



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

June 2, 2006
Date

169
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its one hundred sixty ninth regular meeting on June 2, 2006 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., the agenda for this meeting was posted in the main entrance to the offices of the Oklahoma Insurance Department on Tuesday, May 23, 2006 at 11:00 a.m., and was posted to the Insurance Department website on May 23, 2006. Copies were hand-delivered or mailed by the undersigned to the office of the Board members on Tuesday, May 23, 2006. An addendum to this agenda was published and posted in the main entrance to the Department on Tuesday, May 30, 2006 at 9:000 a.m. The addendum was emailed to the Board members and posted to the website on May 30, 2006. The Agenda and addendum are attached as Exhibit A.

I. **CALL TO ORDER.** The Chairperson, Ms. Holland, 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: Kim Holland, Chairperson;
Jimmy R. Burton;
Joey Snyder;
Jana S. Barker;
James W. Hoyt; and
P. Lane Wheeler.

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

Board members excused were: Lee Caesar Jr., Vice-Chair; and
Patti L. Fisher.

Others in attendance were; Joann Stevenson, Board Counsel; Robert Noll, Assistant General Counsel, Oklahoma Insurance Department; Roger DeSpain; Charles Barnes; David Wakefield; Jim Dockery; Heath Boyles; Linda L. Churchill, Board Secretary; and Rod Stirman, Board Director.

Mr. Hoyt moved that Mr Snyder serve the position of temporary Vice-Chairman to conduct the meeting. Ms. Barker seconded the motion. There were no other nominations. A roll called was ordered with the following results. The Director ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

II. **READING AND APPROVAL OF MINUTES.** Mr. Burton moved that the reading of the minutes of the previous session, be waived and that they stand approved as corrected to note the presence of Ms. Joann Stevenson, Board Counsel. Ms. Fisher seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

III. **CHAIRMAN'S REPORT.** The Chairperson offered no report.

VICE-CHAIRPERSON'S REPORT. The Vice-Chairman offered no report.

DIRECTOR'S REPORT.

A. Discussion and possible action regarding revocation or possible suspension of individuals for non-payment of annual fees. See Exhibit B. Mr. Hoyt moved that the list of individuals presented by the Director as failing to pay their annual fees be suspended. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

B. Discussion and possible action regarding authority to issue certificates to those due to renew their licenses by July 31, 2006. See Exhibit C. A motion was made by Mr. Hoyt to approve issuance of certificates to those due to renew by July 31, 2006. Ms. Barker seconded the motion. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

IV. **COMMITTEE REPORTS.**

A. Disciplinary Procedures Committee. The Committee offered no report.

B. Education Experience & Testing Committee.

1. Discussion and possible action regarding course submittals approval. Mr. Hoyt moved to accept all the recommendations for appraiser education items as reported in Exhibit E. The motion was seconded by Mr. Snyder. See Exhibit D. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Mr. Burton	Not present
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE AND ONE NOT VOTING.
THE MOTION WAS AGREED TO.

2. Discussion and possible action regarding approval or disapproval of various applications received and authority to issue certificates. See Exhibit E. A motion was made by Mr. Wheeler to approve the recommendations offered in paragraph A of the Exhibit. The motion was seconded by Mr. Hoyt. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

A motion was made by Mr. Hoyt to approve the recommendations offered in paragraph B through D of Exhibit E. The motion was seconded by Ms. Barker. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms Barker	Yes
	Mr. Hoyt	Yes

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

3. Discussion and possible action regarding approval or disapproval of experience documentation of applicants. See Exhibit F (A). Mr. Burton made a motion that the upgrade application of Tiffeney A. Goodpasture be disapproved as recommended. The motion was seconded by Mr. Wheeler. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

See Exhibit F (B). Mr. Wheeler made a motion that the upgrade application of Sharon L. Pettis be disapproved as recommended. The motion was seconded by Mr. Snyder. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

See Exhibit F (C). Ms. Barker made a motion that the upgrade application of Messina V. Anderson be accepted as recommended. The motion was seconded by Mr. Burton. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

See Exhibit F (D). Ms. Barker made a motion that the upgrade application of (D) Joseph A. Chandler be accepted as recommended. The motion was seconded by Mr. Burton. The chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

D. Probable Cause Committee.

1. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. There was a meeting Friday, May 26, 2006. In attendance were: Mr. McCaleb, and the Director. Their report is Exhibit G.

Mr. Burton is familiar with the facts and circumstances of the matter and recused himself.

Mr. Hoyt moved that the Probable Cause Committee recommendation with respect to Complaint # 06-063 through 06-078 be accepted and forwarded to the prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Recused
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Complaint # 05-108 be accepted and forwarded to the prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Grievance 06-011 be closed without further action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

Mr. Hoyt moved that the Probable Cause committee recommendation with respect to Grievance # 06-040 be accepted and forwarded to the prosecutor for action. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Recused
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

Grievance 06-057 was tabled to the July Board Meeting.

3. Discussion and possible action regarding appointment of volunteers and/or committee members to assist the Probable Cause Committee. Mr. Hoyt made a motion to reappoint Mr. Mark Bardsley to another 3 months on the Probable Cause Committee. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

THE RESULT WAS FIVE VOTES IN THE AFFIRMATIVE AND TWO OPPOSED.
THE MOTION WAS AGREED TO.

E. Budget Committee. No report given

C. Legislation and Rules Committee. No report given

By order of the Chair, Agenda Item V and VI was taken out of order and offered for consideration.

V. DISCUSSION AND POSSIBLE ACTION REGARDING BILLS INTRODUCED IN THE CURRENT LEGISLATIVE SESSION INCLUDING : HB 2911, SJR 32, AND SJR 65. No action taken.

HB 2911 passed with an effective date of November 1, 2006. SJR 32 passed. SJR 65 died.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF RECIPROCAL LICENSING AGREEMENT WITH THE ARIZONA BOARD OF APPRAISAL.

Ms. Barker moved to approve the reciprocal agreement with Arizona. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

VII(A). DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT FOR ATTORNEY SERVICES WITH THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2007.

Mr. Hoyt moved to approve the contract for the fiscal year of 2007. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

VI(B). DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL AFFIDAVIT OF VOLUNTARY SURRENDER OF APPRAISER CREDENTIAL IN LIEU OF DISCIPLINARY PROCEEDINGS.

Ms. Barker moved to approve the Affidavit of Voluntary Surrender. Mr. Hoyt seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE	Mr. Burton	Yes
	Mr. Wheeler	Yes
	Mr. Snyder	Yes
	Ms. Barker	Yes
	Mr. Hoyt	Yes

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

VI(C). RECEIVED COMMENTS FROM CHARLES BARNES AND ROGER DESPAIN.

VII. NEW BUSINESS.

VIII. ADJOURNMENT. A motion for adjournment was made by Mr. Hoyt and seconded by Ms. Barker. The Board adjourned by general consent.

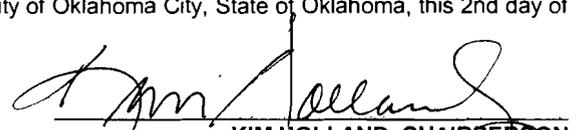
OFFICIAL MINUTES.

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 G.

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 2nd day of June 2006.



KIM HOLLAND, CHAIRPERSON
OKLAHOMA REAL ESTATE APPRAISER BOARD



LINDA L. CHURCHILL, SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD