

MINUTES OF A MEETING  
OF THE  
OKLAHOMA NEW MOTOR VEHICLE COMMISSION

*In conformity with the Oklahoma Open Meeting Act, advance notice of this special meeting was transmitted to the Oklahoma Secretary of State on November 17, 2023. Public notice of this meeting, together with the agenda, was posted in prominent public view on the front door of the Northwest Office Center, 4334 NW Expressway, Oklahoma City, on April 8, 2024 prior to 10am, and, announcement of the Board meeting and agenda were posted on the ONMVC website [www.omvc.ok.gov](http://www.omvc.ok.gov) on April 8, 2024 prior to 10am.*

The Oklahoma New Motor Vehicle Commission met in a Regular Meeting at 10:00 am, on April 9, 2024. Chair Curtis Hayes called the meeting to order. A roll call was held; members present were Eric Stuteville, Jared Glover, Cassie McGlothlin, Jim Norton, Seth Wadley, Jeff Johnson, Jeromey Clayton and Curtis Hayes. Commissioner Jackie McClintock was absent.

The Chair announced that there were enough members present to constitute a quorum. Also present were Brad Bailey, Executive Director, Marilyn Maxwell, Deputy Director, Sandra Balzer, Assistant Attorney General and Peter Hodges, President of the Oklahoma Auto Dealers Association.

Each Commission Member had received a copy of the **Minutes** of the March 12, 2024 Commission Meeting. Cassie McGlothlin made a motion, seconded by Jeromey Clayton, to accept the Minutes as submitted. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – abstain	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – abstain	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed.

The **Claims and Financial Reports** for the month of March 2024 were presented by the Deputy Director. A motion to approve both the payment claims and financial reports as submitted by the Deputy Director was made by Jared Glover, seconded by Jeff Johnson. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

**Director’s Report**

The Executive Director informed the Commissioners that there were four new complaints since the last meeting, two of which had been resolved. There were also two carryover complaints and two telephone inquiries that were received since the last meeting by the Director with three resolved to the satisfaction of the consumers who had contacted the ONMVC. One carryover complaint regarding a missing perfected lien on a vehicle from a former dealer remained open.

The Executive Director then presented a legislative report of the remaining seven House and Senate Bills from the current session affecting the motor vehicle industry or that are of interest to the Commission that had survived and were set for floor votes.

The Executive Director discussed other agency activities including an update on preparation for annual license renewals. The Director also introduced new employee Cathy Hoeksema as ONMVC's new Compliance and Enforcement Officer. The Director and Deputy Director provided some insight into Cathy's background, duties and initial training.

**FINE: Consideration and Action on the following offer to Pay a Fine in Lieu of a Hearing:**

The Director presented an Agreed Settlement from Mark Allen Chevrolet, Glenpool, in the amount of \$5000 for a violation of ONMVC advertising rules. After discussion, Jim Norton made a motion, seconded by Jared Glover, to accept the Agreed Settlement. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes - aye	

Motion passed unanimously.

**Discussion of the Feasibility for Hiring of Outside Counsel for Legal Consulting:**

Curtis Hayes opened discussion of the feasibility of hiring outside counsel with specific experience in Oklahoma motor vehicle franchise law as would be applied, as advisor to the Director and Commission, in matters of legislation and in administrative proceedings as possible prosecution. Sandra Balzer shared information on the hiring outside counsel provided by the Office of Attorney General's "20i" process.

**Initial License Applications:**

The Deputy Director presented an update of applications completed since the last meeting along with applications still pending. The following License Applications were then presented for consideration and action:

**MANUFACTURERS:**

- a. Bad Boy Mowers – Batesville, AR  
Application for Distributor of Bad Boy Powersports  
Director recommended approval pending approval of the Distributors MSO/MCO.
- b. Clayton Tiny Homes – Addison, AL  
Application for Manufacturer of Clayton RV Park Models  
Director recommended approval.
- c. The Toro Company – Bloomington, MN  
Application for Manufacturer of Toro Powersports.  
Director recommended approval.

- d. Vanderhall North America, LLC – Guymon, OK  
Application for Manufacturer of Vanderhall Electric Powersports.  
Application was tabled for missing balance sheet.

**DEALERS:**

- e. Genesis of Edmond – Edmond, OK  
Application for New Dealer of Genesis Automobiles.  
Director recommended approval pending receipt of dealer franchise agreement.
- f. Granger Mobile Homes – Kiowa, OK  
Application for New Dealer for Sundowner RV Trailers.  
Director recommended approval pending receipt of dealer franchise agreement.
- g. Joe Cooper Hyundai of Midwest City – Midwest City, OK  
Application for Purchase of Existing Dealership and Relocation.  
Director recommended approval pending receipt of dealer franchise agreement.
- h. Rocky Ridge RV Sales of Muskogee – Muskogee, OK  
Application for New Dealer of Forest River RV Towables.  
Director recommended approval.
- i. Xtreme Outdoor Equipment – Newcastle, OK  
Application for Addition of Franchise – Bad Boy Powersports.  
Director recommended approval pending receipt of dealer franchise agreement.

A motion was made by Jared Glover, seconded by Eric Stuteville, to approve applications a - c, e - g, and i as submitted. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes – aye	

Motion passed unanimously.

A motion was made by Jared Glover, seconded by Seth Wadley, to defer application h subject to submission of a plan for a temporary service facility in or near Muskogee. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes – aye	

Motion passed unanimously.

**Discussion of Enforcement Standards and Resources Needed with Regard to New Motor Vehicle Advertising:**

The Director introduced the topic and asked Jared Glover to elaborate. Commissioner Glover provided general examples and to elaborate on the topic of dealer price advertising, website disclaimers and consumer experience and then asked if the Commission had the resources to effectively regulate and enforce. The Commissioners discussed effective methods and processes that would help increase meaningful enforcement by using existing law and rules.

The Commission charged the Director with the task of developing a plan, including a budget, for effective enforcement.

**Performance Review of Executive Director**

Cassie McGlothlin made a Motion, seconded by Jim Norton, to enter into Executive Session to review the performance of the Executive Director. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – absent
Jeromey Clayton - aye	Curtis Hayes – aye	

Motion passed.

Jim Norton made a Motion, seconded by Jeromey Clayton, to reconvene into Open Session. The Chair called for a roll call vote; votes were as follows:

Eric Stuteville – aye	Jared Glover - aye	Cassie McGlothlin – aye
Jim Norton – aye	Seth Wadley – aye	Jeff Johnson – aye
Jeromey Clayton - aye	Curtis Hayes – aye	

Motion passed unanimously.

The Chair asked if there was any **New Business**. There being no New Business, the meeting was adjourned.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_