

BANKERS

DIGEST

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Dunn Named Co-Chairman of Prosperity Bank in Dallas/Fort Worth Market

Prosperity Bank, headquartered in El Campo, TX, has recently hired local banking veteran **Bill Dunn** as co-chairman of the bank's Dallas/Fort Worth market, according to the *Dallas Business Journal* (www.bizjournals.com). Dunn will share the position with co-chairman for Dallas/Fort Worth **Deke Hayes**.

Dunn previously served as senior vice president and Dallas area market president at BB&T, a position he held for more than six years. From 2003-2010, he served as a group executive for the Dallas market at Capital One Bank. He earned a BBA degree in finance from Texas A&M University.



Dunn

Dunn told the business journal his focus will be to develop the Dallas/Fort Worth commercial and middle-market relationship banking space, which he described as "the largest opportunity area for the bank." He specifically mentioned the commercial and industrial (C&I) lending with general operating companies. He said the bank will add "more lenders over the next year on the commercial side of the bank."

Prosperity Bank, a \$22 billion-asset regional community bank with locations in TX and OK, has good coverage in the Dallas/Fort Worth market with 36 banking centers 🏦

Rafferty Is Exec VP, Whitney Bank, LA/TX

Veteran commercial banker **Kevin Rafferty** has rejoined Whitney Bank



Rafferty

as executive vice president responsible for business development in the Greater New Orleans and Houston markets.

Rafferty's banking experience spans almost 40 years in major markets such as New Orleans, Houston, Dallas, and Washington, DC, according to Whitney Bank President Joseph S. Exnicios, who grew his banking career with Rafferty at Whitney. Rafferty was a senior vice president managing middle market banking during his prior 30-year tenure at Whitney.

Prior to returning to Whitney, Rafferty served almost 10 years with Lafayette-based IBERIABANK overseeing business development for the Houston and New Orleans regions.

The Tulane University alumnus holds a BA degree in economics and an MBA degree in finance. He is a recognized business and civic leader in New Orleans and Houston. He currently serves on the national board for Rebuilding Together, a non-profit that rehabilitates homes for low-income homeowners and helps revitalize their communities 🏠

Martinez to Lead Los Alamos, NM, Market

Los Alamos National Bank, Los Alamos, NM, has hired **Liddie Martinez**



Martinez

as market president in Los Alamos. Martinez brings over 20 years of economic development experience and will lead the bank's efforts to drive

economic growth in the Los Alamos market.

Most recently, Martinez was executive director of the Regional Development Corporation for Northern

New Mexico. She previously served as division director of Community & Economic Development for SOC Los Alamos National Laboratory (LANL).

She has a passion for volunteerism and community outreach. She served as board president for the LANL Foundation and Leadership New Mexico, and currently serves on the boards for the LANL Subcontractor Consortium, Think New Mexico, New Mexico Economic Development Rural Council, Northern New Mexico College Foundation, and the Los Alamos Commerce and Development.

Los Alamos National Bank is one of the largest locally-owned community banks in NM with assets of more than \$1.4 billion and over 300 employees 🏦

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Landmark Bank, N. A., Reports Beall Brothers, McGary to Lead New McKinney Office

Landmark Bank, N. A., has announced that long-time North TX bankers **Kyle** and **Kris Beall** have joined the Columbia-MO based bank, bringing the same personal touch and relationship-based banking they've been known for in the McKinney/North TX market. Their focus will be on business banking, including commercial and commercial real estate lending.

A new Landmark Bank location is being planned for McKinney, where Kyle Beall is president and Kris Beall is a commercial lending officer.

Stephanie McGary, loan assistant to the Bealls for over five years, has also joined as part of the team.



L to R: Kyle Beall, McGary, and Kris Beall

The Beall brothers, natives of Collin County and graduates of Texas A&M University, honed their respective careers working with financial institutions in Dallas, FL, and AL before coming together and returning to the McKinney area over 15 years ago.

"I believe the addition of Kyle and Kris gives Landmark the strongest lending team in North Texas," said Randy Hensarling, Texas Regional President. "We're humbled the best commercial lenders in the area continue to join our team," he added. Landmark Bank has opened its McKinney office at 400 W. Virginia St., Ste. 300.

Landmark Bank, N. A., a community bank with \$2.4 billion in assets, has 42 locations in 29 communities across TX, OK, and MO. The bank dates its roots back to its original bank charter, First National Bank and Trust Company, Columbia, MO, established in 1865.

