

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
November 16, 2021

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, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward.
3. The Minutes of the Regular Meeting of the OAB, conducted on October 19, 2021, were reviewed. A motion was made by Mr. McDowell to approve the minutes as presented. The motion was seconded by Ms. Ringo. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, 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 no report.
5. **Administrator's Report (Board Report):** Ms. Smith reported that there had been another pushback on online licensing due to a Project Manager change which is now in place and they are waiting to find out a new go live date
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 \$57,663.74, which gives us a total Year-To-Date Encumbrances and Expenses of \$111,506.32 and a variance of \$119,358.68. The revenue for the month of October was \$18,140.76 and expenses were \$17,889.16 which leaves us with an ending cash balance of \$792,539.49. Ms. Smith also reported that several outstanding purchase orders had been reviewed and closed to release encumbrances that were no longer needed. After review and discussion, a motion was made by Mr. Ward to approve the report as presented. Second by Mr. Thomas. Motion carried.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.
 - b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman said that the committee was discussing a change to permits and asked for the Committee to meet after the Board Meeting.
 - c.) **Licensing and Testing-Ken McDowell:** Mr. McDowell reported that there had been 29 people had taken the test and 26 passed.

d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been inspections since the last board meeting, but they occurred after the Enforcement Agenda had been set and would be heard at the December 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. Ringo. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, 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 American Abstract Company of McClain County, Bailey Hans, LLC dba Guarantee Abstract Company (Garfield), Bailey Hans, LLC dba Garfield County Abstract Company, Bailey Hans, LLC dba Humphrey Abstract Company (Garfield), Bryan County Abstract Company, Bryan County Research, Buffalo Abstract Company (Johnston), Jackson County Abstract, Jelsma Abstract Company dba Logan County Abstract Company, Oklahoma City Abstract & Title Co. (Oklahoma), Old Republic Title Company of Oklahoma (Oklahoma), Old Republic Title Company of Oklahoma (Cleveland), Old Republic Title Company of Oklahoma (Canadian), Photo Abstract Company (Ottawa), PHS Title, LLC dba Smith Brothers Abstract LLC (Pottawatomie), Security Abstract Company (Kay), and Sovereign Abstract & Title of Okfuskee County dba Okfuskee County Abstract Company. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the applications. Second by Mr. Thomas. Motion passed.

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

Abstention: Ms. Yates abstained from voting on those applications pertaining to her 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 Fairview Abstract Company (Major), Guaranty Abstract Partners, LLC dba Smith Brothers Abstract, LLC (Tulsa), and Okmulgee Land Title Company (Okmulgee). 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, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

Abstention: Mr. Koller abstained from voting on those applications pertaining to her business interests.

Application for New Certificate of Authority: Presented to the Board for approval was an application for a New Certificate of Authority by SCA Title, LLC dba Haskell County Abstract & Title. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the rate changes. Second by Ms. Yates. Motion passed.

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

Ms. Smith then read the Director's Report into the record: Comes now Katherine Smith, State Administrator of Abstracting of the Oklahoma Abstractors Board, and states:

The application for certificate of authority has been received in proper form and reviewed.

Proper notification was made by posting on the OAB website, notifying the Court Clerk and County Clerk of Haskell County, as well as all Certificate of Authority and Permit holders in Haskell County.

There were no comments from any source received.

Payment of the applicable fees have been made in the correct amount of \$800.00. E&O Insurance in the sum of \$1,000,000.00 and a County records bond of \$15,000.00 have been posted.

Inspections have been performed by the Inspectors on behalf of the OAB and all have found an adequate abstract plant available for use.

The name of the company is not deceptively similar to other certificate of authority or permit holders, and the company has an actual physical presence in the county of Haskell.

According to the foregoing, the application for a Certificate of Authority is in compliance with Title 1 of the Oklahoma Statutes and 5:11-9-1 of the Permanent Rules of the OAB.

