

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
February 21, 2023

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Randy Coffman at 10:00 a.m., at the OLERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Darla Ringo called the roll. Attending were: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains.
3. The Minutes of the Regular Meeting of the OAB, conducted on January 17, 2023, were reviewed. A motion was made by Mr. Lower to approve the minutes as presented. The motion was seconded by Mr. Kent. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
4. **Chairperson's Report-Randy Coffman:** Mr. Coffman reported that he attended the OLTA Owners & Manager's meeting. It was a good meeting. One of the things discussed at the meeting was legislation, in particular a bill to be sponsored by Senator Howard for OLTA and it's most of the things talked about a few months ago with changes to Title 1. We'll be following that bill as it makes its way through the legislative process.
5. **Administrator's Report (Board Report):** Ms. Smith reported that she also went to the Owner's & Managers Meeting. There was a lot of representation from the legislature both at the meeting and during the legislative reception. In addition to there being a good turnout from the capitol, there were a lot of new faces.

Last week, she went to Representative Kendrix to discuss the agency's sunset date. There are bills on both sides and one has the new date set for 2026 and the other has a date of 2025 so it's just whichever bill passes. It's typical that they wait until the year you're set to expire before submitting legislation to adjust it.

Another form has been discovered to need adjustment. Form number 10 on the website, the Complaint form has been reviewed and the following changes are needed. The title is recommended to change to Public Complaint Against an Abstract Company instead of just showing Complaint Against an Abstract Company as it does now because that's how it is referred to. The other change is to the last paragraph referring to the public's ability to request a Formal Complaint. According to our statutes, a Formal Complaint can only be instigated by the Enforcement Committee.

Mr. Lower stated that he felt the changes were necessary to keep the form from being confusing. Mr. Coffman agreed and reiterated that there is no allowance in Title 1 for an individual to request a Formal Complaint.

After review and discussion, a motion was made by Ms. Ringo to approve the suggested changes as presented. Second by Ms. Yates. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

6. **Committee Reports.**

a.) **Budget and Finance – Jeff Mapes:** Mr. Mapes gave an update on the budget reporting that the annual budget is \$298,063.00 with encumbrances of \$51,972.29, which gives us a total Year-To-Date Encumbrances and Expenses of \$173,805.76 and a variance of \$124,257.24. The revenue for the month of January was \$37,555.00 and expenses were \$22,613.58 which leaves us with an ending cash balance of \$918,287.70.

After review and discussion, a motion was made by Mr. Mapes to approve the report as presented. Second by Mr. Lower. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman stated that the rules previously proposed have been moving through the process and the comment period was opened and has now concluded. He opened the floor for discussion and public comment. There was no comment from the public and none from the board.

Section 5-2-1-2 Definitions After review and discussion, an unnecessary motion was made by Ms. Ringo to approve the changes to 5-2-1-2. Second by Mr. Mapes. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Section 5-2-1-2 Definitions After review and discussion, a motion was made by Mr. Lower to adopt the changes to 5-2-1-2. Second by Mr. Mapes. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Section 5-11-7-1 Application for permit to develop an abstract plant. After review and discussion, a motion was made by Mr. Kent to adopt the changes to 5-11-7-1. Second by Ms. Ringo. Motion carried.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

c.) **Licensing and Testing-Rex Koller:** Mr. Koller reported that there have been nine people who took the test since the last board meeting and nine people passed. The next testing date is March 16th at the testing center.

d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been no inspections since the last Board Meeting.

e.) **Enforcement Committee Reports-Scott Ward:**

Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses or renewals, which are set out in the attachments hereto. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve all the licenses presented, subject to administrative review and to make sure all compliance issues were met, and appropriate fees paid. Second by Ms. Loggains. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Mapes abstained from voting on those licenses pertaining to his business interests.

