



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES
(AMENDED)

August 3, 2012
Date

240
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting August 3, 2012 at 9:30 a.m. The Meeting was held in the Public Meeting Room of the offices of the Oklahoma Insurance Department at 5 Corporate Plaza, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma. In compliance with the Open Meeting Act, 25 O.S. § 301 et seq., the agenda for this meeting was posted at the main entrance of the Oklahoma Insurance Department at 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma on July 31, 2012 at 9:00 a.m. and was mailed or hand delivered to the offices of the Board members on July 26, 2012 and posted to the REAB website on July 31, 2012. The agenda is attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar Jr. 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 R. Caesar Jr.;
Stephen C. Walton;
Betty J. Cagle;
Jana S. Barker;
P. Lane Wheeler; and

Board members excused were: Patti L. Fisher, Board Member; Harold J. Snyder III,
Board Member; John D. Doak, Commissioner.

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

Others in attendance were: Christine McEntire, Director; William Combs, Counsel for Commissioner John D. Doak; Bryan Neal, Assistant Attorney General, Christen Watson, Board Secretary, and Rebecca Keesee, Legal Secretary. Others present were: Joe Garnand and Gregg Lynn.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Wheeler moved that the reading of the minutes of the July 6, 2012 session be waived and approved as published and distributed. The motion was seconded by Mr. Walton. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

- V. **CHAIRPERSON'S REPORT.** The Chairperson offered no report.

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

DIRECTOR'S REPORT.

- A. **Discussion and possible action regarding suspension of individuals for non-payment of annual fees due May 31, 2012.** (Exhibit C) **Ms. Barker made a Motion and it was seconded by Mr. Walton to issue an order to suspend the individuals listed in Agenda Item V, Director's Report A¹.** The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
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Mr. Snyder	Excused
Ms. Fisher	Excused
Mr. Walton	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Yes

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

B. Discussion and possible action regarding approval of renewal applications due September 30, 2012 and authority to issue certificates. (Exhibit D) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to approve Board staff to issue renewal certificates to the individuals listed in Agenda Item V, Director's Report B. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

C. Discussion and possible action regarding approval of original certificates of registration for Appraisal Management Companies. (Exhibit E) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to issue renewal certificates to the companies listed in Agenda Item V, Director's Report C. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

VI. COMMITTEE REPORTS:

A. Standards and Disciplinary Procedures Committee. No report.

Commissioner Doak entered the meeting.

III. DISCUSSION AND POSSIBLE ACTION REGARDING A DISCIPLINARY HEARING PANEL RECOMMENDATION IN THE MATTER OF RUSSELL S. MCINTOSH; COMPLAINT #11-041; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.
(Exhibit F)

Mr. Wheeler made a Motion that the Board accept the Hearing Panel Recommendation in this matter. Ms. Barker seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Recused
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

IV. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD ORDER #11-025; IN THE MATTER OF MARIAH M. MILLER; COMPLAINT #10-087; AND REQUEST OF MARIAH M. MILLER FOR AN EXTENSION OF TIME TO COMPLETE CORRECTIVE EDUCATION; TO INCLUDE ANY ASSOCIATED MATTERS OR MOTIONS.
(Exhibit G)

Mr. Wheeler made a Motion to grant a one month extension to allow the respondent additional time to complete the corrective education course in this matter. Ms. Barker seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

VI. COMMITTEE REPORTS (CONTINUED):

D. Probable Cause Committee.

1. Discussion and possible action regarding appointment of volunteers and/or committee members to assist Probable Cause Committee. No action.
2. Discussion and possible action regarding standing operating procedures for the Probable Cause Committee. No action.
3. Discussion and possible action regarding Probable Cause Committee disciplinary recommendations. No action.

Following discussion of Grievance 12-021, a motion was made by Mr. Wheeler that the matter be dismissed; the file closed and no further action be taken. Mr. Walton seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

THE RESULT WAS FOUR VOTES IN THE AFFIRMATIVE, NONE OPPOSED AND TWO RECUSED. THE MOTION WAS AGREED TO.

