



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

February 4, 2005
Date

153
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its One Hundred Fifty Third regular meeting February 4, 2005 at 9:30 a.m. The Meeting was held in the Boardroom of the offices of the Oklahoma Insurance Department at 2401 Northwest 23rd Street, Suite 28, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. § 301 et seq, this agenda for this meeting was posted at the main entrance to the offices of the Oklahoma Insurance Department on Tuesday, January 25, 2005 at 11:00 a.m. This Agenda was posted on the Insurance Department website at (www.oid.state.ok.us) on January 25, 2005. Copies of this Agenda were delivered or e-mailed by the undersigned to the office of the aforementioned members on Tuesday, January 25, 2005.

An Addendum was published and posted in the main entrance of the Insurance Department and on the website on January 25, 2005. The Addendum was delivered or mailed by the undersigned to the offices of the aforementioned Members of the Board on January 25, 2005. The Agenda and the Addendum are attached as **Exhibit A**.

I. **CALL TO ORDER.** Lee R. Caesar Jr., Vice-Chairman, called the meeting to order at 9:30 a.m. The roll of Board members was called to establish a quorum.

Board members present were:

Lee Caesar, Jr.;
Travis L. Parsons;
Jana S. Barker;
Harold J. Snyder III;
Patti L. Fisher; and
James W. Hoyt

Excused were: Jimmie R. Burton, Member

Based on the result of the roll call, a quorum was declared present by the Chair.

Others in attendance were: Karl Kramer, Department Counsel, Oklahoma Insurance Department; George R. Stimman, III, Director; Carol Watson, Board Secretary; Mark Bardsley, Vickie Ledbetter, Appraisal Subcommittee and Denise Grave, Appraisal Subcommittee.

Open Meetings Act Compliance Statement presented by Carol Watson, Board Secretary.

II. **READING AND APPROVAL OF MINUTES.** The Chair asked for approval of the minutes as presented from the Board meeting held on January 7, 2005. Mr. Hoyt moved to accept the minutes as amended, Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

III. **CHAIRMAN'S REPORT.** No report given.

VICE-CHAIRMAN'S REPORT. Vice Chair welcomes Vickie Ledbetter and Denise Graves of the Appraisal Subcommittee and Mark Bardsley, former Board member.

DIRECTOR'S REPORT. The Director, George R. Stimman III, offered a written report, a copy of which is attached as **Exhibit B.**

Director recommends discussion and possible action regarding revocation of individuals for non-payment of annual fees as shown on exhibit B Agenda item III (A). Mr. Hoyt moved to revoke license of the individuals on Director's Report Agenda item III (A), Ms. Barker seconded the motion. The Chair orders a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Director recommends that the following individuals whose licenses expire in the month indicated be approved for renewal and that the staff be given authority to issue renewal certificates contingent on receipt of proof of the appropriate continuing education hours and payment of required fees, exhibit B, Agenda item III (B). Ms. Barker moved to accept the recommendation, Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Director welcomes Oklahoma Insurance Commissioner Kim Holland.

IV. BOARD MEMBERS REPORTS.

A. Disciplinary Procedures Committee. No report given.

B. Education, Experience and Testing Committee. Exhibit C

Mr. Hoyt moves to accept the education submissions as presented and approve individuals request for continuing education as presented on **Agenda item IV (B) (1)**. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Mr. Hoyt moves to accept recommendation as presented on **Agenda item IV (B) (2) (A-D)** and shown as **Exhibit C-1**, Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

C. Legislation and Rules Committee. No report given.

Ms. Joann Stevenson, Board Counsel, now in attendance.

D. Probable Cause Committee. Report given by Mark Bardsley, PCC Chair member and shown as **Exhibit D**.

1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations.