Renewal of Certificate of Authority (With NO Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet by American Eagle Title Insurance Company (Oklahoma), Great Plains Investments, LLC dba Bailey's Abstract & Title (Kiowa), Beckham County Abstract Co., Inc., Cheyenne Abstract Company, Inc. (Roger Mills), Clinton Abstract Company (Custer), Cochran Abstract Company (Grady), Creek County Abstract Company, Inc., First Republic Title Co. dba Ellis County Abstract Co., Grand River Abstract & Title Co. (Delaware), Guaranty Abstract Company of McClain Co., Inc., Jamaican Eagle Data, Limited (Logan), MG Cox Abstract (Garvin), Muskogee Abstract and Title Company (Muskogee), Sayre Abstract Company (Beckham), SCA Title, LLC (Sequoyah), Powers Abstract Company, Inc. (Noble), Smith Brothers Abstract & Title Co., LLC (Beaver), Smith Brothers Abstract & Title Co., LLC – 0079 (Cherokee), Smith Brothers Abstract & Title Co., LLC – 0085 (Cherokee), Smith Brothers Abstract & Title Co., LLC (Creek), Osage County Abstract Company dba Smith Brothers Abstract & Title Co., LLC, Pawhuska County Abstract Company dba Smith Brothers Abstract & Title Co., LLC, Rogers County Title & Abstract, LLC dba Smith Brothers Abstract & Title Co., LLC, Oklahoma Abstract Company of Lawton, Inc., dba Sovereign Abstract & Title of Comanche County, Southwest Abstract & Title, LLC (Comanche), The Valley Abstract Company, Inc. (Garvin), Tishomingo Abstract Company, LLC (Johnston), and Washita Valley Abstract & Title Co (Grady). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Ms. Ringo. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Koller and Ms. Ringo abstained from voting on those licenses pertaining to their company's business interests.

Renewal of Certificate of Authority (With Fee Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet by Cotton County Abstract Company, Duncan Abstract Co. (Stephens), Lincoln Abstract & Guaranty, LLC dba Smith Brothers Abstract, LLC (Lincoln), Stephens County Abstract Co., and Woods County Abstract Corporation.

A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Lower. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Mapes abstained from voting on those licenses pertaining to his business interests.

Rate Changes Only: Presented to the Board for approval were amended rate sheets by SCA Title, LLC dba Leflore County Abstract & Title. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the amended rate sheet. Second by Ms. Yates. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Atoka Abstract Company, Inc. to Atoka Abstract LLC (Atoka). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Mr. Mapes. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Application for Transfer of Ownership: Presented to the Board for approval was an application for a Transfer of Ownership by Cordell Abstract, LLC to Smith Brothers Abstract & Title Co., LLC (Washita). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Ms. Yates. Motion passed.

Yeas: Darin Kent, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Scott Ward, and Sue Ann Loggains. Nos: None.

Abstention: Mr. Koller and Ms. Ringo abstained from voting on this application as it pertains to their company's business interests.

Complaints OAB-2022-W141: Ms. Smith reported that this is the complaint that instigated the form change. The Board heard this complaint at the last board meeting and agreed with the recommendation from the Enforcement Committee, but the Complainant was not happy with the outcome and requested a formal complaint based on that last paragraph on the instructions. Because the instructions allowed for the request, the Enforcement Committee re-reviewed it and believe there is not a need for a formal complaint to be filed. The recommendation of the Enforcement Committee is that there is not a formal complaint that needs to be filed. A motion was made by Mr. Ward on behalf of the Enforcement Committee to deny the filing of a formal complaint. Second by Ms. Yates. Motion passed.

Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

7. **New Business:** Mr. Coffman asked for new business. There was none.
8. **Report Legal Counsel-Whitney Herzog-Scimeca:** Ms. Scimeca stated that she had been working with the Enforcement Committee and on the case that has been filed in

Carter County – CV-2022-159. The Board has filed a Motion to Transfer for Non-convenience which is scheduled to be reviewed on March 24, 2023 at 2:00 PM.

9. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. There were none.
10. **Announcement of next meeting:** Tuesday, March 21, 2023, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. Kent. Second by Mr. Ward. Motion passed.
Yeas: Darin Kent, Darla Ringo, Jeff Lower, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.