



STATE OF MICHIGAN

DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET

LANSING

RICK SNYDER
GOVERNOR

JOHN E. NIXON, CPA
DIRECTOR

MINUTES

Electronic Recording Commission

December 8, 2011

Lake Superior Room, 1st Floor, Michigan Library and Historical Center
702 W. Kalamazoo, Lansing, Michigan.

Board Members Present: Diane Adams, Alessandro DiNello, Mary Hollinrake, Linda Landheer, Christian Meyer, Bambi Somerlott, Joyce Van Coevering as Mr. Nixon's designee

Board Members Absent and Excused: Thomas Richardson, John Nixon

Also in attendance: Sante Perrelli (legal counsel), Deborah Stevens

- I. CALL TO ORDER. The meeting was called to order by M. Hollinrake at 10:33 a.m. A quorum was present.
- II. INTRODUCTIONS. Jerry Czaja, Chief Deputy Register of Deeds, Kent County was introduced.
- III. APPROVAL OF MINUTES. Several corrections were noted.

Motion: to approve the minutes of Sept. 28, 2011, as corrected

Moved: D. Adams

Second: B. Somerlott

Passed: Unanimously

- IV. ESTABLISHMENT OF COMMISSION BYLAWS A brief draft and a copy of the bylaws of the Michigan Strategic Fund were distributed. S. Perrelli suggested that the chair identify a committee to review and bring bylaws back to the commission. Members identified defining conflict of interest, liability, and use of electronic meetings such as videoconferencing and teleconferencing as areas to be addressed. S. Perrelli noted that electronic meetings are a pending question within the Open Meetings Act.

Motion: to request that the Chair appoint an advisory sub-committee to develop and recommend bylaws for adoption by the commission.

Moved: A. DiNello

Second: B. Somerlott

Passed: Unanimously

The Chair appointed D. Adams and A. DiNello to the bylaws subcommittee and requested S. Perrelli assist them. The Chair named A. DiNello as subcommittee chair.

V. PROCESS FOR REVIEWING STANDARDS

Several broad themes were discussed. Outside of government, e-recording is used by banks, mortgage companies, law firms, and title companies. Four national vendors exist, and submitters pay a fee to these “trusted submitters” and a recording fee to counties. Volume discounts can be offered. More information needs to be gathered including potentially a sample contract and how or if governmental entities are indemnified.

Developing standards will likely increase the use of e-recording by counties who have refrained from doing it due to worry about liability and lack of standards.

VI. OTHER BUSINESS

D. Stevens noted that the Governor’s Appointment Office would be sending out letters of interest to commissioners whose terms were ending.

The Chair asked that members become familiar with the information available on the PRIA (Property Records Industry Association) website (www.pria.us), especially the models of e-recording and the URPERA Enactment and eRecording Standards Implementation Guide. She and J. Czaja will try to obtain one or more speakers for the next meeting who can assist the commission in their understanding.

VII. ADJOURNMENT

Moved: D. Adams Second: L. Landheer
Motion: to adjourn the commission meeting
Passed: Unanimously.

The commission meeting was adjourned at 12:18 p.m.

Respectfully submitted:

Deborah A. Stevens
Recording Secretary