

PENDING APPROVAL

OKLAHOMA COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM REQUEST SHEET

FOR THE 4-14-2009 AGENDA

(THE DEADLINE IS ONE WEEK PRIOR TO THE DATE THE AGENDA IS TO BE POSTED)

DEPARTMENT: COUNTY CLERKS OFFICE REQUESTED BY Carolynn Caudill

REQUISITION NO: _____

NAME OF FUNDS: _____

FUND NUMBERS: _____

PLEASE INITIAL IF PRIVACY/PROTECTED INFORMATION EXISTS: _____ YES _____ N/A

NUMBER OF ORIGINAL DOCUMENTS TO BE RETURNED TO YOUR DEPARTMENT: _____

AGENDA ITEM READS AS FOLLOWS:

Discussion and possible action to approve Resolution to Declare the following property surplus and to be transferred to the Harper County Clerk, Harper County, Oklahoma:

One (1) Grey Metal Counter Type Bookcase with 10 Roller Shelves, c/n **F106-00005**, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

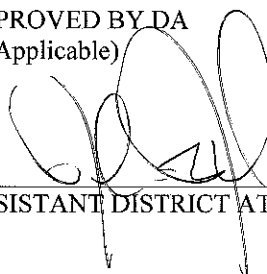
One (1) Grey Metal Counter Type Bookcase with 14 Roller Shelves, c/n **F106-00006**, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

One (1) Brown Metal 2'10" x 2'4" Roller Shelf, not on Inventory.

Requested by Carolynn Caudill, County Clerk., and approved as to form and legality by John M. Jacobsen, Assistant District Attorney. (Document Received)

Frank W. Mishke, Chief Deputy

APPROVED BY DA
(If Applicable)

 4/9/2010

ASSISTANT DISTRICT ATTORNEY

APPROVED BY ENGINEER
(If Applicable)

COUNTY ENGINEER

APPROVED BY PURCHASING
(If Applicable)

PURCHASING AGENT

PENDING APPROVAL

Please initial if privacy/security protected information exist

DISTRICT ATTORNEY – PRIVACY/SECURITY PROTECTED INFORMATION: _____ YES _____ N/A

COUNTY CLERK – PRIVACY/PROTECTED INFORMATION: _____ YES _____ N/A

(NOTE: THE CHAIRMAN/CHIEF DEPUTY MUST APPROVE ALL EMERGENCY REQUESTS FOR ANY ITEM SUBMITTED AFTER THE DEADLINE)

DATE OF REQUEST: _____ APPROVED BY: _____
CHAIRMAN

REQUEST FOR DISTRICT ATTORNEY LEGAL SERVICES

THIS FORM IS TO BE USED TO REQUEST ADVICE AND/OR REPRESENTATION FROM THE DISTRICT ATTORNEY'S OFFICE REGARDING THE COUNTY OF OKLAHOMA, COUNTY OFFICIALS AND EMPLOYEES AS REQUIRED BY SECTIONS 215.4, 215.5, 215.25 AND 215.26 OF TITLE 19 OF THE OKLAHOMA STATUTES.

IF ADVICE IS SOUGHT, THE REQUEST MUST BE SIGNED BY AN ELECTED COUNTY OFFICER. THIS FORM MUST BE FILLED OUT AND SUBMITTED TO THE CIVIL DIVISION OF THE OKLAHOMA COUNTY DISTRICT ATTORNEY'S OFFICE IN A TIMELY MANNER. ALL RESPONSES TO REQUESTS FOR ADVICE WILL BE IN WRITING.

IF THE REQUEST IS FOR LEGAL REPRESENTATION UNDER 19 O. S. SECTION 215.25, THE REQUEST MUST BE SUBMITTED IN WRITING EARLY ENOUGH TO PERMIT THE DISTRICT ATTORNEY'S OFFICE ADEQUATE TIME TO COMPLETE A THOROUGH "GOOD-FAITH-AND-COURSE-OF-EMPLOYMENT" INVESTIGATION AS CONTEMPLATED BY 19 O.S. SECTION 215.26.

