

MINUTES OF SPECIAL MEETING
OKLAHOMA ABSTRACTORS BOARD
September 10, 2009

1. A special meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Beard at 10:00 a.m. on September 10, 2009, at 2401 NW 23rd Street, Suite 60B, Oklahoma City, Oklahoma.
2. The Executive Director called roll. Attending were Herschel Beard, Linda Carpenter, David Riley, Monica Wittrock, Jerald Stringer, and Mike Harris. Glenda Mittasch arrived after roll was called. Absent were Gary Baer, who is out of town, and Dennis Hall, whose wife is having surgery. It was determined that six 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 special meeting of the OAB conducted August 13, 2009, were then distributed and, after review, a motion was made by Linda Carpenter and seconded by Jerald Stringer to accept the minutes as presented. Vote: Unanimously approved.
4. Chairman's Report: Herschel Beard. No report other than receiving thank you notes from the Reppond family concerning their loss.
5. Committee Reports: Glenda Mittasch joined the meeting at this time.

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” and a P&L Statement and Transaction List for the month of August, 2009. 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 Rules Committee would be meeting immediately after the Board meeting in the OAB office. She reported that the OAB is about 99% where we want to be in the Uniform Abstract Certificate and wants to hand it and the rate filing forms out at the OLTA regional meetings for comment from the OLTA membership. The committee will also be looking at individual licensing procedures and considering formal adoption of an inactive status of a license as well as addressing bad business practices, complying with the spirit of the law as well as the letter of the law.

Licensing and Testing – Linda Carpenter. Ms. Carpenter announced that the last test was held September 5th in the OAB office. Five persons took the test and all five passed. The next test at the OAB will be held November 5, 2009, at 1:00 p.m. The October OLTA abstract licensing school in Tulsa will be held October 13th and 14th and Director Reppond will give the test at that time for the school attendees.

Enforcement Committee – David Riley. Mr. Riley reported that the committee met by telephone conference and that most of the items that were approved last month with stipulations, requirements or recommendations, had been met. Title Abstract in Nowata County has brought

their plant to date, purchased new equipment and moved to a new location and Inspector Parrish will be going back and inspecting the plant within the next few weeks and will present that report at the next meeting.

Mr. Riley then presented the list of inspection reports which have been completed by Inspector Parrish and requested they be approved. After discussion, a motion was made by David Riley and seconded by Linda Carpenter to approve the inspections with the requested requirements and recommendations as amended (see list as amended and attached to these minutes) and deferral of LeFlore County Title Co. (a permit holder) pending further investigation. Vote: Unanimously approved.

6. Inspections – Terri Parrish. Ms. Parrish reported that she had completed inspections and would be presenting reports to the Enforcement Committee for the following companies at the October Board meeting: Pushmataha County Abstract, Choctaw County Abstract and Southern Abstract & Title, Title Abstract in Nowata and revisiting LeFlore Title. In October, she will be inspecting Ottawa County Abstract, Delaware County Abstract and Craig County Abstract.
7. Executive Director’s Report: Director Reppond reported that Terri McNulty has completed her Access classes and that both Terries need to be sent to Excel classes sometime this next year. Director Reppond attended an Affirmative Action Seminar and completed the Affirmative Action Plan for the State. She needs to attend another class and get 3 more hours of Affirmative Action education before the end of the year and has scheduled that class for Sept. 25th. She will be attending OLTA Regional meetings on September 15th in OKC and 16th in Clinton, and Tulsa on the 22nd and Krebs on the 23rd as well as attending the Tulsa OLTA abstractors school on October 14th and giving the test there. All staff will attend the September 17th Voluntary Payroll Deduction Vendor Expo at the Capitol to meet the statutory requirements as the 1-day benefits information meeting. Staff is allowed 1 hour each to attend. Ms. Wittrock, on the Board’s behalf, attended a meeting Tuesday at the Capitol by the “Government Modernization Committee” to consider consolidation of State Government Human Resources Functions and Licensing and Permitting Functions and gave a synopsis of that meeting. The state is already performing functions in the Human Resources, Payroll, etc. departments that we pay them to perform each month. The licensing and testing reflects Bill 1032 where the OAB will be offering licensing on-line and will be discussed under new business.
8. Application for License and Certificate Renewals: A list of new applicants for Abstract Licenses was presented. After discussion, a motion was made by Monica Wittrock and seconded by Mike Harris approving all listed subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

