

Electronic Real Estate Recording Task Force
Minutes: 14 November 2002
As recorded by Bob Horton

Present: (Members) Jeanine Barker, Julie Bergh, Carmen Bramante (via telephone) Jeff Carlson, David Claypool, Michael Cunniff, Larry Dalien, Bob Horton, Chuck Hoyum, Secretary of State Mary Kiffmeyer, Denny Kron, Scott Loomer, Gail Miller, Eileen Roberts, Dennis Unger (via telephone). (Guests) Greg Bachman, Bert Black, Luci Botzek, Pat Brown, Angela Burrs, Lowell Haagenson, Greg Hubinger, Beth McInerny, Carl Langner, Bill Mori, Carmen Mulder, Jim Mulder, Molly Terry (via telephone), Jeannelle Weiss (via telephone). Rick Kvien (via telephone),

1. Call to order

Secretary Kiffmeyer called the meeting to order at 9.35.

2. Approval of 10 October 2002 minutes

The minutes were approved as distributed.

3. Project coordinator update

Beth McInerny reported on activities over the past month. The BenNevis contract ended last Tuesday. With its staff, she has gone over the standards and pilot plans, to make sure that every task has been completed. She has sent out invitation letters to MISMO and other trusted submitters whom we would like to participate in the Task Force. Gabe Minton, Ted Adams, Leslie Garder and David Barkley, all participants in MISMO, agreed to continue to share information. Renee Tierney and Janelle Weiss, trusted submitters, also agreed to stay in touch. The goal of extending the invitations is to keep as many people informed and included as possible, for purposes of education and future cooperation. Mike Cunniff asked that copies of the invitation letter be distributed to the Task Force members and that all such documents in the future be distributed as well.

McInerny distributed the draft of an RFP for a new consultant, with XML and business analysis expertise, to serve as a resource for the Task Force. She asked members to send her any suggestions for improving the RFP. Bill Mori asked about relations with national standard setting bodies. McInerny said that would more likely be a formal responsibility of the Task Force and a subcommittee, but the consultant would serve as a resource.

McInerny reviewed the RFP's text. Bob Horton moved that McInerny should work with the LCC to follow the standard RFP process and publish a RFP to hire a consultant. Jeff Carlson seconded. Bert Black asked if there should be a cap to the contract. McInerny said \$63,000 is available and the consultant would be available in both phases of the pilots. This would not be listed in the RFP. The executive committee would review the applications and hire a consultant, but anyone interested in reviewing the applications could join the process. The motion prevailed.

Contracts with the pilot counties are still under negotiation, which puts the project time line behind schedule. Once the contracts are completed, we will be able to set a new date for when the electronic filings could start. Bert Black reported that Hennepin has sent in comments on the proposed contract and that it is under review by the LCC. The other counties have not yet responded.

McInerny noted that budget reports are available at every meeting. Other material is posted regularly to the web site. For FY03, \$310,093 is the revenue to date and \$39,360 has been expended. Secretary Kiffmeyer noted that the budget is capped at \$1.2 million, so that the legislature has to approve additional spending, even though fees will continue to flow into that account.

4. Phase 1 pilot projects

Beth McInerny said that on 5 November BenNevis walked through the standards for a group of vendors, submitters and Task Force members. The report of the meeting was distributed, with a note that Pam Trombo was waiting for further information on items 8 and 9. For #8, this new data type is not specific to a single document, so it should apply to any transaction when an interest is transferred. The Task Force has to list the documents when this should be required. The legal subcommittee will review and compile this. For #9, the legal subcommittee will also investigate and report.

Jeff Carlson asked about #10. Secretary Kiffmeyer suggested making the fields required, but allow for N/A, not applicable, as a positive denotation that it was checked. Mike Cunniff said that a document number has to be mandatory, if it is available. Luci Botzek and Bill Mori said they do not recall any instance of counties that do not use document numbers. All the pilot counties require document numbers, so they will be required in this phase. MACO will look into the question of whether any counties are not using document numbers. Mike Cunniff moved acceptance of the solutions to the questions posed for items 8-10, as discussed. Jeff Carlson seconded. The motion prevailed. Cunniff moved for approval of all the other schema changes in the report. Carlson seconded. The motion prevailed.