Salinas Joins Mercantil Commercebank in Houston



Salinas

Mercantil Commercebank, based in FL, has named **Anadelia Salinas** vice president, branch sales and service manager, at its FM 1960 West banking center in Houston.

Salinas has more than 20 years of banking experience in the Houston market. She previously served as vice president, branch manager, at Regions Bank, Comerica Bank, and JPMorgan Chase Bank. She attended Lone Star College in Tomball and is active with the Cy-Fair Houston Chamber of Commerce.

Johnson Named Officer, Federal Reserve Bank Dallas

The Federal Reserve Bank of Dallas has named **Paige Johnson** as administrative officer in the Research Department.



Johnson

Previously, Johnson served as director of application delivery services. She joined the Dallas Fed in 1987.

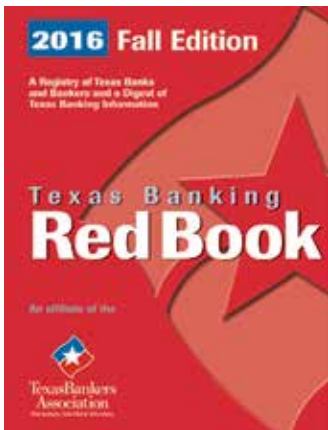
She holds a BBA degree in accounting and management from Baylor University and is a graduate of the Graduate School of Banking at Colorado.

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DEPOSIT AGREEMENTS

How and Why Bank Deposit Agreements are Enforceable and How Banks Can Better Draft Deposit Agreements to Possibly Limit Future Losses

**Part 4 of 4
Various Other Issues to Consider in Drafting Bank Deposit Agreements**

By
William P. Huttenbach
HJirsch & Westheimer, P.C.
Houston, Texas



Huttenbach

There are various other deposit agreement provisions I have noticed in different deposit account agreements that a bank may want to include in its own deposit agreement. For example,

over the last several years, I have been involved in lawsuits involving issues that might have been more easily defended if the bank had included specific deposit agreement provisions to address the issues raised in the litigation. More specifically, I have defended banks in cases involving the following issues:

- A bank customer sues a bank where a bank unilaterally closed the customer's account causing various alleged damages. In such a situation, it would be helpful to have a deposit agreement that specifically stated that the bank account could be closed by the bank for any reason and/or no reason at all.
- Customers complain about the order of payment of checks and/or other debits, and customers complain with regard to how and in what order they are applied against the account. Consequently it is helpful to have a deposit agreement specifically state that it is in the bank's discretion with regard to how to handle such situations and that generally speaking, the bank can pay certain items and/or debits in a certain manner.

- Various garnishment and/or similar issues. It is helpful to have a deposit agreement that states that when a garnishment, levy, and/or other claim is made against an account, the bank has the authority to freeze bank's account. There are various situations where a bank is not completely sure where a garnishment lien may or may not apply, and the bank is unsure as to whether or not an account should be frozen. A well-worded deposit agreement provision can allow the bank to freeze accounts in those situations.

- Reporting of unauthorized transactions. While § 4.406 of the UCC specifically mentions "items" and the *American Airlines Credit Union v. Martin* case expanded the definition of "items," under Texas law, there may be other situations wherein a bank may want to try to argue that a customer should have timely reported alleged unauthorized transactions. There are many instances where disbursements may or may not fit under even an expansive definition of "items." *Conse-*
(continued on Page 8)



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TEXAS

Dalton Joins Valliance Bank Board of Directors

Valliance Bank, Oklahoma City, has announced that **Sean Dalton**, principal with Younger Partners, Dallas, has been elected to Valliance Bank's board of directors, said Brad Swickey, Valliance Bank president/CEO.

Dalton has over 13 years of real estate experience. At Younger Partners, he is responsible for the strategic leasing and marketing of commercial office products within the Dallas-Fort Worth area. Prior to Younger Partners, he served as vice president with Grubb & Ellis Company. He began his real estate career at Holt Lunsford Commercial.

Dalton holds a BS degree in communications and a Business Foundations Certificate from Red McComb's School of Business, both at The University of Texas at Austin. He has been recognized by his peers for involvement in the real estate industry and his community and has consistently been named a "PowerBroker" by DCEO Magazine each year since 2012.

Valliance Bank, established in 2004, has offices in McKinney and Fort Worth, TX, and in Oklahoma City and Norman, OK 🏠

Former Texas Capital Bank CFO Gregory B. Hultgren Dies

Gregory Bruce Hultgren, of Dallas, died on October 18 at the age of 66. He was a well known bank CFO and a CFO for other companies between banking jobs and after leaving banking.