As the State Administrator of Abstracting of the Oklahoma Abstractor's Board, I hereby recommend that the Application for Certificate of Authority submitted by SCA Title, LLC dba Haskell County Abstract & Title be approved. Dated November 16, 2021.

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Marietta Abstract Company to Marietta Abstract Company, Inc. A motion was made by Mr. Ward on behalf of the Enforcement

Committee to approve the Transfer of Ownership. Second by Ms. Yates. Motion passed.

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

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Love County Abstract Company to Love County Abstract Company, Inc. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the Transfer of Ownership. Second by Mr. Thomas. Motion passed.

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

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Cleveland County Abstract & Title Company, LLC to Chicago Title Oklahoma Co. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the Transfer of Ownership. Second by Mr. Mapes. Motion passed.

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

Transfer of Ownership: Presented to the Board for approval was an application for the Transfer of ownership of Southwest Abstract & Title Company, LLC to Southwest Abstract & Title, LLC. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the Transfer of Ownership. Second by Mr. McDowell. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, 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 Mod Marshall, LLC (Marshall). 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, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

7. **Policy Update:** Ms. Smith reported that after the last Board Meeting, the proposed policy had been changed to read as follows: “For individuals wishing to place items on the agenda for Board Discussion, the agenda item and information supporting the need for the agenda item must be submitted to the OAB Director at least ten (10) days prior to the Board Meeting. The inclusion of an agenda item will be at the discretion of the Executive Committee (Chairperson, Vice-Chairperson, and Secretary). A sign-up sheet will be posted at least fifteen (15) minutes prior to the scheduled start time of the board

meeting. Only individuals who have signed up to speak will be recognized related to the agenda item and will be recognized in the order in which they have signed. Each speaker will be allowed fifteen (15) minutes to address the Board. Any item added to the agenda will be primarily for discussion purposes and it will be at the discretion of the Board whether action is taken.

In addition, public comments made during the allowed public comment agenda item will be limited to only those subject matters listed in the current meeting agenda with the exception of representatives of the Oklahoma Land Title Association to share event information. Each speaker will be allocated three (3) minutes for presentation and must also sign up to speak on the Speaker Sign-up Sheet. The Board Chairperson may interrupt and/or terminate any presentation during public comment, which does not conform to the procedures outlined under this Section.”

Mr. Koller asked about the second paragraph and whether that would preclude individuals in the audience from making comments on anything that’s not on the agenda. Ms. Ringo added a question about whether someone could ask questions about anything that is not on the agenda.

Ms. Smith said that questions could be asked during the allowed 3 minutes of Public Comment, but the Board would not be able to respond and discuss the question because the Open Meetings Act doesn’t allow for a Board to have discussions about items not on the agenda that the public has been made aware of in advance.

A motion was made by Mr. McDowell to adopt the proposed policy. Second by Mr. Ward. Motion passed.

Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, and Scott Ward. Nos: Rex Koller.

8. **New Business:** Mr. Coffman asked for new business. There was none.
9. **Report Legal Counsel-Whitney Herzog Scimeca:** Ms. Scimeca introduced herself and said that she had been working with the Enforcement and Rules Committee.
10. **Visitor’s Comments:** Mr. Coffman asked for any visitor comments. Mr. Wes Johnston, attorney for Arbuckle Title & Closing stated that there is an issue in Carter County and that there had been hundreds of complaints filed against the company. He stated that they had not received a report and that as far as Arbuckle could tell there had been no action occurring with regard to those complaints. He also stated that because of the new policy, the staff apparently doesn’t want to give a response to the complaints. He asked that something be put on the agenda for discussion and disclosure of the progress.

Ms. Smith explained the process to Mr. Johnston.

11. **Announcement of next meeting:** Tuesday, December 21, 2021, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.

12. **Adjournment:** Mr. Coffman asked for a motion to adjourn the meeting. Motion was made by Mr. McDowell. Second by Mr. Koller. Motion passed.
Yeas: Darla Ringo, J Thomas, Jeff Lower, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.