South Dakota Electronic Recording Commission

Teleconference

August 10, 2016

MINUTES

The South Dakota Electronic Recording Commission met via teleconference on Wednesday, August 10, 2016. The meeting was called to order by Chairperson Julie Risty at 10:04 a.m. CT/9:04 a.m. MT. Roll call was made and a quorum was established with the following:

Present:

Julie Risty, Minnehaha County Register of Deeds

Deb Young, Davison County Register of Deeds

Sheree Green, Lawrence County Register of Deeds

Peggy Johnson, Sully County Register of Deeds

Mitch LeFleur, South Dakota Land Title Association Representative

Donald J. Straka, South Dakota Bankers Association Representative

Monte Watembach, Information Technology Professional

Haven Stuck, South Dakota State Bar Representative, joined the teleconference at 10:10 a.m. CT

Bob Wilcox, SD Counties Executive Director

Kris Jacobsen, SDACO Deputy Director, serving as support staff.

Absent:

Elaine Reimer, Brule County Register of Deeds

Greg Wick, South Dakota Land Title Association Representative

A motion to approve theApril 26, 2016 Minutes was made by Mitch LeFleur and second by Donald Straka. Motion carried by unanimous roll call vote of 6 Yeas, 0 Nays.

A motion to approve August 10, 2016, Agenda was made by Donald Straka and second by Deb Young. Motion carried by unanimous roll call vote of 6 Yeas, 0 Nays.

Attorney Brittany Novotny, who was hired to assist the commission with the promulgation of rules process, /Midwest Solutions was also present. Brittany updated the committee on the Rules Process.

1. Bob Wilcox, Executive Director of the South Dakota Association of County officials, has signed the authorization to proceed with the proposed Administrative Rules as is required by statute.
2. The Legislative Research Council (LRC) and the SD Bureau of Finance and Management have been noticed of the proposed Administrative Rules.
3. The final draft of the proposed Administrative Rules and Notice for Public Hearing are posted on the SDACO website.
4. The notices for Public Hearing will be published in the Rapid City Journal, the Sioux Falls Argus Leader, the Pierre Capital Journal, and the Aberdeen American News.
5. The Public Hearing shall be confirmed for September 8th at 10:30 a.m., CT/9:30 a.m. MT at the SDACO office building. A quorum of the Electronic Recording Commission should be present or appearing telephonically at the public meeting, where there will be teleconference availability.
6. Following the public hearing, Approval of Rules shall be signed by the Electronic Recording Commission and submitted to the Legislative Research Council by September 9, 2016, to be placed on the Administrative Rules Review Committee agenda.
7. The Administrative Rules Review Committee meeting may be set for September 26, 2016.
8. Following approval by the Administrative Rules Review Committee, the proposed Administrative Rules are not final until 20 days after they are filed with the Secretary of State.

Discussion was then held with agreement that we should proceed with the formal rules promulgation process.

Brittany Novotny fielded questions from the committee. The interested parties were contacted for any further comments The interested parties will be contacted for any letters of support to attach to the proposed Rules before submission to the Administrative Rules Review Committee.

A motion to ratify the Midwest Solutions invoices previously paid and approve the current invoice #951 was made by Donald Straka and seconded by Mitch LeFleur. Discussion was held on expenses to date and future expenses. Motion carried by unanimous roll call vote of 7 Yeas, 0 Nays.

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

There being no further business, the motion to adjourn was made by Deb Young and second by Mitch LeFleur. Motion unanimously carried.