Hultgren earned his education, both bachelor's and master's degrees in accounting, at Illinois State University. After college graduation and a stint as a college accounting instructor, he served in public accounting with the firms Price Waterhouse and Grant Thornton, where he specialized in financial institutions. He later served as a CFO for several Dallas area banks.

In 1998, Hultgren joined Dallas startup bank, Texas Capital Bank, N. A., about the time the bank, formerly known as Resource Bank, N. A., was acquired by Texas Capital Bancshares Inc. and recapitalized and rebranded. He served as EVP and CFO until 2004, when he left banking.

Most recently, Hultgren served as CFO of Dent Zone, an automotive services company in Irving.

He is survived by his wife, Rose Hultgren, a former Dallas area banker 🏠



NEW MEXICO

Cordero Upped to EVP, Southwest Capital Bank

Southwest Capital Bank in Albuquerque has announced the promotion of



Cordero

Senior Vice President **Arellana Cordero** to executive vice president. Cordero will continue to serve as CFO for the bank.

Cordero will lead the bank's financial team and will be responsible for overseeing all finance and accounting operations. She joined the bank in November 2014 as SVP and CFO.

Cordero is a graduate of the ABA Stonier Graduate School of Banking at the University of Pennsylvania-The Wharton School. She earned bachelor's and MBA degrees from the University of New Mexico 🏠



OKLAHOMA

Walford Promoted to AVP, IBC Bank-Oklahoma

IBC Bank, Oklahoma City, has announced the promotion of **Richard Walford** from banking officer to assistant vice president.

Walford, who began his banking career at IBC Bank in the credit training program, serves as the senior credit underwriter supporting commercial lending operations in the Oklahoma City, Tulsa, and Dallas markets.

He earned a bachelor's degree in finance, economics, and real estate from the University of Central Oklahoma.

IBC Bank in Oklahoma City is a member of the International Bancshares Corp., a bank holding company based in Laredo, TX 🏠

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ARKANSAS

Hammond Named Senior Examiner

The Arkansas State Bank Department has hired **G. Barton Hammond** as a commercial bank senior examiner, and **Joel Futrell** and **Daniel Park** as commercial bank examiner trainees, according to Candace Franks, commissioner.



Hammond

Hammond will be assigned to the Northwest Arkansas office in Springdale. He has been a financial institution examiner with the Kentucky Department of Financial Institutions since April 2013. In that position, he served as examiner in charge of seven safety-and-soundness examinations and as a specialist in Bank Secrecy Act/Anti-Money Laundering. From January 2012 until his hiring at the Kentucky Department of Financial Institutions, Hammond served as a dairy auditor for the United States Department of Agriculture in Louisville, KY. Hammond received a BS degree in accounting from the University of Kentucky in 2011.

Futrell will be assigned to one of two commercial examination groups based in Little Rock, while Park will work out of the Northwest Arkansas office.

Futrell graduated in August 2016 from Central Baptist College in Conway, receiving a BBA degree with an emphasis in management.

Park received a BBA degree in finance, with a concentration in banking, from the University of Arkansas, Fayetteville, in August 2016. From January 2015 to April 2016, he was employed by State Farm, for which he was responsible for the sale of banking and insurance products. He was licensed as a property and casualty insurance agent and trained as a banking specialist.

In June 2016, Park was hired by Simmons Bank as a retail associate, specializing in the cross-selling of bank products and customer service 🏠

LOUISIANA

FNNB CEO Hudson Selected 2016 Money Maker Honoree

James Hudson, president/CEO of First National Bankers Bank, Baton Rouge, was selected as a 2016 Money Makers honoree by the *New Orleans City-Business*, a weekly business newspaper based in Metairie. Hudson was recognized for his professional and community achievements and his positive impact in the region.



Hudson

Hudson will soon celebrate his 40th year in the banking industry, serving in many executive capacities. He started his banking career in New Orleans at a community bank. He went on to serve as chairman and CEO of a community bank in Metairie, and then became an executive vice president and Southeast regional chairman for a regional bank. He also previously served on FNBB's board of directors. Hudson is active in several organizations in the community and banking industry.

