

**PART 2**  
**ADMINISTRATION AND GOVERNMENT**

Subject	Chapter
Town Board Of Trustees .....	1
Mayor .....	2
Town Officers And Personnel .....	3
Social Security .....	4
Firefighters Pension And Retirement Fund .....	5
Public Records .....	6
Employee Retirement System, Defined Benefit Plan .....	7

## CHAPTER 1

**TOWN BOARD OF TRUSTEES**

## SECTION:

- 2-101: General Powers
- 2-102: Board Of Trustees
- 2-103: Meetings Of The Town Board
- 2-104: Rules Of Order And Procedure
- 2-105: Trustees May Be Designated To Perform Duties
- 2-106: Town Meeting Act Not Applicable

2-101: **GENERAL POWERS:**

- A. Pursuant to the provisions of 11 Oklahoma Statutes section 12-101, the town shall have all the powers, functions, rights, privileges, franchises and immunities granted, or which may be granted to towns governed by the statutory town board of trustees form of government. These powers shall be exercised as provided by law applicable to towns under the board of trustees form of government, or, if the manner is not prescribed, then in such manner as the board of trustees may prescribe.
- B. The powers, rights and authorities of the town, including the determination of matters of policy, shall be vested in and exercised by the board of trustees. (1989 Code)

2-102: **BOARD OF TRUSTEES:**

- A. The board of trustees shall consist of three (3) members who shall be nominated and elected at large without regard to their place of residence within the corporate limits of the town.
- B. The term of office for a trustee shall be four (4) years beginning at twelve o'clock (12:00) noon on the second Monday following the general municipal election. The trustee shall serve until his

successor is elected and qualified. The terms of the trustees shall be staggered so that at one general municipal election, the following trustees are elected for four (4) year terms:

1. Trustee positions one and three.

At the next general municipal election, the following officers are to be elected for four (4) year terms:

1. Trustee position two; and
  2. Clerk-treasurer.
- C. The resolution of the board of trustees calling for a general or special election to fill the office of trustee shall state the number of four (4) year terms and the number of unexpired terms, if any, to be filled. (1989 Code)

**2-103: MEETINGS OF THE TOWN BOARD<sup>1</sup>:**

- A. The board of trustees shall meet regularly, on the second Thursday of each month at six thirty o'clock (6:30) P.M. and at such other times as it may prescribe by ordinance, resolution, or otherwise, at the town hall. Where the day for a meeting falls upon a day which is a legal holiday in the state, the meeting shall be held on the next succeeding day which is not a holiday. Special meetings may be called by the mayor or any two (2) trustees. A majority of all the members of the board shall constitute a quorum to do business, but a smaller number may adjourn from day to day.
- B. Every meeting of the board of trustees shall be held in the town hall building unless, in case of an emergency, the mayor designates another place in the town for the holding of a special meeting. Any adjourned meeting may be held at any other place within the town designated by the board. (1989 Code; amd. Ord. 05-01, 11-10-2005)

**2-104: RULES OF ORDER AND PROCEDURE:**

- A. The board may determine its own rules, and may compel the attendance of absent members in the manner and under penalties as the

---

1. 11 OS § 12-107; 25 OS §§ 301 - 314.

board may prescribe. Whenever a trustee is absent from more than one-half ( $\frac{1}{2}$ ) of all meetings of the board, regular and special, held within any period of four (4) consecutive months, he shall thereupon cease to hold office.

- B. The order of business for each meeting of the board may be as posted on the agenda for the meeting.
- C. The following rules of procedure shall apply to any regular or special meeting of the board unless two (2) trustees agree to waive the rule or rules:
  - 1. At the request of the mayor or any board member, all motions shall be reduced to writing;
  - 2. A motion to reconsider any of the proceedings of the board shall not be entertained unless it be made by a member who previously voted in the majority;
  - 3. No motion shall be debated or put until it be seconded and stated by the mayor. It is then and not until then in possession of the board and cannot be withdrawn but by leave of the board;
  - 4. A motion to adjourn shall be in order at any time, except as follows:
    - a. When repeated without intervening business or discussion;
    - b. When made as an interruption of a member while speaking;
    - c. When the previous question has been ordered; or
    - d. While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned;

- 5. When a question is under debate, no motion shall be received but:
  - a. To adjourn;
  - b. To lay on the table;
  - c. For the previous question;

