

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA, THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, STATE OF OKLAHOMA, MET IN REGULAR SESSION AT THE COUNTY COMMISSIONERS' OFFICE, CUSTER COUNTY COURTHOUSE, ARAPAHO, OKLAHOMA, AT 9:00 O'CLOCK A.M. ON THE 30th DAY OF MARCH, 2015.

PRESENT:

ABSENT:

THEREUPON the Chairman introduced a Resolution which was summarized by the Clerk and upon motion by Commissioner Kurt Hamburger, second by Commissioner Uleke Anderson, said Resolution was adopted by the following vote:

AYE: 3

NAY:

Said Resolution was thereupon signed by the Chairman, attested by the County Clerk of Custer County, sealed with the seal of said County, and is as follows:

RESOLUTION

A RESOLUTION AUTHORIZING THE REPEAL OF THE ONE HALF OF ONE PERCENT SALES TAX APPROVED BY THE VOTERS OF THE COUNTY AT A SPECIAL ELECTION CALLED FOR THE PURPOSE OF APPROVING SAID SALES TAX AND HELD ON AUGUST 9TH, 2011; THE PURPOSE OF SAID SALES TAX BEING TO PAY A JUDGEMENT RENDERED AGAINST CUSTER COUNTY IN CASE #CIW-2010-53; SUFFICIENT FUNDS HAVE BEEN RECEIVED TO PAY THE INDEBTEDNESS ISSUED AND THE PURPOSE OF SAID ONE HALF OF ONE PERCENT SALES TAX HAS NOW BEEN SERVED AND IT SHOULD BE REPEALED; AND DECLARING AN EMERGENCY.

WHEREAS, at a Special election called and held in Custer County, Oklahoma (the "County"), on August 9th, 2011, the voters of Custer County approved the following proposition:

PROPOSITION

SHALL A PROPOSITION OF CUSTER COUNTY, OKLAHOMA, ENTITLED:

A PROPOSITION PROVIDING FOR FUNDS FOR CUSTER COUNTY, OKLAHOMA; LEVYING AND EXTENDING THE EXISTING ONE HALF OF ONE PERCENT SALES TAX VOTED NOVEMBER 8, 2005 ON GROSS RECEIPTS OR PROCEEDS ON CERTAIN SALES; THE EXTENDED SALES TAX TO TERMINATE AT FIVE (5) YEARS FROM THE EFFECTIVE DATE OF THIS EXTENSION, OCTOBER 1, 2012 OR UNTIL ANY DEBT ISSUED TO SATISFY THE PURPOSE HEREIN HAS BEEN SATISFIED WHICHEVER OCCURS SOONER; SUCH TAX TO BE USED TO PROVIDE FUNDS TO PAY

AND SATISFY THE BALANCE DUE AND OWING ON JUDGMENT ENTERED AGAINST CUSTER COUNTY IN CASE #CIV-2010-53 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA ON MAY 24, 2010 BY DEPOSITING SAID BALANCE OWED ON THE DESCRIBED JUDGMENT INTO THE COUNTY'S SINKING FUND TO BE USED FOR THAT PURPOSE AND THAT PURPOSE ONLY WITH ANY EXCESS SALES TAX PROCEEDS UPON RETIREMENT OF THE INDEBTEDNESS TO BE USED FOR OPERATION AND MAINTENANCE OF THE CUSTER COUNTY JAIL; AUTHORIZING THE PAYMENT OF DEBT SERVICE AND COSTS OF ISSUANCE; FIXING AN EFFECTIVE DATE; MAKING PROVISIONS SEVERABLE.

Further whereas, the County has now been notified that sufficient funds have been received to satisfy the outstanding indebtedness issued. The purpose of the Sales tax has been fulfilled and should be repealed as set forth in and provided by the above proposition as approved.

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

SECTION 1. That the Board of County Commissioners of Custer County find that the purpose of one half of one percent has been fulfilled as provided and that the tax should be repealed and it is hereby repealed.

SECTION 2. That notice of the repeal of the one half of one percent sales tax should be given to the Oklahoma Tax Commission requesting collection of this tax cease as soon as allowed by law.


SECTION 3. That this Resolution does relate to the public peace, health, and safety whereby an emergency is declared to exist and this Resolution shall be in full force and effect immediately from and after its passage and approval.

PASSED, APPROVED AND ADOPTED this 30th day of March, 2015.

ATTEST:


County Clerk
(SEAL)




Chairman,
Board of County Commissioners
Custer County, Oklahoma