First National Bankers Bank, Baton Rouge, serves the needs of more than 600 community banks throughout the

Johnston Joins IBERIABANK, Relationship Mgr, Lafayette

IBERIABANK, Lafayette, has named **Jordan Johnston** assistant vice president and business banking relationship manager for the Acadiana region. Her primary focus is managing the private banking needs for both individual and small business clients. Jerry Vasocu, Acadiana president for IBERIABANK, made the announcement.



Johnston

Johnston joins the bank with over five years of banking experience. She most recently served as vice president and relationship manager for Amegy Bank in Houston, TX.

She is earned a BBA degree in finance from Texas A&M University. Her office is located at the IBERIABANK Tower in Downtown Lafayette 🏠

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DD&F Consulting Receives Governor's Award

DD&F Consulting Group Inc., headquartered in Little Rock, recently received top honors when presented with the Arkansas Governor's Award for Performance Excellence. The award was a part of the Arkansas Quality Awards program which partners with the prestigious Malcolm Baldrige National Quality Award process.

The award was presented to **Randy Dennis**, president of DD&F Consulting Group, by Arkansas Governor Asa Hutchison during the 22st Annual Awards Celebration held in Little Rock in late September. Twenty-seven organizations from throughout the state participated in the program this past year.



Gov. Asa Hutchison, Randy Dennis

The Arkansas Quality Awards program is open to all sizes and types of businesses, industries, and government entities, and includes four award levels that require a stringent multi-year process that evaluates leadership, strategic planning, client focus, measurement analysis, and knowledge management, the workforce, operations, and results.

DD&F began the process in 2010, working through the criteria that contains core values and concepts that represent high-performing organizations. Commenting on receiving the highest designation in the awards program, Dennis stated, "When we began

Banking Activity Heats Up in Southern Clark County

The competitive field of banks in southern Clark County could triple in the near future, according to an article by George Waldon on www.arkansasbusiness.com. Bank of Delight (Pike County) has opened a branch in Gurdon, and Southern Bancorp Bank of Arkadelphia intends to open operations there.

What's made the community of 2,100 suddenly so popular? Is the future opening of the Shandong Sun Paper pulp mill 10 miles north of town coming into play?

"That was a consideration," said **Darwin Hendrix**, chairman/CEO of Bank of Delight. "But we had customers in Gurdon who were asking us, 'Why don't you all come to Gurdon?'"

That request was connected with the departure of U.S. Bank from Gurdon, leaving the First State Bank of Lonoke as the only bank operating a full-service branch in Gurdon. First State entered the market about 20 years ago through the acquisition of First State Bank of Gurdon. A Gurdon office represents Southern Bancorp's third in Clark County and its 20th full-service branch in AR 🏠

this process a little over five years ago, we "thought" we were pretty good at what we did. Going through the Governor's Quality Awards process quickly taught us that just thinking we were good wasn't good enough." He continued, "This award is something to celebrate, but it is also something we accept humbly. Our standards are higher now, as is our ability to meet them. DD&F is a better company than it was five years ago. I would encourage any organization or business that is truly committed to excellence to consider getting involved."

Founded in 1993, DD&F Consulting Group Inc. is a full service financial services consulting firm for the financial service industry. Additional information about DD&F Consulting Group and the financial services they provide can be found on their website www.ddfconsulting.com or telephone at 501.374.2600 🏠

"An award is not the goal, continuous improvement and the success of our clients and employees is the real end game.

– Randy Dennis, President
On receiving the Governor's Quality Award

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IBAT's Teach the Teacher Program Wins Silver Award

The Independent Bankers Association of Texas (IBAT), Austin, was recently honored with the Power of A (Association) Silver Award by the American Society of Association Executives (ASAE) for its Teach the Teacher™ program, created by the IBAT Education Foundation. Teach the Teacher gives TX educators—who are required to teach financial management—the resources, understanding, and confidence to do so effectively and positively impact students' financial future.

The Power of A Award is one of the industry's highest honors and recognizes associations that engage in activities and initiatives that are essential to building stronger communities. IBAT has won a Power of A Award for the past three years, including a Power of A Gold Award in 2015.

Since its launch in 2011, more than 1,000 teachers throughout TX—impacting 150,000 students—have participated in Teach the Teacher. The program has been held in each of the 20 Texas Education Agency (TEA) regions.

Teach the Teacher is a program that provides educators with instructional methods, games, and confidence builders to engage students regarding credit scores, saving, budgeting, spending, debit and credit, investments, insurance, taxes, and much more. The program covers specific curricula and methods for elementary through high school students. It was created to address the Texas Legislature's unfunded mandate that public high school students take financial education as a graduation requirement. Then in 2014, personal financial literacy education became a required component of elementary, middle, and high school programs, yet again unfunded.

