

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
MUSKOGEE COUNTY, OKLAHOMA**

In re the
OKTAHA AREA FIREFIGHTERS)
ASSOCIATION, INC.,)
Petitioner.)

ORDER ORGANIZING COUNTY FIRE DEPARTMENT

NOW, on this 15th day of May, 20 23, the above numbered and styled cause comes before The Honorable Board of County Commissioners of Muskogee County upon the petition of the **Oktaha Area Firefighters Association, Inc.** for conversion from a Title 18 corporate fire department to a Title 19 county fire department pursuant to Subsection D of 19 OS § 351.

Upon reviewing the filing in this matter, hearing the argument of the petitioners, and receiving protests of the public, it is **FOUND** by the Board as follows:

1. On the 24th day of April, 20 23, there was filed with the County Clerk a petition to the Board of County Commissioners of Muskogee County, Oklahoma, for their order converting the **Oktaha Area Firefighters Association, Inc. into the Oktaha Area County Fire Department of Muskogee County**, a county fire department to be organized pursuant to the provisions of Subsection D of 19 OS § 351.
2. On the 24th day of April, 20 23, the Board of County Commissioners of Muskogee County received the aforesaid petition, set a public hearing concerning the same for the 15th day of May, 20 23, and directed the County Clerk to give notice of such public hearing by publication.
3. On the 27th day of April, 20 23, notice of the aforesaid public hearing was given by publication in the Muskogee Phoenix, a newspaper of general circulation in Muskogee County.
4. On the 15th day of May, 20 23, the date of aforesaid public hearing, the Board of County Commissioners of Muskogee County did conduct a public hearing where any person could appear and protest the organization of the **Oktaha Area County Fire Department of Muskogee County** or the proposed boundaries thereof.
5. At the conclusion of the aforesaid public hearing, the Board of County Commissioners of Muskogee County found:
 - a. The Petitioner is a Title 18 corporate fire department organized pursuant to 18 OS § 592, has a Public Protection Classification of nine (9) or better from ISO Commercial Risk Services, Inc., and does not have less than six (6) nor more than twenty (20) members per fire station.

- b. The conversion of the **Oktaha Area Firefighters Association, Inc** from a Title 18 corporate fire department to the **Oktaha Area County Fire Department of Muskogee County** Title 19 county fire department will be conducive to the public safety of the affected area therein.

WHEREFORE, premises considered, it is **ORDERED** by the Board of County Commissioners of Muskogee County as follows:

1. The conversion of the **Oktaha Area Firefighters Association, Inc** from a Title 18 corporate fire department to the **Oktaha Area County Fire Department of Muskogee County** Title 19 county fire department is hereby approved, consistent with the requirements of this Order, including the obligation to provide fire protection services to the district as identified in Exhibit A hereto.
2. The **Oktaha Area County Fire Department of Muskogee** will be governed by a five (5) member board of directors to be appointed by the Board of County Commissioners of Muskogee County. Each board member shall be a resident of the district by the fire department to serve a five-year term, **PROVIDED**, for the purpose of establishing a staggered term of office, the initial board members shall be as follows to serve the following terms:

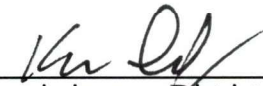
<u>Jodi Hammons</u>	May 30, 2024
<u>Justin Duke</u>	May 30, 2025
<u>Sheila Whittle</u>	May 30, 2026
<u>Ricky Allen</u>	May 30, 2027
<u>Sally Walker</u>	May 30, 2028

After the expiration of the above referenced terms, all members shall serve five-year terms.

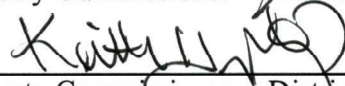
3. For the conversion above referenced to be effective, the **Oktaha Area Firefighters Association, Inc** must convey and transfer all real and personal property belonging to the same to the Board of County Commissioners, which the Board of County Commissioners will permit the new **Oktaha Area County Fire Department of Muskogee County** to use for firefighting purposes.
4. The **Oktaha Area County Fire Department of Muskogee County** will be subject to all laws governing the operations of a Title 19 county fire department, including but not limited to the Oklahoma Open Meetings Act, 25 OS §301 *et seq.*, the Oklahoma Open Records Act, 51 OS § 24A.1 *et seq.*, the County Central Purchasing Act, 19 OS §1500 *et seq.*, and the County Inventory and Equipment Act, 178.1 *et seq.*

5. An initial meeting of the board of directors of the **Oktaha Area County Fire Department of Muskogee County** shall be held within thirty (30) days of the date of this Order for the following purposes:
- a. Electing a chair, treasurer, and secretary from among the members of the board.
 - b. Adopting bylaws of the **Oktaha Area County Fire Department of Muskogee County** which are consistent with the provisions of this Order.
 - c. Appointing a chief of the **Oktaha Area County Fire Department of Muskogee County**.
 - d. Establishing a roster of the firefighters who serve the **Oktaha Area County Fire Department of Muskogee County**.
 - e. Making application to the Oklahoma Firefighter Pension and Retirement System to ensure all enrolled firefighters who serve the **Oktaha Area County Fire Department of Muskogee County** are afforded retirement benefits.
 - f. Such other useful and needful purposes as the board of directors may determine.

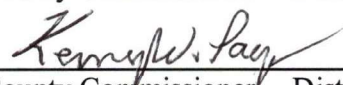
IT WITNESS WHEREFORE, the Board of County Commissioners of Muskogee County has executed this Order the day above first mentioned.



