

Administration and Government

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SECTION 2-101 FORM OF GOVERNMENT.

The town is governed under the board of trustees form of government. The board of trustees shall consist of five (5) trustees. All powers of the town shall be exercised in the manner prescribed by the town code, by state statute and in such manner prescribed by ordinances adopted by the town board of trustees.

SECTION 2-102 MEETINGS OF THE BOARD OF TRUSTEES.

A. Regular meetings of the board of trustees shall be held on the second Tuesday of every month at 7:00 p.m. at the town hall unless, in the case of an emergency, the board of trustees designates another place. If such a Tuesday falls on a town holiday, the regular meeting shall be held at that time on the next day which is not a holiday. Any adjourned meeting may be held at any other place in the town designated by the board of trustees.

B. The board of trustees may from time to time adopt rules to govern the proceedings of the board of trustees.

State Law Reference: See also Open Meetings Act, 25 O.S. Sec. 301 et seq.

SECTION 2-103 MAYOR'S POWERS AND DUTIES.

The mayor and acting mayor shall have all the powers and duties prescribed by state law, and as may be prescribed by ordinance.

SECTION 2-104 TOWN ELECTIONS.

A. Pursuant to Section 16-302 of Title 11 of the Oklahoma Statutes, the town hereby declares that it is governed by the Oklahoma Town Meeting Act for electing its officers and deciding initiative and referendum questions.

B. In accordance with Section 11-205 of Title 11 of the Oklahoma Statutes, the officers

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of the town shall be elected as follows:

1. Trustees are elected at large. At the general election on the first Tuesday in April Trustees Two (2) and Four (4) are elected for terms of four (4) years. At the next general election on the first Tuesday in April, two years later, Trustees One, Three (3) and Five (5) and the Town Treasurer are elected for terms of four (4) years;
2. The board of trustees shall have authority to appoint the town clerk;
3. The board of trustees shall have the authority to appoint a police chief and all other appointed officers of the town.

SECTION 2-105 TOWN CLERK APPOINTMENT, DUTIES.

- A. The town clerk is an officer of the town.
- B. As clerk, the town clerk shall:
 1. Keep the journal of proceedings of the board of trustees;
 2. Enroll all ordinances and resolutions passed by the board of trustees in a book or set of books kept for that purpose;
 3. Have custody of documents, records, and archives as may be provided for by law or by ordinance, and have custody of the town seal;
 4. Attest and affix the seal of the town to documents as required by law or ordinance;
 5. Collect or receive such revenue and other money for the town as the law or ordinances may provide, and deposit it daily with the town treasurer, and keep proper records and accounts of all the financial transactions of his office;
 6. Countersign all warrants properly and legally drawn by the purchasing officer of the board of trustees on the town treasurer;
 7. Be available during normal business hours to provide all public records as required by the Oklahoma Open Records Act for inspection, copying or mechanical reproduction during regular business hours, and charge such fees as are set by motion or resolution of the board of trustees for reproduction;
 8. Have such other powers, duties and functions related to the statutory duties of the clerk as may be prescribed by law or ordinance.
- C. When the words "clerk" or "town clerk" are used in this code or in other ordinances of the town, they shall be deemed to mean the town clerk unless another meaning is clearly indicated by the context.

Ed. Note: Fee for photo reproduction is \$.25 per page; \$2.50 for cassette tape reproduction.

State Law Reference: Records which must be kept available for inspection, see 51 O.S.

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24(A)(5).

SECTION 2-106 TOWN TREASURER DUTIES.

- A. The town treasurer is appointed by the Board of Trustees.
- B. When the words "treasurer" or "town treasurer" are used in this code or in other ordinances of the town, they shall be deemed to mean the town treasurer unless another meaning is clearly indicated by the context.
- C. The town treasurer shall:
 - 1. Maintain accounts and books to show where and from what source all monies paid to the town have been derived and to whom and when any monies have been paid;
 - 2. Deposit daily funds received for the town in depositories as the board of trustees may designate; and
 - 3. Have such other powers, duties and functions related to the statutory duties of the treasurer as may be prescribed by law or ordinance.

SECTION 2-107 TOWN ATTORNEY.

The town attorney is an officer of the town, appointed by the mayor with the confirmation of the board of trustees. The town attorney shall have such duties as are prescribed by the town board.

SECTION 2-108 ADMINISTRATIVE DEPARTMENTS, OFFICERS AND AGENCIES.

There shall be such other administrative departments, agencies and officers as the board of trustees may establish.

