

**OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
September 19, 2023**

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Vice-Chairperson Darla Ringo at 10:00 a.m., at the OLERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Sue Ann Loggains called the roll. Attending were: Darin Kent, Darla Ringo, 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 August 15, 2023, were reviewed. A motion was made by Ms. Ringo to approve the minutes with those corrections. The motion was seconded by Mr. Mapes. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
4. **Chairperson's Report-Scott Ward:** Mr. Ward had no report.
5. **Administrator's Report (Board Report):** Ms. Smith reported that the website migration is moving quickly and should be implemented sooner than the original projection of the end of the year.

The online licensing project had been put on hold while Ayla was on maternity leave, but notified the company that she had returned in July, but haven't heard anything since.

6. **Committee Reports.**
 - a.) **Budget and Finance – Jeff Mapes:** Mr. Mapes gave an update on the budget reporting that the annual budget is \$303,532.00 with encumbrances of \$74,045.31, which gives us a total Year-To-Date Encumbrances and Expenses of \$97,584.18 and a variance of \$205,948.82. The revenue for the month of April was \$36,675.00 and expenses were \$21,939.03 which leaves us with an ending cash balance of \$1,006,546.31. After review and discussion, a motion was made by Mr. Mapes to approve the report as presented. Second by Mr. Koller. Motion carried.
Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
 - b.) **Rules and Regulations – Randy Coffman:** Mr. Coffman reported that the committee is reviewing items related to electronic abstracts. The committee will meet today after the board meeting.
 - c.) **Licensing and Testing-Rex Koller:** Mr. Koller reported that since the last board meeting, there were no testers since the last board meeting. The next testing date is September 21st at the OAB offices.

- d.) **Inspections-Katherine Smith:** Ms. Smith reported that there had been eight inspections since the last Board Meeting and all companies were found to be in order with the exception of three. Ms. Smith asked for a motion to accept the inspection reports as presented and approval of the action recommended by the Enforcement Committee and issuance of consent orders. A motion was made by Ms. Loggains. Second by Ms. Ringo. Motion passed.

Mr. Coffman asked about the findings in Coal County for American Eagle. It was found that their court indexes were out of date. Ms. Smith reported that the office is small, with only two people, and one was out on maternity leave. There appeared to be a miscommunication, because the one person remaining in the office had thought that the JED team with American Eagle would be doing all indexing while her counterpart was out on leave, but it appeared they were only doing land. They have since been caught up.

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

- e.) **Enforcement Committee Reports-Darla Ringo:**
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 Ms. Ringo 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. Yates. Motion passed.
Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.
Abstention: Mr. Koller and Ms. Ringo abstained from those reports related to their employer's businesses.

Renewal of Certificate of Authority (With No Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet by Great Plains Investments, LLC dba Bailey's Abstract & Title (Jackson), SCA Title, LLC dba Haskell County Abstract & Title, Southeastern Oklahoma Abstract & Title dba Pushmataha County Abstract Company, University Land Title Services, Inc. (Payne). A motion was made by Ms. Ringo on behalf of the Enforcement Committee to approve the applications. Second by Ms. Yates. Motion passed.

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

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 Delaware County Title, LLC dba Smith Brothers Abstract & Title Co. and Smith Brothers Abstract & Title Co., LLC (Logan). A motion was made by Ms.

Ringo on behalf of the Enforcement Committee to approve the applications. Second by Ms. Yates. Motion passed.

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

Abstention: Mr. Koller and Ms. Ringo abstained from voting because the renewals were related to their employer's businesses.

Rate Changes Only: Presented to the Board for approval were amended rate sheets by Pioneer Abstract Company (Seminole). A motion was made by Ms. Ringo on behalf of the Enforcement Committee to approve the amended rate sheet. Second by Ms. Yates. Motion passed.

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

Application for New Certificate of Authority: Presented to the Board for approval was an application for a New Certificate of Authority by Sovereign Abstract and Title of McIntosh County, LLC. A motion was made by Mr. Ringo on behalf of the Enforcement Committee to approve the application. Second by Ms. Loggains. Motion passed.