Due to the number of community banks in both urban and rural areas in TX, IBAT has been able to leverage community connections, school board involvement, and additional resources to create a successful statewide program.

For more information about the IBAT Education Foundation's Teach the Teacher program, visit www.ibat.org 🏠

SWGSB Announces 144th Assembly for Bank Directors Training Set for January 2017 in Cancun, Mexico

The SW Graduate School of Banking (SWGSB) Foundation will convene its 144th Assembly for Bank Directors at the Ritz-Carlton Cancun, January 26-29, 2017. Bank directors and their spouses from throughout the US are expected to participate in a program that includes social media expert and OK community bank CEO **Jill Castilla**, strategist **Chris Nichols**, economist **Ed Seifried**, credit risk management expert **David Kemp**, marketing consultant **Kelly Brown**, strategic planning authority **Scott MacDonald**, and industry insiders IBAT CEO **Chris Williston** and TX community banker **Rogers Pope Jr.**

"Director training is more critical than ever before," SWGSB Foundation President S. Scott MacDonald, Ph.D., said. "We've tailored this program to the moment and entitled it 'Powerful Strategies for Community Banking.' Our faculty have crafted these presentations in answer to the many questions directors are asking about their role in this challenging environment. The 144th Assembly for Bank Directors will provide a complete overview of what lies ahead and what key steps must be taken to ensure a solid, highly profitable future."

The 144th Assembly for Bank Directors will cover a number of important topics, including "Change the Story: Making Technology and Social Media Work at Your Community Bank" (Castilla); "What Directors Can Do to Prevent Their Banks from Falling Behind" (Nichols); "The Post-Election Economy: What's Ahead Under a New President" (Seifried); "Hot Topics in Credit Risk Management" (Kemp); "Community Bank Marketing: Welcome to the New Normal" (Brown); and "Future of Community Banking" (Williston). There will be workshops on "The Director's Economic Tool Belt" (Seifried) and "The Director's Role in Risk Management" (MacDonald). A C-Suite panel of CEOs will address "What's Working and What's Not" in today's hyper competitive financial services environment.

For 144th Assembly for Bank Directors registration and other information, see the insertion in this issue or visit: website www.swgsb.org or call 214.768.2991 🏠

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AGREEMENTS (continued from Page 3)

quently, as new banking products are developed, it is good to have a deposit agreement provision that does not limit a customer's reporting simply to checks and/or items.

- With the development of the case law regarding UCC Article 4A issues, a [bank might want its] deposit agreement to state that the bank has a commercially reasonable security procedure and that the customer so agrees. Banks may want to try to address other electronic funds transfer issues. However, courts may or may not enforce specific provisions. Regardless, a bank may want to consider adding provisions to strengthen its arguments in the electronic funds transfer arena.
- Collection of attorneys' fees. While different states handle this issue in different ways, banks that do business in Texas may want to consider putting an attorneys' fee provision that states that if a customer brings claims against the bank and if the bank prevails, the bank should be entitled to recover its attorneys' fees. I have had courts enforce these provisions and grant judgments against plaintiffs when they did not recover on their claims against the bank.
- Cases where customers get a wind-

fall from alleged improper deposits and/or credits. There are different bank deposit agreement provisions that can cover the many different instances wherein a customer gets a windfall. By addressing this issue in the deposit agreement, it allows a bank to recover a summary judgment in a much easier manner. Likewise, in a 4A.207 situation, having such a provision in the deposit agreement may make it easier and make it more likely to obtain a judgment.

- Provisions regarding joint account holders. Banks should follow the new Texas Estates Code provisions that allow banks to protect themselves in such situations. Most banks have such provisions, but banks should confirm that such provisions are in their deposit agreements.
- Provisions relating to ownership and/or control of accounts. In the situation of a business divorce, banks need protection when different alleged authorized owners try to do things to other authorized and/or purportedly unauthorized account owners. For example, in such situations, banks should be allowed to interplead funds if there is any dispute as to who should have access to and/or control the disposition of the funds on deposit.

