**TOWN OF LUTHER APPEALS BOARD**

**MEETING AGENDA**

**MINUTES and SUMMATION**

**The Town of Luther Appeals Board will meet regarding an appeal from the termination of employment of Michael Oliver, 7:00 p.m. Wednesday, January 3, 2018 Luther Town Hall, 119 S. Main Street Luther, OK 73054.**

1. Call to order**… Meeting called to order at 7:11 p.m.**
2. Roll call… **Jenni White, Jason Roach, Anthony Walker, David Carpenter & Dr**. **Schwartzmeier … All present.**
3. Declaration of a Quorum… **Yes**
4. Discussion and possible action on an appeal from the termination of employment of Michael Oliver pursuant to Oklahoma Statutes, Title 11, Section 50-123(A), including possible action to enter into executive session as authorized by Oklahoma Statutes, Title 25, Section 307(B)(1).

**When asked by the Town’s attorney, Mike Oliver stated, at this time that he had no objections to the composition or the validity of the board, with the change of David Carpenter, in for Justin Blackwell. When asked by the Town’s attorney if he wanted a public or private, Executive Session type of meeting, Mike Oliver stated he didn’t care either way and accepted the move into Executive Session.**

1. Proposed Executive Session for the purpose of discussing Item 4 and then reconvening into Open Session and take action pursuant to Executive Session Authority: Okla. Stat. tit. 25 Section 307 (B) (1).

**Motion to go into Executive Session: J. Roach… 2nd: A. Walker… Unanimous Yes vote.**

1. Reconvene into Open Session.

**Motion to reconvene into Regular Session: J. Roach… 2nd: J. White… Unanimous Yes vote.**

1. Proposed action for Item 4 Appeal.

**Motion to accept written evidence produced by Police Chief David Randall, with the removal of the counter charges, levelled by Mike Oliver, of officer mis-conduct against the other Luther Police Officers: J. Roach… 2nd: J. White… Unanimous Yes vote.**

**Motion to accept audio evidence recorded during the pre-determination hearing conducted between Police Chief David Randall and Mike Oliver. The audio CD was not reviewed by the Appeals Board: J. Roach… 2nd: J. White… Unanimous Yes vote.**

**Motion to accept and uphold the decision to terminate Mike Oliver’s employment from the Luther Police Department and the Town of Luther, for just cause, by Police Chief David Randall.: J. Roach… 2nd: J. White… Unanimous Yes vote.**

1. Adjourn

**Motion to adjourn.: J. Roach… 2nd: J. White… Unanimous Yes vote.**

**Summation:**

**During Executive Session, the Appeals Board listened to evidence brought forth by Luther Police Chief, David Randall against Mike Oliver. Mike Oliver was then allowed the opportunity to refute said charges and state his defense of his alleged actions. No Action was taken during Executive Session.**

**Back in Regular Session, there were motions made, seconded and voted unanimously to approve said evidence with some exceptions removed. Alleged counter charges by Mike Oliver were investigated by the O.S.B.I. and were found to be unsubstantiated.**

**The Board of Appeals made a motion, seconded and voted unanimously to uphold Police Chief David Randall’s decision in terminating Mike Oliver for just cause.**

**Motion made, seconded & voted on to adjourn the meeting.**

\_\_\_\_\_\_\_\_transcribed 1-5-2018 by\_\_\_\_

Kim Bourns, Town Clerk/Treasurer

\*Agenda Posted Friday December 22, 2017, at Luther Town Hall, on the website at [www.townoflutherok.com](http://www.townoflutherok.com) and on Facebook at The Town of Luther, prior to 7:00 pm.