

NORTH DAKOTA COUNTY RECORDER'S ASSOCIATION

2019 ANNUAL CONFERENCE

RADISSON INN, BISMARCK ND

JUNE 10-12, 2019

MONDAY, JUNE 10, 2019

"Embarking on A New Journey" kicked off with STUMP THE CHUMP presented by Aaron Birst and Jeff Eslinger from NDACo. Aaron provided his answers to the fourteen questions presented. Their PowerPoint presentation will be forwarded to all Recorders following conference.

Terry Traynor, NDACo Executive Director welcomed the Recorders to Bismarck.

The Evening Event was a scenic Riverboat Cruise aboard the Lewis and Clark, followed by Dinner and a Pub Crawl in downtown Bismarck.

TUESDAY, JUNE 11, 2019

Call to order.

Pledge of Allegiance led by President Carrie Krause.

A welcome was read from Vice President Katie Nadeau by President Krause.

ROLL CALL was taken by Secretary, Kay Newell Braget and the 2019 Membership Cards were handed out by Treasurer, Helen Lehmann. The following Recorders were present: Deborah Markegard, Adams County; Rhoda Pfieler, Benson County; Chris Johnson, Billings County; Jan Werre, Bowman County; Lynette Nelson, Burke County; Debbie Kroshus, Burleigh County; Deb Moeller, Cass County; Vicki Kubat, Cavalier County; Deborah Anderson, Dickey County; Christina Running, Divide County; Patty Hilbert, Eddy County; Anita Ibach, Emmons County; Lynelle Lyman Hoppe, Foster County; Angelina Marman (Deputy), Golden Valley County; Garlynn Helmoski, Grand Forks County; Julie Fischer, Grant County; Kelly Vincent, Griggs County; Sylvia Gion, Hettinger County; Barbara Steinke, Kidder County; Laurie Good, Lamoure County; Dawn Marquardt, Logan County; Helen Lehmann, McHenry County; Carol Fey, McIntosh County; Katie Paulson, McKenzie County; Heidi Anderson, McLean County; Brenda Cook, Mercer County; Nancy Seefeldt, Morton County; