



STATE OF OKLAHOMA
REAL ESTATE APPRAISER BOARD

OFFICIAL MINUTES

June 6, 2008
Date

191
Number

The Real Estate Appraiser Board, established pursuant to the provisions of the Oklahoma Certified Real Estate Appraisers Act, held its regularly scheduled meeting June 6, 2008 at 9:35 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 at the main entrance of the Oklahoma Insurance Department with a copy at Entrance A to Shepard Mall, at 2401 Northwest 23rd Street, Suite 28, Oklahoma City, Oklahoma on May 28, 2008 at 1:00 p.m. and was mailed or hand delivered to the offices of the Board members and posted to the REAB website on May 27, 2008. The addendum to the agenda was posted in the main entrance to the offices of the Oklahoma Insurance Department on June 4, 2008 at 1:30 p.m., and was e-mailed or hand-delivered to the offices of the Board members and posted to the REAB website on June 4, 2008. The agenda and addenda are attached as Exhibit A.

- I. **CALL TO ORDER.** Vice-Chairperson Lee R. Caesar, Jr. called the meeting to order at 9:35 a.m. The roll of Board members was called to establish a quorum.

Board members present were: Kim Holland, Chairperson
Lee R. Caesar, Jr., Vice-Chairperson;
James W. Hoyt;
P. Lane Wheeler;
Kim N. Allen;
Jana S. Barker; and
Joey H. Snyder, III;

Board members excused were: Patti L. Fisher; Board Member

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

Others in attendance were: Rod Stirman, Director; Sandra LaVenue, attorney for Commissioner Kim Holland; Preston Draper, Assistant Attorney General; Shannon Phipps, Board Secretary; and Christine McEntire, Board Legal Secretary. Others present were: Rachel LawrenceMor; Don Standridge; Lou Newman; Hal Hartsock; Connie Burk; Troy Wolzen; Brett Robinson, Legislative Liaison; and Steve McCaleb, Board Prosecutor.

- II. **READING AND APPROVAL OF MINUTES.** (Exhibit B) Mr. Hoyt moved that the reading of the minutes of the May 2, 2008 session be waived and approved as published and distributed. The motion was seconded by Mr. Allen. The Chair ordered a roll call vote with the following results:

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

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

- III. **CHAIRPERSON'S REPORT.** Chairperson Kim Holland presented her oral 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 March 31, 2008.** (Exhibit C) A motion was made by Mr. Allen and seconded by Mr. Hoyt to issue an order to suspend individuals listed in agenda item III, Director's Report A. The Chair ordered a roll call vote with the following results:

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

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

B. Discussion and possible action regarding approval of renewal applications due July 31, 2008 and authority to issue certificates. (Exhibit D) A motion was made by Mr. Hoyt and seconded by Mr. Snyder to approve board staff to issue renewal certificates to the individuals listed in agenda item III, Director's Report B. The Chair ordered a roll call vote with the following results:

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

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

IV. COMMITTEE REPORTS:

A. Standards and Disciplinary Procedures Committee. No report.

B. Education, Experience and Testing Committee:

1. Discussion and possible action regarding approval of course submittals. (Exhibit E) A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve the courses as presented in Agenda item IV B (1). The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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 F) A motion was made by Mr. Hoyt and seconded by Ms. Barker to allow staff to be given authority to issue certificates to the individuals listed in agenda item IV B (2). The Chair ordered a roll call vote with the following results:

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

THE RESULT WAS SIX 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. No Action.

C. Legislation and Rules Committee. Legislative Liaison Brett Robinson reported.

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.

At this point, Item XIII (A) was taken out of order, by order of the Chair.

XIII(A).DISCUSSION AND POSSIBLE ACTION REGARDING MOTION TO MODIFY CONSENT ORDER IN THE MATTER OF DON L. STANDRIDGE, COMPLAINTS NO. 06-008 AND 06-133 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.

Mr. Wheeler and Mr. Caesar recused themselves from consideration of Agenda Item XIII (A) due to Probable Cause Committee service.

(Exhibit G) Ms. Barker made a motion for the Board to enter executive session. The motion was seconded by Mr. Hoyt. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Recused
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Mr. Caesar	Recused

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

The Chair declared the Board to be back in open session. The Chair ordered a roll call to establish a quorum.

Board members present were: Kim Holland, Chairperson;
Jana S. Barker;
James W. Hoyt;
Kim N. Allen; and
Joey H. Snyder, III;

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

Following discussion concerning Complaints 06-008 and 06-133, a motion was made by Mr. Hoyt and seconded by Ms. Barker to amend the Consent Order, allowing fifty-three (53) continuing education hours, with 147 qualifying education hours to be completed by December 31, 2009, with no suspension. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Recused
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Mr. Caesar	Recused

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

At this point, Item VI was taken out of order, by order of the Chair.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF SHERI L. LOVIN, COMPLAINT NO. 06-028 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.

Mr. Caesar recused himself from consideration of Agenda Item VI due to Probable Cause Committee service.

(Exhibit H) Following a short discussion concerning Complaint 06-028, a motion was made by Mr. Hoyt and seconded by Mr. Allen to adopt Hearing Panel Recommendations. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Mr. Caesar	Recused

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

At this point, the Session returned to regular order.

V. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A CONSENT ORDER IN THE MATTER OF STEFAN M. BARNHOUSE, COMPLAINT NO. 07-027 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.**

Mr. Caesar recused himself from consideration of Agenda Item VI due to Probable Cause Committee service.

(Exhibit I) A motion was made by Mr. Hoyt and seconded by Ms. Barker to approve the Consent Order. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Yes
	Mr. Wheeler	Yes
	Mr. Hoyt	Yes
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Mr. Caesar	Recused

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

VII. **DISCUSSION AND POSSIBLE ACTION REGARDING A MOTION TO DISMISS IN THE MATTER OF JOELLA JONES, COMPLAINT NO. 07-080 TO INCLUDE ANY ASSOCIATED MOTIONS OR MATTERS.**

Ms. Barker recused herself from consideration of Agenda Item VII due to Probable Cause Committee service.

(Exhibit J) Following a discussion of the issues pertaining to 07-080, a motion was made by Mr. Wheeler and seconded by Mr. Snyder to adopt Hearing Panel Recommendations. The Chair ordered a roll call vote with the following results:

ROLL CALL VOTE:	Ms. Barker	Recused
	Mr. Wheeler	Yes
	Mr. Hoyt	Abstain
	Mr. Allen	Yes
	Mr. Snyder	Yes
	Mr. Caesar	Yes

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

VIII. **DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF SCHEDULE OF BOARD REGULAR SESSION DATES FOR CALENDAR YEAR 2009.**

(Exhibit K) A motion was made by Mr. Hoyt and seconded by Mr. Allen to accept calendar year 2009 Board schedule, as offered by the Director, amending meeting date September 3rd, 2009, to September 4th, 2009. The Chair ordered a roll call vote with the following results:

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

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

IX. OLD BUSINESS.

0805A: DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF A PROCESS FOR FILING OF ANONYMOUS COMPLAINTS. No action.

0805B: DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF A PROCESS FOR RECUSALS UNDER JOHNSON V. BOARD OF DENTISTS.

Mr. Hoyt made a motion for the Board to enter executive session. The motion was seconded by Mr. Snyder. The Chair ordered a roll call vote with the following results:

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

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

Commissioner Holland excused herself from the remainder of the meeting.

The Chair declared the Board to be back in open session. The Chair ordered a roll call to establish a quorum.

Board members present were: Lee R. Caesar, Jr., Vice-Chairperson;
P. Lane Wheeler;
James W. Hoyt;
Kim N. Allen;
Jana S. Barker; and
Joey H. Snyder, III;

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

No action was taken on this matter.

X. NEW BUSINESS. No new business.

XI. ADJOURNMENT.

Mr. Snyder made a motion for adjournment. The motion was seconded by Mr. Caesar. 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 K.



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



SHANNON N. PHIPPS, BOARD SECRETARY
OKLAHOMA REAL ESTATE APPRAISER BOARD