

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
TULSA COUNTY, STATE OF OKLAHOMA

216175

IN THE MATTER OF REMOVAL OF)
ELIZABETH WRIGHT AS THE DISTRICT #2)
APPOINTEE TO TULSA METROPOLITAN)
AREA PLANNING COMMISSION

**NOTICE OF HEARING OF PETITION TO INCLUDE REMOVAL OF ELIZABETH
WRIGHT AS THE DISTRICT #2 APPOINTEE TO TULSA METROPOLITAN AREA
PLANNING COMMISSION**

STATE OF OKLAHOMA:

**TO TULSA COUNTY DISTRICT #2 CONSTITUENTS TO ACCEPT THE
STATEMENT AS DIRECTED BY COMMISSIONER KAREN KEITH AS DESCRIBED
IN EXHIBIT "A".**

A PETITION which was submitted by Commissioner Karen Keith, District #2 and described on Exhibit "A" was filed with the County Clerk of Tulsa County, Oklahoma and was presented to the Board of County Commissioners of Tulsa County, Oklahoma, by the Clerk on the 2nd day of November, 2009.

The Petition prays for hearing before the Board of County Commissioners and requests an order determining the removal of Elizabeth Wright as the District #2 Appointee to Tulsa Metropolitan Area Planning Commission.

Pursuant to the Order of the Board, which was made and entered the 2nd day of November, 2009, notice is hereby given, that said Petition will be heard on the 23rd day of November, 2009, at 9:30 o'clock A.M. in the Room 119 of the Board of County Commissioners of Tulsa County, Oklahoma, in the Tulsa County Courthouse, Administrative Building, at Tulsa, Oklahoma.

Any person may appear and protest the removal of Elizabeth Wright as the District #2 appointee to Tulsa Metropolitan Area Planning Commission.

DATED the 2nd day of November, 2009.

BOARD OF COUNTY COMMISSIONERS FOR
TULSA COUNTY, OKLAHOMA

BY: John Smaligo
John Smaligo, Chairman

ATTEST: Earlene Wilson
Earlene Wilson, County Clerk

**TULSA BOARD OF COUNTY COMMISSIONERS
TULSA COUNTY, OKLAHOMA**

In Re:

Elizabeth Wright

Member – Tulsa Metropolitan Area Planning Commission

PETITION FOR REMOVAL


COMES NOW Karen Keith, duly elected Tulsa County Commissioner for District No. 2 Tulsa County, Oklahoma and brings this Petition For Removal of Elizabeth Wright as a member of the Tulsa Metropolitan Area Planning Commission (TMAPC).

The specific and general cause and basis for this removal includes, but is not limited to, the following:

- 1. Violation of the Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission, as Amended April 22, 2009, specifically Section II: Code of Ethics –B. Conflict of Interest 1. b.**
- 2. Conduct which materially and adversely affects the orderly or efficient operation of the TMAPC**
- 3. Violation of the Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission, specifically Section II: Code of Ethics – E. Appearance at City Council in August of 2008.**

Believing that these grounds constitute “cause” for removal, Petitioner respectfully request that the Tulsa Board of County Commissioners set a public hearing to consider this Petition For Removal.

Respectfully Submitted:



Karen Keith

**Tulsa County Commissioner Dist. 2
500 South Denver
Tulsa, Oklahoma 74103**

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Title 19. Counties and County Officers

Oklahoma Statutes Citationized

Title 19. Counties and County Officers

Chapter 19A - County Zoning and Planning

Section 863.5 - Members of Commission - Appointment - Term - Vacancy - Removal - Ex Officio

