

MINUTES OF SPECIAL MEETING  
OKLAHOMA ABSTRACTORS BOARD  
February 12, 2009

1. A special meeting of the Oklahoma Abstractors Board (OAB) was called to order at 10:00 a.m. on February 12, 2009, at 2401 NW 23<sup>rd</sup> Street, Suite 40B, Oklahoma City, Oklahoma.
2. The Chairman announced that notice of the meeting and posting of the agenda had been done in accordance with the Open Meeting Act. The Secretary then called roll and announced that all current members were present and that a quorum was present.
3. The minutes of the special meeting of the OAB conducted January 8, 2009, were then distributed and, after review, a motion was made by Monica Wittrock and seconded by David Riley to accept the minutes as presented. Vote: Unanimously approved.
4. Chairman's Report: Chairman Beard announced that David Riley, District 2, and Gary Baer, Attorney, had been reappointed by the Governor to new four year terms, ending June 30, 2013.
5. Committee Reports:

Budget and Finance – David Riley. Mr. Riley gave an update on the budget and presented a P&L statement and Transaction List for the month of January, 2009. A motion was made by Linda Carpenter and seconded by Dennis Hall to approve the budget report as presented. Vote: Unanimously approved.

Rules and Regulations – Monica Wittrock. Ms. Wittrock reported that the Notice of Rulemaking Intent was published in the Oklahoma Register on February 2 with the official 30 day comment period ending March 4 and the Public Hearing will be held at the OAB office on March 5, 2009 at 10:00 a.m. Three comments have been received and a Rules Committee meeting will most likely be convened after the Public Hearing on March 5<sup>th</sup>. Ms. Wittrock then requested that another Board member be appointed to the Rules Committee to take Steve Boone's place. Dennis Hall volunteered and was accepted.

Licensing and Testing – Linda Carpenter. Ms. Carpenter announced that the next test date is Wednesday, March 4, 2009 in Tulsa area. The time and place will be announced closer to time.

Enforcement Committee – David Riley. Mr. Riley announced that all the Board members owning plants had been inspected, and passed the inspection. He then presented a copy of the Enforcement Committee's recommendation in Complaint No. OAB2008-012 which was to take no formal action and that the file be closed. A motion was made by Dennis Hall to take no formal action and close this matter. The motion was seconded by Linda Carpenter. Vote: Unanimously approved.

6. Executive Director's Report: Director Reppond has been in contact with Risk Management at OSF concerning D&O insurance as well as property insurance. As soon as she receives the information, she will forward it to the Board. She has also been in touch with Walker Companies about ordering badges for the Board members.

7. Field Inspector's Report: Mr. Nichols reported that he had been out and inspecting various plants and that he had spoken in depth with the owners of Title Abstract and was recommending a meeting between them and the Enforcement Committee.
8. Application for License and Certificate Renewals: The Chairman suggested a change in the review of rate sheets by letting the Field Inspector make the first review since he has access to all the information concerning the surrounding counties and previous rate sheets in the office. If there are problems or concerns with a particular rate sheet, Mr. Nichols will then bring it before the Board for discussion. All Board members will continue to receive copies of rate sheets, whether they request rate changes or not. The Executive Director then explained the application of Transfer of Certificate from Charles Nichols to Land Run Abstract and requested volunteers for inspecting the new company. Linda Carpenter and Gary Baer volunteered to complete the inspection at the appropriate time. A list of new applicants for Abstract Licenses and Certificates of Authority was then submitted to the Board. After discussion, a motion was made by Monica Wittrock and seconded by Gary Baer approving all listed subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. (A copy of which will be filed these minutes.) Vote: Unanimously approved.
9. Application for Permit to Develop Abstract Plant – Robert H. Chaffin dba Green Country Abstract and Title Co., LLC. in Cherokee County, Oklahoma

Attorney Clifford Wright spoke on behalf of Mr. Chaffin and attorney Tim Green spoke on behalf of Cherokee Capitol Abstract & Title and Tahlequah Abstract & Title Company as well as Scott Luna, owner of Cherokee Capitol Abstract & Title and Tahlequah Abstract & Title Company. After presentations from both sides and discussion, the following motion was made by Gary Baer and seconded by Dennis Hall:

I move that the Board now find that Robert H. Chaffin dba Green Country Abstract and Title Co., LLC. in Tahlequah, Oklahoma, applicant for a permit to develop an abstract plant in Cherokee County, Oklahoma, has complied with the requirements for a permit to develop an abstract plant, including the following:

- 1) Complied with the Oklahoma Abstractors Act and Rules of the Board, including OAB 5:10-3-3; 10-3-4; 10-3-5; and 10-7-1;
- 2) Paid the applicable fee of \$1,200.00;
- 3) Provided adequate bond for county records in the amount of \$25,000.00; and
- 4) Pursuant to Section 34 of the Oklahoma Abstractors Act, this Board shall issue a permit to develop an abstract plant to any applicant who has complied with the provisions of the Oklahoma Abstractors Act,

and that now the Board grant applicant a permit to develop an abstract plant in Cherokee County, Oklahoma.

Vote: Linda Carpenter, Yea; Monica Wittrock, Abstain; Mike Harris, Yea; J. Herschel Beard, Yea; Gary Baer, Yea; Dennis Hall, Yea, David Riley, Yea, Jerald Stringer, Yea. With 7 yeas, and 1 abstention, the motion passes.

12. Visitor's Comment Period: The Board was addressed by Ms. Sharon Dobson, a realtor in Ardmore, OK.

13. March Meeting: Will be held on Thursday, March 12, 2009, at 10:00 a.m. in Shepherd Mall, 2401 NW 23<sup>rd</sup> Street, Suite 40B (Activities Suite), Oklahoma City, OK.

14. The meeting was adjourned by Chairman Beard.

Respectfully submitted,

Glynda Reppond  
Executive Director