

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
September 15, 2026

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Rex Koller 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: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Late Arrival: Mr. Lower arrived during Committee Reports just before the Enforcement Committee report.
3. The Minutes of the Regular Meeting of the OAB, conducted on August 18, 2026, were reviewed and Mr. Koller pointed out a typo that needed to be corrected. A motion was made by Mr. Cantrell to approve the minutes with the requested corrections. The motion was seconded by Mr. Mapes. Motion carried.
Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Mapes, Jim Cichon, Michael Cantrell, and Rex Koller. Nos: None.
Abstention: Taylor Arndt because she was not present for the meeting.
4. **Chairperson's Report – Rex Koller:** Mr. Koller reported that the OLTA Regional Meetings were starting that day. They will take place on September 15th in Weatherford and September 16th in Oklahoma City. Then the following week, they'll take place on September 22nd in Tulsa and September 23rd in Krebs. He would be the meeting in Tulsa. Ms. Ringo and Mr. Mapes would be at the one in Weatherford. Mr. Cichon would be attending the meeting in Krebs and Mr. Waldroup would be at the one in Oklahoma City. He thanked the Board Members for being willing to attend and give an update on behalf of the OAB.
5. **Administrator's Report (Board Report):** Ms. Smith reported that the office has been quiet. She reported that Ms. Collins was about to wrap up her cycle of inspections and would begin again in the spring.
6. **Committee Reports.**
 - a.) **Budget and Finance–Jeff Mapes:** Mr. Mapes gave an update on the budget for the previous month. The annual budget is \$327,034.00 with encumbrances of \$91,740.69. Revenue for the month of April was \$16,610.00 and expenses were \$24,508.71, which gives a total encumbrances and expenses of \$135,625.47 and an annual variance of \$191,408.33. Our ending cash balance is \$1,040,227.48. After review and discussion, Mr. Mapes made a motion on behalf of the Finance Committee to approve the report as presented. Second by Mr. Waldroup. Motion carried.
Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Mapes, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

- b.) **Rules and Regulations – Rex Koller:** Mr. Koller reported that the committee is waiting for feedback from the OLTA Regional Meetings before they move forward with beginning to develop a standardized form for the reporting of progress by permit holders.
- c.) **Licensing and Testing – Darla Ringo:** Ms. Ringo reported that since the last board meeting there had been no testing. The next testing date is September 17th at 10:00 am in the OAB offices.

She also reported that the committee would be reviewing all of the tests to ensure the questions and answers are up-to-date.

Ms. Smith reported that the board had approved an addition to the licensing platform which would enable us to set up automatic reminders for individual license renewal. Ayla has been working with the development team and it's now in the testing phase.

- d.) **Inspections – Lisa Collins:** Ms. Collins reported that there had been no inspections completed since the last Board Meeting. However, there were three consent orders in the packet for review. The first was for Harmon County Abstract, LLC. The company agreed to a penalty of \$1,000 for a missing probate that could not be found during their inspection and another that was mis-indexed.
- She asked for a motion to accept the consent order, authorize the Chairperson to sign off, and close the matter.
- A motion was made by Ms. Ringo. Second by Ms. Arndt. Motion carried.
- Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

The second was for PHS Title, LLC dba Smith Brothers Abstract & Title Co., LLC (Hughes). The company agreed to a penalty of \$500 for a missing probate that could not be found during their inspection.

She asked for a motion to accept the consent order, authorize the Chairperson to sign off, and close the matter.

A motion was made by Ms. Arndt. Second by Mr. Cichon. Motion carried.

Yeas: Beryl Sears, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, and Taylor Arndt. Nos: None.

Abstentions: Darla Ringo and Rex Koller abstained from voting on this consent order as it relates to their employer's business holdings.

The third was for New Century Abstract, LLC (McCurtain). The company agreed to a penalty of \$1,000 for a missing index items and two orders that were completed outside of guidelines.

She asked for a motion to accept the consent order, authorize the Chairperson to sign off, and close the matter.

A motion was made by Mr. Cichon. Second by Ms. Ringo. Motion carried.

Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

e.) **Enforcement Committee Reports-Jeff Lower:**

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. Lower 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. Cichon. Motion passed.

Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, and Rex Koller. Nos: None.

Abstentions: Darla Ringo and Rex Koller abstained from voting on those licenses pertaining to their employer's business holdings.

Renewal of Certificate of Authority (With No Rate Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet with no fee changes by University Land Title Services, Inc. (Payne), SCA Title, LLC dba Haskel County Abstract, and Delaware County Title, LLC dba Smith Brothers Abstract (Delaware). A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the applications. Second by Ms. Ringo. Motion passed.

Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Jim Cichon, Michael Cantrell, and Rex Koller. Nos: None.

Abstentions: Darla Ringo and Rex Koller abstained from voting on those licenses pertaining to their employer's business holdings.

Complaint OAB-2026-W160 – Ms. Collins reported that the complaint was regarding an unnecessary delay in the completion of an order. It was found that while there was a miscommunication regarding the order being put on hold, however, it was found that the order was completed on time. In addition, there was an additional grievance with regard to the company contacting the owner of the property because it was related to a foreclosure. The company responded that they would review their policies and adjust if needed.

Mr. Sears asked about the issue regarding why it would be an issue with contacting the owner. It was clarified that anyone can order an abstract without permission from the owner. The company contacted the owner, because they had the existing abstract and that would have meant they could charge less by doing an extension or supplemental rather than having to pay for a complete build. Since it was for a foreclosure, the attorney ordering the abstract didn't want the property owner alerted to the pending action.

Because there was further confusion, Ms. Smith explained that when a complaint is filed, even if there is no violation found, a complaint still has to be presented to the Board for review so they can either agree or disagree with the committee's recommendation and suggest a revision or officially close the matter.

A motion was made by Mr. Lower on behalf of the Enforcement Committee. Second by Ms. Ringo. Motion passed.

Yeas: Beryl Sears, Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Michael Cantrell, and Rex Koller. Nos: None.

Abstention: Jim Cichon abstained because the complaint was related to his employer's business holdings.

7. **Report of Legal Counsel – Whitney Herzog:** Ms. Herzog reported that there would be a review of the Rehearing Requested later in the meeting.
8. **New Business:** There was none.
9. **Visitor's Comments:** There were none.
10. **Announcement of next meeting:** The next regular meeting will be Tuesday, October 20, 2026, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Recusal of Board Members:** In preparation for the Request for Reconsideration or Rehearing, Mr. Koller excused the members of the previous Fiscal Year's Enforcement Committee – Jeff Lower, Darla Ringo, and Jeff Mapes.
12. **Request for Reconsideration or Rehearing:** AAA Abstract Co., Inc. – OAB-2026-INV01 - Formal Complaint
Mr. Koller recognized Representative Hardin who was in attendance for the request. He introduced himself as the Chairperson for the board and presiding officer. Help was requested from the Attorney General's office for support in this matter and he requested a motion to authorize Assistant Attorney General Joseph Ashbaker, the representative assigned by the Attorney General's office, to act as counsel for the Board and to make decisions on the Board's behalf. Motion was made by Ms. Arndt. Second by Mr. Sears. Motion passed.
Yeas: Beryl Sears, Jason Waldroup, Jim Cichon, Michael Cantrell, Rex Koller, and Taylor Arndt. Nos: None.

Mr. Ashbaker opened the session and asked counsel to introduce their selves for the record. Rex Earl Starr introduced himself and confirmed that he was appearing on behalf of the Respondent, AAA Abstract Co., Inc. Whitney Herzog introduced herself as the special prosecuting attorney on behalf of the Oklahoma Abstractors Board.

Mr. Ashbaker stated he has spoken with both counsel in the hall and encouraged them to correct him if anything he presented is incorrect. He then presented that the statute in question is 75 O.S. 317 which is the statute on rehearing, reopening, or reconsideration of agency decisions. Both counsels agreed to that being correct. He then confirmed that the request had to have been filed within 10 days of the order being received and it was confirmed it had been. He then asked Mr. Starr to confirm that the request had been made

with regard to 75 O.S. 317, items 3, 4, and 5. Mr. Starr confirmed that to be correct and confirmed that the allegations he is presenting would fall within those items.