Ms. Smith 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 McIntosh County, as well as all Certificate of Authority holders in McIntosh County.

No comments were received from any party.

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 McIntosh.

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 Sovereign Abstract and Title of McIntosh County, LLC be approved.

Signed Katherine Smith, dated September 19, 2023.

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

Renewal of Permit to Build an Abstract Plant: Presented to the Board for approval was an application for a Renewal of Permit to Build an Abstract Plant by American Eagle Title and Abstract, LLC (Okmulgee). After discussion and comments, a motion was made by Ms. Ringo on behalf of the Enforcement Committee to approve the application. Second by Ms. Loggains. Motion passed.

Mr. Coffman asked about the progress on the permit. Ms. Smith reported that they had a progress report in the packet, but their progress is minimal because they're funneling their attention to other bigger projects.

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

Complaint OAB-2023-W146: The Complainant stated that they received an order for abstracting and the competitor holding the abstract refused to release it. Documentation from the Respondent showed they had an open order and needed confirmation that their order was cancelled before releasing abstract. Once confirmation was received, they released the abstract within 24 hours therefore the Enforcement Committee sees no violation and recommends closure of the complaint. Ms. Smith asked for a motion to approve the action recommended by the Enforcement Committee and closure of the complaint. A motion was made by Ms. Loggains. Second by Mr. Coffman. Motion passed.

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

Complaint OAB-2023-W147: The Complainant alleged that there was a delay in the completion of their abstract along with several other items that are outside the scope of the authority of the OAB. Documentation from the Respondent shows that the abstract was completed within guidelines, therefore the Enforcement Committee sees no violation and recommends closure of the complaint. Ms. Smith asked for a motion to approve the action recommended by the Enforcement Committee and closure of the complaint. A motion was made by Mr. Coffman. Second by Mr. Kent. Motion passed.

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

Consent Order: The consent order is related to a Complaint against Atoka Abstract Company identified as OAB-2023-W143 related to orders being completed outside guidelines. Seven orders were examined and it was found that 1 was completed five days late, 1 was six days late, 1 was eight days late, 1 was eleven days late, 1 was thirteen days late, 1 was nineteen days late, and 1 was twenty-one days late. The penalty assessed by the Enforcement Committee and agreed to by the Respondent was \$3,000.00. Ms. Smith asked for a motion to approve the Chairperson to sign off on the consent orders. A motion was made by Mr. Kent. Second by Ms. Yates. Motion Passed. Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

7. **New Business:** Mr. Ward asked for new business. Ms. Smith presented a second consent order that had been received after the agenda was posted. It had already been approved by the Board, but had been agreed to by the Respondents and just needed approval for the Chair's signature.

The second consent order is related to an Inspection Finding against Security Abstract Company identified as OAB-2023-INS-072614 related to orders being completed outside guidelines. Two orders were discovered. 1 was completed one day late and 1 was completed ten days late. The penalty assessed by the Enforcement Committee and agreed to by the Respondent was \$200.00. Ms. Smith asked for a motion to approve the consent order and authorize the Chairperson to sign off on it. A motion was made by Ms. Ringo. Second by Mr. Kent. Motion Passed. Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

8. **Report Legal Counsel-Whitney Herzog Scimeca:** Ms. Scimeca reported that the case in Carter County has been sent to Love County but there was some discussion about the filing fee which was mostly settled. It isn't showing up as filed by Love County yet. She has also been working with the Enforcement Committee.

Mr. Kent asked who was supposed to be the filing fee. Typically, the person requesting the transfer would be expected to pay the fee, but as a state entity we are not required to pay fees when defending an action.

9. **Visitor's Comments:** Mr. Ward asked for any visitor comments. Ms. Terri Parrish thanked the Board.
10. **Announcement of next meeting:** Tuesday, October 17, 2023, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Adjournment:** Mr. Ward asked for a motion to adjourn the meeting. Motion was made by Mr. Kent. Second by Ms. Ringo. Motion passed.
Yeas: Darin Kent, Darla Ringo, Jeff Mapes, Lisa Yates, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.