

MINUTES OF REGULAR MEETING
OKLAHOMA ABSTRACTORS BOARD
May 13, 2010

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Beard at 10:00 a.m. on May 13, 2010, at the Oklahoma Finance Authority, 5900 N. Classen Court, Oklahoma City, OK.
2. The Secretary called roll. Attending were Mike Harris, Gary Baer, Jerald Stringer, Linda Carpenter, Monica Wittrock, Dennis Hall, Herschel Beard and David Riley. Glenda Mittasch was not present but was expected in a few minutes. It was determined that eight 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 April 8, 2010, were then distributed and, after review, a motion was made by Dennis Hall and seconded by Linda Carpenter to accept the minutes as presented. Vote: Unanimously approved.
4. Chairman's Report: Herschel Beard. No report.

Glenda Mittasch joined the meeting at this time.

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 Six Digit Object Expenditure Report and the OAB P&L Statement which covers each month from the beginning of the fiscal year for comparison purposes, for April, 2010. He reported that the budget continues to run on target. Out of the \$316,544 approved budget, actual expenses of \$223,106.00 have been spent so far this year with \$15,340.00 encumbered. A motion was made by Mike Harris and seconded by Gary Baer to approve the budget report as presented. Vote: Unanimously approved.

Mr. Stringer then presented the FY2011 budget to be approved and asked the Executive Director to discuss a possible change. Ms. Reppond then reported that an additional expense item needed to be added to the FY11 budget. After her discussion with Ok.Gov and OSF, either Ok.Gov or an outsource IT company would need to be hired to write the script that would connect the on-line licensing program to the OAB database. She will need to obtain four bids on the work proposed but after meeting with several companies already, she was told the amount could run between \$5,000.00 and \$10,000.00. She recommended that an additional \$5,000.00 be added to the budget for this work. Ms. Reppond then provided two versions of the budget to the members. The first version was that which was discussed at the previous meeting. The second version included the recommended \$5,000.00 additional for IT work. After discussion, Monica Wittrock made the motion that the second version of the budget which includes the additional IT work be approved. The motion was seconded by David Riley. Vote: Unanimously approved.

Rules and Regulations – Monica Wittrock.

Ms. Wittrock reported that the rules have been approved by the Governor on April 14th and they were approved by the Legislature on May 12th. The Rules will go into effect on July 1. Over the summer, other issues that need to be addressed will be looked at and see if any changes need to be made for next year.

Licensing and Testing – Linda Carpenter. Ms. Carpenter reported that 17 took the test held May 6th in Sapulpa and 15 passed. The next test will be at the agency office on July 1st.

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.

A motion was made by Linda Carpenter and seconded by Jerald Stringer to approve the inspection reports with the listed recommendations and requirements presented for Clinton Abstract Company in Custer County, Cordell Abstract Co. in Washita County, Kiowa County Abstract in Kiowa County, Pioneer Abstract Co. in Seminole County, Seminole County Abstract Co. in Seminole County, and Atlas Abstract Co. in Hughes County. Vote: Unanimously approved.

Mr. Riley also reported that there was a complaint filed against Marietta Abstract Company in Love County, OAB-2010-02, and after investigation the Enforcement Committee found there was no violation and recommends that the complaint be dismissed and the file closed. A motion to dismiss the complaint and close the file was made by Glenda Mittasch and seconded by David Riley. Vote: Unanimously approved.

He also reported that Land Run Abstract in Lincoln County did not submit their paperwork for renewal of their certificate of authority in a timely manner, although notification had been made. Therefore, they were required not to engage in any abstracting activities from midnight, April 22nd, when their certificate expired, until today when they will be approved during the vote on certificate approvals.

6. Inspections – Terri Parrish. Ms. Parrish reported that in April she inspected Dewey County Abstract Company in Dewey County, Fairview Abstract Co. in Major County, Guaranty Abstract Co. in Garfield County, J. C. Humphrey Abstract Co., in Garfield County, and Surety Abstract & Title Co. in Garfield County. Proposed May inspections include Guaranty Abstract & Title Co. in Texas County, Beaver County Abstract Co. in Beaver County, and Pioneer Abstract & Title in Harper County. Proposed June inspections include Eufaula Abstract & Title in McIntosh County, Guaranty Abstract Co. in Haskell County, Latimer County Abstract in Latimer County, Liberty Abstract Company in Pittsburg County, and Pioneer Abstract Company in Pittsburg County.
7. Executive Director's Report: Director Reppond reported that she now had access to the statistics on the OAB website showing how many hits the website is getting as well as many other reports. There have now been almost 61,000 hits since the website's inception. She will provide this information to the Board on a quarterly basis.
8. Application for Licenses and Certificate Renewals (including rate changes): Presented to the Board for approval was a list of new applicants for Abstract Licenses, as well as a list of Certificate of

Authority renewals and Fee Schedule Change Only requests which are set out in the attachments hereto.

Ms. Mittasch questioned two rate sheet changes which had been submitted on the wrong forms. The companies will be contacted and asked to resubmit on the correct forms but until they are received, the incorrect heading will be stricken out and the correct title inserted. After discussion, a motion was made by Glenda Mittasch and seconded by Gary Baer approving all listed, including the two discussed above, subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

9. New Business: Director Reppond presented two versions of a policy regarding publication of disciplinary actions on the OAB website. After much discussion, a motion was made by Linda Carpenter to table this matter until the next meeting so that the Director can incorporate the suggestions made during discussion. The motion was seconded by Dennis Hall. Vote: Unanimously approved.
10. Visitor's Comments: Chaney Haynes spoke on behalf of the OLTA and introduced the new President, Karen Burnett. He also gave an update on research the OLTA had performed concerning the necessity of Federal Court Records being included in new plants being built in the counties that have Federal Courts.

11. Old Business:

Legal Counsel's Report – John Crittenden.

- a. Update and possible action on the complaint filed in the matter of Arbuckle Title & Abstract in Carter and Love Counties, OAB Case No. 2010-1. This matter was set for hearing before the hearing officer, Doug Price, for tomorrow, May 14th. However, due to the large number of exhibits as well as Mr. Pollard's attorney having a conflict by having to appear in trial, a continuance was granted by Mr. Crittenden until June 28th and to carry it into the 29th if necessary.
- b. Update on complaint filed by Luke Pollard v. OAB, Carter Co. District Court, Case No. CV-2010-32. An Answer has been prepared to Mr. Pollard's complaint and filed with the District Court in Carter County. A pre-trial hearing will be held on September 17th.

12. June Meeting: The June meeting will be held Thursday, June 10th, 2010, at 10:00 a.m. at the Oklahoma Finance Authority, 5900 N. Classen Court, Oklahoma City, OK.

13. The meeting was adjourned by Chairman Beard.

Respectfully submitted,

Glynda Reppond
Executive Director