Mr. Starr added that it was his understanding that his client is requesting to have a rehearing. Mr. Ashbaker responded that to be correct.

Mr. Ashbaker asked if there was anything in Mr. Starr's motion, or even not in his motion that needed to be reiterated or expounded upon. Mr. Starr called attention to items he felt were important with regard to due process and fairness in conducting a hearing like this. He acknowledged the authority of the board and the process. But to begin, he stated that the thrust of the objection that spurred the request for rehearing had to do with two primary pieces of evidence that were allowed to be let in at the last minute in the hearing. Objections were made to them during the hearing, but they were overruled and the exhibits were allowed to come in. There are some other comments in the request regarding the subjective nature of the rule that the board has about the page splitting and document splitting.

He began with a copy of a transcript that he had prepared from the meeting recording. He directed opposing counsel to page 9 of the transcript, but Ms. Herzog stated that she did not have a copy of the transcript. He then pointed out line 3 on that page that stated that the exhibits that have been planned out have been exchanged. Then he plans to talk about the authenticity and how they can be questioned under certain grounds. There is no problem whatsoever with say, the first fourteen exhibits that were offered. He stipulated to all of those and those were presented to the Board. Exhibit 15 was not presented. Exhibit 16 was offered and stipulated to. But Exhibits 17 and 18 are the two critical Exhibits. They were offered but were not included in the list he was originally provided. He objected to both of them during the hearing because they had not been disclosed. A break was called and Mr. Starr was only then allowed to review the documents. He stated that is problematic because he had no knowledge of them and that impeded his ability to defend against them. Secondly, the documents do not pertain to the Abstractors Board, but go back to the Office of the Auditor and Inspector twenty years ago before this board was established in 2008. Exhibit 17 was from July 6, 2006 but it's currently 2026. Exhibit 18 is dated June 9, 2004. So that's 22 years ago. He had no idea they existed. And Exhibit 18 wasn't from any agency or even the Auditor and Inspector's office like Exhibit 17 was, it's from a Title Company and it had nothing to do with anything related to the current matter. For the board to consider things that happened 20 and 22 years ago, he feels is improper. To him, once matters are taken care of, that's it. It shouldn't be anything that the board looks at again and uses for punishment. But the biggest issue is that they were not made aware that these exhibits were included. Because if they'd

known ahead of time, there would have been an objection made early on before they were presented as exhibits.

He objected once they were presented with the idea that the decisions that were made based on the testimony of the witnesses was subjective in nature. There was nothing objective in nature. This page splitting is not prohibited by a definite and definitive rule. The fee set-up has been approved by the Board previously. The bottom line is that everything presented was subjective. For instance, there are speed limit signs in miles per hour. They're not in knots, or kilometers. They are very objective in nature. But the decisions that were made here were all based upon being subjective. There are no rules on the margins other than the top margin. However, there are no definitive rules to say when there should be page splitting and when they're not. The documents should be readable, and legible.

With that being something that should be reconsidered by the board, especially when Ms. Collins said she had not used a page-based billing process. She had only had experience with time-based billing and those are two totally separate operations. Be that as it may, she did the inspection and wrote it up and made recommendations to the Enforcement Committee.

When we came in here, there had been one probate case that had been mis-indexed. We acknowledge that mistake. But the abstracts we talked about, it was certainly unfair how the matter was handled from that standpoint. Then we get back to Exhibit 17 and 18. All of you heard the objections that were made. All of you heard my comments with regard to the communication and comments that we'd had with Ms. Herzog, who was very cordial, but at the same time, to get a fair determination he feels the only way to resolve this is to have a new hearing on the matter. Then, whether those two exhibit would be allowable, but he doesn't think there's a way in the world. It's kind of like the old idea that if he threw a skunk in here but then those in the room were told to not smell that scent, it's wasted words. He believes that's the whole fallacy of the previous hearing. When those exhibits were allowed to be admitted, they can't be undone and he feels that was totally improper.

So based on those two exhibits and the subjective nature of the rules, and the other matters that were brought up at that time, he requests that a new hearing be allowed on some date in the future that is convenient for the board and everyone involved so the matter can be heard again. He also stated that the assessed fine was unreasonable in any determination that could be made. \$30,500, even if they did what they're being accused of, even if they did, it's totally out of line and unreasonable. Especially when compared

to other fines to other companies. He finally asked for a new hearing on the matter to allow it to proceed.

Mr. Ashbaker asked to clarify that there are three primary issues in Mr. Starr's request. 1. No notice or prior knowledge of the two documents, Exhibits 17 and 18. Mr. Starr confirmed that to be correct. 2. That the two documents are too remote in time to be considered. Mr. Starr confirmed that to be correct. Mr. Ashbaker asked if Mr. Starr had any citation regarding how far back the board can or can't go. Mr. Starr said he did not. 3. That page-splitting is allowed and whether or not it was a violation is too subjective. Mr. Starr confirmed that to be correct. Mr. Ashbaker also wanted to clarify that Mr. Starr felt the fine was too high and asked whether Mr. Starr felt the fine was within the statutory limits. Mr. Starr said it was within the statutory limits. Mr. Ashbaker asked if Mr. Starr had any statute or caselaw that would suggest that the fine was too high. Mr. Starr said he did not, but that we was only utilizing comparisons to what has been assessed to other company by the Board.

With regard to the Rehearing, Mr. Ashbaker pointed to 75 O.S. section 317 of the statutes and called attention to paragraph D. which is the citation used by Mr. Starr and wanted to point out that there may be a rehearing or that the matter could be referred to a Hearing Examiner and only pertaining to those three matters previously stated, and then asked if Mr. Starr agreed that was correct. Mr. Starr confirmed he did.

Mr. Ashbaker asked Mr. Starr whether anything he, Mr. Ashbaker, stated was not correct or that Mr. Starr would like to clarify. Mr. Starr said he felt everything Mr. Ashbaker had stated was accurate.

Mr. Ashbaker then asked Ms. Herzog for her comments. Ms. Herzog introduced herself to the new board members and restated that she was the Special Prosecutor acting on the board's behalf. She said she knows it is a little bit different because the new board members have not heard anything about the case and it was their first introduction to it. However, it is her understanding that the board was provided a copy of the rehearing request statute, the Request for Rehearing, the two exhibits that are at issue, and the Order.

She stated that this hearing that is being reviewed today started with a Formal Complaint that was filed in the case which was filed and mailed out on February 13, 2026. The hearing on that complaint was held before the board on April 21, 2026 and then a Final Order was issued on April 30, 2026.

She went on to correct a couple of inaccuracies that are listed in the Request for Reconsideration. In paragraph 2, it states that the hearing was conducted and heard by the Hearing Officer. However, there was no Hearing Officer, it was heard by the board and they had an advisor, Mr. Joseph Ashbaker, who did rule on certain things during the course of the hearing, but was not acting as a Hearing Officer.

Then the Order that was issued was not a Proposed Order, which is another inaccuracy. It was an actual Order issued by the board and signed by the Board Chair. The reason those things are important is because under the Administrative Procedures Act, if there was a Hearing Officer, there would have been a Proposed Order, but there was not one, so it was an actual Order because it was approved by the board.

The review that was done by the Deputy General Counsel is a review that is required by Executive Order 2023-13 for an anti-trust review. That is required because the board is filled with abstractors that review is required to ensure it's not an anti-trust issue. The review was done on May 27, 2026.

The next part of the request she reviewed is paragraph 3 where a transcript was requested. Under the Administrative Procedures Act, there is no requirement that there be an actual transcript that is done. It is required that a recording is done. After that, if any party wants a transcript, they can request a copy of that recording and they can have it transcribed. Whoever the party is requesting the transcript bears the cost of it. That does appear to be what happened here today, but neither she nor the board have received a copy of the transcript.

Regarding the exhibits and whether they were provided before the hearing or not, a Discovery Code for administrative hearings has not been adopted by this board. So the only thing that would apply is the discovery code contained in the Administrative Procedures Act is just subpoenas that can be issued to the board by the respondent for witnesses and documents and depositions. There were no subpoena received and no depositions in this case. There is not requirement in the Administrative Procedures Act for a witness and exhibit list be done and no exchange of a witness and exhibit list. There is also no scheduling order required to be done. None of those existed here. There was discussion about requests for anything that is part of the complaint so copies of the abstracts were provided and other information relied upon for the complaint were also provided.

