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Questions for Tuesday's meeting — Emerald ProjectCo project plan

2 messages

brian@mcalester.net <brian@mcalester.net>

Fri, Sep 25, 2026 at 9:34 AM

To: mhaynes@pittsburg.okcounties.org, Hope Trammell
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Members of the Review Committee,

My name is Brian West. I live in Pittsburg County and I have been collecting the public record on the Emerald ProjectCo / IREN project and publishing it, whole and unaltered, at petition.mcalester.net. I am circulating a referendum petition on the incentive districts, so you should know where I stand. This has gone to all of you at once, and to the County Clerk, so that each of you can see that each of you has it.

I understand the committee meets on Tuesday 30 September at 1:00 p.m. I have attached three pages of questions about the project plan. Every statute quoted is verbatim from the Oklahoma State Courts Network, and every document quoted is published in full on the site, so you can check any of it against the source rather than taking my word for it.

I am not asking you to agree with me. I am asking you to put these to your counsel before you are asked to act again. Four of them seem to me to matter most:

1. The Board tabled the resolution on 22 June, so no project plan has been adopted. If what the Board adopts on Tuesday is a project plan, 62 O.S. § 858(B) says "notice must be given and public hearings must be held pursuant to the provisions of Section 859." If it is instead an amendment, § 858(C) requires notice and hearings too. On 25 August the county's counsel wrote that because the amendments are considered "minor" there is no need "to go back through the public hearing process." I would like to understand which provision that rests on.
2. Exhibit "C" (Existing Uses and Conditions) and Exhibit "D" (Proposed Improvements and Uses) are blank pages in the plan as circulated. 62 O.S. § 858(A)(5) requires the plan to include "a map showing existing uses and conditions of real property in the district and a map showing proposed improvements to and proposed uses of that property."

3. 62 O.S. § 856(B)(4) caps how large these districts may be, including at twenty-five percent of the net assessed value of any affected school district. The paragraph ends: "For districts that are wholly or partially comprised or become comprised of industries operating under NAICS code 518210, the provisions of subparagraphs d through g of this paragraph shall not apply." NAICS 518210 is data centers. If that reading is right, the statutory ceiling protecting Kiowa Public Schools does not apply here. I do not know whether the committee has been told that.
4. 62 O.S. § 855(A) says the committee "shall consist of" a representative of the governing body as chairperson, "a representative of the planning commission having jurisdiction over the proposed district," a representative of each affected taxing jurisdiction, and three at-large members. I cannot find a planning commission representative in any roll call in the record I hold. I may simply be missing it, and if I am I would like to correct my page.

That last one is why I am writing to all of you rather than only to the chairman. If the committee is not constituted the way the statute requires, that is a problem for the committee before it is a problem for anyone else, and better found now than later.

Mr Haynes, as chairman, two requests. I cannot be at Tuesday's meeting. I ask that the attached paper be entered in the minutes, and that the questions in it be put and answered on the record, so that the answers sit in the minutes where those of us who could not attend can read them. If the committee cannot reach them on Tuesday, a written answer afterwards would do just as well.

Some of my neighbours may come and ask these same questions in person. I would be grateful if they were heard.

If I have any of this wrong, tell me and I will correct it in public, with your name on the correction if you want it there. That offer has been open since I started and nobody has taken it up yet.

Thank you for your service on this. It is unpaid, it is time-consuming, and the record shows several of you asking the developer harder questions than anyone else in the room did.

Brian West brian@mcalester.net petition.mcalester.net

Note on the Open Meeting Act: this has gone to the whole committee at once, and to the County Clerk, so that each of you knows the others have it. Please do not reply to all. As the Chief Deputy noted to this committee on 3 December 2025, a discussion among members outside a meeting could raise a question under Title 25. A reply to me alone raises none, and is welcome.

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Fri, Sep 25, 2026 at 9:37 AM

To: mike.haynes@pittsburgcountyok.gov, Hope Trammell
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Correction to my earlier note — the meeting is Wednesday 30 September, not Tuesday.
My error.

/b

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