DATE OF REQUEST: April 9, 2010

COUNTY DEPARTMENT MAKING REQUEST: County Clerk

STATE WITH SPECIFICITY, WHAT THE REQUEST IS AND WHY THE ASSISTANCE OF THE DISTRICT ATTORNEY'S OFFICE IS NEEDED:

Please review the attached Resolution Declaring and Disposing of County Property as Surplus as to form and legality. We are transferring surplus property to the Harper County Clerk under Title 19 O.S. (2008) 421.2.

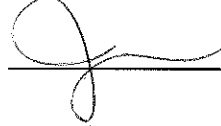
ATTACH ADDITIONAL DOCUMENTS AS APPROPRIATE. (NOTE: Advice, reviews and approvals as to "form and legality" are based on the documentation and information provided to the District Attorney's Office. Please provide all relevant information when requesting an opinion or review from the District Attorney's Office).

Frank W. Prater ^{Chief Deputy} of
for Carolynn Caudill, County Clerk
COUNTY OFFICER

DATE RECEIVED BY DISTRICT ATTORNEY: 4/9/10

REPLY BY DISTRICT ATTORNEY: Reviewed

**DAVID PRATER,
DISTRICT ATTORNEY**

By: 

RECEIVED
APR 09 2010
CIVIL DIVISION
DISTRICT ATTORNEY

PENDING APPROVAL

RESOLUTION NO. _____

A RESOLUTION DECLARING AND DISPOSING OF COUNTY PROPERTY AS SURPLUS

WHEREAS, The Board of County Commissioners of Oklahoma County is directed by State law to make all orders respecting property of the County; and

WHEREAS, The Board of County Commissioners of Oklahoma County, is authorized to deem certain county property and/or equipment as surplus; and

WHEREAS, The Board of County Commissioners of Oklahoma County, pursuant to Title 19 O.S. (2008) § 421.2 by unanimous vote may transfer any machinery, equipment or vehicle belonging to the county, which is deemed by the board to be surplus, to a political subdivision of the state which is in need of such machinery, equipment or vehicle to benefit a significant part of the public served by the county.

NOW, THEREFORE, BE IT RESOLVED that The Board of County Commissioners of Oklahoma County, does hereby declare the following described property and/or equipment belonging to the Oklahoma County Clerk's Office as surplus and is to be transferred to the Harper County Clerk, Harper County, Oklahoma:

One (1) Grey Metal Counter Type Bookcase with 10 Roller Shelves, c/n **F106-00005**, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

One (1) Grey Metal Counter Type Bookcase with 14 Roller Shelves, c/n **F106-00006**, acquired in 1982, from Wesbanco, 5th & Broadway, Oklahoma City, Oklahoma, for an estimated \$320.00.

One (1) Brown Metal 2'10" x 2'4" Roller Shelf, not on Inventory.

BE IT FURTHER RESOLVED that Harper County and their agents and assignees, agree to indemnify and hold harmless Oklahoma County against all claims and causes of any kind, and character, which may arise as a result of this transfer of surplus property and/or equipment.

BE IT FURTHER RESOLVED that this Agreement shall not constitute the formation of a partnership, joint venture, or an employment relationship between Oklahoma County and Harper County.

BE IT FURTHER RESOLVED that Harper County and any of their agents and assignees, is solely responsible for all expenses, upkeep and maintenance related to said transferred property.

PENDING APPROVAL

APPROVED this _____ day of _____, 2010.

BOARD OF COUNTY COMMISSIONERS
OKLAHOMA COUNTY, OKLAHOMA

Chairman

ATTEST:

Member

Carolynn Caudill, County Clerk

Member

Approved as to form and legality this 9th day of April, 2010.



Assistant District Attorney
Oklahoma County, Oklahoma

STATE OF OKLAHOMA)
) SS
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on the _____ day of _____, 2010, on behalf of the Board of County Commissioners.

Notary Public

My Commission Expires: _____

APPROVED this _____ day of _____, 2010.

BOARD OF COUNTY COMMISSIONERS
HARPER COUNTY, OKLAHOMA

PENDING APPROVAL

Chairman

ATTEST:

Member

Joyce Johnson, County Clerk

Member

STATE OF OKLAHOMA)
) SS
COUNTY OF HARPER)

This instrument was acknowledged before me on the _____ day of _____, 2010, on behalf of the Board of County Commissioners.

Notary Public

My Commission Expires: _____