Secretary Kiffmeyer reviewed the Task Force's relations with the national standards setting bodies, MISMO and PRIA. The Task Force has always intended to conform to national standards. MISMO has given its permission to use the standards. Carmen Bramante, speaking for PRIA, said usage was contingent on PRIA's publication of the standards. Mark Monacelli wrote that PRITJF members, who had worked on the standards, had to sign off on a release of any putative rights they had to PRIA. Jeff Carlson and Dennis Unger have sent in their releases. Mike Cunniff reported that he had spoken to Mark Monacelli about the need to move forward more expeditiously and asked why PRIA could not follow MISMO's lead. Monacelli said the concern was to prevent anyone from claiming a copyright to the material, which was why the releases had to be in place. Deloitte Touche and a county recorder in another state still have to provide a release. Monacelli will contact the Task Force as soon as PRIA receives the releases.

McInerny said that BenNevis was still contractually obligated to synchronize the Minnesota and PRIA standards, once the latter is available. This should not be too time consuming, as staff has

already done a significant amount of work with a draft version of the PRIA standard. Approximately 80 hours of time was allocated to this process in the contract. Secretary Kiffmeyer asked if the Task Force should wait for PRIA and, if so, for how long; she said further delay will keep counties and vendors from moving forward. Jeff Carlson moved that if PRIA has not published its standards by 29 November, the Task Force would move ahead with its work on the basis of the standard in place. Chuck Hoyum seconded. The motion prevailed. Denny Kron moved that we write PRIA and notify them of this resolution, expressing the Task Force's eagerness to cooperate and to conform to the standards, but stating the need to move forward with the pilots per our work plan and requesting PRIA to publish and deliver its standards by 29 November. Mike Cunniff seconded. The motion prevailed.

After this discussion, Carmen Bramante joined the meeting via telephone and confirmed that PRIA is waiting for the releases as Monacelli described. PRIA will publish the standards within days of receipt. Bramante will make sure that BenNevis and the Task Force receive notice and copies of the standards as soon as possible.

5. Reports from subcommittees

Bob Horton reported on the Pilot Framework and Scope Subcommittee, which had been asked to review the Roseau proposal. This meeting was scheduled for 7 November, but was cancelled when the Roseau-AMC proposal was removed from consideration. Rick Kvien said that Roseau has decided to partner with West Central Indexing instead. He would like to submit a new proposal. Horton said that BenNevis played a primary role in the review of the previous proposals and it would not be available to review a new proposal. Some other resource would have to take its place to make the review process work.

Eileen Roberts asked if BenNevis could be signed to a short term contract, with the costs charged back to Roseau. The LCC could approve a contract under \$5,000 without using a RFP. Beth McNerny said that there would be some problems in tracking and analyzing the pilots if different counties are starting at different times. Mike Cunniff and Larry Dalien both said that the counties will be working on different schedules anyway. Cunniff suggested that we move ahead with the other pilots, but allow Roseau to submit its new proposal and review it according to the established process. He also suggested that the Task Force use its pilot contingency funds to cover the costs of a new BenNevis contract. Hennepin further is not concerned with any re-allocation of funds.

Lowell Haagenson said that West Central Indexing had talked with BenNevis before submitting an application. Cunniff moved that the new proposal be submitted to the pilot review committee by 18 November for evaluation and that the committee report back no later than the January Task Force meeting. Eileen Roberts seconded the motion. The motion prevailed. Cunniff moved that we ask BenNevis to agree to a short term contract to analyze the Roseau proposal according to the same process used for the other pilots, with payment to come from the pilot contingency fund. Bob Horton seconded the motion. Bill Mori asked if this was going to occur independently of the analysis of the allocations for the other pilots. Secretary Kiffmeyer said that those proposals were approved at the last meeting and would not be reviewed as part of this process. The motion prevailed. Rick Kvien thanked the Task Force for its patience.

6. Adjournment

The meeting adjourned at 12.05 PM.