

**MINUTES OF REGULAR MEETING
COMMISSION ON CONSUMER CREDIT
October 9, 2013**

The regular monthly meeting of the Commission on Consumer Credit was held at 10:00 a.m. at the Department of Consumer Credit Conference Room, 3613 N.W. 56th Street, Suite 240, Oklahoma City, Oklahoma 73112. The Notice and Agenda for the meeting was posted at the Department's office, outside the main public entrance of the 3 Corporate Plaza office building and on the Department's Internet website on October 4, 2013.

I. Call to Order.

Chairman Bob Moses called the meeting to order at 10:00 a.m.

II. Roll Call.

PRESENT: Chairman Bob Moses; Vice-Chairman Cass Fahler; Suzy Casper; Jerry Douglas; Rick Harper; Armando Rosell; Spencer Stanley; Joe Wilbanks

ABSENT: James Lee; Mick Thompson

Chairman Moses announced that a quorum was present.

STAFF: Scott Leshner, Administrator; Ruben Tornini, Deputy Administrator; Roy John Martin, General Counsel; William Weaver, Chief Examiner; Lindsie Lundy, Administrative Programs Officer; Meredith Fazendin, Legal Research Assistant; and Treasure Tytenicz, Executive Secretary and Commission Secretary

GUESTS: Donnie McGoodwin, The Pawn Depot; Laura Swingle, Office of Management and Enterprise Services; Bobbi Moore, Office of Management and Enterprise Services; Eric Johnson, Hudson Cook, LLP.

III. Discussion and possible action regarding the minutes of the regular meeting held September 11, 2013.

Commissioner Casper made a motion to approve the minutes of the regular meeting held September 11, 2013. Commissioner Rosell seconded the motion. The vote was as follows:

Chairman Moses – Y; Vice-Chairman Cass Fahler – Abstain; Casper – Y; Douglas – Y; Harper – Y; Rosell – Y; Stanley – Y; Wilbanks – Y

IV. Staff announcements and discussion.

There were no staff announcements.

V. Presentation of the Monthly Budget and Financial Report. Discussion and possible action regarding the Monthly Budget and Financial Report.

Laura Swingle, from the Office of Management and Enterprise Services (OMES), presented the September 2013 budget and financial report. Ms. Swingle also introduced Bobbi Moore, also of OMES, to the Commission. Ms. Moore will present the Monthly Budget and Financial Report in the future if Ms. Swingle is unable to do so.

Commissioner Stanley made a motion to approve the September 2013 budget and financial reports. Commissioner Wilbanks seconded the motion. The motion was unanimously approved.

VI. Department of Consumer Credit staff reports. Discussion and possible action regarding the following Department of Consumer Credit staff reports:

- A. Licensing Report by Lindsie Lundy, Administrative Programs Officer;
- B. Examination Report by William Weaver, Chief Examiner;
- C. Enforcement Report by Roy John Martin, General Counsel;
- D. Operations Report by Ruben Tornini, Deputy Administrator;
- E. Other Administrator Reports.

Lindsie Lundy delivered the Licensing Report.

William Weaver delivered the Examination Report.

Roy John Martin delivered the Enforcement Report.

Ruben Tornini delivered the Operations Report.

Administrator Leshar stated that the Department is \$200,000 ahead of budget for the first three months of FY '14. The Department will have 12 – 18 months cash reserve in the revolving fund by the end of the year if the current cash level stays constant and projected revenues are accurate. The reserve is needed due to the Department's seasonal revenue intake.

No action was taken.

VII. 2013 Annual Report Draft. Discussion and possible action regarding the 2013 Annual Report Draft.

Deputy Administrator Tornini explained that the final version of the 2013 Annual Report will be submitted to the Commission for approval at next month's meeting. Mr. Tornini reviewed the Commission Procedural Rules that outline the purpose and content of the Annual Report. Chairman Moses asked the Commission to review the proposed changes to the Annual Report before the November meeting and explained that a vote would be taken at that time.

No action was taken.

VIII. Presentation and discussion regarding the implementation of a mortgage examination, mortgage examination accreditation and mortgage examiner certifications.

Administrator Leshar informed the Commission that the Department is still on track regarding accreditation. The new Mortgage Lender License will go into effect November 1, renewal season will be in process and the new Mortgage Lender License examination will be ready for Examiners to administer in 2014.

- IX. Discussion regarding the Agency Director Salary Review published by the Oklahoma Office of Management and Enterprise Services.

Administrator Lesher informed the Commission that the Agency Director Salary Review published by the Oklahoma Office of Management and Enterprise Services includes the following information for the Administrator of Consumer Credit: a minimum salary of \$75,988; a midpoint salary of \$94,985 and a maximum salary of \$113,982. Administrator Lesher also informed the Commission that HB 1717 requires OMES to conduct their study to re-evaluate agency director pay every three years. Previously, the re-evaluation study was to be done every two years.

- X. Discussion and possible action regarding the establishment of a Procedural Review Committee and the appointment of members to serve on the Procedural Review Committee.

Chairman Moses stated that the Department has taken on more responsibilities in recent years, including additional legislative and industry requirements that need met. He would like to establish a Procedural Review Committee to make sure that Department information is up to date.

Commissioner Stanley made a motion to establish a Procedural Review Committee. Commissioner Fahler seconded the motion. The motion was unanimously approved.

Chairman Moses then addressed membership of the Procedural Review Committee. He recommended Administrator Lesher, Deputy Administrator Tornini and General Counsel Martin from staff to serve on the Committee. Commissioner Stanley and Commissioner Douglas also agreed to serve on the Committee in addition to Chairman Moses.

Chairman Moses stated that he would like to have the first meeting of the Procedural Review Committee before the end of the year. The Committee would determine how often to meet at that time.

Commissioner Harper made a motion to approve the previously mentioned staff and Commissioners to serve on the Procedural Review Committee. Commissioner Fahler seconded the motion. The motion was unanimously approved.

- XI. Discussion and possible action regarding revisions to the Department of Consumer Credit Manual of Employee Positions.

Administrator Lesher stated that the Manual of Employee Positions was last presented to the Commission in January 2013 and there have been several changes since that time. He asked General Counsel Martin to review the revisions for the Commission, which includes the following information:

- 1) Clean up language was added that lists the correct title for job positions listed throughout the manual, as well as states that OMES stands for the Oklahoma Office of Management and Enterprise Services;

- 2) Salary bands for classified employees were changed throughout the manual to reflect the salary bands established by OMES;
- 3) Consumer Credit Examiner job descriptions were amended to include licensing duties;
- 4) An Administrative Programs Officer I position has been established within the Legal department ;
- 5) Salary bands for unclassified employees were changed throughout the manual to reflect a certain percentage of the Administrator's salary.

Vice-Chairman Fahler asked if the new Administrative Programs Officer I position in the legal department meant that the legal department would be expanding. Administrator Leshar replied that it is not meant to expand the legal department but rather to allow for job advancement since the Legal Research Assistant position has only one pay band.

Vice-Chairman Cass Fahler made a motion to approve the proposed revisions to the Department of Consumer Credit Manual of Employee Positions. Commissioner Wilbanks seconded the motion. The motion was unanimously approved.

XII. Presentation and discussion regarding revisions to the Department of Consumer Credit Employee Manual.

Administrator Leshar informed the Commission that this is an annual review and asked that General Counsel Martin review the revisions for the Commissioners. Revisions included the following:

- 1) The position of Business Manager has been added to Classified personnel;
- 2) The Affirmative Action Policy was repealed in 2012 by state voters so this policy was removed from the manual;
- 3) Administrative Programs Officer (Licensing Supervisor) has been added under Exempt positions, while Business Manager and Administrative Programs Officer were added under Non-Exempt positions;
- 4) The definition of the workweek has been redefined to accommodate employees that are working under an alternative work schedule;
- 5) The Grievance Resolution Policy has been amended to reflect that Meredith Fazendin is now the Grievance Manager;
- 6) The Department's Annual Leave provision has been amended to restrict the number of Examiners that can be on annual leave at the same time. No more than two office duty Examiners and no more than six field duty Examiners can be on pre-approved annual leave at the same time.

XIII. Public Comments. (Limited to 3 minutes per person).

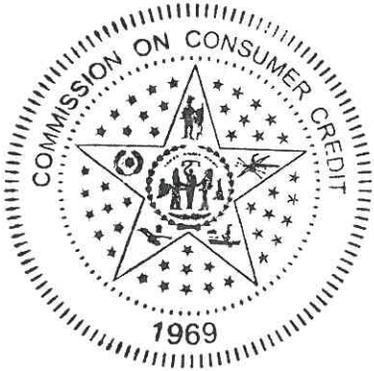
There were no public comments.

XIV. New business (Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda).

There were no new business items for the Commission's consideration.

XV. Adjournment.

Chairman Moses adjourned the meeting at 10:39 a.m. without objection.



Bob Moses
Bob Moses, Chairman

Treasure Tytenicz
Treasure Tytenicz, Commission Secretary