

**Electronic Real Estate Recording Task Force  
Minutes: 12 February 2004**

Present: (Members) Jeanine Barker, Joel Beckman, Julie Bergh, Angela Burrs (via telephone), Jeff Carlson, Mike Cunniff, Bob Horton, Chuck Hoyum, Secretary of State Mary Kiffmeyer, Denny Kron (via telephone), Rick Kvien (via telephone), James Lawler, Carol Leonard, Gail Miller, Chuck Parsons, Leonard Peterson, Eileen Roberts. Mike Ryan, Dennis Unger. (Guests) Bert Black, Luci Botzek, Nancy Dean, John Engerholm, Ray Hirte, Greg Hubinger, John Lally, Scott Loomer, Beth McInerny, Kaye Wrucke, Bill Mori (via telephone).

1. Call to order

Secretary Kiffmeyer called the meeting to order at 9 AM.

2. Approval of the minutes

Mike Cunniff noted that the minutes from the 22 January meeting did not reflect the motion made about the approval of the task force report. He indicated that Carol Leonard moved for the approval of certain changes in the text, but not for the approval of the report as a whole. Julie Bergh and Carol Leonard seconded his concern. Cunniff said he had not seen the changes in the report; he had no objections to the report, as a whole, but he felt that there had been no formal approval for the report's submission.

Beth McInerny said that she had emailed a revised copy of the Excel spreadsheet, as well as a summary of the approved changes. John Lally said that was different from seeing a revision of the report, which was what Mike Cunniff was discussing. Secretary Kiffmeyer asked if there were any objections to the report as submitted to the legislature. Cunniff said that he had none, but he was concerned about the process that was followed.

3. Project coordinator update

Beth McInerny reviewed the project budget, which was distributed for review. Revenue collected to-date equals \$2,377,238.05 and \$1,101,738.05 remain available for Phase II. Pilot expenses have been reported by Renville, Roseau and Lyon counties and reimbursements have been made to these counties.

McInerny then presented the Kinney and Lange report on the digital notary patents. Mike Cunniff moved for the acceptance of the report and Leonard Peterson seconded. The task force unanimously approved acceptance of the report. Kinney and Lange can now be paid for its work.

SKYTEK continues its work on the object oriented approach to the schemas. McInerney thought that the consensus of those reviewing the approach was that postponing the effort, until people had more time to devote to this, would allow them now to focus on the implementation of the pilots. Mike Cunniff suggested revisiting the schedule for this

effort at the next task force meeting and to postpone it in the meantime. Gail Miller added that if people did have time, then they could comment on the revisions, but would not be obligated to do so. John Engerholm will be available to help if needed.

#### 4. HF 1806 – legislation to extend the task force

Bert Black distributed copies of the bills submitted in the House and Senate to extend the life of the task force, along with some of the supporting documents accompanying the bills. The House Commerce Committee will hear the bill this afternoon.

#### 5. Updates from pilot counties

Jeanine Barker reported that Lyon County had successfully filed 16 Satisfactions and had rejected one, a Torrens filing. Jeff Carlson said that accepting a Torrens filing was not a legal issue, but a question of whether the system could accept it or not. So he would re-submit it. At this point, there is only one trusted submitter at work in the county.

Joel Beckman said that so far Dakota had accepted some 2100 Satisfactions and about a dozen Certificates of Release. InGeo was approved as a trusted submitter, but had not yet submitted any documents. He thought Assignments would be ready in 3-4 weeks.

Mike Cunniff said Hennepin went live this week with the electronic numbering system and that it was working. SKYTEK worked on the schema validation process in Hennepin and that was moving forward successfully. Within the next few weeks, the Hennepin system should be live. Cunniff wants to move quickly on Assignments, once Satisfactions and Certificates of Release were working. He thinks that once Hennepin is live, then this might support a move to attract more submitters to the pilots. Chuck Hoyum said that Old Republic should be ready when Hennepin is.

Gail Miller reported that Renville should be live by the next task force meeting.

Rick Kvien said that Roseau has been using the automatic numbering system for about three weeks. Both trusted submitters were working with InGeo, which should be ready by the beginning of March to begin submitting documents.

John Engerholm said that Dakota, Lyon and Hennepin had all passed the validation testing for Satisfactions and Certificates of Release. He will soon begin testing Assignments once contracts are signed. The pilot county work group continues to exchange information. Renville was not yet scheduled with SKYTEK for its validation testing.

John Lally asked if the counties were compiling data to generate some performance measures to evaluate the pilots. Mike Cunniff said that they were. Beth McInerny said there was a matrix of measurements on the task force web site that counties were using. Joel Beckman said that Dakota was already developing some data. John Engerholm

added that several sections needed data from the trusted submitter; Jeff Carlson said that he would begin work on that.

#### 6. Phase II planning committee

Jeff Carlson summarized the minutes of the committee's 28 January meeting, which were distributed. He thanked Bill Mori for arranging a discussion with a representative of the Digital Signature Trust to review digital signature technology. The committee would work on the issue of a transmission letter and what it might comprise. John Engerholm had two documents from MISMO that Beth McNerny would forward to the committee for review.

Gail Miller said that after the committee meeting, several county representatives discussed the cost estimates for Phase II. The goal is to revise the estimate, through discussions with the auditors and treasurers, as well as vendors. This group will meet again after the next committee meeting.

#### 7. Additional business

Mike Cunniff said that the legal subcommittee had submitted a report in November, which contained several suggestions for improving the legal framework for electronic recording. He would like the task force to take action on the report and have a bill prepared to enact the suggestions. Chuck Parsons said that a House staffer, Tom Pender, could work on this and that it would be a good idea to get it started. The task force agreed by consensus to move forward with the legislation.

#### 8. Adjournment

The meeting adjourned at 9:45.