South Dakota Electronic Recording Commission

Teleconference

Wednesday, March 23, 2016

MINUTES

The South Dakota Electronic Recording Commission met via teleconference on Wednesday, March 23, 2016. The meeting was called to order by Chairperson Julie Risty at 3:03 p.m. CT/2:03 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

Donald J. Straka, South Dakota Bankers Association Representative

Greg Wick, South Dakota Land Title Association Representative

Mitch LeFleur, South Dakota Land Title Association Representative

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

A motion to approve the February 18th, 2016 Minutes was made by Gregg Wick and second by Peggy Johnson. With no abstention or opposition, motion carried by unanimous vote.

A motion to approve the March 23rd, 2016, Agenda was made by Mitch LeFleur and second by Donald Straka. With no abstention or opposition, motion carried by a unanimous vote.

There was discussion concerning hiring legal counsel to help complete the administrative rules process. Haven Stuck and Donald Straka were thanked for helping with writing of the rules, getting them into the form and style necessary to proceed and conversing with Doug Decker on utilizing the SDACO as our agency. The payment of the attorney’s fees for this process is allowed by law pursuant to SDCL 7-9A-5, through the South Dakota association of county officials register of deeds modernization and preservation relief fund. Since the rest of the process is a very timely matter with deadlines, Julie Risty spoke to Brittany Novotny of Midwest Solutions, upon the suggestion of members of the LRC. Julie reported that it was her understanding that Midwest Solutions has worked with the administrative rules process with other associations and seemed to have the knowledge and experience that would be required. Julie Risty also reported that the fee quoted by Midwest Solutions was $125.00 per hour with an estimated total expense to help complete the rules process, with no opposition, would be approximately $3,000. Approximately 20 – 25 hours of work; however, if there were any unforeseen issues, then the time and cost would increase accordingly. Mitch LaFleur and Greg Wick also mentioned that attorney Bill VanCamp has worked with administrative rules as well, and further discussion was held.

A motion was made by Mitch LaFleur and seconded by Don Straka to proceed to hire Brittany Novotony/Midwest Solutions, subject to review of information received from Midwest Solutions and Don Straka’s further communications with Brittany and without any objection by April 1st. With no abstention or opposition, motion carried by unanimous vote.

Chairperson, Julie Risty asked for public comment and Gail reported that there were no attendees present at the SDACO office. No public comment was made.

There being no further business, the motion to adjourn was made at 3:45 p.m. CST by Don Straka and seconded by Mitch LeFleur. Motion unanimously carried.