- d. To postpone to a day certain;
- e. To commit;
- f. To amend; or
- g. To postpone indefinitely,

which several motions shall have precedence in the order they stand arranged;

6. When a proper motion is made, but information is wanted, the motion is to postpone to a day certain;

7. Matters claiming present attention for which it is desired to reserve for more suitable occasion, the order is a motion to lay on the table; the matter may then be called for at any time. If the proposition may need further consideration at the hands of a committee, the motion is to refer to a committee, but if it need but a few and simple amendments, the board shall proceed to consider and amend at once;

8. On an amendment's being moved, a member who has spoken on the main question may speak again to the amendment;

9. The question is to be put first on the affirmative and then on the negative side. After the affirmative part of the question has been put, any member who has not spoken before to the question may arise and speak before the negative be put; and

10. When a question has been moved and seconded and has been put by the presiding officer in the affirmative and negative, it cannot be debated unless under motion for reconsideration. (1989 Code)

2-105:           **TRUSTEES MAY BE DESIGNATED TO PERFORM DUTIES:**

The board of trustees may designate various ones of its members or a committee of its members to have supervision of various personnel and activities of the town, such as streets, water systems and so on, and may give each such trustee or committee designated an appropriate title. Each such trustee or committee so designated shall be subordinate to the board. (1989 Code)

**2-106: TOWN MEETING ACT NOT APPLICABLE:**

- A. Pursuant to 11 Oklahoma Statutes section 16-302, the town hereby declares that it shall not be governed by the Oklahoma town meeting act as a means of electing its officers and deciding initiative and referendum questions.
- B. The town hereby elects its officers and decides initiative and referendum questions through elections conducted by the county election board pursuant to 11 Oklahoma Statutes section 16-101 et seq. (1989 Code)

CHAPTER 2

MAYOR

Section 2-201 Election and duties of the mayor.

SECTION 2-201 ELECTION AND DUTIES OF THE MAYOR.

A. The board of trustees shall elect from among its members a mayor. The mayor shall be elected in each odd-numbered year at the first board of trustees meeting held after trustee terms begin, or as soon thereafter as practicable. The mayor shall serve until his successor has been elected and qualified.

B. The mayor shall preside at meetings of the board and shall certify to the correct enrollment of all ordinances and resolutions passed by it. He shall be recognized as head of the town government for all ceremonial purposes and shall have such other powers, duties, and functions as may be prescribed by law or ordinance. The mayor shall have all the powers, rights, duties and responsibilities of a trustee, including the right to vote on questions.

C. During the absence, disability or suspension of the mayor, the board shall elect from among its members an acting mayor. When a vacancy occurs in the office of the mayor, the board shall elect another mayor from among its members to serve for the duration of the unexpired term.

State Law Reference: Election of town mayor, acting mayor, 11 O.S. Sections 12-104, 12-105.





Administration and Government

CHAPTER 3

TOWN OFFICERS AND PERSONNEL

Section 2-301	Town clerk-treasurer.
Section 2-302	Town attorney, appointment and duties.
Section 2-303	Health officer.
Section 2-304	Other personnel, appointments, removals.
Section 2-305	Bonds.
Section 2-306	Salaries.
Section 2-307	Compensation of employees, number and classes of personnel.
Section 2-308	Salaries of certain officers not to be changed after election or appointment.
Section 2-309	Oaths.
Section 2-310	Officers to continue until successors are elected and qualify.
Section 2-311	Appointment of personnel in emergencies.

SECTION 2-301      TOWN CLERK-TREASURER.

A.      The town clerk-treasurer is an elected official of the town, elected for a four-year term.

B.      As clerk, the town clerk-treasurer shall:

1.      Keep the journal of the proceedings of the board;
2.      Enroll in a book kept for that purpose all ordinances and resolutions passed by the board;
3.      Have custody of documents, records and archives as may be provided by law or 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; and
5.      Have such other powers, duties and functions as may be prescribed by law or ordinance or by the board.

C.      As treasurer, the town clerk-treasurer shall:

1.      Maintain accounts and books to show where and from what source all moneys paid to him have been derived and to whom and when any moneys have been paid;
2.      Deposit daily funds received for the town in depositories as the board may designate; and
3.      Have such other powers, duties and functions as may be prescribed by law or ordinance.

## Administration and Government

The clerk-treasurer's books and accounts shall at all times be subject to examination by the board.

Ed. Note: Effective January 14, 1987, town combined office of clerk and treasurer.

