

Monday, August 16, 2004-Continued

Moved by Dick, seconded by Collins, to cancel and disallow the following Purchase Order:

PO#	Vendor	Warrant #	Amount	Clerk's Misc. File #
417148	Anderson, Jeff	280148	\$40.00	194414

Upon roll call, Dick, yes; Miller, yes; Collins, yes. Motion carried.

Moved by Dick, seconded by Collins, to approve and authorize execution by Commission, the following claims that are in order as required by Title 19 O.S. §1505 D 11 providing all claims involving wages and/or salaries be subject to state and federal withholding tax, retirement fund and social security deductions. Upon roll call, Dick, yes; Collins, yes; Miller, yes. Motion carried.

Moved by Dick, seconded by Collins, to approve blanket encumbrances. Upon roll call, Dick, yes; Collins, yes; Miller, yes. Motion carried.

Chair called the public hearing to order at 9:43 a.m. and stated this public hearing is being held to discuss request from Thomas F. Birmingham with Birmingham, Morley, Weatherford & Priore, representing homeowners in the subdivisions: Rolling Oaks Park, Rolling Oaks Park II & Rolling Oaks V subdivision to withdraw from the Berryhill Fire District. Chairman asked if anyone was present for this public hearing. Tom Birmingham, 1141 E. 37th St., Tulsa, OK 74105, presented several exhibits on behalf of the homeowners explaining their reasons for wanting withdrawal from the Fire District. He stated the property had been annexed by the City of Sand Springs and is covered by the fire department, public safety and emergency services of Sand Springs and General Obligation Bonds are apportioned to the homeowners to pay for these emergency services. He stated that statutory requirements have been met for withdrawal from the Berryhill Fire Department.

Mark Ramsey, P. O. Box 309, Claremore, OK, Attorney for the Berryhill Fire District stated there were discrepancies as to how many homeowners were eligible to sign the petition in the Rolling Oaks V subdivision. The Assessor showed 9 homeowners and only 4 signatures were acquired which did not meet the 51% requirement. He stated that the nearest station at Sand Springs is station #2 at Prattville which has 2 trucks and 4 firefighters and that they are often on other calls in other areas. The Berryhill Fire District has fulltime and volunteer firefighters and would be more readily available to respond.

Mr. Charles R. Gaines, 7408 W. 40th St., Tulsa, OK 74107 stated that he is retired and on a “fixed income” and does not like the “double taxation” he has to pay for Sand Springs and Berryhill emergency services which he stated was ±\$160/year extra for the Berryhill Fire District. He is in favor of withdrawal from the Berryhill Fire District for this reason.

Mr. Grady Beeson, Fire Chief of Berryhill Fire District explained they have quicker response time than Sand Springs, citing they responded to 51 calls to the Rolling Oaks subdivision last year and 40+ so far this year. He further stated that the “extra cost” is a fire protection assessment and is different from Ad Valorem tax.

Mr. Birmingham’s rebuttal to the number of homeowners in the Rolling Hills V subdivision, stating there were only 7 & the 4 signatures would qualify for the 51% requirement.