South Dakota Electronic Recording Commission

Teleconference

April 26, 2016

MINUTES

The South Dakota Electronic Recording Commission met via teleconference on Tuesday, April 26, 2016. The meeting was called to order by Chairperson Julie Risty at 2:30 p.m. CT/1:30 p.m. MT. Roll call was made and a quorum was established with the following present:

Julie Risty, Minnehaha County Register of Deeds

Elaine Reimer, Brule County Register of Deeds

Deb Young, Davison County Register of Deeds

Peggy Johnson, Sully County Register of Deeds

Greg Wick, South Dakota Land Title Association Representative

Mitch LeFleur, South Dakota Land Title Association Representative

Haven Stuck, South Dakota Bar Association Representative

Monte Wantembach, Information Technology Professional

Since Kris Jacobsen was absent from the meeting, Vice Chair, Deb Young, agreed to take the Minutes of the meeting.

A motion to approve March 23, 2016 Minutes was made by Gregg Wick and second by Elaine Reimer. With no abstention or opposition, motion carried by unanimous vote.

A motion to approve theApril 26, 2016, Agenda was made by Mitch LeFleur and second by Peggy Johnson. With no abstention or opposition, motion carried by a unanimous vote.

Brittany Novotny, Attorney from Midwest Solutions was introduced by the Chairperson, Julie Risty. Brittany explained that her company, Midwest Solutions, represents firms, associations and regulatory boards. Since Midwest Solutions has been hired to assist the commission with passage of the Administrative Rules, Brittany discussed the process to be followed:

1. Proceed to get the Rules in the Final Form for the LRC;
2. Identify those groups to whom we should provide the proposed Rules, for their review and feedback, if any.
3. Formal Rules Promulgation.

Brittany explained that the Rules will need some minor revisions, such as possibly organizing them to be more user friendly, including specific statutes where required, and assigning rule numbers to certain specific sections instead of treating them as subsections. She will contact the Legislative Research Council (LRC) during the process of getting them into final form before formal submittal to them.

Brittany asked that board members consider what groups would be affected by e-Recording, and to provide her with the names and contact information for those groups. She will provide the identified groups with a copy of the proposed Rules and a letter advising them that the e-Recording process is only permissive, and asking for any input that they may have. Some of the groups mentioned at this time were Delivery Agents, Title Companies, the South Dakota Bar Association, the South Dakota Bankers Association, and the Registers of Deeds.

Chairperson, Julie Risty then asked if there was anyone on the teleconference from the public who wished to provide public comment. Gail, from the South Dakota Association of County Officials’ office, informed us that there was no one present at the SDACO office for comment, and no other public comment was made.

There being no further business, the motion to adjourn was made at 3:10 p.m. CST by Greg Wick and seconded by Haven Stuck. Motion unanimously carried.