

**MINUTES OF REGULAR MEETING
OKLAHOMA ABSTRACTORS BOARD
July 15, 2014**

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairman Ralph Harrison at 10:00 a.m. on July 15, 2014, at the OSBELTCA Conference Room, 2401 NW 23rd St., Oklahoma City, OK.
2. Mr. Nichols called roll. Attending were John Bailey, J Thomas, Ken McDowell, Chaney Haynes, Mark Luttrull, Charles Nichols, Robert Getchell and Ralph Harrison. Corky Heard was absent. It was determined that eight members were present at the time of roll call and that a quorum was present. Also attending were Mitzi Combs, Inspector, Glynda Reppond, Executive Director, and John Crittenden, Assistant Attorney General. 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 June 17, 2014, were then distributed. After review, a motion was made by Charles Nichols and seconded by John Bailey to accept the Minutes as presented. Vote: Unanimously approved.
4. **Chairman's Report: Ralph Harrison.** Mr. Harrison welcomed Mr. Thomas and Mr. McDowell to their first Board meeting. He addressed the committee members and most will stay as they are. He has appointed Mr. Thomas as the Chair of the Budget Committee and has added Mr. McDowell to the Rules Committee.
5. **Executive Director's Report:** Director Reppond stated she was still working with State Leasing concerning the new space. The building manager was having to have the work re-bid and then have his Board approved those numbers which should happen on Thursday. At that time, she should receive a better timeline from them but they are tentatively projecting September 1st as the move in date. She has received bids for moving the office and Holton Moving submitted the lowest bid of \$485.00. She asked Mr. Nichols about setting up gmail accounts for the new Board members. She also reported that the IT person working on the data base should be installing the software in the near future and hopefully, the application will be in place in October for use by the abstractors.
6. **Committee Reports:**
 - a. **Budget and Finance – J Thomas.** Mr. Thomas gave an update on the budget and presented the OSF Form "FY2014 Operating Budget Comparison by Department and Account", the Six Digit Object of Expenditure Report, the Six Digit Expenditure Detail Report, as well as the OAB P&L Statement for FY2014 which covers each month from the beginning of the fiscal year for comparison purposes. The total budget for the year is \$304,447.00. The total expenditures for the month were \$24,075.33 and the amount spent for the year to date is \$270,003.29. A motion was made by Chaney Haynes and seconded by Charles Nichols to approve the budget report as presented. Vote: Unanimously approved.
 - b. **Rules and Regulations – Mark Luttrull.** Mr. Luttrull reported that the House passed HJR1099 which did not disapprove any of our proposed rules but the Senate did not co-jointly pass that bill. Therefore, all Rules proposed by any agency went to the Governor "as written" and our rules, in

total, were approved by the Governor on June 19, 2014, by Executive Order. The rules now have to be published in the Register, and after such, are considered promulgated. The rules then go into effect ten days after publication in the Register. At this time, they will be effective September 15th.

c. Licensing and Testing – Glynda Reppond. Ms. Reppond reported that test was given in McAlester on June 12th at Pioneer Abstract. Seven took the test and five passed. The next test will be given at the OAB office on July 17th and one person is signed up at this time.

d. Inspections – Mitzi Combs. Ms. Combs reported that she will be going to Old Republic, First American Title & Trust, Capitol Abstract & Title, Stewart Title & Trust, and Oklahoma City Abstract & Title, all in Oklahoma County. She will also be going to Beaver County Abstract in Beaver County and Pioneer Abstract & Title in Harper County.

e. Enforcement Committee – Charles Nichols.

Inspection Reports: Presented to the Board for approval was a list of Inspection Reports which are set out in the attachments hereto. A motion was made by Charles Nichols and seconded by John Bailey to approve the inspections as presented with the recommendations or requirements being met. Vote: Unanimously approved.

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses which are set out in the attachments hereto. After discussion, a motion was made by Charles Nichols and seconded by Mark Luttrull for approval of all licenses subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

Certificates of Authority and Rate Sheets: Presented to the Board for approval was a list of applications for renewal of Certificate of Authority, with or without a fee change, which are set out in the attachments hereto. After discussion, a motion was made by Charles Nichols and seconded by Chaney Haynes for approval subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

Rate Sheets with Changes: Presented to the Board for approval was one application for a rate change, which is set out in the attachments hereto. After discussion, a motion was made by Charles Nichols and seconded by John Bailey for approval subject to administrative review by the Executive Director, and making sure all compliance issues were met and appropriate fees paid. Vote: Unanimously approved.

- 7. Tishomingo Abstract Co, OAB-2014-INS 001.** This matter came before the Board upon a finding in an inspection. Upon investigation, the Inspector found that the company failed to keep its court index up to date pursuant to Section 31 of the Act. Respondent and the Board have agreed to settle this matter without a formal proceeding and that a fair and just resolution is a \$500.00 fine against Respondent, payable in two monthly installments. The Respondent has paid the fine at this time. After discussion, Charles Nichols made the motion to complete the Consent Agreement with Tishomingo Abstract. The motion was seconded by Mark Luttrull. Vote: Unanimously approved.

8. **Guaranty Abstract Co, OAB-2014-INS-002.** This matter came before the Board upon a finding in an inspection. Upon investigation, the Inspector found that the company failed to keep its court index up to date pursuant to Section 31 of the Act. Respondent and the Board have agreed to settle this matter without a formal proceeding and that a fair and just resolution is a \$500.00 fine against Respondent. After discussion, Charles Nichols made a motion to approve the Consent Order with Guaranty Abstract Co. The motion was seconded by John Bailey. Vote: Unanimously approved.
9. **Marshal County Abstract Co. OAB-2014-W19.** This matter came before the Board upon a complaint for unnecessary delay by Melissa Lueninghoener of American Eagle Title Group. Upon investigation, the Inspector found that the company took fourteen (14) additional days to complete the order than is allowed by §32 of the Act. Respondent and the Board have agreed to settle this matter without a formal proceeding and that a fair and just resolution is a \$900.00 fine against Respondent. After discussion, Charles Nichols made a motion to approve the Consent Order with Guaranty Abstract Co. The motion was seconded by Mark Luttrull. Vote: Unanimously approved.
10. **Review of Staff Positions:** Executive Director, Administrative Assistant and Inspector/Investigator – There may be an executive session pursuant to the Oklahoma Open Meetings Act, Section 307(B)(1) to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried employee...”

A motion was made by Charles Nichols to move into executive session and seconded by Ken McDowell. Vote: Unanimously approved. The Board moved into executive session at 10:25 a.m.

At 10:40 a.m., the Board returned and a motion was made by John Bailey and seconded by Mark Luttrull to return to regular session. Vote: Unanimously approved. Mr. Harrison stated that no votes were taken nor decisions made during the executive session.

11. **Report of Legal Counsel:** Mr. Crittenden reported that there are no lawsuits pending at this time and that he has been working with the Enforcement and Personnel Committees. Mr. Crittenden also reported that since the beginning of the Board, it has now completely turned over and he is the only one that has been with the Board since that time.
12. **Visitor’s Comments:** There were none.
13. **Next Meeting:** The next meeting will be held Tuesday, August 19, 2014 at 10:00 a.m. in the OSBELTCA conference room, 2401 NW 23rd St., Oklahoma City, OK.

The meeting was adjourned by Chairman Beard.

Respectfully submitted,

Glynda Reppond
Executive Director