

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 29TH DAY OF APRIL, 2024, AT 9:00 O'CLOCK A.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following Resolution was introduced and caused to be read by Title by the County Clerk. Commissioner Byrne moved passage of the Resolution and Commissioner Hyslop 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:

[TIF Resolution No. 2024-2 begins on following page]

**TIF RESOLUTION NO. 2024-2 AS ADOPTED AND APPROVED BY
THE BOARD OF COUNTY COMMISSIONERS OF
MUSKOGEE COUNTY, OKLAHOMA
ON APRIL 29, 2024**

A RESOLUTION CREATING, NAMING, AND ESTABLISHING THE COMMENCEMENT DATE FOR INCREMENT DISTRICT NO. 2, MUSKOGEE COUNTY; RATIFYING AND CONFIRMING A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA ESTABLISHING INCREMENT DISTRICT NO. 2; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Board of County Commissioners of Muskogee County, Oklahoma (the “County”), has adopted the John T. Griffin Industrial Park (Project Bifrost) Economic Development Project Plan (the “Project Plan”), pursuant to TIF Resolution No. 2024-1 dated April 29, 2024 (the “TIF Resolution”), all in accordance with the Oklahoma Local Development Act, 62 O.S. § 850, *et seq.* (the “Act”); and

WHEREAS, the purpose of the Project Plan is to encourage the prospective development within the John T. Griffin Industrial Park located north of W. 53rd Street S between U.S. 64 and U.S. 69 (the “Project”); and

WHEREAS, the Project Plan supports the County’s efforts to achieve its development objectives, improve the quality of life for its citizens, stimulate private investment, and enhance the tax base, thereby making possible investment that would be difficult without the adoption of the Project Plan and the apportionment of incremental tax revenues; and

WHEREAS, Section 856(B)(2) of the Act requires that the TIF Resolution shall “create[s] the district as of a date provided in it or defer[s] determination of such date, provided such date must be no more than ten (10) years after the date of approval of the project plan” (62 O.S. §856(B)(2)); and

WHEREAS, Section 4 of the TIF Resolution provided for the deferment of the official creation, designation, and naming of the Increment District, until such time as determined by the Board of County Commissioners, provided that such determination be made within ten (10) years of the effective date of the TIF Resolution; and

WHEREAS, in order to comply with the requirements of the Act and to provide certainty as to the effective terms of the TIF Resolution and the corresponding Increment District, the County finds that it is in the best interest of the overall success of the Project to establish the initiation, designation and official naming of Increment District No. 2, as described in the TIF Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Muskogee County, State of Oklahoma:

Section 1. Commencement Date. In accordance with the requirements of the Act and as contemplated by Section 4 of the TIF Resolution, the County hereby determines that the Increment District referred to therein as Increment District No. 2 shall be named “Increment District No. 2, Muskogee County” and said Increment District is hereby created with an effective date of April 29, 2024 (referred to as the “Commencement Date”), and a termination date of December 31, 2039 (referred to as the “Expiration Date”), said Expiration Date representing a period of approximately fifteen (15) years following the Commencement Date. All other provisions of the TIF Resolution are hereby ratified and confirmed.

Section 2. Development Agreements. As provided in the Act, the County shall consider and take separate action with respect to such agreements and/or memoranda of understanding (collectively, the “Agreements”) as may be necessary and appropriate to implement the Project Plan, including but not limited to one or more Agreements with a public trust with the County and/or the City of Muskogee, Oklahoma, as its beneficiary (referred to herein as the “Authority”), and a developer(s) (each acting through its duly designated corporate entity) governing allocations, accounting, disbursements, and other necessary procedures, all in accordance with the provisions of the Project Plan and the TIF Resolution. Such Agreements may be adopted, supplemented, and/or amended as necessary prior to or following the Commencement Date.

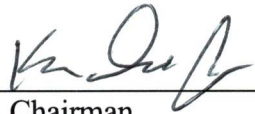
Section 3. Severability. If any term, section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such term, section, subsection, sentence, clause, phrase or portion shall not affect the validity of the remaining portions of this Resolution.

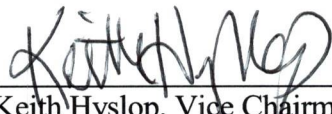
Section 4. Necessary Action. The Chairman or Vice Chairman and County Clerk or Deputy County Clerk be and hereby are authorized and empowered to execute and deliver for and on behalf of the County any and all other documents or instruments reasonably necessary to accomplish the implementation of the Project Plan.

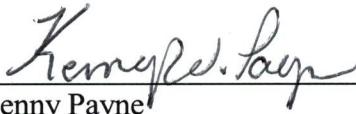
[Remainder of Page Left Blank Intentionally]

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, OKLAHOMA TO BE EFFECTIVE APRIL 29, 2024.

SIGNED THIS 29TH DAY OF APRIL, 2024.

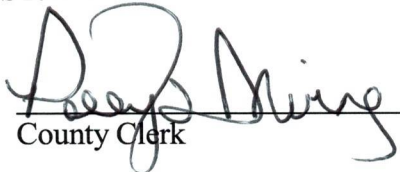
By: 
Ken Doke, Chairman
County Commissioner, District #1

By: 
Keith Hyslop, Vice Chairman
County Commissioner, District #2

By: 
Kenny Payne
County Commissioner, District #3



ATTEST:

By: 
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 County 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 29TH DAY OF APRIL, 2024.

(SEAL)



Polly E. King
County Clerk