Members - Members to Serve without Compensation

Cite as: O.S. §. ___

2009 OCT 30 PM 2:45
 STATE OF OKLAHOMA
 TULSA COUNTY CLERK
 EARLENE WILSON

The Metropolitan Area Planning Commission shall consist of eleven (11) members, selected as follows: six shall be appointed by the mayor and approved by the city council and three shall be appointed by the board. The mayor of the municipality or a person designated by the mayor as an alternate and the chairman of the board or other member of the board designated by the chairman of the board as an alternate shall be ex officio members of the Commission and shall be entitled to vote on all matters. Members selected by the mayor other than the alternate of the mayor shall serve for terms of three (3) years, except that the respective terms of the first two members appointed shall be one (1) year, the next two members appointed two (2) years, and the next two members three (3) years. Members selected by the chairman of the board other than the alternate of the chairman, shall serve for terms of three (3) years, except that the respective term of the members first appointed shall be one, two, and three years. All members of the Commission shall serve as such without compensation, except the commissioners may receive a per diem as set by the local board and council not to exceed Twenty-five Dollars (\$25.00) for each meeting attended not to exceed One Hundred Dollars (\$100.00) per month, and the appointed members other than the alternates shall hold no other municipal or county office. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term by the official appointing the original holder of said membership.

A member of such Commission, other than an alternate, once qualified, can thereafter be removed during his term of office only for cause and after a hearing held before the governing body by which he was appointed.

Historical Data

Added by Laws 1955, p. 165, § 5, emerg. eff. June 3, 1955. Amended by Laws 1963, c. 179, § 2, emerg. eff. June 10, 1963; Laws 1977, c. 157, § 1, eff. Oct. 1, 1977; Laws 1990, c. 215, § 5, emerg. eff. May 18, 1990; Laws 1992, c. 47, § 1, emerg. eff. April 8, 1992.

Citationizer[®] Summary of Documents Citing This Document

Cite Name Level
 None Found

Citationizer: Table of Authority

Cite Name Level
 None Found

**PROCEDURE FOR THE REMOVAL OF A PLANNING
COMMISSIONER UPON VOTE BY THE BOARD OF COUNTY COMMISSIONERS OF
TULSA COUNTY.**

(A) In General

The Tulsa County Board of County Commissioners ("Board") may, upon a majority vote, decide to consider whether to remove an appointed Planning Commissioner from the Tulsa Metropolitan Area Planning Commission (TMAPC).

Pursuant to Title 19, O.S. Section 863.5 –Members of Commission – Appointment-Term-Vacancy-Removal-Ex Officio Members-Members to Serve Without Compensation, the Board of County Commissioners has the power of appointment to TMAPC. The Board has the additional responsibility and authority to remove a member of TMAPC that has been appointed by the Board. Under this statute, a member of the TMAPC may be removed from office "for cause" after a hearing held before the governing body by which he or she was appointed. "Cause" shall include, but not be limited to, performance, conduct or behavior, whether by acts or omission, or violation of the Policies and Procedures and Code of Ethics as adopted by the TMAPC, which the Board of County Commissioners concludes materially and adversely affects the orderly or efficient operation of the TMAPC.

(B) Procedure

Upon such a vote to consider removal, the Board of County Commissioners shall set a public hearing in accordance with applicable Oklahoma state statutes regarding notice, posting, and setting and provide notice to the Planning Commissioner whose removal is to be considered by certified mail, return receipt requested, or by hand delivery to the Planning Commissioner whose removal is to be considered. The notice shall be in the form of a Notice of Public Hearing from the Board that shall schedule a date and time for such consideration at a public hearing held before the Board of County Commissioners, as well as the reasons for such consideration.

The public hearing before the Board of County Commissioners shall be no less than three (3) weeks after a request for removal has been presented to the

County Commission. Said notice of public hearing shall be duly and properly posted.

The Planning Commissioner whose removal is sought may appear at that date and time and shall be given an opportunity to be heard by the Board of County Commissioners as to the reasons why his or her removal is not warranted, and may be represented by counsel at the hearing.

The Board has the inherent authority to determine any necessary rules of conduct in the hearing to maintain decorum and order. Rules of conduct by those in attendance of a hearing before the Board may include the potential of a time limit to the amount of time provided to those who request to speak for or against an item on the Board's agenda, requiring those speaking to stand at the podium and speak loud enough to be audio recorded in order that an accurate recorded of the proceedings can be accomplished, and others that would fall under the general category of rules of conduct that allow the Board to maintain decorum and order in the meetings.

Upon conclusion of the hearing the Board of County Commissioners shall take a vote to determine whether removal of the Planning Commissioner is warranted. If the decision of the Board is removal of the Planning Commissioner is warranted, the Board shall indicate the effective date of the removal.