

**MINUTES OF REGULAR MEETING
OKLAHOMA ABSTRACTORS BOARD
May 12, 2011**

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Carpenter at 10:00 a.m. on May 12, 2011, at the Oklahoma Abstractors Board office, 2401 NW 23rd St., Suite 60B, Oklahoma City, OK.
2. The Secretary called roll. Attending were Linda Carpenter, Gary Baer, Herschel Beard, Mike Harris, Jerald Stringer, Glenda Mittasch and David Riley. It was determined that seven members were present at the time of roll call and that a quorum was present. Also attending were John Crittenden, Assistant Attorney General and Glynda Reppond, Executive Director. The Chairman announced that notice of the meeting and posting of the agenda had been done in accordance with the Open Meeting Act.
3. The minutes of the regular meeting of the OAB conducted April 7, 2011, were then distributed. After review, a motion was made by Herschel Beard and seconded by David Riley to accept the minutes as presented. Vote: Unanimously approved.
4. **Chairman's Report: Linda Carpenter.** Chairman Carpenter welcomed all guests and thanked everyone for attending. Otherwise, she had no report.

Monica Wittrock arrived at 10:05.

5. **Executive Director's Report:** Director Reppond reported that she had sent copies of the revised applications for licensing, certificates and permits to the Rules Committee and asked that they review them so that they may be presented to the Board at the June meeting. She also reported that the exit Audit was held and the Board members attending were Gary Baer and David Riley. The interview went very well and the Auditor's office made three recommendations for the Board to make: 1) segregation of duties; 2) that the Director begin signing off on the payroll reports; and 3) that OSF be monitored more closely to make sure they deposit the 10% fees which are due to the State are made in a more timely manner. The final audit report will be placed on the agenda for approval at the June meeting. Jerald Stringer is due to write the June Message from the Board.
6. **Election of Officers:** Chairman Carpenter asked for nominations for Chairman for the coming year. As Chairman, she then nominated David Riley. There being no further nominations, Herschel Beard then made a motion to close the nominations and elect David Riley by acclamation. Monica Wittrock seconded the motion. Vote: Unanimously approved.

Chairman Carpenter then asked for nominations for Vice-Chairman for the coming year. Herschel Beard then nominated Glenda Mittasch. There being no further nominations, David Riley then made a motion to close the nominations and elect Glenda Mittasch by acclamation. Gary Baer seconded the motion. Vote: Unanimously approved.

Chairman Carpenter then asked for nominations for Secretary for the coming year. Chairman Carpenter then nominated Gary Baer. There being no further nominations, Glenda Mittasch then

made a motion to close the nominations and elect Gary Baer by acclamation. Herschel Beard seconded the motion. Vote: Unanimously approved.

The new officers for the 2012 Fiscal Year are: David Riley - Chairman, Glenda Mittasch - Vice Chairman, and Gary Baer - Secretary.

7. **Committee Reports:**

a. Budget and Finance – Jerald Stringer. Mr. Stringer gave an update on the budget and presented the OSF Form “FY2011 Operating Budget Comparison by Department and Account”, the Six Digit Object Expenditure Report and the OAB P&L Statement for FY2011, which covers each month from the beginning of the fiscal year for comparison purposes. All accounts balance with OAB reported totals. Total expenditures for the month of April were \$20,416.68 and the amount for the year to date is \$233,959.56. A motion was made by Monica Wittrock and seconded by Mike Harris to approve the budget report as presented. Vote: Unanimously approved.

b. Rules and Regulations – Herschel Beard. - Mr. Beard reported that everything is on schedule. The rules have been signed by the Governor and we are waiting on the Legislature’s approval.

c. Licensing and Testing – Glenda Mittasch. Ms. Mittasch reported that the test was held in Tulsa on May 5th and that three people took the test and all passed. The next test will be held on July 7th at the OAB office in Oklahoma City.

d. Inspections – Glenda Mittasch. Ms. Mittasch reported that she and Mike Harris had followed up on the inspection for Green Country in Cherokee County which was performed on March 22nd by Inspector Parrish. They had a good interview and found all issues that were found on the previous inspection had been resolved. She then presented the final inspection for the Board’s approval. A motion was made by David Riley to approve the report and was seconded by Jerald Stringer. Vote: Unanimously approved.

e. Enforcement Committee – David Riley.