### SECTION 2-302      TOWN ATTORNEY, APPOINTMENT AND DUTIES.

The board of trustees may appoint a town attorney or may secure the services of an attorney or attorneys on a contractual basis when needed. The town attorney, when and if appointed, shall be the legal adviser of the board, all officers, departments and agencies of the town government in matters relating to their official powers and duties. He shall represent the town in proceedings in the courts. He shall perform all services incident to his position which may be required by law or ordinance.

### SECTION 2-303      HEALTH OFFICER.

The board of trustees may appoint a town health officer. The county health officer or any qualified personnel of the state department of health may perform the duties and functions of a town health officer.

### SECTION 2-304      OTHER PERSONNEL, APPOINTMENTS, REMOVALS.

A. The board of trustees may appoint such other officers and employees as it deems desirable and may determine their compensation by motion or resolution, and may demote, suspend, lay off or remove all such personnel in compliance with due process and other requirements of law.

B. An employee or officer who, after a probationary period as set by the town board, is laid off, suspended without pay for more than ten (10) days, demoted or removed may appeal in writing to the town board. The appeal must be filed with the town clerk-treasurer for transmittal to the board within ten (10) days after receipt of the notice of the layoff, suspension, demotion or removal. As soon as practicable thereafter, the board shall conduct a hearing on the appeal, or give an adequate opportunity therefor, and shall report in writing its findings and recommendations and make its final decision in writing regarding the appellant's layoff, suspension, demotion or removal. If the board finds that the layoff, suspension, demotion or removal was incorrect, it shall veto the layoff, suspension, demotion or removal and order the reinstatement of the employee or officer. Any proceedings of the board shall be subject to open meeting laws and applicable exceptions provided for executive sessions. Employees or officers on probationary status may be laid off, suspended without pay, demoted or removed at any time without the written statement, hearings and procedures required in this section.

### SECTION 2-305      BONDS.

The town clerk-treasurer and any other officers and employees which the town board may designate by ordinance or otherwise, shall give bond for the faithful performance of duties in such amount and form as the board shall prescribe. The town shall pay the premiums on such bonds. The town may require the officer to secure the bond within ten (10) days after his election or appointment.

State Law Reference: Officers' bonds, II O.S. Section 8-105.

**2-306: SALARIES<sup>1</sup>:**

- A. The compensation of all elective town officers, including the following, shall be fixed by ordinance:
1. Mayor;
  2. Each trustee; and
  3. Town clerk-treasurer. (1989 Code)

**2-307: COMPENSATION OF EMPLOYEES, NUMBER AND CLASSES OF PERSONNEL:**

- A. The compensation of all other officers and employees excepting those whose compensation the law requires to be set by ordinance, may be determined by motion or resolution adopted by the board of trustees, and may be changed at any time in the same manner.
- B. Except as the law provides otherwise, the board of trustees may determine or regulate the number and classes of officers and employees. (1989 Code)

**2-308: SALARIES OF CERTAIN OFFICERS NOT TO BE CHANGED AFTER ELECTION OR APPOINTMENT:** In no case shall the salary or emoluments of any town officer elected or appointed for a definite term, be changed after his election or appointment or during his term of office unless by operation of an ordinance passed prior to such election or appointment, such being prohibited by the constitution, article 23, section 10. This provision shall not apply to officers chosen for indefinite terms nor to employees. (1989 Code)

**2-309: OATHS:**

- A. All officers of the town, but not employees, are required to take the oath or affirmation of office prescribed by the state constitution before they enter upon their duties.

---

1. 11 OS § 12-113; Oklahoma constitution, art. 23, sec. 10.

- B. Both officers and employees are currently required to take and subscribe to the loyalty oath prescribed by state law. (1989 Code)

2-310:       **OFFICERS TO CONTINUE UNTIL SUCCESSORS ARE ELECTED AND QUALIFY:** Every officer who is elected or appointed for a definite term shall continue to serve thereafter until his successor is elected or appointed and qualifies, unless his services are sooner terminated by resignation, disqualification, removal, death, abolition of the office, or other legal manner. (1989 Code)

2-311:       **APPOINTMENT OF PERSONNEL IN EMERGENCIES:** The mayor may, in an emergency situation, appoint such other officers and employees as he may deem necessary to protect the health, safety and welfare of the citizens of the town during the existence of the emergency, subject to the approval of the board of trustees as soon as a special meeting or regular meeting can reasonably be called or held therefor. The board of trustees may determine the compensation of such emergency employees by motion or resolution and may direct the demotion, layoff or removal of such personnel at the conclusion of such emergency. For the purposes of this section, the term "emergency" shall be defined to mean an unexpected or unforeseen contingency or catastrophic event affecting the health, safety or welfare of the citizens of the town. (1989 Code)

CHAPTER 4

SOCIAL SECURITY

Section 2-401	Declaration of policy to come under coverage.
Section 2-402	Execution of agreement with state agency.
Section 2-403	Withholdings.
Section 2-404	Contributions.
Section 2-405	Records and reports.
Section 2-406	Exclusions.

SECTION 2-401      DECLARATION OF POLICY TO COME UNDER COVERAGE.

It is hereby declared to be the policy and purpose of the town to extend, at the earliest date, to the eligible employees and officials of the town the benefits of the system of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and all amendments thereto, and Sections 121 et seq. of Title 51 of the Oklahoma Statutes. In pursuance of this policy, the officers and employees of the town shall take such action as may be required by applicable state or federal laws or regulations.

State Law Reference: Social security coverage for local governments, 51 O.S. Section 125.

SECTION 2-402      EXECUTION OF AGREEMENT WITH STATE AGENCY.

The mayor is authorized and directed to execute all necessary agreements and amendments with the State Department of Human Services to accomplish the provisions of Section 2-401 of this code.

SECTION 2-403      WITHHOLDINGS.

Withholdings from salaries or wages of employees and officials for the purposes provided in Section 2-401 of this code are hereby authorized to be made in the amounts and at such times as may be required by applicable state and federal laws or regulations, and shall be paid over to the state or federal agency designated by the laws and regulations.

SECTION 2-404      CONTRIBUTIONS.

Employer contributions shall be paid from amounts appropriated for these purposes from available funds to the designated state or federal agency in accordance with applicable state or federal laws or regulations.

SECTION 2-405      RECORDS AND REPORTS.

The town clerk-treasurer shall keep such records and submit such reports as may be required by applicable state or federal laws or regulations.

SECTION 2-406      EXCLUSIONS.

Excluded from this chapter authorizing the extension of social security benefits to town officers and employees are the following:

## Administration and Government

1. Any authority to make any agreement with respect to any position, 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; or

2. Any authority to make any agreement with respect to any position, employee or official for which compensation is on a fee basis, or any position, employee or official not authorized to be covered by applicable state or federal laws or regulations.

CHAPTER 5

FIREFIGHTERS PENSION AND RETIREMENT FUND

Section 2-501 Contributions to fund.

SECTION 2-501 CONTRIBUTIONS TO FUND.

A. The town hereby joins and affiliates with the Oklahoma Firefighters Pension and Retirement System for the benefit of the town and volunteer firefighters.

B. For each member of the fire department, the town clerk-treasurer shall deposit with the Oklahoma Firefighters Pension and Retirement Board the amounts of money as established and required by state law. These amounts may be revised according to actuarial studies and amounts as set by the Oklahoma Firefighters Pension and Retirement Board.

C. All assets of the town firefighters pension and retirement fund shall be transferred to the Oklahoma Firefighters Pension and Retirement Board. Assets shall be transferred in the form of cash, negotiable securities and such other specific assets as permitted by the State Board.

State Law Reference: Firefighters pension law, 11 O.S. Section 49-122.

Cross Reference: Fire department and services, Section 13-101 of this code.





Administration and Government

CHAPTER 6

PUBLIC RECORDS

Section 2-601	Appointment of official custodian.
Section 2-602	Designation of additional record custodians.
Section 2-603	Duties of custodians.
Section 2-604	Requests to be directed to custodians.
Section 2-605	Procedures regarding both inspection and copying of open public records.
Section 2-606	Procedures regarding inspection of open public records.
Section 2-607	Procedures regarding copies of open public records.
Section 2-608	No fee for inspection.
Section 2-609	Copying fee.
Section 2-610	Fee for mechanical reproduction.
Section 2-611	Search fee.
Section 2-612	Prepayment of fees.

SECTION 2-601      APPOINTMENT OF OFFICIAL CUSTODIAN.

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

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

SECTION 2-602      DESIGNATION OF ADDITIONAL RECORD CUSTODIANS.