Following discussion of Grievance 12-022, a motion was made by Mr. Walton that a non-disciplinary letter of warning be issued. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of the issues pertaining to Grievance 12-023, a motion was made by Mr. Walton that this matter be forwarded to prosecution for further handling. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

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

Mr. Walton	Yes
Ms. Cagle	Yes
Mr. Wheeler	Yes
Mr. Caesar	Recused

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

Following discussion of Grievance 12-024, a motion was made by Mr. Walton that this matter be forwarded to prosecution for further handling. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of Grievance 12-025, a motion was made by Mr. Wheeler that this matter be forwarded to prosecution for further handling. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of Grievance 12-026, a motion was made by Mr. Walton that this matter be forwarded to prosecution for further handling. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of Grievance 12-027, a motion was made by Ms. Barker that this matter be dismissed, the file closed and that no further action be taken. Mr. Wheeler seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of Grievance 12-028, a motion was made by Ms. Barker that this matter be dismissed, the file closed and that no further action be taken. Mr. Walton seconded the motion. The Chair ordered a roll call vote with the following results

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

Following discussion of Grievance 12-029, a motion was made by Mr. Wheeler that this matter be dismissed, the file closed and that no further action be taken. Ms. Barker seconded the motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Recused

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

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit H) Mr. Walton made a Motion and it was seconded by Ms. Cagle to approve the recommendation as presented in Agenda Item VI B 1. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

2. Discussion and possible action regarding approval or disapproval of various applications received and authority to issue certificates. (Exhibit H)

2(A) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to approve the application for approval of original licensure for the individual listed in Agenda Item VI B 2 (A). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

2(B) Ms. Barker made a Motion and it was seconded by Ms. Cagle to allow staff to be given authority to issue a reciprocal license to the individuals listed in Agenda Item VI B 2 (B). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

2(C) Ms. Barker made a Motion and it was seconded by Mr. Wheeler to approve the applications for upgrade for the individual listed in Agenda Item VI B 2 (C). The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

2(D) The matter was tabled pending a call to the applicant for clarification.

C. **Legislation and Rules Committee.** No report

VII. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF DRAFT BUDGET FOR FY 2013.**

(Exhibit I)

Mr. Walton made a Motion to provide a budgeted expense of \$11,000.00 for work product review fees for the FY 2013 budget. Ms. Cagle seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

Mr. Wheeler made a Motion to accept the budget as presented for FY 2013 with inclusion of previously voted on adjustments. Ms. Barker seconded this Motion. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Snyder	Excused
	Ms. Fisher	Excused
	Mr. Walton	Yes
	Ms. Cagle	Yes
	Mr. Wheeler	Yes
	Mr. Caesar	Yes

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

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING SB 1863: POST-MILITARY SERVICE OCCUPATION, EDUCATION AND CREDENTIALING ACT EFFECTIVE NOVEMBER 1, 2012.**

(Exhibit J) No action.

- IX. DISCUSSION AND POSSIBLE ACTION REGARDING OKLAHOMA STATE GOVERNMENT MODERNIZATION ACT OF 2009 AS IT PERTAINS TO ONLINE LICENSING AND PAYMENT REQUIREMENTS.
(Exhibit K) No action.
- X. DISCUSSION AND POSSIBLE ACTION REGARDING RE: OSBI/FBI APPLICANT FINGERPRINTING PROCESS OF APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES.
(Exhibit L) No action.
- XI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF DRAFT CONTRACT FOR EET COMMITTEE MEMBERS AS IT PERTAINS TO PEER REVIEW ASSIGNMENTS.
(Exhibit M)
- XII. NEW BUSINESS. No new business.
- XIII. ADJOURNMENT.
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 a digital audio recording device to be retained as a record in the office of the Board. Exhibits are A through M.



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

ERIC M. SCHOEN, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD

¹ The official Minutes of the August 3, 2012 meeting have been amended to reflect the actual Motion that was made under this Agenda Item. The previous Minutes reflected that the Board voted to issue renewal certificates to the appraisers discussed in this Agenda item; however, this agenda item relates to non-payment of annual dues and the actual Motion was to suspend the appraisers.