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses which are set out in the attachments hereto. After discussion, a motion was made by Gary Baer and seconded by David Riley for approval subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

Certificates of Authority and Rate Sheets: Mr. Riley presented to the Board for approval a list of Certificates of Authority renewals which are set out in the attachments hereto. Gary Baer made a motion that all Certificates of Authority renewals be approved and was seconded by Glenda Mittasch for approval with any listed recommendations or requirements. Vote: Unanimously approved.

Mr. Riley presented a list of fee changes only, which are set out in the attachments hereto, and recommended approval. A motion was made by Glenda Mittasch and seconded by Herschel Beard to approve said rate changes. Vote: Unanimously approved.

8. **Application for Certificate of Authority - Green Country Abstract & Title Co. :** This matter came on to be heard by the Board for receiving its Certificate of Authority. Green Country was represented by Robert Chaffin and attorney Clifford Wright. No one appeared to speak against the Certificate being issued. Glenda Mittasch reported that final inspections had been made and all was in order. She then made the following motion: I move that the Board now find that applicant Green Country Abstract & Title Co. has complied with the requirements for a Certificate of Authority to engage in the business of abstracting in Cherokee County, Oklahoma, including the following:

- 1) Complied with the Oklahoma Abstractors Act and Rules of the Board;
- 2) Paid the applicable fee of \$1,200.00;
- 3) Provided adequate E&O insurance coverage of \$1,000,000.00;
- 4) Provided a County Records Bond of \$25,000.00;
- 5) Provided proof that an adequate abstract plant is available for use; and

that the Board should grant Green Country Abstract & Title Co. a Certificate of Authority to engage in the business of abstracting in Cherokee County, Oklahoma. Vote: Linda Carpenter - Yea, David Riley - Yea, Monica Wittrock - Yea, Glenda Mittasch - Yea, Mike Harris - Yea, Herschel Beard - Yea, Gary Baer - Yea, Jerald Stringer - Yea. Vote: Unanimous approval.

Mr. Mike Hathaway of TDMS, the company who actually built the plant, then explained the process and answered questions from the Board members.

9. **Complaint against Donald Hill, Case No. OAB-2011-2.** The Board reviewed the formal complaint and heard from Assistant Attorney General John Crittenden. Neither Mr. Hill nor his attorney appeared in front of the Board. Mr. Crittenden described the facts involved and stated that he would be willing to dismiss the case with the understanding that Mr. Hill should not be allowed to reapply for his license until he had completed his probation and this matter had been expunged from his record or, if the Board prefers, to bring the complete case before the Board at the next meeting. He recommended the Board go into executive session to discuss the matter pursuant to 25 O.S. §307B(8) to engage in deliberations in an individual proceeding. Herschel Beard made a motion to go into executive session at 10:50. The motion was seconded by Jerald Stringer. Vote: Unanimously approved. The Board then moved into executive session.

The Board exited out of executive session at 11:09. Herschel Beard made the motion that the Board come out of executive session which was seconded by Glenda Mittasch. Vote: Unanimously approved. Chairman Carpenter announced that there were no votes taken nor decisions made during the executive session. There was no further discussion.

Gary Baer then made the following motion: I move that it be resolved that the Board accept the withdrawal of the application for renewal of abstract license by Donald Hill and that the complaint against him be dismissed without prejudice and he be informed of the Board's action and be admonished not to perform any duties authorized by a licensed abstractor after the expiration of his license on May 26, 2011. The motion was seconded by Monica Wittrock. Vote: : Linda Carpenter - Yea, David Riley - Yea, Monica Wittrock - Yea, Glenda Mittasch - Yea, Mike Harris - Yea, Herschel Beard - Yea, Gary Baer - Yea, Jerald Stringer - Yea. Vote: Unanimous approval.