SECTION 2-109 BONDS FOR TOWN OFFICERS AND EMPLOYEES.

The town clerk, the town treasurer and such officers and employees as are designated by the town board of trustees shall, before entering upon the discharge of their duties, execute and file with the town clerk surety bonds issued by a surety company authorized to operate in the state conditioned upon the faithful performance of their duties. The town shall pay the premium on such bonds.

SECTION 2-110 COMPENSATION.

Compensation of elected officers of the town shall be as provided by the ordinances of the town. The compensation of other officers and employees shall be set by motion or resolution. That the Mayor and Trustees may, in their discretion, waive any and all payments in which they are entitled under these ordinances by omitting to take their pay by the end of the month in which services are rendered.

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SECTION 2-111

BOOKS DELIVERD TO SUCCESSOR.

All books, vouchers, monies or other property belonging to the corporation in charge or possession of any officer of the same shall be delivered to his successor when qualified.

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SOCIAL SECURITY

Section 2-201 Town officers and employees under federal social security.

ARTICLE B

FIRE FIGHTERS PENSION AND RETIREMENT SYSTEM

Section 2-211 System created.

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ARTICLE A

SOCIAL SECURITY

SECTION 2-201 TOWN OFFICERS AND EMPLOYEES UNDER FEDERAL SOCIAL SECURITY.

A. It is hereby declared to be the policy of the town to extend, at the earliest date, to the employees and officials thereof, not excluded by law or this section, and whether employed in connection with a governmental or proprietary function, the benefits of the system of federal old-age and survivors insurance as authorized by the Federal Social Security Act, and amendments thereto. In pursuance of this policy, the town shall take such action as may be required by applicable state or federal laws or regulations.

B. The mayor is hereby authorized and directed to execute all necessary agreements and amendments thereto with the State Department of Human Services as agent or agency, to secure coverage of employees and officials as provided in Subsection A hereof.

C. Withholdings from salaries or wages of employees and officials for the purpose provided in Subsection A hereof are hereby authorized to be made in the amounts and at such times as may be required by applicable state or federal laws or regulations, and shall be paid over to the state or federal agency designated by the laws or regulations.

D. There shall be appropriated from available funds such amounts at such times as may be required by applicable state or federal laws or regulations for employer's contributions, which shall be paid over to the state or federal agency designated by said laws or regulations.

E. The town shall keep such records and make such reports as may be required by applicable state or federal laws or regulations.

F. There is hereby excluded from this section any authority to make any agreement with respect to any position or any employee or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the town.

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G. There is hereby excluded from this section any authority to make an agreement with respect to any position or any employee or official, compensation for which is on a fee basis, or any position or any employee or official not authorized to be covered by applicable state or federal laws or regulations.

ARTICLE B

FIRE FIGHTERS PENSION AND RETIREMENT SYSTEM

SECTION 2-211 SYSTEM CREATED.

There is hereby created, for the purpose of providing pension retirement allowance and other benefits for fire fighters of the town, a fire fighters pension and retirement system. It is declared to be the official policy of the town to participate in the pension system as provided by state law.

State Law Reference: Firefighter's pension system, 11 O.S. Secs. 49-101 et seq.

SECTION 2-212 SYSTEM TO BE OPERATED IN ACCORDANCE WITH LAW.

A. The fire fighters pension and retirement system as established by Sections 49-100.1 et seq. of Title 11 of the Oklahoma Statutes is hereby adopted by reference.

B. The local board of trustees of the fire fighters pension and retirement system, servicing the fire fighters of the town, shall be constituted as provided by state law and shall have the powers and duties prescribed thereby.

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TOWN RECORDS

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SECTION 2-301 APPOINTMENT OF OFFICIAL CUSTODIANS.

The following town official is hereby appointed as official custodian for purposes of the Oklahoma Open Records Act and is charged with responsibility for compliance with that act with respect to the following listed public records:

Town clerk. All public records kept and maintained in the town clerk's office and all other public records not provided for elsewhere in this chapter.

State Law Reference: Open Records Act, 51 O.S. Sections 24.A.1 to 24.A.18.

SECTION 2-302 DESIGNATION OF ADDITIONAL RECORD CUSTODIANS.

A. Each of the official custodians appointed in Section 2-301 of this code is hereby authorized to designate any subordinate officers or employees to serve as record custodian. The record custodians shall have such duties and powers as are set out in the Oklahoma Open Records Act.

B. Whenever an official custodian shall appoint another person as a record custodian, he shall notify the town clerk of such designation and the town clerk shall maintain a register of all such designations.

SECTION 2-303 DUTIES OF CUSTODIANS.

All town officials and employees appointed or designated under this chapter shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the town; provide assistance and information upon request; insure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this town for inspecting and copying open public records.

SECTION 2-304 REQUESTS TO BE DIRECTED TO CUSTODIANS.

A. All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of the Oklahoma Open Records Act, shall address their requests to the custodian charged with responsibility for the maintenance of the record sought to be inspected or copied.

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B. Whenever any town official or employee appointed or designated as a custodian under this chapter is presented with a request for access to, or copy of, a public record which the custodian does not have in his possession and which he has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. The person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.

SECTION 2-305 PROCEDURES REGARDING BOTH INSPECTION AND COPYING OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

1. Consistent with the policy, duties and procedures established by the Oklahoma Open Records Act, record custodians shall provide full access and assistance in a timely and efficient manner to persons who request access to open public records;
2. Record custodians shall protect the integrity and organization of public records with respect to the manner in which such records are inspected and copied;
3. Record custodians may prevent excessive disruptions of essential functions and provide the record at the earliest possible time;
4. All inspections and copying of open public records shall be performed by or under the supervision of, the record custodian responsible for such records;
5. All persons requesting the inspection of or a copy of open public records shall make such request in writing prior to the request being honored, except that no form shall be required for requests made for records which have been reproduced for free public distribution;
6. All record inspection and copying forms are to be completed by the person requesting the record. The record custodian may demand reasonable identification of any person requesting a record;
7. Any fees for record inspection or for copies are due at the time the records, or copies thereof, are provided to the requester, unless the record custodian has demanded that prepayment of all or part of such fees be made. Fees are to be paid to the record custodian or town clerk;
8. The record custodian or town clerk shall demand full or partial prepayment of fees whenever the estimate for such fees exceeds the amount set out in Section 2-308 of this code;
9. No record search or copying fee shall be assessed against officers or employees of the town who make requests which are reasonably necessary to the performance of their official duties;
10. Hours for making requests for inspection or copying shall be all regular working hours for each day the office maintains regular office hours;
11. Removal of open public records from the office where kept and maintained, for purposes of inspection or the making of copies, shall not be permitted; and

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12. The above procedures, as well as any other inspection and copying procedures, shall be posted in a conspicuous place in the office of the record custodian.

Ed. Note: Town board has set fee for photo reproduction at \$.25 per page; cassette tape reproduction at \$2.50.

SECTION 2-306 PROCEDURES REGARDING INSPECTION OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by every official custodian and record custodian:

1. Record custodians shall handle all inspection requests in accordance with their duties to protect and preserve public records and to assist persons requesting inspection of open public records;
2. All request forms must be completed by the party requesting the record. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian and presented to the record custodian;
3. A written request is sufficient if it reasonably describes the record sought. In instances where the requester cannot provide sufficient information to identify a record, the custodian shall assist in making such identification; and
4. The record custodian shall, upon making a denial of an inspection request, forward a copy of the denial to the town clerk.

SECTION 2-307 PROCEDURES REGARDING COPIES OF OPEN PUBLIC RECORDS.

The following procedures apply regarding copies of records:

1. Record custodians shall handle all copy requests in accordance with their duties to protect and preserve public records and to assist persons requesting copies of open public records;
2. All request forms must be completed by the party requesting the copies. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian;
3. Mechanical reproduction of a record shall not be undertaken when it is the judgment of the record custodian that any available means of mechanically reproducing the subject record is likely to cause damage to such records; and
4. No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when the record custodian determines that the cost of charging and handling the fee exceeds the cost of providing a copy without charge.

SECTION 2-308 FEES.

A. Where a request has been made for the inspection of an open public record, no fee shall be charged.

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B. A fee per page as set by the board of trustees by motion or resolution shall be charged for photocopying an open public record, such fee to cover the cost of labor, materials and equipment.

C. For copying any open public record which cannot be reproduced by photocopying, such as a computer printout or a blueprint, the requester shall be charged the actual cost to the town, including the cost of labor, materials and equipment.

D. A search fee shall be charged a requester who is using the record solely for a commercial purpose. Such fee shall be the actual cost to the town of producing the record, including the cost of labor, materials and equipment.

E. A record custodian may demand prepayment of a fee whenever the estimated amount exceeds Twenty Dollars (\$20.00). The prepayment amount shall be an estimate of the cost of copying, mechanical reproduction or searching for the record. Any overage or underage in the prepayment amount shall be settled prior to producing the requested record or delivering the copy or mechanical reproduction of the record.