

MINUTES OF A MEETING
OF THE
OKLAHOMA MOTOR VEHICLE COMMISSION

In conformity with the Oklahoma Open Meeting Act, advance notice of this Regular meeting was transmitted to the Oklahoma Secretary of State on December 28, 2020. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on July 12, 2021 prior to 10am, and, announcement of the Board meeting and agenda were posted on the OMVC website www.omvc.ok.gov on July 12, 2021 prior to 10am.

The Oklahoma Motor Vehicle Commission met in a regular session at 10:00 am, on July 13, 2021. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Carol Carver, Jim Norton, Fred Harlan, Jeromey Clayton, Eric Stuteville, Megan Vance Ochs, Ervin Randle and Curtis Hayes. Fred Malone was absent.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Director, and Sandra Balzer, Assistant Attorney General, Kelly Hensley, Kalidy KIA, Tim Warner, Kalidy Enterprises, Randhier Ramarakh, Kalidy KIA, John Settle, Chief Assistant Attorney General and Thomas Grossnicklaus, Assistant Attorney General.

Each Commission Member had received a copy of the **Minutes** of the June 8, 2021 Commission Meeting. Carol Carver made a motion, seconded by Megan Vance Ochs, to approve the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	Curtis Hayes - aye
Jeromey Clayton - abstained	Ervin Randle – abstained	

Motion passed unanimously.

In the Matter of the Joint Resolution for Reconsideration, Correction and Clarification of the Commission’s June 21, 2021 Findings of Fact, Conclusions of Law and Final Order.

Appearing on behalf of the Commission were prosecutors Thomas Grossnicklaus, Assistant Attorney General and Sandra Balzer, Assistant Attorney General. Advisor to the Commission was John Settle, Unit Chief Assistant Attorney General. Other representative of the Complainant was Brad Bailey, Executive Director of OMVC. Appearing on behalf of Respondent was Kelly Hensley, Attorney for Kalidy, LLC. Other representatives of the Respondent present were Sabih Kalidy, Dealer Principal, and Corey Suter, General Manager.

John Settle provided to the Commission advice on considerations for recusal of the Commission members who were not present at the June 8, 2021 Hearing in the Matter of the Complaint against Kalidy KIA. Mr. Settle advised that member recusals from deliberations and abstentions

from roll call votes in the matter be a matter of record. Curtis Hayes stated for the record that he, Jeromey Clayton and Ervin Randle were not present at the June 8, 2021 Hearing. Curtis Hayes, Jeromey Clayton and Ervin Randle then recused themselves from deliberations and roll call votes. John Settle advised the recusing Commission members not to join in any Executive Session. All counsel present proceeded with introductions.

Chair Curtis Hayes then made a motion, seconded by Megan Vance Ochs, that Vice Chair Carol Carver assume leadership of the meeting. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	

Motion passed unanimously.

The Vice Chair asked the parties to make their presentation. John Settle advised members to review the **Findings of Fact, Conclusions of Law and Final Order In the Matter of the Joint Resolution for Reconsideration, Correction and Clarification of the Commission’s June 21, 2021 Hearing**, if they had not done so already.

Sandra Balzer gave an opening statement to the members providing an overview of the Joint Resolution, followed by a statement on the Joint Resolution from Kelly Hensley. At the end of the presentation, questions from the Commission Members and upon advice to the Commission by John Settle, a motion was made by Jim Norton, seconded by Eric Stuteville, to enter into Executive Session to engage in deliberations to render a final or intermediate decision with regard to the Joint Motion. The Vice Chair called for a vote on the motion; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	

Motion passed unanimously.

Upon completion of the Executive Session, a motion was made by Jim Norton, seconded by Fred Harlan, to reconvene into Open Session. The Vice Chair called for a vote on the motion; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	

Motion passed unanimously.

Now in Open Session, Megan Vance Ochs made a motion, seconded by Eric Stuteville, that the Commission reconsider the Finding of Facts, Conclusions of Law and Final Order that resulted from the June 8, 2021 Hearing of the Commission as requested by Respondent and Petitioner,

pursuant to 75 O.S. Section 317(4). The Vice Chair called for a vote on the motion; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	

Motion passed unanimously.

Fred Harlan made a second motion, seconded by Jim Norton, that the Commission change the Finding of Facts, Conclusions of Law and Final Order that resulted from the June 8, 2021 hearing of the Commission by removing paragraph number 6 and paragraph number 7 of the Findings of Fact therein. The Vice Chair called for a vote on the motion; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	

Motion passed unanimously. This concluded the presentation. Without further discussion the Vice Chair passed leadership to the meeting back to the Chair.

