

MINUTES OF REGULAR MEETING  
OKLAHOMA ABSTRACTORS BOARD  
February 11, 2010

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Beard at 10:00 a.m. on February 11, 2010, at the Oklahoma Finance Authority, 5900 N. Classen Court, Oklahoma City, OK.
2. The Secretary called roll. Attending were Mike Harris, Gary Baer, Herschel Beard, Jerald Stringer, Dennis Hall, Linda Carpenter, Monica Wittrock, Glenda Mittasch and David Riley. It was determined that nine members were present at the time of roll call and that a quorum was present. Also attending were John Crittenden, Assistant Attorney General, Terri Parrish, Inspector, 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 January 14, 2010, were then distributed and, after review, a motion was made by Linda Carpenter and seconded by Mike Harris to correct the date of the minutes to January 14, 2010 and then accept the minutes as presented. Vote: Unanimously approved.
4. Chairman's Report: Herschel Beard. Chairman Beard reported that he would be speaking at the upcoming OLTA owners/managers meeting on February 15th.
5. Committee Reports:

Budget and Finance – Jerald Stringer. Mr. Stringer gave an update on the budget and presented the OSF Form "FY2010 Operating Budget Comparison by Department and Account", the OAB P&L Statement which covers each month from the beginning of the fiscal year for comparison purposes, and a Transaction List for the month of January, 2010. He reported that the budget continues to run on target. Out of the \$316,544 approved budget, actual expenses of \$152,510 have been spent so far this year with \$32,487 encumbered. A motion was made by Monica Wittrock and seconded by David Riley to approve the budget report as presented. Vote: Unanimously approved.

Rules and Regulations – Monica Wittrock.

Ms. Wittrock reported that the agency is on target with filings with the OAR and that there would be a meeting of the Rules Committee, along with the OLTA Uniformity Committee today immediately after the Board meeting. She again gave highlights of some of what will be addressed in the changes of the rules: 1) to better define who must hold an abstractor's license, 2) employment status to allow inactive status for a year, including active duty military, 3) require permit applicants to provide lists of 3<sup>rd</sup> party providers, 4) renewal of a permit to include actively pursuing the building of the plants, 5) forms, and 6) guidance for permit applications.

Licensing and Testing – Linda Carpenter. Ms. Carpenter reported that Director Reppond traveled to TDMS (third party vendor for Green Country Abstract & Title, LLC) in Sherman, Texas to administer the test on February 3<sup>rd</sup>, with six passing and two no shows. The next test date at the Agency office is March 4, 2010. The OLTA abstracting school will be held on March 9<sup>th</sup> and 10<sup>th</sup> and the test will be administered on the 10<sup>th</sup>.

Enforcement Committee – David Riley. Mr. Riley reported that the rate sheet requests had been reviewed but would be approved later in the meeting under another item.

He then asked the Board for discussion and a decision concerning the requirements for the completeness of the index of Federal Court and Bankruptcy records in the counties which have Federal and Bankruptcy courts located in them. Because the newest Permit issued is in Tulsa County where both these courts are located, this question has come before the Enforcement Committee. The permit holder has requested that the requirement for those records before 1984 be waived. Inspector Parrish has visited with all the present certificate holders in Tulsa County and ascertained that their records extend all the way back to sovereignty. After much discussion, the consensus of the Board was that it is the responsibility of the permit holder to try to solve the problem by going to either Houston or Dallas, wherever the repository for the courts are located, and obtain the dockets to prepare the bankruptcy and federal court indices for their plant and, if they cannot, to show cause why the records cannot be obtained.

Mr. Riley then reported that a meeting has been scheduled on February 25, 2010, to meet with Mr. Pollard and his attorney to discuss the complaints filed against his permits in both Carter and Love Counties.

Mr. Riley then requested that the policy for fines for late filings that was first discussed in January, which would begin September 1, 2010, be tabled until the next meeting. Glenda Mittasch seconded the motion. Vote: Unanimously approved.