There is a rule for the board that says "shall be provided with any material information that is relied upon by the board is provided." That is OAC 5: 21-5-2. However, that is what is being relied upon for the complaint. Also it states that the board shall consider

past disciplinary action taken against such past action. Conduct shall not be considered in guilt but shall be considered when determining appropriate sanctions to be imposed. That's also in the Administrative Rules for the Board in OAC 5:21-5-4, so the crux of that part is that the copies of the abstracts, which the Respondent has and were also provided, because that is the main issue at the hearing.

The additional exhibits – 17 and 18 – those go to what sanctions should be imposed. Those are past actions by the entity that was the predecessor of this board, so the board is allowed to consider those. They are not contributing to the underlying guilt issue; they are to consider for what sanctions should be done.

Ms. Herzog handed out copies of those rules to the board taken directly from the Secretary of State's website. Mr. Ashbaker asked if Mr. Starr had an objection and Mr. Starr said he did. He objected that the document stated that the rules state that there had been no findings made in Exhibits 17 and 18. Mr. Ashbaker clarified that he's not asking whether Mr. Starr agrees that they apply, but does he object to those rules being given to the board. Mr. Starr insisted that he still objected because they don't apply.

Ms. Herzog asked to respond and Mr. Ashbaker agrees. She stated that whether or not he thinks they apply, the rules have been made by the board and they should consider them because they are rules. They are public records and public documents. Mr. Ashbaker agreed because a board can take judicial notice of their own statutes and own rules and for that reason, he overruled the objection and allowed the rules to be distributed to the board.

Ms. Herzog stated that going back to Exhibits 17 and 18 and whether or not they were provided. They weren't provided before the hearing, but there is no requirement that she provide them. They are not the part of the violation stated in the complaint, they were provided to show this is something that has occurred in the past and not a new issue. It went toward the appropriateness of sanctions to be proposed. Not to the guilt of the violation. Also, these are items that the Respondent had independent access to and had them already and had knowledge of them. One is a letter to AAA Abstract and the other document is an item they would have had knowledge of and access to, so it wasn't a surprise or prejudice, the Respondent would have had access to them in the past.

As far as the time of when they occurred, the timeframe for when something occurred does not automatically render it irrelevant or render it inadmissible. In administrative proceedings, if a discovery code is not adopted, a lot more evidence comes in just by the nature of administrative proceedings. Under the Administrative Procedures Act, 75 O.S. 310:1 "in administrative proceedings, agencies may admit and give probative affect to

items which have probative value commonly accepted by reasonably prudent persons in the conduct of their affairs.” In this case, Exhibits 17 and 18 were admitted because it shows that even 20 years ago this was an issue and they kept doing it. Also, an exhibit that was admitted at that hearing was a Consent Order that this board did. That one is not being objected to which also dealt with the exact same issue. Even though those documents were from a different agency, it was the predecessor to this agency, so it goes in line with it.

She also asked if she could hand out copies of the statutes she just read. Mr. Ashbaker asked Mr. Starr if he had an objection. Mr. Starr said he wasn’t sure that was proper because the board would already have that anyway. Ms. Herzog said that it is a copy of a statute that would be just like a copy or a statute being given to a judge in a district court when a case was being presented and a statute was being argued. It is a common thing to give the jury a copy. Mr. Ashbaker agreed and overruled the objection.

Ms. Herzog returned to the main reason the Request for Rehearing was being heard, she stated that there was a complaint filed, there was a hearing held, and there was a rehearing request. Under the Administrative Procedures Act, in order for this board to grant a rehearing request, the Respondent has to meet certain grounds. Grounds that he has argued in his motion is 3, 4, and 5 – “3. Probable error committed by the agency in the proceeding or in its decision such as would be ground for reversal on judicial review of the final agency order;

4. Need for further consideration of the issues and the evidence in the public interest; or
5. A showing that issues not previously considered ought to be examined in order properly to dispose of the matter.”

