

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 29<sup>TH</sup> 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 Payne 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. 2024-3 begins on following page]

**TIF RESOLUTION NO. 2024-3 AS ADOPTED AND APPROVED BY  
THE BOARD OF COUNTY COMMISSIONERS OF  
MUSKOGEE COUNTY, OKLAHOMA  
ON APRIL 29, 2024**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MUSKOGEE COUNTY, OKLAHOMA (THE "COUNTY") REPEALING A RESOLUTION OF THE COUNTY COMMISSIONERS, IN CONNECTION WITH THE ADOPTION OF THE PROJECT PLAN RELATING TO INCREMENT DISTRICT NUMBER ONE, MUSKOGEE COUNTY, OKLAHOMA (PROJECT FAITH INCREMENT DISTRICT) DATED JULY 1, 2015, AND TERMINATING INCREMENT DISTRICT NO. 1, MUSKOGEE COUNTY; RATIFYING AND CONFIRMING THE ACTIONS, RECOMMENDATIONS AND FINDINGS OF THE REVIEW COMMITTEE; PROVIDING FOR DISPOSITION OF FUNDS HELD IN THE APPORTIONMENT FUND; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the "Local Development Act"), as amended, the Board of County Commissioners of Muskogee County, Oklahoma (the "County") heretofore created Increment District No. 1, Muskogee County (referred to herein as the "Increment District") pursuant to a Resolution of the County Commissioners (the "TIF #1 Resolution"), in connection with the adoption of the Project Plan Relating to Increment District Number One, Muskogee County, Oklahoma (Project Faith Increment District) dated July 1, 2015 (the "Project Plan"); and

WHEREAS, the Increment District boundaries comprise an area within the John T. Griffin Industrial Park more particularly described in Exhibit "A" attached hereto; and

WHEREAS, due to unforeseen economic factors beyond the control of the County, the economic development projects proposed in connection with the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the County; and

WHEREAS, the Tax Increment District Review Committee (the "Review Committee"), comprised of individuals representing each of the taxing jurisdictions in which the proposed increment district is located, as well as the public at large, has adopted its Resolution (attached hereto as Exhibit "B") recommending the termination of the Increment District to the Board of County Commissioners; and

WHEREAS, maximum effort has been made to allow full public knowledge and participation in the application of the Local Development Act in the consideration of termination of the Increment District; and

WHEREAS, all required notices have been given and all required hearings have been held in connection with the proposed Project Plan, as prescribed in the Local Development Act, the Oklahoma Open Meeting Act, 25 Okla. Stat. §301 *et seq.*, and other applicable law; and

WHEREAS, it is in the best interests of the County and its citizens to terminate the Increment District.

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

Section 1. Repealer of TIF #1 Resolution. That certain Resolution of the Board of County Commissioners establishing Increment District No. 1, Muskogee County, as may have been heretofore amended, is hereby repealed in all respects.

Section 2. Termination of Increment District. The Increment District created pursuant to the TIF #1 Resolution is hereby terminated effective immediately and the Project Plan is hereby cancelled and revoked.

Section 3. Ratification of Actions. All actions, findings and recommendations made or taken in connection with the termination of the Increment District by the Review Committee are hereby ratified and confirmed, including, but not limited to, the designation and selection of representatives to the Review Committee from the taxing jurisdictions and the public at large, and recommendations for termination.

Section 4. Tax Apportionment Fund. Revenues (if any) derived from the Increment District, to the extent not required to pay or reimburse the costs of public infrastructure investments heretofore incurred, if any, as contemplated by the Project Plan, shall be transferred to the various ad valorem taxing jurisdictions, in the same percentages as originally collected, as determined by reference to the millage levied by each of the various ad valorem taxing jurisdictions for the related tax year, excluding sinking fund levies.

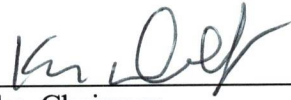
Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such portion shall not affect the validity of the remaining portions of this Resolution.

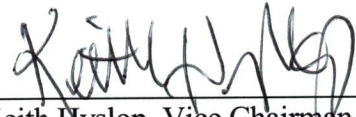
Section 6. Necessary Action. The Chairman or Vice Chairman and County Clerk or Deputy County Clerk be and hereby are authorized and empowered to execute and deliver for and on behalf of the County any and all other documents or instruments reasonably necessary to accomplish the termination of the Increment District and the application of any residual funds to the payment or reimbursement of public infrastructure investments and/or disbursement to the various ad valorem taxing jurisdictions, as contemplated in the Project Plan.

