



# Minnesota Electronic Real Estate Recording Commission (ERERC)

<b>Date and Time Meeting Scheduled:</b>	August 14, 2008 1:00 PM	
<b>Meeting Location:</b>	MSRS Building, 60 Empire Drive, St. Paul MN	
<b>Attendees:</b>	X – In attendance E – Excused NA – Not in Attendance	
	Jeanine Barker, Lyon County	X
	Teresa Bulver, US Bank	X
	Jeff Carlson, US Recordings	X
	Michael Cunniff, Hennepin County	X
	Robert Horton, Minnesota Historical Society	X
	Eileen Roberts, William Mitchell College of Law	X
	Ryan Tangen, Becker County	X
	Diane Henry-Wangensteen, Legislative Coordinating Commission	X
	Sally Kidd, Legislative Coordinating Commission	X
<b>Observers/Guests in Attendance:</b>	Kay Wrucke, Martin County Bill Mori, TriMin Systems Kris Basilici, Carlton County Larry Dalien, Anoka County Jennifer Wagenius, Washington County <i>Note: Others may have been in attendance but did not sign the attendance sheet.</i>	

## 1. Call To Order/Convening of the 1<sup>st</sup> Meeting of the ERERC

### Bob Horton, State Archivist

The ERERC meeting was called to order by convener Bob Horton, State Archivist, at 1:13 pm on August 14, 2008. A quorum was present.

## 2. Approval of Agenda

Jeff Carlson moved approval of the agenda. Terri Bulver seconded the motion. THE MOTION PREVAILED.

## 3. Introductions

The ERERC members, staff and public attendees introduced themselves. Members recognized the extraordinary efforts and work completed by the Electronic Real Estate Recording Task Force.

#### **4. Election of Chair and Vice Chair**

Mr. Horton requested nominations for the positions of chair and vice chair noting discussion had occurred to include representation from both the counties and private sector in the leadership positions. Mr. Carlson made a joint motion that Mike Cunniff serve as chair and Terri Bulver serve as vice chair. Eileen Roberts seconded the motion. THE MOTION PREVAILED.

Mr. Cunniff requested Mr. Horton continue to chair the meeting due to his familiarity with the agenda. Mr. Horton continued to chair the meeting.

#### **5. Discussion of Adoption of Commission Rules**

Members reviewed the ERER Task Force rules for possible adoption. Mr. Horton stated he and the LCC staff would review and amend the rules as necessary. The revised rules would be e-mailed to members for discussion at the September ERERC meeting.

#### **6. Review of the Final Report and Recommendations of the ERER TF**

Members reviewed the ERERTF End Report. Discussion centered upon the ERERTF Recommendations to the Commission.

- To continue interactions with the County Auditor/Treasurers and Recorders.

Mr. Cunniff noted that the Minnesota Counties Recorders Association has already appointed a sub-committee, which he is chairing. The sub-committee will address issues such as exploring funding sources for the Commission and identifying issues of priority to bring before the Commission.

- To pursue the necessary funding.  
Diane Henry-Wangensteen informed the members that gifts can be accepted on behalf of the ERERC with the LCC as the fiscal agent.
- Select an expert technology specialist.  
Discussion ensued of how best to match the technology skills of any one individual with the needs of the group. Ms. Roberts noted that person would serve at the pleasure of the group and that there would be a limited range of people that would be able to fulfill the needs of the group. Ms. Barker stated that an ideal situation would be to obtain technical advice on an as-needed basis depending on the projects that the ERERC will be working on.
- Continue to monitor the progress of the electronic CRV and the Well Disclosure Certificate projects.

Mr. Cunniff explained the CRV project is coordinated with the Department of Revenue and the Well Disclosure Certificate project is coordinated with the Department of Health. Mr. Horton requested members monitor developments of these projects and report to the Commission as needed.

- Continue monitoring of Model 2 electronic recording.

Mr. Cunniff indicated this would need to be looked at in the future. Specifically, looking at what items are required by statute and what elements are being put into current systems.

