

*Oklahoma Tax Commission Regular Meeting Minutes
November 1, 2018*

1. The regularly scheduled meeting of the Oklahoma Tax Commission convened at 1:30 p.m., on the above date, in the Oklahoma City office. Notice of said meeting and the agenda therefor were posted in prominent public view at the Commission's principal office in Oklahoma City from and after 1:30 p.m., on October 31, 2018.

Chairman Burrage called the meeting to order. Other members present were Vice-Chairman Jolley and Secretary-Member Kemp. Also present was Marjorie Welch, Legal Division.

2. Chairman Burrage moved to approve the minutes of the regular commission meeting of October 30, 2018. Secretary-Member Kemp seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
3. Executive Director's Report; Personnel Transactions:
Vice-Chairman Jolley moved that the Commission approve personnel transactions 3198 through 3204. Chairman Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
4. Chairman Burrage moved that the Commission resolve into Executive Session for discussion regarding Caulfield Holdings Botanicals, Ltd. And Alicia Vargas v. The State of Oklahoma ex rel. The Oklahoma Department of Health, The Oklahoma Bureau of Narcotics and Dangerous Drugs and the Oklahoma Tax Commission, Oklahoma County District Court Case No. CJ-2018-5746. Vice-Chairman Jolley seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

An executive session was held, after which the Commission returned to open meeting.

5. Marjorie Welch, Legal Division, updated the Commission on the matter. Secretary-Member Kemp moved that the Commission retain the Attorney General's Office to represent to Oklahoma Tax Commission in the matter. Chairman Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
6. Chairman Burrage moved that the Commission resolve into Executive Session for discussion regarding JM-14-005, In Re: Revocation of Licenses/Permits of Citizen Potawatomi Nation, and JM-16-001, In the Matter of the Protest to the Non-Renewal of Licenses and Permits of the Citizen Potawatomi Nation, Oklahoma Supreme Court case nos. 114695 and 115851, respectively. Secretary-Member

Kemp seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

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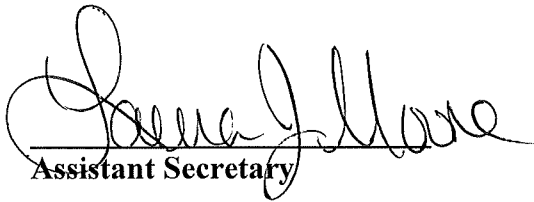
7. Tony Mastin, Executive Director, updated the Commission on the matter. No action was taken.
8. Chairman Burrage moved that the Commission resolve into Executive Session for the purpose of discussing confidential taxpayer matters and proceedings. Vice-Chairman Jolley seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

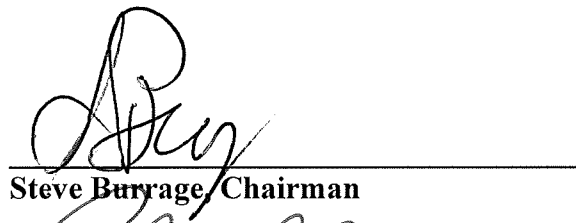
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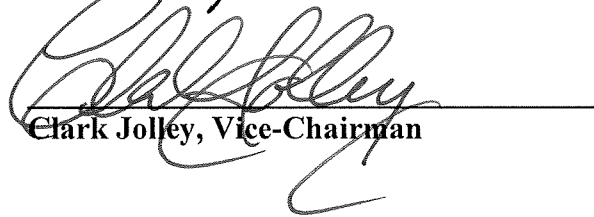
9. Recommendations from Executive Session:
 - 1) Chairman Burrage moved that the Commission deny a settlement proposal in the matter and granted a waiver of one-half interest and one-half penalty, upon payment of the tax and remaining penalty and interest, as recommended by the Division, in Case No. P-17-196-K. Secretary-Member Kemp seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
 - 2) Vice-Chairman Jolley moved that the Commission deny the waiver request, as recommended by the Division, in Case No. 18-1075268. Chairman Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
 - 3) Vice-Chairman Jolley moved that the Commission deny the waiver request, in Case No. 18-1024582. Chairman Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
 - 4) Vice-Chairman Jolley moved that the Commission grant Taxpayer's request for reconsideration of Commission action taken in the matter on October 30, 2018 and grants a partial release, as recommended by the Division, in Case No. PR-18-091. Chairman Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
10. Chairman Burrage moved that the Commission approve the notification to the Secretary of Finance, Administration and Information Technology of proposed agency expenses. Secretary-Member Kemp seconded the motion. Chairman, aye; Vice-Chairman, recuse; Secretary-Member, aye. The motion was declared adopted.

- 11. There was no report from the Tax Policy and Research Division.
- 12. There were no other division reports.
- 13. There was no new business.
- 14. The meeting was adjourned.

APPROVED:


Assistant Secretary


Steve Burray, Chairman


Clark Jolley, Vice-Chairman

Thomas E. Kemp, Jr., Secretary-Member

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