

MINUTES OF SPECIAL MEETING  
OKLAHOMA ABSTRACTORS BOARD  
October 23, 2008

1. A special meeting of the Oklahoma Abstractors Board (OAB) was called to order at 1:00 p.m. on October 23, 2008, at the Oklahoma Industrial Finance Authority, 5900 N. Classen Court, 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 except Dennis Hall, David Riley, and Monica Wittrock. Monica Wittrock arrived within a few minutes and was declared present.
3. The minutes of the special meeting of the OAB conducted September 26, 2008, were then distributed and, after review, a motion was made by Linda Carpenter and seconded by Gary Baer to accept the minutes as presented. Vote: Unanimously approved.
4. Chairman's Report: Chairman Boone announced that the Emergency Rules 5:10, 5:10-7, 5:10-7-1, 5:10-9, and 5:10-9-1 were approved by and signed by Governor Henry on October 17, 2008.

He also reported that from September through December, 2007, the State Auditor & Inspector's office collected and kept fees for the 2008 fiscal year that should have been collected by the OAB after January 1, 2008. These fees were collected at the 2007 rates. The OAB staff invoiced the companies and licensees at the correct amount for the balance due, deducting the fees sent in to the SA&I. Approximately \$67,000.00 of fees have been invoiced and \$37,000.00 collected at this time. John Crittenden will check into whether it will be possible to collect the balance that was retained by the SA&I, a sum of \$19,700.00.

5. Committee Reports:

Budget and Finance – David Riley. Mr. Riley was absent so the Executive Director passed out the Budget and Expenditure Reports (a copy of which will be filed these minutes.) A motion was made by Gary Baer and seconded by Jerald Stringer to accept the Expenditure Report as presented. Vote: Unanimously approved.

Rules and Regulations – Monica Wittrock. Ms. Wittrock explained the process of taking the rules to the Secretary of State's office and having the rules published. She also announced two rules and regulation committee meetings set up during November which will include OLTA members. The committee will begin working through the permanent rules and hopefully have a rough copy for the Board in December.

Ms. Wittrock then opened discussion on bond requirements - the question of what is required for a permit holder (which should be only the records bond) and what is required for a certificate holder (the records bond as well as errors and omissions insurance). The question of whether two separate bonds should be used for county records and errors and omissions or if they could both be combined on one form but with each being covered by its own separate amount since each is a separate risk.

The following motion was then made by Monica Wittrock and seconded by Herschel Beard: The policy of the OAB concerning bonds be that for an application for a permit to develop an abstract plant, that a bond, in the form of surety or personal bond, be in the amount of at least the amount set forth in Title One, Section 27(C) of the Oklahoma Abstractor's Act, and for an applicant for renewal of certificate of authority, that in addition to the county records bond, the errors and omissions policy or bond be required in at least the amount set forth in Title One, Section 27(C). Further, that the bonds for a certificate of holder may be combined in one bond, assuring both risks as separate risks or they may be individual and separate bonds. Further, the OAB withdraw the form on the OAB website now and have a new form for approval at the next board meeting. Vote: Unanimously approved. Ms. Wittrock and Mr. Baer volunteered to compose the new Bond form for the OAB forms file.

Licensing and Testing – Linda Carpenter. Ms. Carpenter announced that the next test date would be November 6, 2008, at 1:00 p.m., 2401 NW 23<sup>rd</sup> Street in the Activities Suite, Suite 40B, Oklahoma City, OK 73107. Approximately 30 applicants are expected to attend.

Enforcement Committee – David Riley. Due to the fact that Mr. Riley is ill, the report will be tabled until the November Board meeting.

Employee Search – Gary Baer. This item moved to bottom of Agenda.

6. Executive Director's Report: The Executive Director brought back to the Board the Records Retention Policy which had been returned by Keith Gentry, Contracts Administration, Department of Central Services, stating that the standards of the RRP must be at least that which is required by State Statute. A motion was made by Gary Baer to accept the revised Records Retention Policy proposed by Mr. Gentry. Herschel Beard then made a request to amend the motion, adding that records for purchases under \$500.00 should be retained for a minimum of two years. The amended motion was seconded by Monica Wittrock and was then presented for approval. Vote: Unanimously approved.

Director Reppond still plans to attend a records retention class when available.

7. Complaints received and status:

OAB-2008-001, pending investigation

OAB-2008-002, pending investigation and proceedings

OAB-2008-003, closed

OAB-2008-004, closed

OAB-2008-005, inactive

OAB-2008-006 – pending (Title Abstract Co. complaint No. 1)

OAB-2008-007 – closed

OAB-2008-008 – pending (Title Abstract Co./Sandra Imberson, Complaint No. 2)

Discussion ensued concerning Title Abstract and Attorney General John Crittenden suggested having the Enforcement Committee follow up further with the Title Abstract complaints. Chairman Boone said that he would coordinate with the Enforcement Committee in the following weeks.

8. Application for License and Certificate Renewals: A list of new applicants for Abstract Licenses and Certificates of Authority was submitted to the Board. A motion was made by Herschel Beard, seconded by Linda Carpenter 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. Inspection Committees:

Atoka Abstract Company – Herschel Beard reported that he and David Riley had met with Mr. Calvin Hullum, owner. A report was prepared and is filed in the OAB office. The team will conduct a follow-up visit and report, setting a date for Atoka Abstract to be caught up and in compliance.

Latimer County – Mike Harris. A telephone complaint was received concerning Pioneer Abstract in Latimer County. Mr. Harris investigated and felt that the complaint had no basis.

LeFlore County – Herschel Beard reported that the team was working on setting up the inspection.

10. Visitor's Comment Period – Comments were made by Catherine Blakely, Mary Ann Nelson, and Owen Harper.

11. October meeting – The next Special Meeting will be held at the Oklahoma Industrial Finance Authority, 5900 N. Classen Court, Oklahoma City, OK, at 1:00 p.m. on ~~October 23~~, **November 13**, 2008.

No. 5 Continued: Employee Search – Gary Baer. Mr. Baer announced **and stated** that ~~Gary Baer stated that~~ eleven applications for the position of Field Inspector had been received and five of those applicants were interviewed. He then requested to go into Executive Session to discuss the matter further. Mr. Baer made a motion to enter into Executive Session which was seconded by Jerald Stringer, and was unanimously approved. Executive Session was entered into at 3:15 p.m. The Board exited Executive Session at 3:40 p.m. and resumed the regular Special meeting.

12. A motion was made by Herschel Beard and seconded by Mike Harris to adjourn. Vote: Unanimously approved.

Respectfully submitted,

Glynda Reppond  
Executive Director

\*\*Strike through and yellow highlights indicate amendments to the minutes made at the Board Meeting before approval.