

OKLAHOMA TAX COMMISSION REGULAR MEETING MINUTES
March 9, 2021

1. The regularly scheduled meeting of the Oklahoma Tax Commission convened at 1:30 p.m., on the above date. Notice of said meeting was posted on December 3, 2020 and the agenda therefor was posted online from and after 1:30 p.m. on March 8, 2021.

Attendees: Chairman Prater, Vice-Chairman Jolley, Secretary-Member Burrage and Ernest Short, Counsel to the Commissioners.

Guests: Nichole Gillett; Elizabeth Field.

ROLL CALL - determination of quorum: Chairman Prater queried Ernest Short, Counsel to the Commissioners, to determine if a quorum was present; Mr. Short replied "yes".

2. **READING OF MINUTES** - Vice-Chairman Jolley moved to approve the minutes of the regular commission meeting on March 2, 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. Vice-Chairman Jolley 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 full penalty, as recommended by the Division, in Case No. P-20-135. Chairman Prater 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 a request for reconsideration of Commission action taken in the matter on February 2, 2020, as recommended by the Division, in Case No. 20-1390662. 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 deny a request for reconsideration of Commission action taken in the matter on August 18, 2020; granting a pay plan of not less than \$181.00 per month until the balance is paid in full, in Case No. 20-1517999. Chairman Prater seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, abstain. The motion was declared adopted.
- 4) Vice-Chairman Jolley moved that the Commission grant a waiver of penalty and interest for February, 2020 and March, 2020 only, in Case No. 20-1285801. 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 penalty and interest for February, 2020 and March, 2020 only, in Case No. 20-1293615. 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-half delinquent interest in the amount of \$1,347.44, 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 at \$211.66 per month, as recommended by the Division, in Case No. 20-1447189. 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 grant a waiver of one-half delinquent interest in the amount of \$876.99, 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 of \$120.09 per month, as recommended by the Division, in Case No. 20-1463331. 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 deny a waiver request, as recommended by the Division, in Case No. 20-1488644. 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 all penalty and interest, in Case No. 21-1614209. 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 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 \$15,865.50, upon payment of the remaining delinquent interest, plus underestimation interest, delinquent penalty, warrant penalty, filing fees and applicable collection fees, as recommended by the Division, in Case No. 20-1384849. 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-half delinquent interest in the amount of \$1,100.93, upon payment of one-half delinquent interest, plus underestimation interest, delinquent penalty, warrant penalty, filing fees and applicable collection fees; also granting an 18 month payment plan at \$127.12 per month, as recommended by the Division, in Case No. 20-1395989. 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 grant a waiver of one-half delinquent interest in the amount of \$980.19, as recommended by the Division, in Case No. 20-1417760. 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 partial release, as recommended by the Division, in Case No. PR-21-004. Chairman Prater seconded the motion. Chairman, aye; Vice-

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

14) Vice-Chairman Jolley moved that the Commission grant a partial release, as recommended by the Division, in Case No. PR-21-011. 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 grant a partial release, as recommended by the Division (Tax Commission to receive one-third of the net proceeds), in Case No. PR-21-015. 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 approve the notification to Cabinet Secretary for the proposed agency expenses dated March 9, 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. 6950010903, Renew lease and Maintenance for Credit Card Readers and Printers used by Tag Agencies for FY21, Cost, \$42,120.00.

Purchase Requisition No. 6950010912, Information Security Audit Services for FY21, Cost, \$34,650.00.

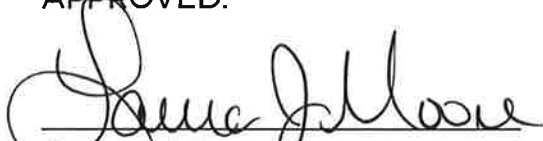
7. Vice-Chairman Jolley moved that the Commission approve the appointment of Motor License Agent Vicki Nealis, Crescent, Oklahoma, subject to qualifying under the law. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

8. Directives (Guidelines) to the Agency Executive Director were continued at the request of the Commission.

9. Secretary-Member Burrage moved that the Commission approve Amended Order 2021-03-02-04. Chairman Prater seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.

- 10. Vice-Chairman Jolley moved that the commission adopt the proposed permanent rules for the following chapters: Chapter 1, Administrative Operations; Chapter 10, Ad Valorem; Chapter 15, Aircraft; Chapter 20, Alcohol and Tobacco; Chapter 25, Coin Operated Vending Devices; Chapter 30, Documentary Stamps; Chapter 35, Estates; Chapter 45, Gross Production; Chapter 50, Income; Chapter 55, Motor Fuel; Chapter 60, Motor Vehicles; Chapter 65, Sales and Use Tax; Chapter 70, Tobacco, Tobacco Products, and Cigarettes; Chapter 90, Withholding; Chapter 95, Miscellaneous Areas of Regulatory and Administrative Authority. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted.
- 11. There was no new business.
- 12. Vice-Chairman Jolley moved that the meeting be adjourned. Secretary-Member Burrage seconded the motion. Chairman, aye; Vice-Chairman, aye; Secretary-Member, aye. The motion was declared adopted. 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 Economic Administration

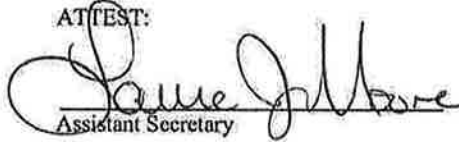
Pursuant to Executive Order 2019-13, the Oklahoma Tax Commission hereby provides written notification of proposed expenses in the attached document dated 03/09/2021 and requests approval of the same.

DATED this 03/09/2021

(SEAL)

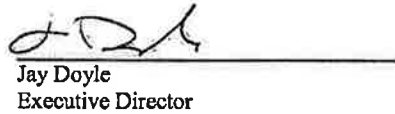
OKLAHOMA TAX COMMISSION

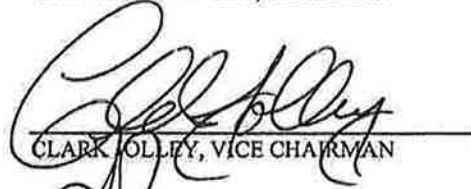
ATTEST:


Assistant Secretary


CHARLES T. PRATER, CHAIRMAN

APPROVED:


Jay Doyle
Executive Director


CLARK HOLLEY, VICE CHAIRMAN


STEVE BURRAGE, SECRETARY-MEMBER

OKLAHOMA TAX COMMISSION PROPOSED EXPENSE REQUEST

Date Submitted: 3/9/2021

Purchase Requisition Number	Description of Proposed Expense	Cost	Necessity	Cost (if any) if request denied	Deadline
69S0010903	Renew Lease and Maintenance for Credit Card Readers and Printers used by Tag Agencies for FY21	\$42,120.00	The contract with Mainstay Systems Inc. is for the leasing and maintenance of credit card receipt printers and maintenance of credit card readers utilized by motor license agents in processing taxpayer payments for MVD transactions. Pursuant to 47 OS § 1114, payment by credit card is to be offered taxpayers.	The equipment and service contract is necessary to facilitate credit card acceptance by motor license agents. Failure to provide the equipment and service would result in the inability to comply with the referenced statutory provision.	3/16/2021
69S0010912	Information Security Audit Services for FY21	\$34,650.00	The 62 O.S. § 34.32 requires state agencies that have an information technology system to obtain an information security risk assessment to identify vulnerabilities associated with the information system. Project Overview & Scope: Review and audit the application of NIST CSF. Scope: True Digital will perform an Information Security Audit for the Oklahoma Tax Commission against the NIST Cybersecurity Framework, Millerstones and Payment Schedule, Milestone 1: Audit Services Kickoff Call Completion - \$11,434.50, Milestone 2: Delivery & Acceptance of Final Report Deliverables - \$23,215.50	If denied, the Oklahoma Tax Commission would be unable to comply with State Statute.	3/16/2021

CABINET SECRETARY APPROVAL: _____

Date