

**Electronic Real Estate Recording Task Force
Minutes: 11 December 2003**

Present: (Members) Jeanine Barker, Joel Beckman, Mike Cunniff, Marty Henschel, Bob Horton, Chuck Hoyum, Secretary Mary Kiffmeyer, Cindy Koosman, Carol Leonard, Gail Miller, Leonard Peterson, Eileen Roberts, Dennis Unger. (Guests) Bert Black, Luci Botzek, John Engerholm, Ray Hirte, Greg Hubinger, John Lally, Scott Loomer, Beth McInerny, Bill Mori (via telephone), Tony Sommerfeld, Pam Trombo.

1. Call to Order

Secretary Kiffmeyer called the meeting to order at 9.45.

2. Approval of 13 November 2003 minutes

The minutes were approved as distributed.

3. Project coordinator update

Beth McInerny presented the project coordinator update. All the contracts for the pilots have been finalized and are in the process of being signed. McInerny had emailed copies of the schema revisions to the task force which would constitute version 3.0. She submitted them for task force approval. This is the last deliverable on the BenNevis contract and would result in final payment for its work. Mike Cunniff moved and Chuck Hoyum seconded approval. The motion passed.

McInerny outlined the plan for synchronizing the schema to an object oriented approach. Navis will facilitate a meeting, to be scheduled in the next few weeks, to meet with task force members, vendors and any others interested in attending to discuss the revisions.

Kinney and Lange is the law firm working on the Arcanvs patent issue. The attorneys met with several task force members on the 9th to review the patents and discuss the ERER standards. Kinney and Lange will report to the task force at the January meeting. Dennis Unger mentioned a new organization, working on standards and issues in electronic recording, which is also looking at the topic. He will forward the details on its work. Before Kinney and Lange's report in January, McInerny will schedule a meeting for any interested parties to meet and talk with the attorneys.

Eileen Roberts moved authorizing Kinney and Lange to contact the bankruptcy trustees about purchasing the patent, as that might be less expensive and simpler option. Mike Cunniff seconded. Dennis Unger offered the friendly amendment of asking about a license too. The motion passed as amended.

Secretary Kiffmeyer reported that Bert Black and Greg Hubinger had drafted language for a bill to submit to the legislature on the next session. This would extend the life of the task force and its funding arrangement through June 2006. Eileen Roberts asked if it would make sense to retire the current task force members and re-appoint members as of June 2004; this would make the task force more of a users group. Cindy Koosman urged the addition of more county officers, particularly county auditors and treasurers, as their participation is critical in Phase II. MACO is developing a user group on its own,

which might be a model to keep in mind. Secretary Kiffmeyer said that county officers have been invited to join the task force; she will present some suggestions for following up on this in January. Bert Black noted that the task force should begin work on its legislative agenda before the next meeting in January and so it should act on the proposed language at this meeting. There could be changes later, but it would be important to create a placeholder in the process as soon as possible. Luci Botzek said that time is not that critical; there is little chance that money bills will be considered before February.

Jeanine Barker suggested that the task force should begin the discussion of the long term plans for the maintenance of the standards and the organizational options. Cindy Koosman asked about plans for the uncommitted funds. Other counties are interested in starting electronic recording and would be able to use the funds. Beth McInerny pointed out that Phase I is not completed and Phase II isn't even budgeted, so it is premature to allocate these funds. The cost estimates for Phase II work are also extremely high.

Bob Horton moved approval of the language as written. Leonard Peterson seconded the motion, with the amendment that the task force should move ahead with formulating the alternatives for the task force management.

Mike Cunniff moved as a substitute motion separating sections 1-3 from section 4 and supporting the concept of electronic real estate recording without supporting the structure of the task force as constituted. Cindy Koosman seconded the motion.

Bob Horton amended his motion to approve the language as written as a placeholder, but the task force will at the same time establish a sub-committee to begin to explore the issues discussed about the long term maintenance of standards and the support of electronic real estate recording. Chuck Hoyum seconded the motion. Bob Horton would serve as co-chair, with a co-chair to be named by MACO when its user group is established. Mike Cunniff withdrew his motion. As amended, Horton's motion passed. Beth McInerny will send a notice to the task force asking for volunteers to participate in the subcommittee. Mike Cunniff said he would participate.

Joel Beckman suggested adding another document – assignments – to the Phase I test. The data elements are very similar, although the ultimate handling is different. This would involve Navis developing testing and analysis. Chuck Hoyum asked where the demand for assignments came from; the assignments are usually filed with the Phase II package. Gail Miller said they often come in batches independent of a Phase II package.

Ray Hirte asked about the validation process. Is Navis validating the schema as written, the counties or the validation engines that the vendors have developed? This will be on the agenda for next month's meeting.

Bert Black reported that he, Chuck Parsons and Greg Hubinger had reviewed the question of allowing other counties to file Phase I documents electronically. They advise that it would be possible, if it took place in the context of a pilot. The software would have to be certified and so it would be already tested; that would be a benefit to the counties. In addition, the counties would have to allow for changes in the schema if they occurred. The executive committee has recommended not providing financial support to any new pilot counties. Joel Beckman said the new counties should supply some minimal reporting data, as that could be a real value in any additional report to the legislature. As long as it does not comprise any significant burden, this would be reasonable. MACO will discuss the issue and come back to the January task force meeting with feedback from counties.

The budget reflects that the schema code compliance expenses and the schema code object oriented expenses have not been allocated either to the contingency fund or the uncommitted expenses. Bob Horton moved they should come from the uncommitted funds. Mike Cunniff seconded. The motion passed.

4. Updates from pilot counties

John Engerholm reported that Fidlar requested another run-through for validation and review. The executive committee recommended doing this at the expense of the task force. The cost would be either \$4,000 or \$6,000, depending if the testing worked perfectly or if the application needed additional work. Ray Hirte said that there is some question about the schema and what is being validated. He recommended that the certification process should be reviewed. Engerholm said Navis is testing the software application. Hirte suggested having the technical meeting before this second validation, to ensure that any additional validations in other counties do not also have to be re-done.

Gail Miller moved that funding for re-testing Fidlar be approved as described, up to \$6,000, with money for it coming from the uncommitted funds. Cindy Koosman seconded. The motion passed.

Engerholm described the pilot county conference call held on 10 December. Two legal issues still need to be reviewed, regarding chain of title and torrens. Digital signatures are also a topic of concern. Navis has provided InGeo with some sample cases and Navis is working with it to schedule testing. Roseau is scheduled to go live in February and Renville is looking towards the end of the year. Hennepin is expecting to go live at the beginning of February.

5. Adjournment

The meeting adjourned at 12. The task force's next meeting will be on 22 January.