10. **Legal Counsel's Report: John Crittenden.**

Arbuckle litigation, Carter County Case No. CV-11-33. Mr. Crittenden suggested that the Board move into executive session to discuss pending actions with the its attorney pursuant to 25 O.S. §307B(4). At this point, Herschel Beard made a motion to move into executive session. The motion was seconded by Gary Baer. Vote: Unanimously approved. The Board moved into executive session at 11:15.

The Board exited out of executive session at 11:38. Gary Baer made the motion that the Board come out of executive session which was seconded by Herschel Beard. Vote: Unanimously approved. Chairman Carpenter announced that there were no votes taken nor decisions made during the executive session.

11. **Employment Committee: - Gary Baer.** Mr. Baer reported there were four applicants to be interviewed for the position of Field Inspector. Monica Wittrock moved that the Board move into executive session pursuant to 25 O.S. §307B(1), and the motion was seconded by David Riley. Vote: Unanimously approved. The Board moved into executive session at 12:02.

The Board exited out of executive session at 12:45. Gary Baer made the motion that the Board come out of executive session which was seconded by Mike Harris. Vote: Unanimously approved. Chairman Carpenter announced that there were no votes taken nor decisions made during the executive session. Mr. Baer then made the motion that Mitzi Combs be offered the Field Inspector position at the salary of \$38,000.00 per year plus regular state benefits, beginning as close to June 1st as possible. The motion was seconded by Herschel Beard. Vote: Unanimously approved.

12. **Visitor's Comments:** Comments were made by Donna Schmulbach stating that Jim Cichon was now a director on the OLTA Board and Charles Holloman will also begin attending the Board meetings since he is the President elect of OLTA.

13. **Next Meeting:** The June meeting will be held Thursday, June 9, 2011, at 10:00 a.m. at the OAB office, 2401 NW 23rd St., Suite 60B, Oklahoma City, OK.

14. The meeting was adjourned by Chairman Carpenter.

Respectfully submitted,

Glynda Reppond
Executive Director

MAY 2011 Individual License Renewals

5/12/2011

Date Rec	First	Last	Exp Date	Cond Appr	Company	County
4/26	Teresa	Armontrout	6/28/11		Grand Valley Abstract	Mayes, Wagoner
4/12	Delila	Bivins	8/28/11		Tishomingo Abstract Company	Johnston
4/19	Annette	Blakley	6/28/11		Creek County Abstract	Creek
4/12	Troy	Buchleiter	New	4	Green Country Abstract & Title	Cherokee
4/11	Linda	Carpenter	7/28/11		Custer County Abstract Company	Custer
4/19	Tammie	Caudle	6/28/11		Stewart Abstract & Title of OK	Carter, Oklahoma
4/6	Ronnie	Colston	5/28/11		Marietta Abstract Company	Love
4/6	Cynthia	Colston	5/28/11		Marietta Abstract Company	Love
4/20	Clifford	Cox	5/28/11		Capitol Abstract & Title Company	Oklahoma
4/5	Vicki	Dempsey	5/28/11		Southern Abstract & Title	McCurtain
4/20	Patricia	Evans	6/28/11		Capitol Abstract & Title Company	Oklahoma
4/19	Shirley	Givens	6/28/11		Stewart Abstract & Title of OK	Carter, Oklahoma
4/20	Lisa	Hamilton	6/28/11		Southern Abstract & Title Co.	McCurtain
4/19	Teresa	Harris	6/28/11		Creek County Abstract	Creek
4/12	Susan	Henderson	4/28/11	3	The Valley Abstract Company	Garvin
4/1	Melinda	Jobe	6/28/11		Union-Creek Abstract	Creek,Coal,Johnston,Logan,OK,Tulsa
4/6	Mary	Johnston	5/28/11		Marietta Abstract Company	Love
4/5	Whitney	Kirkpatrick	5/28/11		Green Country Abstract & Title	Cherokee
4/11	Lucretia	Lockhart	6/28/11		Custer County Abstract Company	Custer
4/6	Corissa	Mashore	4/28/11	3	Stewart Abstract & Title of OK	Carter, Oklahoma
4/20	Joycelin	Maye	7/28/11		Southern Abstract & Title Co.	McCurtain
4/29	Terri	Parrish	New	4	Tahlequah Abstract & Title Co.	Cherokee
4/6	Pat	Payne	6/28/11		Pushmataha County Abstract	Pushmataha
4/19	Wendy	Peterson	6/28/11		Guaranty Abs & Title of Stigler	Haskell, McIntosh
4/6	Elizabeth	Powell	4/28/11	3	Stewart Abstract & Title of OK	Carter, Oklahoma
4/21	Lois	Riesland	6/28/11		Dewey County Abstract	Dewey
4/5	Keisha	Rose	5/28/11		Green Country Abstract & Title	Cherokee
4/20	Cheryl	Saxon	6/28/11		Capitol Abstract & Title Company	Oklahoma
4/19	Trudy	Steed	6/28/11		Stewart Abstract & Title of OK	Carter, Oklahoma
3/24	Donell	Tibbit	New	4	AAA Abstract Company, Inc.	Adair
4/1	Sheryl	Tobias	6/28/11		Union-Creek Abstract	Creek,Coal,Johnston,Logan,OK,Tulsa
4/5	Cheryl	Trammel	5/28/11		Green Country Abstract & Title	Cherokee
4/19	Mary	Trammel	5/28/11		Liberty Abstract Company, Inc.	Pittsburg
4/19	Susan	Vrana	6/28/11		Creek County Abstract	Creek
4/21	Mel	Weber	8/28/11		Dewey County Abstract	Dewey

