

Electronic Real Estate Recording Task Force
Minutes: 23 January 2003

Present: (Members) David Arbeit, Jeanine Barker, Julie Burgh, Jeff Carlson, Mike Cunniff, Susan Dioury (via telephone), Don Goedken, Marty Henschel, Bob Horton, Chuck Hoyum, Secretary of State Mary Kiffmeyer, Cindy Koosman, Denny Kron, James Lawler, Scott Loomer, Paul McGinley, Gail Miller, Bill Mori, Chuck Parsons, Leonard Peterson, Mike Ryan, Dennis Unger, Joe Witt. (Guests) Bert Black, Luci Botzek, Angela Burrs, Lowell Haagenon, Greg Hubinger, Beth McInerney, Bill Mori, Carmen Mulder, Pam Trombo, Ray Hirte, Carmen Mulder, Chris Akers, Pat Brown

1. Call to order

Secretary Kiffmeyer called the meeting to order at 1.05.

2. Approval of minutes

The minutes of the 12 December 2002 meeting were approved as distributed.

3. Project coordinator update

Pam Trombo reviewed the discussions from the 21 January meeting to review the schema. With the legal subcommittee, the participants identified the elements that Minnesota law required. These are now indicated on the standard. They also decided that now any type of signature will be allowed, in order to conform to the PRIA and MISMO standards calling for W3C standards for signatures.

Jeff Carlson mentioned that there were a couple of issues from the meeting to refer to the task force. Mike Cunniff wanted to use the uniform conveyancing blank as the standard for the style sheet. He felt that the task force had always considered a standard, uniform presentation as a goal. Chuck Parsons noted that the standards for legibility in the statutes for printed documents have value. Since other states had different requirements, it would be advisable to allow for some flexibility in the appearance; the important thing is to have the correct information in a usable format. Counties will need a readable document and submitters will need some latitude.

Carlson asked if the task force's goal had included standardizing the appearance of documents. Bert Black said the technology subcommittee had raised a similar issue and said that the data structures would be standardized, but that each county could specify in its own implementation guide about standards for presentation. Secretary Kiffmeyer asked the task force if it wanted to include development of a uniform standard for presentation in its work plan. Pam Trombo said that the schema included more information than was present in the uniform conveyancing blank for satisfactions, for example.

Parsons added that a different problem is that the schema for the satisfaction does not include all the necessary text that will make the document legally effective. That has to be added

somewhere and there has to be some assurance that what the submitter filed is what the county received and archived. In the current plan, some important information is now contained only in the style sheet language. Bill Mori said that TriMin's work in two Wisconsin counties is now based on the use of standard forms, but the task force should make the policy decision and the technology will accommodate it. These pilots have used only satisfactions filed by Wisconsin submitters.

Pam Trombo estimated that developing a standard form could be done. The style sheet would be easy to create. Agreement on the verbiage and appearance would be a function of the time and number of the people working on the process. Mike Cunniff moved that the task force adopt the schema, version 1.1, as presented and that it create standard templates or style sheets for Phase 1 based on the uniform conveyancing blanks, but enhanced to capture all the data elements currently in the schema. Cindy Koosman seconded. The motion passed. These people volunteered to serve on the style sheet subcommittee: Mike Cunniff, Jeff Carlson and Dennis Unger. They will report back at the next meeting.

Chuck Parsons suggested that the satisfaction is relatively straightforward, but the task force needs to spend more time considering some of the larger issues that this discussion has raised before it gets to standards for deeds and mortgages, where the text/verbiage is even more critical.

Jeff Carlson reminded the task force of the other issue that came up at the schema update meeting. The digital signature will appear as a text line, but not as the traditional written signature.

Beth McInerny reported on the Roseau county pilot proposal. The subcommittee to evaluate the proposal was awaiting the conclusion of a contract with BenNevis. That has been approved and work will now start.

She then reviewed the pilot measurement matrix describing what the pilots would produce for their reports. The draft came from the pilot subcommittee, enhanced and improved by McInerny and BenNevis. Gail Miller moved and Don Goedken seconded the approval of the matrix. The motion was adopted.

Beth McInerny announced that the Executive Committee had selected the Navis Group as the new business analyst and XML expert for the task force. A draft of the contract was distributed to the task force. One of the staff of the Navis Group has done some recording business analysis at Renville County prior to being hired at Navis. McInerny will email Navis's response to the RFP. Joe Witt moved and Marty Henschel seconded acceptance of the contract. The motion was adopted.

Secretary Kiffmeyer reported that Beth McInerny would be taking a leave of absence from the task force to go to China to adopt a baby. She will leave 10 February and return to the task force at the beginning of April. She suggested that she could contract with the Navis Group to fulfill her responsibilities in her absence. Bert Black said the contract with McInerny LLC does not forbid her letting a subcontract. McInerny could help Navis prepare before she leaves. Bob

Horton moved and Jeff Carlson seconded that the task force authorize McInerny to contract with Navis to serve as her backup. The motion passed.

Greg Hubinger reported that the LCC was negotiating with representatives of Hennepin County about a contract for the pilot. There were some difficulties in scheduling meetings, but they were making good progress and expected to finalize a contract soon. Work with Renville will follow, using the contract with Hennepin as a model. Mike Cunniff said that Dakota and Lyon asked Hennepin to serve as their representative. Jeff Carlson said that the Navis contract might get out of sync with the pilots unless the task force took care to make sure the schedules in the work plans were aligned. Cunniff said the system in Hennepin should go live with electronic recording six months after the contract is signed. Bert Black said the contract with Navis includes some language giving the task force some flexibility in starting the work. Chuck Hoyum moved and Marty Henschel seconded that the executive committee have the authority to approve the contracts for the pilots in Hennepin, Dakota, Lyon and Renville after they are negotiated. The motion passed.

4. 2003 Legislative Strategy

Beth McInerny discussed how to develop a funding estimate for Phase 2. Bill Mori had suggested some steps to follow. Having an estimate would help with the legislative strategy. A proposed bill for appropriating additional funds from the filing surcharge to the task force to use in Phase 2 was drafted. Gail Miller, Denny Kron and a representative from Hennepin County volunteered to serve on the subcommittee to develop the estimate. Bill Mori noted that there are some projects in other states that could serve as useful models.

Bert Black reviewed the task force's proposed bill for this session. In it, all the funds generated by the filing surcharge will be appropriated to the task force, with a sum to cover the services provided by the LCC. Black noted that this bill will certainly need testimony and support from task force members in order to pass.

Secretary Kiffmeyer reviewed the talking points that members used in the last session for support of the task force. The work of the task force is more fully detailed in the 2003 Report to the Legislature. Members had a few of suggestions for improving the text and style of the report. James Lawler moved and Leonard Peterson seconded approval of the proposed bill and the report, subject to the corrections noted in the discussion.

Bert Black asked members to have their constituents and associations prepare letters to legislators and especially chairs of the appropriate committees. Luci Botzek suggested that, in view of the budget crisis, the task force lobbyists convene to prepare a strategy to follow. Black will facilitate that meeting.

5. Future meetings

The task force will regularly meet on the 2nd Thursday of each month in the mornings. The next meeting will be 13 February.

6. Adjournment

The meeting adjourned at 3.50.