There is no new issue here. There is no probable error committed because the board is allowed to admit exhibits into the record. The board is allowed to consider prior actions that were done previously when they’re considering what sanctions to impose, and Exhibits 17 and 18 do not go to the issue of guilt, but to the potential sanctions.

She went on to say that there is no need for another hearing because it has already been addressed. There was a full hearing. There was a full day. The board deliberated and there was a final Order issued. There has also been discussion today about the fine amount. That amount that was issued by this board with within statutory limits so they did not go above that.

There is clarity in the order and complaint about what the violations were and how you get there. There are statutes and rules listed – 1 O.S. 41 “All charges for abstracts, abstract extensions, supplemental abstracts or final title reports...shall be uniform for all

abstracts, abstract extensions, supplemental abstracts or final title reports and any other charge therefor shall be unlawful.” So if the County Clerk’s office has a document as one page and the abstract company splits it into two pages, how is that uniform?

It is clearly listed in the Final Order and the Complaint that “All licensed abstractors and certificate of authority holders, whose business is hereby declared to stand upon a like footing with that of common carriers...” pursuant to 1 O.S. 32-C. A common carrier means the business of abstracting is affected for the public interest and subject to the regulatory powers of the state. A holder of a Certificate of Authority must serve the public without unreasonable discrimination in the processing of orders, furnishing of abstracts, fees for services in compliance with the Act: OAC 5:2-1-2. Therefore, if you are splitting pages in order to charge your client more, how is that not being discriminatory and not charging fees differently than others?

The complaint states that with clear and convincing arguments, it has been show that the Respondent has violated the above provisions of the Act by having one probate that was mis-indexed, and three abstracts that were prepared by the Respondent in a way so as to increase the number of pages in the abstracts so the company could charge more per abstract which is an unreasonable and excessive fee for the abstract which is not uniform. Ms. Herzog then repeated the statutes and rules being violated.

So the argument that there is no statute or rule for what the violation alleges, is inaccurate. What this comes down to is that the Respondent has been doing something for twenty plus years. They’ve been told it is an issue and they kept doing it. So finally the board said it has to stop. They assessed a penalty and the Respondent doesn’t like the amount and that’s why we’re here today. They haven’t met their burden to show there are grounds for a rehearing and she believes the board should deny their request.

Mr. Ashbaker asked Mr. Starr if he had a rebuttal.

Mr. Starr stated that the reason why the request was being heard was because they were not furnished those two Exhibits, 17 and 18. Had they had those at that time, there would have been no reason for a rehearing. He repeated that the parties had both agreed that the exhibits had been planned out and had been exchanged. That’s the whole thing. Fairness and honesty of this whole matter. The Respondent wasn’t charged with anything twenty years ago. They came in to defend one thing and that was the page splitting on the three abstracts and a mis-index. He went on to state they were ambushed by those two exhibits. He requested that they vacate the earlier order and have another hearing.

Mr. Ashbaker asked if the board had any questions on the matter.

13. **Executive Session:** A motion was made by Mr. Cichon to enter Executive Session for further consideration. Second by Mr. Waldroup. Motion passed.
Yeas: Beryl Sears, Jason Waldroup, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

The meeting reconvened with a motion by Mr. Sears to exit Executive Session. Second by Mr. Cantrell. Motion passed.

Yeas: Beryl Sears, Jason Waldroup, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

Mr. Koller asked for a motion from the board to reopen the case for reconsideration pursuant to Title 75 section 317:A-4. And section 317:D. The board will request the staff appoint a Hearing Examiner to hear this matter at their earliest convenience and that the Hearing Examiner present their proposed Order to the board at a hearing to be set by agreement between the parties.

Motion was made by Ms. Arndt. Second by Mr. Sears. Motion passed.

Yeas: Beryl Sears, Jason Waldroup, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.

14. **Adjournment:** Mr. Koller made motion to adjourn the meeting. Second by Mr. Cichon. Motion passed.

Yeas: Beryl Sears, Jason Waldroup, Jim Cichon, Michael Cantrell, Rex Koller and Taylor Arndt. Nos: None.