

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE BOARD OF COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA, MET IN REGULAR SESSION ON THE 23<sup>RD</sup> DAY OF OCTOBER, 2023, AT 9:00 O'CLOCK A.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the County Clerk. Councilmember Keith Hays moved passage of the Resolution and Councilmember Ken Dake seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION NO. N/A

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA (THE "COUNTY") DECLARING THE INTENT TO CONSIDER APPROVAL OF A PROJECT AND CREATION OF A TAX INCREMENT DISTRICT UNDER THE LOCAL DEVELOPMENT ACT; DIRECTING PREPARATION OF A PROJECT PLAN; APPOINTING A REVIEW COMMITTEE; DIRECTING THE REVIEW COMMITTEE TO MAKE FINDINGS AS TO ELIGIBILITY AND FINANCIAL IMPACT, IF ANY, ON TAXING JURISDICTIONS AND BUSINESS ACTIVITIES WITHIN THE DISTRICT; DIRECTING THE REVIEW COMMITTEE TO MAKE A RECOMMENDATION WITH RESPECT TO THE PROPOSED PROJECT PLAN; DIRECTING THE REVIEW COMMITTEE TO MAKE A RECOMMENDATION WITH RESPECT TO AMENDMENT OF EXISTING MUSKOGEE COUNTY TAX INCREMENT DISTRICT NO. 1; AND CONTAINING OTHER PROVISIONS RELATING THERETO.

WHEREAS, the Board of Commissioners of Muskogee County, Oklahoma (the "County") is working to promote economic development in the area, in order to provide increased opportunity for residents of the area and to improve the overall standard of living; and

WHEREAS, the County aspires to attract business interests with the potential to invest in an industrial development project within the County, subject to certain conditions including economic development incentives and financing; and

WHEREAS, the Local Development Act, Title 62, Oklahoma Statutes Section 850 *et seq.* (the "Local Development Act"), was passed by the Oklahoma Legislature to implement Section 6C of Article X of the Oklahoma Constitution, which empowers the governing bodies of cities, towns, and counties to apportion tax increments to help finance the public costs of economic development; and

WHEREAS, the proposed project depends upon the utilization of tax increment financing to help finance the project costs; and

WHEREAS, it is desirable to direct the County staff to prepare a proposed project plan for consideration; and

WHEREAS, the Board of Commissioners, as the governing body of the County, is empowered to approve the creation of a tax increment district to further the public purpose of economic development within the County; and

WHEREAS, the Local Development Act provides for the appointment of a Review Committee to review and make recommendations concerning the proposed district, plan, or project, to consider and make findings and recommendations with respect to the conditions establishing the eligibility of the proposed district, and to consider and determine whether the proposed plan and project will have a financial impact on any taxing jurisdiction and business activities within the proposed district and to report its findings and make its recommendations to the governing body; and

WHEREAS, the Local Development Act provides that the membership of the Review Committee shall consist of the following: a representative of the governing body who shall serve as chairperson; a representative of the planning commission having jurisdiction over the proposed district; a representative designated by each taxing jurisdiction within the proposed district whose ad valorem taxes might be impacted by the plan; and three members representing the public at-large and selected by the other committee members from a list of seven names submitted by the chairperson of the review committee; and

WHEREAS, it is appropriate and desirable to appoint a Review Committee to consider and make recommendations on a proposed project plan; and

WHEREAS, the County desires to direct the Review Committee to consider the creation of a tax increment district.

WHEREAS, the County heretofore created Increment District No. 1, Muskogee County ("TIF #1") pursuant to a Resolution, all in connection with the adoption of the Project Plan Relating to Increment District Number One, Muskogee County, Oklahoma (Project Faith Increment District); and

WHEREAS, certain development areas contemplated in connection with TIF #1 have not proceeded forward, and are no longer contemplated as viable within the existing parameters of TIF #1; and

WHEREAS, the County desires to direct the Review Committee to consider the amendment of TIF #1 concurrently with the consideration of the proposed new tax increment district, such consideration to include the possible modification and/or termination of TIF #1.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA:

SECTION 1. INTENT. The Board of County Commissioners intends to consider approval of a project and creation of a tax increment district to facilitate the financing of eligible project costs of a project and hereby directs preparation of a project plan by County staff, to be submitted for consideration in accordance with the Local Development Act. The County Clerk is hereby authorized to cause notice to be given of such public meetings and public hearings as may be required pursuant to the Local Development Act in connection with the consideration of the proposed tax increment district.

SECTION 2. ESTABLISHMENT OF REVIEW COMMITTEE. A Review Committee is hereby appointed whose membership shall consist of the following: one representative of the Board of County Commissioners, who shall be chairperson; one representative designated by Muskogee County Health Department; one representative designated by Hilldale Independent School District No. 29; one representative designated by Indian Capital Technology Center Vo-Tech District No. 4; one representative designated by Eastern Oklahoma District Library System; one representative designated by Muskogee County EMS; and three representatives of the public at large, who shall be selected from a list of seven names submitted by the representative of the Board of County Commissioners, as chairperson of the Review Committee, by the other Review Committee members. The Board of County Commissioners hereby designates Ken Duke to serve as Chairperson and representative of the Board of County Commissioners.

SECTION 3. REVIEW COMMITTEE FINDING AND RECOMMENDATION. The Review Committee shall consider and determine whether the proposed plan and project will have a financial impact on any taxing jurisdiction and business activities within the proposed district and shall report its findings to the Board of County Commissioners. Furthermore, the Review Committee shall consider and make its findings and recommendations to the Board of County Commissioners with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of approval of the proposed plan and project.

SECTION 4. AMENDMENT OF EXISTING TIF #1. The Review Committee shall make a recommendation to the Board of County Commissioners with respect to the proposed amendment of TIF #1.

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ADOPTED AND SIGNED by the Board of Commissioners of Muskogee County, Oklahoma, this 23<sup>rd</sup> day of October, 2023.

*Kenneth W. Sage*

Chairman

*Van Duff*

Commissioner

*Kathy H. King*

Commissioner

(SEAL)  
ATTEST:

*Polly Irving by Sheri A. Deen*

County Clerk



STATE OF OKLAHOMA        )  
  )SS  
COUNTY OF MUSKOGEE     )

I, the undersigned, County Clerk of Muskogee County, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Board of Commissioners of said County held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the "Open Meeting Law" was complied with for such meeting.

GIVEN UNDER MY HAND THIS 23<sup>RD</sup> DAY OF OCTOBER, 2023.

(SEAL)

*Polly Irving by [Signature]*  
County Clerk