The **Claims and Financial Reports** for the month of June 2021 were presented by the Deputy Director. A motion to approve both the payment claims and financial reports as submitted by the Deputy Director was made by Eric Stuteville, seconded by Megan Vance Ochs. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	Curtis Hayes - aye
Jeromey Clayton - aye	Ervin Randle – aye	

Motion passed unanimously.

The **Presentation on Budget for Fiscal Year 2022** for the month of June 2021 were presented by the Executive Director. A motion to approve Fiscal Year 2022 Budget as submitted by the Executive Director was made by Eric Stuteville, seconded by Megan Vance Ochs. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	Curtis Hayes - aye
Jeromey Clayton - aye	Ervin Randle – aye	

Executive Director’s Report:

Brad Bailey presented the Consumer Complaint report. There were six written complaints since the last meeting.

The Director informed the Board with a brief update on the progress of the Thentia license processing system. Lastly, the Executive Director provided an update on the progress of license renewals and other Commission business.

Initial License Applications:

The following License Applications were presented for consideration and action:

MANUFACTURER/DISTRIBUTOR:

- a. Segway Powersports, Ltd. - McKinney, TX
Application for Distributor of Segway Off-Road Vehicles
Director recommended approval
- b. TM Industries, Inc.. – Parkston, SD
Application for Manufacturer of Trail Manor RV Towables
Director recommended approval
- c. W.S. Darley & Co. – Itasca, FL
Application for Manufacturer of Darley Fire Trucks
Director recommended approval

DEALERS

- c. Acton Motorsports LLC - Tulsa, OK
Application for adding Beta USA Powersports
Director recommended approval pending receipt of Dealer Agreement
- d. Altus Motorsports – Altus, OK
Application for adding Cub Cadet Powersports
Director recommended approval
- e. B&C Services – Oklahoma City, OK
Application for adding Trailmaster Powersports
Director recommended approval
- f. Blackbeard Marine and Powersports @ Dick Lane’s - Afton, OK
Purchase of existing Dealer Dick Lane’s of Grand Lake
Director recommended approval pending receipt of all Dealer Agreements
- g. Charley’s Golf Cars - Shawnee, OK
Application for new Dealer for Advanced EV LSVs
Director recommended approval pending receipt of Dealer Agreement

- h. Floyd's RVs - Norman, OK
Application for adding Nautica, Armada, Aria, Palazzo, Tuscany, & Venetian Class A Motor Homes. Alliance Jayco, KZ RV, Black Series RV Towables & Chateau Calss C Motor Homes
Director recommended approval
- j. Fun Town RV WIN, LLC – Thackerville, OK
Application for adding KZ RV Towables
Director recommended approval
- k. Shawnee Honda Motorsports - Shawnee, OK
Application for adding Kayo Powersports
Director recommended approval pending receipt of Dealer Agreement
- l. Synergy Motorworks - Tulsa OK
Application for adding Freedom Scooter
Director recommended approval
- m. Tulsa Powersports & Outdoors – Sapulpa, OK
Purchase of existing Dealer Cycle World Powersports
Director recommended approval pending receipt of all Dealer Agreements
- n. Tulsa RV – Catoosa, OK
Application for adding DRV & Trail Manor RV Towables, Wraith Class C Motor Homes
Director recommended approval
- o. Wades RV Supercenter of OKC, LLC – Goldsby, OK
Application for adding Crosstrail Class C Motor Homes
Director recommended approval

Motion was made by Jim Norton, seconded by Fred Harlan to approve all applications as submitted and recommended by the Director. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jim Norton - aye	Fred Harlan - aye
Megan Vance Ochs - aye	Carol Carver – aye	Curtis Hayes - aye
Jeromey Clayton - aye	Ervin Randle – aye	

Motion passed unanimously.

Election of OMVC Officers for FY22:

The Chair opened the discussion of the election of Officers for Fiscal Year 2022. Sandra Balzer advised the Members that there is a concern that Carol Carver has not yet been reappointed and is currently holding over in her current position as Vice Chair. Megan Vance Ochs informed the Commission that she has moved from Logan County into Oklahoma County and this would

change her situation regarding reappointment when her current term expires. After discussion Jim Norton made a motion that Carol Carver be nominated for Chair, that Ervin Randle be nominated for Vice Chair and Eric Stuteville be nominated for Secretary, No other nominations being heard, the motion was seconded by Megan Vance Ochs. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye
Megan Vance Ochs - aye
Jeromey Clayton – aye

Jim Norton - aye
Carol Carver – aye

Fred Harlan - aye
Curtis Hayes – aye

Motion passed unanimously.

The Chair asked if there was any **New Business**. There being no New Business, the meeting was adjourned.

Approved by: _____ Date: _____