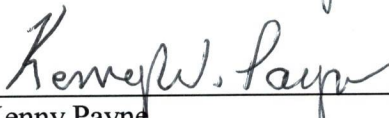
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APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF OKLAHOMA COUNTY, OKLAHOMA TO BE EFFECTIVE APRIL 29, 2024.

SIGNED THIS 29<sup>TH</sup> 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



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 29<sup>TH</sup> DAY OF APRIL, 2024.



  
County Clerk

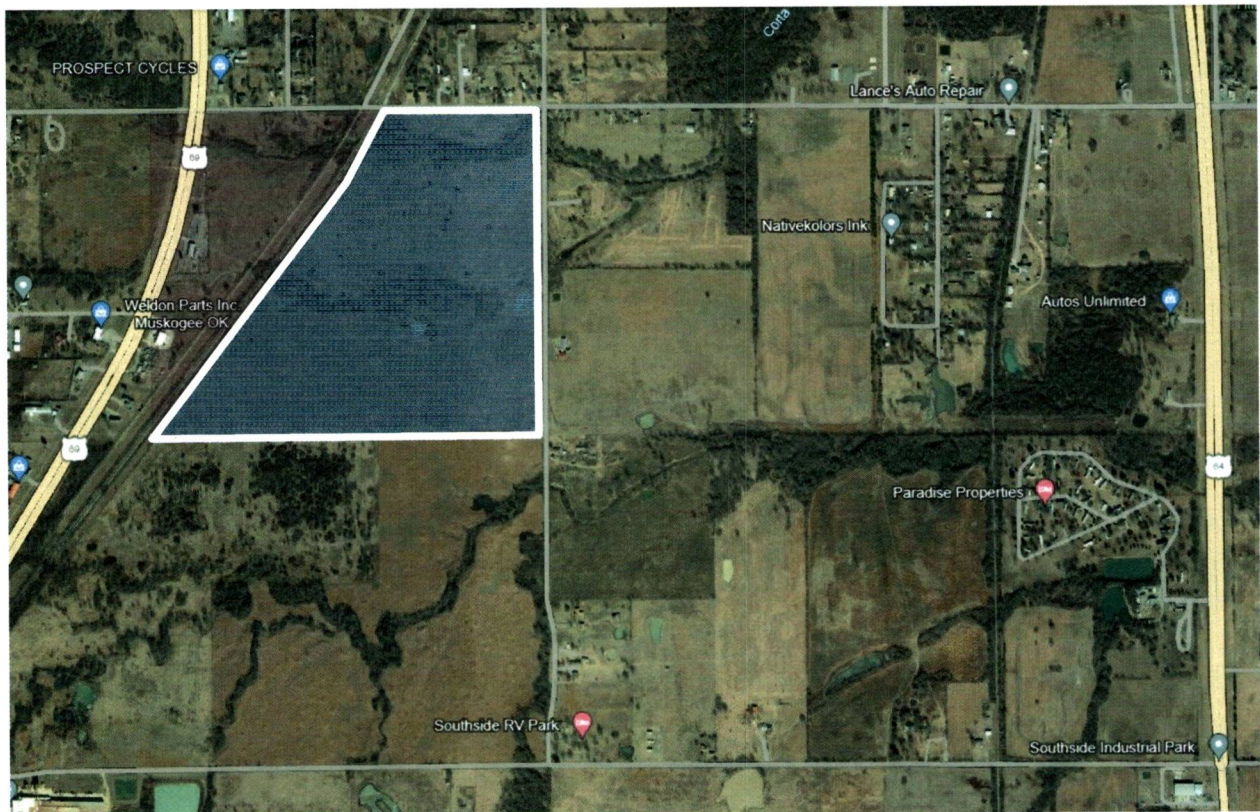
**EXHIBIT "A"**

**INCREMENT DISTRICT BOUNDARIES**

**LEGAL DESCRIPTION OF INCREMENT DISTRICT NO. 1 BOUNDARIES**

THAT PART OF THE NORTHEAST QUARTER (NE/4) AND THAT PART OF THE NORTHWEST QUARTER (NW/4), LYING EAST OF THE RAILROAD RIGHT-OF-WAY IN SECTION SIXTEEN (16), TOWNSHIP FOURTEEN (14) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE & MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA

**MAP OF INCREMENT DISTRICT NO. 1 BOUNDARIES**



**EXHIBIT "B"**

**RESOLUTION OF THE TAX INCREMENT FINANCING REVIEW COMMITTEE**

Resolution dated March 15, 2024

[Copy on file with the County Clerk of Muskogee County, Oklahoma]