What I have tried to do in these articles is to provide you with a general understanding with regard to how and why deposit agreements can be useful tools to protect a bank when a customer bring claims against it. While the case law is still developing as to what provisions will be enforced by and between a customer and a bank, generally speaking, it is helpful to try to include as many useful provisions as possible. Unfortunately, more and more customers apparently believe that a bank should be an insurer of a customer's banking transactions. Consequently, customers are getting more and more creative with regard to ways they bring various claims against a bank. A good deposit agreement can better help a bank protect itself against such claims. As mentioned initially, this article is not trying to provide specific legal advice. However, I hope that it has provided insights with regard to additional provisions you may want to include in your banking institutions.

If you contact the author, he can provide some examples of deposit agreements he has reviewed that address some of the above-referenced situations. He is currently drafting many new provisions to include in a bank's deposit agreement to try to prevent possible future losses. Please feel free to contact him about those new provisions.

Of course, no information in this communication is intended to constitute specific legal advice. For specific legal advice, please contact an attorney, and if you have any such questions or would like more information about this issue, please contact **William "Pat" Huttenbach** at 713.220.9184, or email: phuttenbach@hirschwest.com

FLOOD (continued from Page 9)

of policy or coverage that qualifies as "flood insurance" for purposes of the federal flood insurance laws.

The agencies previously issued a proposal addressing private flood insurance (78 FR 65107). Based on comments received in response to that proposal, the agencies have decided to issue this second proposal for additional public comment.

Comments are due 60 days from date of publication in the *Federal Register*



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CHARTER

ACTIVITY

Arkansas**BRANCHES**

The **ARKANSAS STATE BANK DEPARTMENT** has approved an application by First Security Bank, Searcy, for a branch at 1759 Airport Rd., Hot Springs.

The **ARSBD** has approved an application by Stone Bank, Mountain View, for a branch at 1302 Hwy. 62-65, Harrison.

The **ARSBD** has preliminarily approved an application by Generations Bank, Hampton, for a branch relocation: from 1450 E. Zion Rd., Ste. 10, to 3665 N. Investment Dr., Fayetteville.

The **FEDERAL RESERVE BANK OF ST. LOUIS** has received an application by Diamond Bank, Murfreesboro, for a branch at 1710 S. Constitution Ave., Ashdown.

MERGERS AND ACQUISITIONS

The **ARSBD** has approved an application by Simmons Bank, Pine Bluff, for a merger with target: Citizens National Bank, Athens, TN.

The **ARSBD** has preliminarily approved an application for a change in control by Equity Bancshares Inc., Wichita, KS, to acquire 25% or more of the stock of Communtty First Bancshares Inc., Harrison.

The **ARSBD** has filed an application by Central Bank, Little Rock, to acquire 25% or more of the stock of Pinnacle Bancshares Inc., Rogers.

The **ARSBD** has filed an application by First Community Bank, Batesville, for a merger with target: Little River Bank, Lepanto, and filed an application by First Community Bancshares Inc., Batesville, to acquire 25% or more of the stock of Little River Bancshares Inc., Lepanto.

Mississippi**MERGERS AND ACQUISITIONS**

The **OFFICE OF THE COMPTROLLER OF THE CURRENCY** has received an application by The First, A National Banking Association, Hattiesburg, for a business combination/

non-affiliate merger with target: Iberville Bank, Plaquemine, with the resultant The First, A National Banking Association.

Texas**BRANCHES**

The **OFFICE OF THE COMPTROLLER OF THE CURRENCY** has approved an application by Golden Bank, N. A., Houston, for a branch relocation from: 6623 FM 1960 W. to 3645 FM 1960 W., Ste. 318, Houston.

MERGERS AND ACQUISITIONS

The **TEXAS DEPARTMENT OF BANKING** has approved an application by Falcon International Bank, Laredo, for a P&A - branches of Plains Capital Bank, Dallas, at 6002 McPherson Rd. and 6625 San Dario Ave., both in Laredo.

The **FEDERAL RESERVE BANK OF DALLAS** has received an application by International Bancshares Corporation and IBC Subsidiary Corporation, both of Laredo, to acquire International Bank of Commerce, Oklahoma City, Oklahoma (in organization).

The **TXDB** has reported an application by Wellington State Bank, Wellington, for a merger with target: First National Bank in Dalhart was effective October 28. The **OCC** has reported the termination-merger out to state bank involving First National Bank in Dalhart was consummated/effective October 28 🏠

Federal Regulatory Agencies Request Comment on Flood

Five federal regulatory agencies are requesting comment on a joint notice of proposed rulemaking to implement provisions of the *Biggert-Waters Flood Insurance Reform Act* (BWA) that require regulated lending institutions to accept certain private flood insurance policies in addition to policies made available by the Federal Emergency Management Agency.