A list of Certificates of Authority and rate changes were then submitted to the Board. After discussion, a motion was made by Monica Wittrock and seconded by Glenda Mittasch to approve all with the exception of the rate change of Eufaula Abstract & Title of \$8.00 per page rate for mineral abstracts and table Eufaula Abstract until the next meeting, subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. (A copy of the list will be filed these Minutes.) Vote: Unanimously approved.

9. Old Business : This item was moved to the end of the agenda

- a. Legal Counsel Report - Latimer Co. Abstract & Title Co. v. Oklahoma Abstractors Board and Pioneer Abstract Co. of McAlester, Inc. CV-09-37, CV-08-160, and CV-09-126.

10. New Business:

- a. Sexual Harassment, Equal Opportunity and Trip Optimizer Policies: Director Reppond asked that the Board approve the Sexual Harassment and Equal Opportunity Policies that she had provided. These policies are required by the State as part of the OAB's Affirmative Action Plan but need approval by the Board. The policies will be distributed to staff for signature. A motion was made by Monica Wittrock and seconded by Jerald Stringer to approve the policies as written. Vote: Unanimously approved.

Trip Optimizer Policy: Director Reppond explained that the State now requires certain state employees to get three estimates for state travel beforehand. State employees must calculate the least expensive of: a) driving the employee's own vehicle using the mileage chart from the State Transportation website; b) the cost of renting a car from Enterprise Rental (state contractor); or 3) the State Motor Pool, and calculate and utilize the lowest cost. Due to the small savings and the fact that insurance is not factored in, she asked that the Board establish a policy exempting her from having to use the Trip Optimizer. After discussion, a motion was made by Linda Carpenter and seconded by Monica Wittrock to make a policy exempting the Executive Director and the Inspector from using the Trip Optimizer for travel. Vote: Unanimously approved.

- b. HB1032 – On July 1, 2010, this bill will go into effect and the OAB is mandated to offer licensure online. Ms. Reppond has met with OK.Gov who will provide these services to the OAB with no upfront charges. The cost will be \$2.00 per form plus a merchant fee of 2% (approximate) for online applications. All online fees must be approved by the Internet Review Board and she will appear before them at their next quarterly meeting. The OAB will continue to provide our regular forms to download and fill in and send by US Mail for those licensees and certificate holders who prefer not to use the electronic reporting. Reports such as the OESC can be scanned and uploaded or sent in by mail. Additionally, online attestations may be used instead of physically signing documents. After discussion, a motion was made by Glenda Mittasch and seconded by Linda Carpenter to approve the \$2.00 per form and approximate 2% merchant fee and to proceed with the contract with OK.Gov. Vote: Unanimously approved.

11. Visitors' Comment Period: No comments were made.

9. Old Business : This item continued from above.

- a. Legal Counsel Report - Latimer Co. Abstract & Title Co. v. Oklahoma Abstractors Board and Pioneer Abstract Co. of McAlester, Inc. CV-09-37, CV-08-160, and CV-09-126. Mr. Crittenden reported that the Judge had dismissed CV-08-160 and that he thought the Judge also meant to dismiss CV-09-37 since the two cases had been combined. Pursuant to the recommendation of John Crittenden, a motion was made by Linda Carpenter and seconded by Mike Harris to move into executive session pursuant to 25 O.S. §307B(4). Vote: Unanimously approved.

The Board went into Executive Session at 11:40 a.m.

The Board exited Executive Session at 12:05 p.m. and resumed the regular Special meeting. No action was taken on any issue at this time.

12. October Meeting: The October meeting will be held Thursday, October 8, 2009, at 10:00 a.m. in Shepherd Mall, 2401 NW 23rd Street, Suite 40B (Activities Suite), Oklahoma City, OK.

13. The meeting was adjourned by Chairman Beard.

Respectfully submitted,

Glynda Reppond
Executive Director