

Electronic Real Estate Recording Task Force
Minutes: 13 December 2001
As recorded by Bob Horton

Present: (Members) Stephen Baker, Angela Burrs, Jeff Carlson, Michael Cunniff, Larry Dalien, Susan Dioury, Don Goedken, Marty Henschel, Bob Horton, Chuck Hoyum, Representative Al Juhnke, Secretary of State Mary Kiffmeyer, Paul Kiltinen, Gail Miller, Bill Mori, Chuck Parsons, Leonard Peterson, Eileen Roberts, Steven Rohlik, Dennis Unger, Joe Witt. (Guests) Bert Black, Luci Botzek, Marc Diersen, Greg Hubinger, Scott Loomer, Beth McNerny, Mike Moharter, Lance Staricha, Richard Wendt.

1. Call to Order

Secretary of State Mary Kiffmeyer called the meeting to order at 9.30 AM.

2. Approval of minutes

The minutes of the 19 November 2001 meeting were approved as distributed.

3. Report on legal subcommittee findings

Chuck Parsons reported. The legal subcommittee has met once and will meet again on 8 January. The members have gone over material provided by the Revisor of Statutes on pertinent state laws. The issues have been divided among members for further review and the subcommittee will evaluate their reports in January. Parsons suggested that the pilots should deal with real filing. Using parallel systems could create some legal problems. In order to support the pilots, there may need to be some statutory amendments in this upcoming session.

The legal subcommittee has also looked at UETA and E-Sign. There are still some questions as to whether E-Sign has pre-empted Minnesota's version of UETA. To resolve these, one of the counties should request an official opinion from the Attorney General's Office. The AG's Office should also determine whether counties would have to accept electronic filings after a successful pilot; that might result in E-Sign pre-empting their option to require paper filings. The legal subcommittee will phrase the questions for the Attorney General, but it needs a county to volunteer to make the official request. Chuck Parsons moved and Michael Cunniff seconded that the legal subcommittee move ahead with this. The motion was unanimously adopted.

The legal subcommittee is going to discuss whether making the tract index rather than the grantor grantee index the official index should be part of the statutory package. The task force will get a report with more on that issue in January.

Rep. Juhnke said that he had introduced a bill to change the filing fee surcharge to include Torrens transactions in the House. He emphasized that this is a correction bill, not a new tax. Secretary Kiffmeyer suggested members should contact their legislators about this bill. The bill number is HF 2573. Associations and professional groups should provide letters to support the bill. Beth was asked to develop a list of all associations needing to be contacted regarding the upcoming HF 2573 bill. These

associations are to be asked to contact their house and senate members and ask them to support the bill. These letters should be addressed to the authors but sent to Beth who will package them up for Representative Juhnke and the Senate author.

4. Report on subcommittee members and responsibilities

Beth McInerney distributed a report listing subcommittee members and responsibilities. She has tried to balance the memberships between representatives of the private and public sectors. The chairs of the subcommittees are:

- Pilot framework and scope: Bob Horton
- Recording content and workflow: Denny Kron and Jeff Carlson
- Technology: Bill Mori
- Legal subject/fee: Chuck Parsons
- Task force project funding: Mark Monacelli
- GIS: David Arbeit
- Private sector: Joe Witt

Michael Cunniff will join the pilot subcommittee. McInerney noted that the pilot and legal subcommittees will have deliverables; the others will act as resources for the consultants doing the business analysis.

Chuck Parsons moved and David Claypool seconded a motion to accept the report as amended. The motion was approved. McInerney will provide support for and initiate meetings for the subcommittees. The subcommittees will deliver reports to the task force, but all the email and drafts of the subcommittees will not be forwarded to all task force members. In addition, reports and minutes can be posted to the task force web site.

5. Vendor demonstrations

Hart InterCivic and InGeo discussed and demonstrated their electronic recording applications. Kelli Hofferber and Giuseppe Ferrigno presented for Hart, Molly Terry for InGeo.

6. Report from executive committee on proposals

Secretary Kiffmeyer discussed the seven responses to the business analysis RFP. The companies are: Axeos, Greenbrier Russell, SRM, Imerge, Advanced Strategies, BenNevis and LBL. The executive committee set three aside as non-responsive. Four remain for further evaluation. Beth McInerney went over all seven responses briefly. Axeos, Imerge and Greenbrier Russell were eliminated in the first review. SRM, Advanced Strategies, LBL and BenNevis will be invited for interviews, SRM on the condition that it first submits a more detailed plan.

McInerney will try to schedule interviews for Wednesday, 19 December. These will begin at 9.30, at the MCIT; all task force members are welcome to attend. Bill Mori moved and Michael Cunniff seconded a motion to allow the executive committee to award a contract after the interviews. The motion passed

unanimously. McInerny noted that the consultants want a list of the counties and private sector participants for the survey selected at the beginning of their business analysis.

Bert Black noted that only about \$300,000 is available for the task force to spend in the rest of the fiscal year.

7. Next meeting

The task force's next meeting is scheduled for 9.30 on 10 January, at the MCIT. Each subcommittee chairman will deliver a report on any work done by the subcommittee in the interim.

8. Adjournment

The meeting adjourned at 1.00.