CONDITIONAL APPROVAL CODES:

** all subject to administrative review and payment of fees*

1. Correct Payment of fees
2. Misc. application and/or other required documentation
3. Missed deadline - license extended - pd. \$100 fine
4. OSBI Background Check

CERTIFICATE OF AUTHORITY RENEWAL LIST							MAY 2011
Date Rec	Company	County	Cond App	Fee Change	Page or Time Based	Rate Sheet Effective Date	
4/6/11	Marietta Abstract Company	Love		N	Page	6/1/2011	
4/12/11	Custer County Abstract Company	Custer		N	Page	6/1/2011	
4/12/11	Alfalfa Guaranty Abstract Company	Alfalfa	3	N	Time	6/1/2011	
4/19/11	Pioneer Abs Comp of McAlester, Inc.	Latimer		Y	Time	7/1/2011	
4/21/11	Dewey County Abstract	Dewey	3	Y	Time	6/1/2011	
4/29/11	Southern Abstract & Title Company	McCurtain		Y	Time	6/1/2011	

PERMIT TO BUILD RENEWAL LIST							MAY 2011
Date Rec	Company	County	Cond App			Renewal Date	

FEE SCHEDULE CHANGE ONLY REQUESTS							MAY 2011
Date Rec	Name	County	Cond App	Fee Change	Page or Time Based	Rate Sheet Effective Date	
4/12/11	Cleveland County Abstract	Cleveland		S	Time	5/13/2011	
4/13/11	Guaranty Abstract Company	Tulsa		S	Time	6/1/2011	
4/19/11	Osage County Abstract Co.	Osage		S	Time	5/13/2011	
4/19/11	Pawhuska Abstract & Title Co.	Osage		S	Time	5/13/2011	

TRANSFER OF OWNERSHIP							MAY 2011
Date Rec	Name	County	Cond App	Fee Change		Rate Sheet Effective Date	

FEE SCHEDULE CODES:

N: Annual Filing- No Fee Change Y: Annual Filing - Amended Fee Schedule S: Special Filing - Amended Fee Schedule

CONDITIONAL APPROVAL CODES:

- | | |
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| 1. Correct Payment of fees | 4. OSBI Background Check |
| 2. Misc. application and/or other required documentation | 5. Discussion of Fee Sheet |
| 3. Missed deadline - certificate extended - pd. \$100 fine | |

* all subject to administrative review and payment of fees