The federal flood insurance statutes require regulated lending institutions to ensure that flood insurance is purchased in connection with loans secured by improved real property located in areas having special flood hazards. Under the BWA, regulated lenders must accept, in satisfaction of this mandatory purchase requirement, policies issued by private insurers that satisfy the criteria specified in the BWA.

The proposed rule includes provisions to assist lending institutions in identifying private flood insurance policies they would be required to accept. The proposal also would clarify that lenders retain their discretion to accept private flood insurance policies that do not meet the criteria for mandatory acceptance, provided certain conditions are met.

Furthermore, the proposed rule would establish criteria to apply in determining that coverage offered by a mutual aid society provides the type

(continued on Page 8)

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POSITIONS AVAILABLE

INSTITUTIONAL EQUITY AND/OR OPTIONS SALES. Dallas-based. Emphasis on buy side firms, hedge funds EFT's, etc. must have series 7, 63. Unlimited earnings potential but typically in the 250—300k range. For information call or write Kevin@Babich.com. 214-515-7606.

SR. COMMERCIAL LENDER needed for fast growing regional bank expanding into the Dallas-Fort Worth market. 5-10 years experience originating mid-market C&I, CRE, and SBA loans. Must be well networked with current production history. Send resume to apotenti@babich.com. 214-515-7609.

COMMERCIAL LENDER, AUSTIN: Senior-level C&I LENDER opportunity. Average loan size \$5MM, in-house of \$18MM, fast decisions. Position requires significant local following. Mark Mitchell, Lone Star Search. 972-335-9009. www.lonestarsearch.net.

MARKET PRESIDENT, LAREDO: Unique opportunity for local, se-

nior **COMMERCIAL LENDER** to grow and implement this Texas bank's brand. Mark Mitchell, Lone Star Search. 972-335-9009. www.lonestarsearch.net.

COO opportunity at expanding community bank in West Central, TX. Will consider relocation for the right candidate. Responsible for updating the IT infrastructure, overseeing Treasury Services, and BSA. Please contact Gabe Haro at gharo@texas-exec.com.

\$200M East Texas community bank seeking an **EXPERIENCED LENDER** with commercial and real estate lending background. College degree with a minimum of five years lending experience required. Responsibilities include business development and community involvement. Strong underwriting and organizational skills required. Send resume to bankersdigest@bankersdigest.com, subject line Box S-2.

Large independent financial institution has an immediate full-time opening for a **SENIOR COMMERCIAL LENDING OFFICER-PRIVATE BANKING**. Position requires at least 15 years experience in commercial lending; professional customer base preferred. Extensive knowledge of commercial lending regulations and procedures a must. College degree in finance, accounting, or related field is required. Individual must possess strong business development skills. Excellent salary and benefits. Qualified individuals may apply on-line at www.americanbank.com. Equal Opportunity Employer.

A high performing independent community bank in Artesia, New Mexico, has an opening for an **INFORMATION SECURITY/IT OFFICER**. Duties include maintaining a reliable, secure, and efficient data communications network. The ideal candidate must be able to deploy, configure, maintain, and monitor all active network equipment and provide technical troubleshooting and expertise across the IT infrastructure including, security, networking, servers, and storage technologies. Applicant should have proven experience in a network administrator role. For



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more information, contact Western Bank at 575-748-1345. Send resume to Bank@wbartesia.com.

CHIEF CREDIT OFFICER – Growing community bank 45 minutes South-east of Dallas seeks experienced credit officer to oversee loan review, credit analysis, and loan reporting functions. Strong organizational skills are required. Competitive compensation package based upon experience and education. Email resume to Vidal Jones at vidal.jones@fnbkemp.com.

Bank of the San Juans has an opportunity for a **COMMERCIAL LOAN OFFICER** in Durango, Colorado. Requires a minimum of 3 years of commercial lending experience and a strong sales and business development orientation. Excellent benefits. Apply online at www.glacierbancorp.com. Bank of the San Juans is an Equal Opportunity Employer.

CREDIT ANALYST – Northeast Texas area bank: Community Bank needs a credit analyst for \$230 million bank. Bachelor's degree and 3-5 years experience preferred. Interested parties may send a resume to kholt@gnbgilmer.com.

