

OKLAHOMA TAX COMMISSION MEETING MINUTES
January 19, 2021

1. The regularly scheduled meeting in the Oklahoma Tax Commission convened at 1:30 p.m., on the above date. Notice of said meeting and the agenda therefor were posted online from and after 1:30 p.m. on January 15, 2021.

Chairman Prater called the meeting to order. Other members present were Vice-Chairman Jolley and Secretary-Member Burrage. Also present was Ernest Short, Counsel to the Commissioners.

2. Vice-Chairman Jolley moved to approve the minutes of the commission meeting on January 12, 2021. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
3. There was no report from the Executive Director.
4. Chairman Prater moved that the Commission resolve into Executive Session for the purpose of discussing confidential taxpayer matters and proceedings. Secretary-Member Burrage 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. Recommendations from Executive Session:

- 1) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half interest, upon payment of one-half interest and all penalty, as recommended by the Division, in Case No. P-20-137-R. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 2) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half delinquent interest in the amount of \$14,173.04, upon payment of one-half delinquent interest, plus delinquent penalty, as recommended by the Division, in Case No. 20-1291708. Secretary-Member 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 grant a waiver of one-half delinquent interest in the amount of \$567.02, upon payment of one-half delinquent interest, plus delinquent penalty, as recommended by the Division, in Case No. 19-1157169. Secretary-Member 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 deny a settlement request, as recommended by the Division, in Case No. 1291695. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 5) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half delinquent interest in the amount of \$1,356.25, as recommended by the Division, in Case No. 20-1305789. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 6) Vice-Chairman Jolley moved that the Commission grant a waiver of one-fourth delinquent interest in the amount of \$1,588.67, upon payment of three-fourths delinquent interest, plus underestimation interest, delinquent penalty and applicable collection fees; also granting a 36 month pay plan, in Case No. 20-1327998. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 7) Vice-Chairman Jolley moved that the Commission deny a waiver request, as recommended by the Division, in Case No. 20-1331766. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 8) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half delinquent interest in the amount of \$6,934.39, upon payment of one-half delinquent interest, plus underestimation interest, as recommended by the Division, in Case No. 20-1354612. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 9) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half delinquent interest in the amount of \$1,028.25, upon payment of one-half delinquent interest, plus underestimation interest,

delinquent penalty, warrant penalty, filing fees and applicable collection fees; also granting a 12 month pay plan, as recommended by the Division, in Case No. 20-1355844. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

- 10) Vice-Chairman Jolley moved that the Commission grant a waiver of delinquent penalty in the amount of \$2,000.00, as recommended by the Division, in Case No. 20-1363925. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 11) Vice-Chairman Jolley moved that the Commission grant a waiver of one-fourth delinquent interest in the amount of \$3,387.74, upon payment of three-fourths delinquent interest, plus delinquent penalty and applicable collection fees, as recommended by the Division, in Case No. 20-1408093. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 12) Vice-Chairman Jolley moved that the Commission deny a waiver request, as recommended by the Division, in Case No. 20-1408396. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 13) Vice-Chairman Jolley moved that the Commission grant a waiver of one-half delinquent interest in the amount of \$61.48, as recommended by the Division, in Case No. 20-1435801. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 14) Vice-Chairman Jolley moved that the Commission cap the interest to the amount of tax per period and grant a waiver of one-fourth of the recalculated interest in the amount of \$1,201.26, upon payment of the remaining delinquent interest, plus delinquent penalty, warrant penalty, filing fees and applicable collection fees, as recommended by the Division, in Case No. 20-1295971. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 15) Vice-Chairman Jolley moved that the Commission adopt the Directives to Counsel as amended. Secretary-Member Burrage seconded the

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

16) Vice-Chairman Jolley moved that the Commission adopt the Directives to Agency Executive Director as amended. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

17) Compensation of Counsel to the Commissioners was continued at the request of the Chairman.

6. Vice-Chairman Jolley moved that the Commission approve the notification to Cabinet Secretary for the proposed agency expenses dated January 19, 2021 specified below and attached in electronic folder to Minutes with executed Proposed Expense Request. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

Purchase Requisition No. 6950010787, renew audit service agreement, Cost \$32,740.26

Purchase Requisition No. 6950010793, extension of Collection Services Contract, Cost \$250,000.00

7. Vice-Chairman Jolley moved that the Commission approve the Equalization/Excise Board appointment of Karen Wellman, Marshall County. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

8. The Commissioners discussed the process for review and approval of OTC contracts in excess of \$50,000. No action was taken.

