

**OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
May 17, 2022**

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. J. Thomas called the roll. Attending were: Darla Ringo, J. Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward.
3. The Minutes of the Regular Meeting of the OAB, conducted on April 19, 2022, were reviewed. A motion was made by Mr. Lower to approve the minutes as presented. The motion was seconded by Ms. Ringo. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
4. **Chairperson's Report-Randy Coffman:** Mr. Coffman reported that he had nothing to report.
5. **Administrator's Report (Board Report):** Ms. Smith stated that she would be going to Durant to do testing later in the week and would be on vacation the following week.
6. **Committee Reports.**
 - a.) **Budget and Finance – Jeff Mapes:** Mr. Mapes gave an update on the budget reporting that the annual budget is \$280,955.00 with encumbrances of \$30,194.44, which gives us a total Year-To-Date Encumbrances and Expenses of \$216,215.95 and a variance of \$64,739.05. The revenue for the month of April was \$0.00 and expenses were \$19,061.87 which leaves us with an ending cash balance of \$870,157.08. After review and discussion, a motion was made by Mr. Mapes to approve the report as presented. Second by Mr. McDowell. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Proposed FY2023 Budget: Mr. Mapes called attention to the proposed budget in the Board Member's packet. The only increases were the incremental increases as required by the state. After review and discussion, a motion was made by Mr. Mapes to approve the budget as presented. Second by Mr. Thomas.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
 - b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman asked for an update from Ms. Smith who stated that Rules are waiting for legislative action.

- c.) **Licensing and Testing-Ken McDowell:** Mr. McDowell reported that there had been 24 people take the test and all but one passed. He also pointed out that one of the students, an employee of Ms. Ringo made a perfect score. A perfect score has only been achieved two other times in the history of the exam. The next testing date is May 19th.
- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been ten inspections since the last board meeting, but one was tabled from the last meeting while awaiting question responses from the company. Nine companies had no findings and two had issues with orders that were late and the recommendation from the Enforcement Committee is included in the packet. She asked for a motion to approve the inspection reports as presented and authorize the action recommended by the Enforcement Committee. A motion was made by Mr. McDowell. Second by Ms. Yates. Motion passed.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
- 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. Ringo. Motion passed.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

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 AAA Abstract (Adair), Dewey County Abstract Company, Southern Abstract and Title Company (McCurtain), Sulphur Abstract and Title Co. LLC (Murray), and Custer County Abstract Co. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Mapes. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Certificate of Authority (With Fee Changes): Presented to the Board for approval was an application for renewal of Certificate of Authority with their rate sheet by Guaranty Abstract Company (Jefferson). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Fee Changes Only: Presented to the Board for approval were amended rate sheets by Adams Abstract Company (Leflore), Adams Title Advantage (Latimer), and Guaranty Abstract and Title of Stigler, LLC (Haskell). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve fee changes. Second by Mr. Thomas. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

NEW Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a New Permit to Build an Abstract Plant by Mod Marshall, LLC (Carter). After discussion and comments from Ms. Smith stating that notifications had been made and no comments were heard during the comment period, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Mr. McDowell. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

NEW Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a New Permit to Build an Abstract Plant Sovereign Abstract and Title of McIntosh County. Ms. Smith stating that notifications had been made and no comments were heard during the comment period but that a bond had not been received so she asked that the motion be amended to wait for receipt of the bond. After discussion and comments, a motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application pending receipt of the bond. Second by Mr. McDowell. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Permit to Build an Abstract Plant: Presented to the Board for approval was an application for the Renewal of a Permit to Build an Abstract Plant by Oklahoma Digital Abstract LLC dba Delaware County Abstract. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. Second by Ms. Mapes. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Renewal of Permit to Build an Abstract Plant: Presented to the Board for approval was an application for the Renewal of a Permit to Build an Abstract Plant by Reliable Abstract and Title of McCurtain County. There was discussion about the progress made, which Ms. Smith stated that on the current renewal, the only thing in the progress report was that they'd had a staff change and the year was spent restructuring the company. The year before that, they stated that they were on a waitlist with their vendor. The year before that, they only submitted that they had identified a vendor. No notations of instruments copied or indexed was noted. Mr. Mapes pointed out that if the Board decided to not renew the Permit, the company could attend the following Board Meeting and present their case for being renewed.

Ms. Yates asked whether or not a disapproval would prevent them from reapplying in the future and Ms. Smith said that it would not. Ms. Scimeca read the statutes related to a non-renewal of an application. Because of a marked lack of progress since receiving the permit, a motion was made by Mr. Ward to not approve the application for renewal. Second by Ms. Yates. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Complaints OAB-2022-W130: Ms. Smith reported that complaint was regarding the unnecessary delay of an abstract. During the course of the investigation, it was discovered that the Respondent completed the abstract within the established guidelines. The Enforcement Committee finds that there was no violation and recommends terminating the investigation and closure of the complaint. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the recommended action. Second by Mr. Mapes. Motion passed.

Yeas: Darla Ringo, J. Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

Complaints OAB-2022-W131: Ms. Smith reported that complaint was regarding the unnecessary delay of an abstract. During the course of the investigation, it was discovered that the Respondent completed the abstract within the established guidelines. The Enforcement Committee finds that there was no violation and recommends terminating the investigation and closure of the complaint. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the recommended action. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, J. Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller, and Scott Ward. Nos: None.

7. **New Business:** Mr. Coffman asked for new business. There was none.
8. **Report Legal Counsel-Whitney Scimeca:** Ms. Scimeca reported that she had been working with the Enforcement Committee.
9. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. There were none.
10. **Announcement of next meeting:** Tuesday, June 21, 2022, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma. Mr. Coffman recused the members of the Enforcement Committee from attending the Administrative Hearing portion of the Board Meeting.
11. **Administrative Hearing:** Agenda item was taken out of order and addressed at the beginning of the meeting so that Mr. Ashbaker could be excused. Because of an exposure and positive test for COVID the by the Respondent's attorney, the Administrative Hearing was proposed to be postponed until the June Meeting. Mr. Coffman asked for a

motion to continue the hearing to the next Board Meeting on June 21, 2022. Ms. Ringo made that motion. Second by Mr. Thomas. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

12. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. Ward. Second by Mr. Koller. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Jeff Mapes, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.