at a future meeting".**