 County Commissioner – District 1



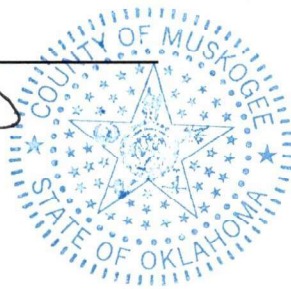
 County Commissioner – District 2



 County Commissioner – District 3

Attest.


 County Clerk



MM WA

STATE OF OKLAHOMA
MUSKOGEE COUNTY
FILED OR RECORDED

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
MUSKOGEE COUNTY, OKLAHOMA

2023 APR 21 AM 7:55

In re the)
OKTAHA AREA FIREFIGHTERS)
ASSOCIATION, INC.,)
Petitioner.)

FOLLY JEVING
COUNTY CLERK



PETITION

COMES NOW, the Petitioner, **Oktaha Area Firefighters Association, Inc.**, by and through its below signed authorized representative, and, pursuant to 19 OS § 351(D), respectfully presents and shows to the Board of County Commissioners of Muskogee County the following:

1. The Petitioner does hereby petition the Board of County Commissioners of Muskogee County, Oklahoma, for their order converting the **Oktaha Area Firefighters Association, Inc.** into the **Oktaha Area County Fire Department of Muskogee County**, a county fire department to be organized pursuant to the provisions of Subsection D of 19 OS § 351.
2. The Petitioner is a Tile 18 corporate fire department organized pursuant to 18 OS § 592, has a Public Protection Classification of nine (9) or better from ISO Commercial Risk Services, Inc., and does not have less than six (6) nor more than twenty (20) members per fire station.
3. Should the Board of County Commissioners of Muskogee County, Oklahoma, grant their order converting the **Oktaha Area Firefighters Association, Inc.** into the **Oktaha Area County Fire Department of Muskogee County**, the county fire department will be subject to the laws of the State of Oklahoma regarding the administration and operation of a county fire department, including, but not limited to, the laws of the State Department of Labor and the State Fire Marshal Commission.
4. Should the Board of County Commissioners of Muskogee County, Oklahoma, grant their order converting the **Oktaha Area Firefighters Association, Inc.** into the **Oktaha Area County Fire Department of Muskogee County**, the proposed boundaries of the county fire department are attached hereto.
5. Should the Board of County Commissioners of Muskogee County, Oklahoma, grant their order converting the **Oktaha Area Firefighters Association, Inc.** into the **Oktaha Area County Fire Department of Muskogee County**, all of the Petitioner's existing real and personal assets shall be conveyed to the Board of County Commissioners of Muskogee County, Oklahoma, and the Tile 18 corporate fire department organized pursuant to 18 OS § 592 shall be dissolved.
6. Should the Board of County Commissioners of Muskogee County, Oklahoma, grant their order converting the **Oktaha Area Firefighters Association, Inc.** into the

Oktaha Area County Fire Department of Muskogee County, the county fire department shall be governed by a board of directors composed of five (5) members to be appointed by the Board of County Commissioners of Muskogee County, Oklahoma, to serve staggered five (5) year-terms. The board of directors so appointed shall have administration and control over the county fire department.

7. The original of this Petition has been filed with the County Clerk of Muskogee County, Oklahoma, this 21 day of April, 2023.

NOW, THEREFORE, the Petitioner prays that, upon presentation of this Petitioner, that the Board of County Commissioners of Muskogee County, Oklahoma, set this Petition for public hearing and direct that the County Clerk of Muskogee County, Oklahoma, to give notice of such public hearing as prescribed by law, and that the Board of County Commissioners of Muskogee County, Oklahoma determine that such conversation of the **Oktaha Area Firefighters Association, Inc.** into the **Oktaha Area County Fire Department of Muskogee County** will be conducive to the public safety of the affect area herein above described, and authorize and approve the organization of the **Oktaha Area County Fire Department of Muskogee County**.

DATED this 21 day of April, 2023.

Respectfully submitted,

**OKTAHA AREA FIREFIGHTERS
ASSOCIATION, INC.**

Jurika Hollis

Authorized Representative

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
MUSKOGEE COUNTY, OKLAHOMA

In re the)
OKTAHA AREA FIREFIGHTERS)
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Petitioner.)

NOTICE OF PUBLIC HEARING

THE COUNTY CLERK OF MUSKOGEE COUNTY, OKLAHOMA, TO:

All persons interested in the conversion of the Oktaha Area Firefighters Association, Inc. into the Oktaha Area County Fire Department of Muskogee County

NOTICE IS HEREBY GIVEN that on the 21st day of April, 20 23, there was filed in the above-mentioned Board of County Commissioners of Muskogee County, Oklahoma, a petition by the Petitioner, **Oktaha Area Firefighters Association, Inc.**, requesting that said Board grant an order converting the Petition from a corporate fire department into the **Oktaha Area County Fire Department of Muskogee County**, a county fire department, pursuant to 19 OS §351(D), to serve the area described as below:

See attached Exhibit A

A public hearing on the Petition is set for the 15th day of May, 20 23 at 9:00 a.m. in the Muskogee County Services Building, 400 W Broadway Street, Muskogee, OK 74401, before the said Board, when and where all person interested may appears and protest the organization of the county fire department or the proposed boundaries thereof.

ISSUED this 24th day of April, 20 23.

County Clerk of Muskogee County, Oklahoma

By Deputy

NOTE TO PUBLISHER: Pursuant to 19 OS § 351(D), publish one (1) time.



24th day of April 20 23
Chairman Kenneth Jay
Member [Signature]
Member [Signature]
Attest [Signature]
County Clerk