A. The official custodian appointed in Section 2-601 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 or she shall notify the town clerk-treasurer of such designation and the town clerk-treasurer shall maintain a register of all such designations.

SECTION 2-603      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 2-604      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.

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 record 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 2-605      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-treasurer;

8. The record custodian or town clerk-treasurer shall demand full or partial prepayment of fees whenever the estimate for such fees exceeds the amount set out in Section 2-612 of this code;

Administration and Government

9. No record search or copying charge 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

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.

SECTION 2-606      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 mayor.

SECTION 2-607      PROCEDURES REGARDING COPIES OF OPEN PUBLIC RECORDS.

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

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 record; 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 2-608      NO FEE FOR INSPECTION.

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

SECTION 2-609      COPYING FEE.

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.

Ed. Note: Resolution 1 adopted 12/5/85 sets copying fee at \$1.00 per page and other related fees. Resolutions 2 and 3 of the same date clarify procedures.

SECTION 2-610      FEE FOR MECHANICAL REPRODUCTION.

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.

SECTION 2-611      SEARCH FEE.

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.

SECTION 2-612      PREPAYMENT OF FEES.

A record custodian may demand prepayment of a fee whenever the estimated amount exceeds Five Dollars (\$5.00). 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.

## CHAPTER 7

**EMPLOYEE RETIREMENT SYSTEM, DEFINED BENEFIT PLAN**

## SECTION:

2-701:	Adopted
2-702:	Fund
2-703:	Appropriations
2-704:	Execution

2-701:       **ADOPTED:** Pursuant to the authority conferred by the laws of the state of Oklahoma, and for the purpose of encouraging continuity and meritorious service on the part of town employees and thereby promote public efficiency, there is hereby authorized, created, established, and approved and adopted, the amended and restated plan designated "employee retirement system of the town of Hulbert and Hulbert public works authority, Oklahoma, defined benefit plan" (hereinafter called system), an executed counterpart of which is marked exhibit A (joinder agreement) and exhibit B (amended and restated plan) and attached to the ordinance codified herein. (Ord. 10-01, 11-9-2010)

2-702:       **FUND:** A fund is hereby provided for the exclusive use and benefit of the persons entitled to benefits under the system. All contributions to such fund shall be paid over to and received in trust for such purpose by the town. Such fund shall be pooled for purposes of management and investment with similar funds of other incorporated cities, towns, and municipal trusts in the state of Oklahoma as a part of the Oklahoma municipal retirement fund in accordance with the trust agreement of the Oklahoma municipal retirement fund, a public trust. The town shall hold such contributions in the form received, and from time to time pay over and transfer the same to the Oklahoma municipal retirement fund, as duly authorized and directed by the board of trustees. The fund shall be non-fiscal and shall not be considered in computing any levy when the annual estimate is made to the county excise board. (Ord. 10-01, 11-9-2010)

2-703:       **APPROPRIATIONS:** The town of Hulbert and Hulbert public works authority, Oklahoma, is hereby authorized to incur the necessary expenses for the establishment, operation, and administration of the system, and to appropriate and pay the same. In addition, the town of Hulbert and Hulbert public works authority, Oklahoma, is hereby authorized to appropriate annually such amounts as are required in addition to employee contributions to maintain the system and the fund in accordance with the provisions of the defined benefit plan. Any appropriation so made to maintain the system and fund shall be for deferred wages or salaries, and for the payment of necessary expenses of operation and administration to be transferred to the trustees of the Oklahoma municipal retirement fund for such purposes and shall be paid into the fund when available, to be duly transferred to the Oklahoma municipal retirement fund. (Ord. 10-01, 11-9-2010)

2-704:       **EXECUTION:** The mayor and town clerk be and they are each hereby authorized and directed to execute (in counterparts, each of which shall constitute an original) the system instrument, and to do all other acts and things necessary, advisable, and proper to put said system and related trust into full force and effect, and to make such changes therein as may be necessary to qualify the same under sections 401(a) and 501(a) of the internal revenue code of the United States. Exhibit A and exhibit B, which have been duly executed as aforesaid are hereby ratified and confirmed in all respects.

This committee is hereby authorized and directed to proceed immediately on behalf of the town of Hulbert and Hulbert public works authority, Oklahoma, to pool and combine the fund into the Oklahoma municipal retirement fund as a part thereof, with similar funds of such other cities and towns, for purposes of pooled management and investment. (Ord. 10-01, 11-9-2010)