- Continue the development of standards for mortgage security instruments and Deeds.  
Mr. Horton stated he believed the Commission needs to take the lead on this effort.
- Continue with the testing model for validation of any new recording system.  
Mr. Cunniff noted Hennepin County is already taking the lead on conducting the testing model. Mr. Cunniff stated he would keep the Commission advised of developments.
- The future Commission will need to examine how validation of systems will occur in the future.  
Mr. Horton suggested members review the final report to enhance knowledge of this element.
- Determine the on-going procedures for validation and for re-validation of recording systems.  
Mr. Horton noted the Commission does have statutory responsibility regarding procedures for validation and re-validation. Mr. Horton suggested having someone in to discuss validation and its implications. Mr. Carlson stated he would arrange for someone to address the group on validation at the next meeting.
- To monitor real property statutes.  
Mr. Horton stated that the group should continue to be active and reactive to this issue.
- Maintain and continue to revise the Trusted Submitter Advisory Guide.  
Mr. Horton stated that the future discussion of the validation recording system may well inform the Commission's ideas about this issue.
- Continue education and promotion of electronic recording in Minnesota.  
Mr. Horton asked that group members all take a role in continuing the education and promotion process.
- Maintain and continue to develop the presentation tools.  
Ms. Henry-Wangenstein advised that the LCC has not yet received all materials from the Office of the Secretary of State. She was not familiar with any developed tools, but will inform the Commission when such materials are received.
- Recruit additional trusted submitters.  
No extended discussion ensued about this item.
- Incorporate secure messaging.  
Mr. Horton noted this also called for a technology expert.

## **7. Draft of Initial Work Plan for ERERC**

Mr. Horton noted the review of recommendations would be part of the development of a work plan, and he asked members to review the complete EREC TF End Report. The immediate focus of the group will be to become more familiar with the validation system and to take consideration of the validation process.

#### **8. Future Meeting Schedule**

The group decided to continue to meet on the third Thursday afternoon of each month for the next six months after which the frequency will be determined by the specific scope of work by the EREC or subcommittees. The group also decided that the meetings should be continued to be held at the Minnesota State Retirement Systems Building.

Ms. Barker moved a resolution to approve the validation process underway in Hennepin County for waiting vendors. Mr. Carlson seconded the motion. MOTION PREVAILED.

#### **9. Discussion of Appointment of Technical Member**

The Commission discussed the need for technical advice and the challenge of finding any one person to serve as a technical member. Ms. Roberts suggested that the group look for a person with a particular subject matter expertise as the commission finds the need for assistance determined by specific projects. Members discussed whether the technical position should be paid and whether additional financial resources would be needed to support technical work.. Mr. Cunniff expressed his interest in the member having a technology background as well as knowledge of the business.. Members also discussed seeking a technical member that is associated with a vendor and whether there would be a conflict of interest. Ms. Bulver suggested that the commission take multiple appointments as needed from multiple vendors. Bill Mori, a public attendee, suggested the Commission consider a person not affiliated with a vendor and instead look to qualified individuals within associations or organizations such as MISMO.

Ms. Roberts suggested considering someone with expertise in the validation process as this is the Commission's primary focus. Ms. Barker questioned whether a more formal request for interested parties should be employed. Mr. Horton requested Commission members utilize an informal process at this time and spread the word to interested parties about the EREC intent to concentrate on the validation process at the next meeting and to invite others to join the meeting and participate The Commission decided to ask Pam Trombo to update the Commission on validation at its next meeting and to possibly set up a subcommittee focused on validation,

#### **10. Review of Transitional Communication Letter to Stakeholders and Interested Parties**

Members reviewed a draft of a letter to be circulated to interested parties informing them about the Commission. Members decided to include an announcement of the chair and vice chair and the contact information for all Commission members in the letter. It was also decided to inform the reader that the next meeting will focus on the validation systems and to welcome interested parties to participate in the meeting.

#### **11. Other Business Items**

Members discussed whether interested public parties should be able to participate in Commission meetings via conference call. Mr. Horton informed members that meetings were now being recorded and would be posted on the EREC web site. It was agreed to investigate the cost of conference calls prior to making a decision on this matter.

Kris Basilici, a public attendee, announced that the 2009 MACO Winter Conference would be held January 13-16 at the Sheraton Bloomington and invited members of the Commission to participate. It was also announced that the eCounties conference will be held September 10-12 at the Arrowwood Resort in Alexandria.

**12. Adjournment**

Mr. Carlson moved to adjourn the meeting. Mr. Cunniff seconded the motion. THE MOTION PREVAILED.

The meeting adjourned at 2:45 pm.

Respectfully submitted,

Michael Cunniff, Chair