The Enforcement Committee then made a motion that a “cease and desist” order be granted against Garvin County Abstract & Title, effective immediately, until the Board is provided with their county records bond. Their renewal of certificate of authority application had been approved upon the condition that their county records bond be presented to the Board before the expiration of their certificate of authority on January 30<sup>th</sup>, which was not done. Mike Harris seconded the motion. Vote: Unanimously approved.

The Enforcement Committee then made the motion to approve the following inspection reports, all with a gold star: American Guaranty Title (Old Republic), Oklahoma County; Capital Abstract & Title, Oklahoma County; American Guaranty Title (Old Republic), Canadian County; and Warranty Title & Abstract Co., Canadian County. The motion was seconded by Linda Carpenter. Vote: Unanimously approved.

Inspections – Terri Parrish. Ms. Parrish reported that in January she inspected Oklahoma City Abstract & Title Co., Oklahoma County, American Eagle Title Insurance Co., Oklahoma County, American-First Abstract Co., Cleveland County, and Cleveland County Abstract, Cleveland County. In February, she will be inspecting inspected American Abstract Co., McClain County, Guaranty Abstract Co., McClain County, Caddo County Abstract Co., Caddo County, Lacey Pioneer Abstract Co., Caddo County, Abstract & Guaranty of Blaine County, Blaine County Abstract Co., and Soloman Abstract Co., Kingfisher County.

6. Executive Director’s Report: Director Reppond reported that she had been submitting state reports and reminded all the Board members to send in their Ethics reports. She and Terri Parrish will be attending the OLTA meeting on Monday, February 15<sup>th</sup>. She has also signed up for a records

management class through ARMA. She reported that the rate sheets have been posted on the website and will be updated monthly. Jerald Stringer, Herschel Beard, and Mike Harris have been reappointed to the Board by the Governor and Dennis Hall should receive his appointment within the next few days. Most of the scanning of the old documents have been completed and there are only a few boxes left of old court cases. Those should be sent out for scanning before the end of the fiscal year. She is presently working with the Budget Committee and they should have a FY2011 budget to present to the Board by the April meeting.

7. Application for Licenses and Certificate Renewals (including rate changes): A list of new applicants for Abstract Licenses, as well as a list of Certificate of Authority renewals which include American Eagle Title Insurance Co. dba Union Creek Abstract Co., Delaware County Abstract Co., American Eagle Title Ins. Company dba Union Creek Abstract Co., Delaware County Abstract Co., Security Abstract Company, Kiowa County Abstract Company, East Side Abstract Company, Cotton County Abstract Company, Muskogee Abstract & Title Co., Reliant Title & Escrow, Sooner Abstract & Title, Inc., Mayes County Abstract Company, Beaver County Abstract, Claremore Abstract & Guaranty Co., Pioneer Abstract & Title Company, American Abstract & Title Co., Eufaula Abstract & Title Co., Inc., Caddo County Abstract Co., Inc., Osage County Abstract Co., Inc., Pawhuska Abstract & Title Co., and Harmon County Abstract were then submitted to the Board. Rate changes only include Cordell Abstract, LLC., Musselman Abstract Company, and Lacey Pioneer Abstract Co., Inc. After discussion, a motion was made by Monica Wittrock and seconded by Dennis Hall approving all listed, except for Harmon County Abstract (which will be placed on next month's agenda due to rates requested) subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.
8. Old Business :
  - a. Legal Counsel Report - AG Crittenden reported he had had been working with the Enforcement Committee and Rules Committee on issues as they come up. There are no litigation issues to report on.
9. New Business: No new business.
10. Visitors' Comment Period: Jim Inhofe and Jim Cichon addressed the Board concerning the matter of the availability of the Bankruptcy Court and Federal Court records in Tulsa County.
11. March Meeting: The March meeting will be held Thursday, March 11, 2010, at 10:00 a.m. at the Oklahoma Finance Authority, 5900 N. Classen Court, Oklahoma City, OK.
12. The meeting was adjourned by Chairman Beard.

Respectfully submitted,

Glynda Reppond  
Executive Director