COMMERCIAL LENDER needed for Dallas location of a high performing North Texas Community Bank. Applicant must have a bachelor's degree in business and at least five years Dallas Area banking experience. Strong underwriting and organizational skills required. Inside LBJ loop residence; community & family oriented individual a plus. Bank maintains rapid approval procedures and lending limits exceeding \$60 Million. CRE and C&I focused. Send information to bankersdigest@bankersdigest.com, subject line Box N-1.

CHIEF LENDING OFFICER for a \$270MM community bank, currently with three branches. Prefer experience in commercial, real estate and consumer lending, supervising lending personnel and a working knowledge of lending regulations and loan operations. This is an excellent opportunity for someone who desires to be a part of the community

and management succession plan of the bank, with a potential path to CEO. To arrange for a confidential discussion about the position, contact Missy Wilson, Human Resources Director, First National Bank & Trust Okmulgee at 918-758-2445. For online inquiries or resume submission, please email mwilson@firstokmulgee.com. First National Bank & Trust is an Equal Opportunity Employer – Veterans/Disabled and other protected categories, and Member FDIC.

COMMERCIAL & INDUSTRIAL/HEALTHCARE SENIOR LOAN OFFICER – Central National Bank, Tulsa Branch is seeking a lender/relationship manager with 5+ years in one or a combination of the following: Commercial banking – Business or Private and have extensive experience lending to healthcare practitioners and institutions. Credit analysis or similar background is a plus. Individual must be self-motivated with a high level of initiative and accountability, and also with a proven business development track record. Excellent compensation package and benefit plan. Relocation packages may be available. Qualified candidate should email a resume to Jan Redding at: jredding@cnb-ok.com. EOE/AA/Vet/Disability.

COMMERCIAL LOAN OFFICER – Lone Star Capital Bank, Marble

Falls, TX, Branch. Minimum of five years of commercial and real estate lending experience. Bachelor of Science or Bachelor of Arts preferred. Formal credit training is a plus. Community involvement will be expected. Salary and title commensurate with experience. Lone Star Capital Bank is a \$240 million bank with headquarters in San Antonio. It specializes in loans and account services to businesses, entrepreneurs, real estate owners, and individuals. To apply, send resume to Ralph Yzaguirre at ralph.yzaguirre@LSCB.com.

COMMERCIAL LOAN OFFICER, Carlsbad, NM. Exciting career opportunity at a community minded bank in southeast NM. Ideal candidate will have undergrad degree in related field and five years commercial loan experience. Must manage commercial loan portfolio to maintain quality control, minimize loss, and actively participate in local business and community activities. Please submit resume to Kirsten St. John at kstjohn@carlsbadnational.com.

CREDIT ANALYST, Carlsbad, NM. Exciting career opportunity at a community minded bank in southeast NM. Successful candidate will have an undergrad degree in accounting or finance and the ability to analyze, evaluate, document, and

Community Bank Senior Lending Officer

Collegiate Peaks Bank, a privately held \$420MM community bank, is looking to hire a well-rounded senior bank lending officer for its headquarter banking center in Buena Vista, Colorado – located in the heart of the Upper Arkansas River Valley of the central Colorado mountains. The strong, vibrant local / regional economy is well diversified, yet lead by new in-migration population growth, new construction, high level of tourism demand, and commercial development & expansion. Potential candidates should possess at least five (5) years of community bank lending & management experience along with strong demonstrable past business development skills and formal credit underwriting abilities. Chosen candidate will have responsibility for administration and growth of an existing portfolio. Compensation, commensurate with qualifications, to be a combination of base salary & formal incentive program – plus a generous benefits package. For more information, please forward resume and cover letter via email to Burke L. Kaiser President – Mountain Region (Burke.Kaiser@CollegiatePeaksBank.com). Equal Opportunity Employer. Member FDIC.

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monitor credit risk of proposed and existing customers. Please submit resume to Kirsten St. John at kstjohn@carlsbadnational.com.

COMMERCIAL LENDER FOR TERRELL/FORNEY: \$2.2B community bank seeking an experienced lender with commercial and real estate lending background. College degree with a minimum of five years lending experience required with strong underwriting and organizational skills. Responsibilities also include business development and community involvement. Please submit resume to hr@texasbankandtrust.com. EOE.

CFO for locally-owned, North Central Texas bank. Experienced banker with desired 3+ years of experience with fiscal responsibilities including, but not limited to, financial reporting, forecasting, budgeting, ALCO, investment portfolio administration, balance sheet stress testing, regulatory report preparation, and ALLL analysis. Respond to bankersdigest@bankersdigest.com, subject line Box N-2.

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