9. Director April Gonzalez, Digital Marketing/Communications, presented a report regarding current and upcoming changes to the Oklahoma Tax Commission website.

10. Commissioners discussed Oklahoma Tax Commission Order No. 2015-09-22-04. No action was taken.

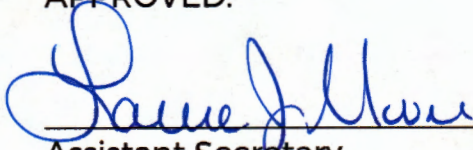
11. Secretary-Member Burrage moved that the Commission grant the request to initiate rulemaking action of Swedish Match North America, LLC. Vice-Chairman Jolley seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

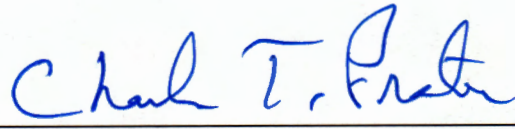
12. Secretary-Member Burrage moved to approve the 2021 Headquarters Personnel Compensation with corrections and attached in electronic folder to Minutes. Vice-Chairman Jolley seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye.

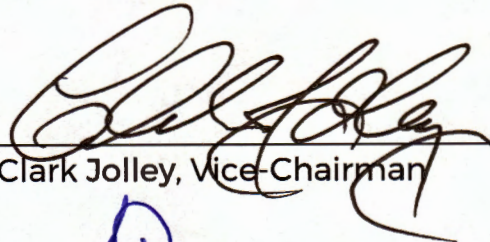
13. There was no new business.

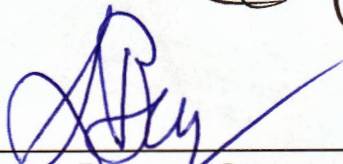
14. The meeting was adjourned.

APPROVED:


Assistant Secretary


Charles T. Prater, Chairman


Clark Jolley, Vice-Chairman


Steve Burrage, Secretary-Member

**OKLAHOMA TAX COMMISSION
PROPOSED EXPENSE REQUEST**

To: Secretary of Digital Transformation and Administration

Pursuant to Executive Order 2019-13, the Oklahoma Tax Commission hereby provides written notification of proposed expenses in the attached document dated 01/19/2021 and requests approval of the same.

DATED this 01/19/2021

(SEAL)

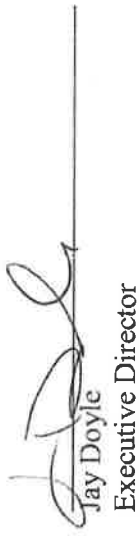
OKLAHOMA TAX COMMISSION

ATTEST:


Assistant Secretary


CHARLES T. PRATER, CHAIRMAN

APPROVED:


Jay Doyle
Executive Director


CLARK KELLEY, VICE CHAIRMAN

STEVE BURRAGE, SECRETARY-MEMBER

Date Submitted: 1/19/2021

OKLAHOMA TAX COMMISSION PROPOSED EXPENSE REQUEST

| Purchase Requisition Number | Description of Proposed Expense | Cost | Necessity | Cost (if any) if request denied | Deadline |
|-----------------------------|--|--------------|--|---|-----------|
| 6950010787 | Renew Audit Service contractual agreement with Oklahoma City, OK to pay Tax Commission's share of sale and use tax auditor fees. | \$32,740.26 | Must be paid in accordance with contractual agreement with the City of Oklahoma City for reimbursement of independent auditor costs. | If denied, OTC would not be in compliance with the agreement with the City of Oklahoma City. | 1/26/2021 |
| 6950010793 | 90 day extension for 1st Placement Harris & Harris Collection Services Contract (PO 6959007861) until new contract can be bid out and awarded. | \$250,000.00 | Collection service for delinquent taxes due to the State. | If denied, there will be an adverse impact on the taxes collected, resulting in delays and potentially a reduction in the amount of delinquent taxes collected. | 1/26/2021 |

CABINET SECRETARY APPROVAL:

Secretary of Digital Transformation and Administration

Date