

**OKLAHOMA ABSTRACTORS BOARD**  
**MINUTES OF REGULAR MEETING**  
**October 19, 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 13<sup>th</sup> Street, Suite 100, Oklahoma City, Oklahoma.
2. Scott Ward 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 September 21, 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. She was also required to create a budget presentation for the legislature which had been completed and submitted. She also notified the Board that she would be on vacation, but because there was a new COA application in process, if the applicant completed everything required, she would be giving up vacation dates in order to go on-site to review their documentation, if needed.
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 \$76,874.23 which gives us a total Year-To-Date Encumbrances and Expenses of \$110,803.48 and a variance of \$170,151.52. The revenue for the month of September was \$10,190.00 and expenses were \$22,541.63 which leaves us with an ending cash balance of \$792,287.89. 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. Mapes to approve the report as presented. Second by Mr. Ward. 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 there was no report from the Committee but asked for the Committee to meet after the Board Meeting.

- c.) **Licensing and Testing-Ken McDowell:** Mr. McDowell reported that there had been no testing but that the OLTA Abstractor School would have a test the following day, the 20<sup>th</sup> of October.

Ms. Smith reported that the Licensing and Testing Committee had gone through the existing tests to see if there needed to be updates. There were a few, which had been completed and the new tests would be given at the school.

- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been nine inspections since the last board meeting. Five of the nine had no issues. Two companies had some issues with delayed orders and there were a couple that had indexing errors. In addition, one company was charging rates not on their approved rate sheet. The recommendations from the Enforcement Committee are noted in the packet. Ms. Smith asked for a motion to approve the inspection reports as presented and acceptance of the recommendations from the Enforcement Committee. A motion was made by Ms. Ringo to approve the inspection reports as presented and accept the recommendations of the Enforcement Committee. Second by Mr. Mapes. Motion carried.

Yeas: Darla Ringo, J Thomas, Jeff Lower, 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 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: Mr. McDowell abstained from voting on those licenses pertaining to his employer's 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 Grand County Abstract Company. 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, Ken McDowell, Lisa Yates, Randy Coffman, Rex Koller and Scott Ward. Nos: None.

**Rate Changes Only:** Presented to the Board for approval were amended rate sheets with changes to the fees by Clinton Abstract Company (Custer) and Custer County Abstract. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the rate changes. 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 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 American Eagle Title and Abstract, LLC (Okmulgee). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. 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.

**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 Smith Brothers Abstract & Title (Logan). A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the application. 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: Rex Koller abstained from voting as the application pertained to his employer's business interests.

**Complaints OAB-2021-W100 through OAB-2021-W118:** Ms. Smith outlined the complaints against Stewart Title in Carter County. Because there were so many against a single Respondent, they were all viewed at the same time by the Enforcement Committee. In the spring of 2021, Stewart was faced with a large-scale loss of employees transitioning out of the company followed by an outbreak of COVID-19. Mr. Ward reviewed how the Committee viewed the complaints. One of the complaints had multiple addresses attached and was weighed more heavily than the others. In addition, there were a few instances where a property was complained about more than once, and those duplications were also discounted from the overall numbers. Ms. Yates had questions related to who the complainants were, what the complaints were related to, and how the committee reviews complaints. Mr. Ward also pointed out that there were conference calls between the Committee and the Respondent and had also required the Respondent to provide status updates, which they had done. A motion was made by Mr. Ward on behalf of the Enforcement Committee to approve the recommended actions. 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.

7. **Policy Update:** Ms. Smith reported that after the last Board Meeting, Marie had suggested the adoption of a policy surrounding public comments. The verbiage she suggests that is also used by another Board she serves is: "Public comments will be limited to only those subject matters listed in the current meeting agenda. 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 during the Public Comment period and will be recognized in the order in which they have signed. Each speaker will be allocated three (3) minutes for presentation. The Board Chairperson may interrupt and/or terminate any presentation during public comment, which does not conform to the procedures outlined under this Section."

A motion was made by Mr. McDowell to adopt the policy. Second by Mr. Thomas.

Mr. Coffman asked for discussion. Ms. Yates stated that she felt that three minutes was not enough time for comments to be heard. She also stated that she was sure there needed to be some procedure related to comments but that it seemed that there needed to be an avenue to make comments on items that were not on the agenda. Mr. Ward agreed that there needed to be some method for putting items on the agenda that otherwise would not be included.

It was asked if there was a current policy for adding items to the agenda to which Ms. Smith stated that it had never come up during her tenure. She pointed out that the item that was brought up in the previous board meeting essentially blindsided the board on an issue that was already being handled by a committee. She stated that she could work on revising the policy to allow for an avenue for agenda items to be presented ahead of time to be included in the Board Meeting packet, which goes out a week ahead of time, to ensure that they're not blindsided by issues. When items are included on the agenda the timeframe could be expanded to be ten or fifteen minutes.

Ms. Yates also stated that she felt that the only reason she had been blindsided was because she had not been privy to items being discussed by a committee and that all board members should know what the committee, particularly the Enforcement Committee is working on. Ms. Smith relayed the complaint review process. Ms. Yates still didn't like that she wasn't seeing complaint information. Mr. Ward reinforced that thought saying that he didn't understand why things couldn't be shared with the whole board even if they weren't on a committee and wanted to know if there were rules prohibiting that type of thing.

Ms. Scimeca stated that there are concerns with communicating something to the entire board that are not open to the public because doing so could create a "meeting" that is in violation of the Open Meetings Act.

Ms. Yates says that there are lots of other commissions and boards that have investigative reports that show what investigations are ongoing. Ms. Smith stated that she could copy and paste the complaint log into the Board packet.

Mr. McDowell withdrew his application to adopt the policy. Second was withdrawn by Mr. Thomas.

A motion was made by Ms. Ringo table the issue for a revision to the recommended policy. 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.

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 Committee.
10. **Visitor's Comments:** Mr. Coffman asked for any visitor comments. Mr. Pollard asked about making comments regarding items on the agenda. Ms. Scimeca cautioned answering questions during visitor comments. She also stated that it is not the normal practice for comments to be allowed on general agenda items. The only agenda items where comments are generally received are related to complaints and comments from the Respondent and Complainants, if present.
11. **Announcement of next meeting:** Tuesday, November 16, 2021, at 10:00 a.m., 421 NW 13<sup>th</sup> 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. Ward. 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.