Log 04-094, PCC recommends that the workfile from the second appraiser be requested to aid in determining whether violations have occurred with respect to the second appraiser. Mr. Hoyt moves to accept the recommendation, Ms. Fisher seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-090, PCC believes that this is a civil matter outside the jurisdiction of the board and recommends that it not be accepted as a formal complaint. Mr. Hoyt moves to accept the recommendation, Ms. Barker seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-086, PCC finds probable cause to believe that statutory violations have occurred and the PCC recommends that this file be referred to a prosecutor for action. Ms. Barker moves to accept the recommendation, Mr. Hoyt seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-041, PCC finds that there is probable cause to believe that statutory violations have occurred and the PCC recommends that this file be referred to a prosecutor for action. Ms. Barker moves to accept the recommendation, Mr. Hoyt seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-091, PCC finds probable cause does not exist to support allegations of statutory violations. The PCC recommends the file be dismissed. Mr. Hoyt moves to accept the recommendation, Ms. Barker seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-095, PCC recommends that this file be referred to prosecutor for action. Ms. Barker moves to accept the recommendation, Mr. Hoyt seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-062, PCC recommends that the file be dismissed without further action. Ms. Barker moved to accept the recommendation, Mr. Hoyt seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS SIX VOTES IN THE AFFIRMATIVE AND NONE OPPOSED.
THE MOTION WAS AGREED TO.

Log 04-068, Prosecutor and respondent's attorney have negotiated a consent order (**Exhibit D-1**) and the respondent's has indicated his agreement by signing a copy of the order. Ms. Barker moves to accept consent order as written and signed, Mr. Hoyt seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Recuse
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes
	Mr. Caesar	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, ONE RECUSED AND NONE OPPOSED. THE MOTION WAS AGREED TO.

2. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee.

3. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee. Mr. Hoyt volunteers to continue to serve on PCC for an additional 3 months. Ms. Barker moves to extend Mr. Hoyt's term on the PCC. Ms. Fisher seconded the motion.

ROLL CALL VOTE:	Mr. Parsons	Yes
	Ms. Fisher	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes

Mr. Hoyt
Mr. Caesar

Recuse
Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE, ONE RECUSE AND NONE OPPOSED. THE MOTION WAS AGREED TO.

V. **Report of field review by Appraisal Subcommittee, Vicki Ledbetter.**

V (A). **Discussion and possible action regarding proposed changes to the Oklahoma Real Estate Appraisers Act and the Board's disciplinary procedures. Exhibit E.**

VI. **OLD BUSINESS.** Postponed to March meeting. Exhibit F.

0501 Discussion and possible action regarding disciplinary hearing panel recommendation in the Matter of James A. Boring, case Numbers 02-0547-DIS and 02-0548-DIS, Complaints Number 02-001 and 02-019, to include hearing of oral argument under the provisions of OAC 600:15-1-17.

Possible Executive Session as authorized by 25 O.S. 2001 §307 (B)(8), regarding the above matter and in order for the Board to discuss legal matters related to this action with its attorney.

VII. **NEW BUSINESS.** The Chair opened the floor for new business.

IX. **ADJOURNMENT.** There being no further business, the Chair ordered the meeting adjourned.

OFFICIAL MINUTES.

The action taken by the Oklahoma Real Estate Appraiser Board on the items for consideration after motion duly made and seconded has been noted herein and made a part of these minutes.

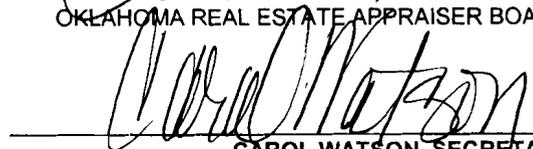
The Board caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on an audio recording device with audiotape to be retained as a record in the office of the Board.

EXHIBITS are A through F.

In witness we have hereunto set our hand and caused the Seal of the State of Oklahoma to be affixed by the Board Secretary, at the City of Oklahoma City, State of Oklahoma, this 4th day of February, 2005.



LEE R. CAESAR JR., VICE-CHAIRMAN
OKLAHOMA REAL ESTATE APPRAISER BOARD



CAROL WATSON, SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD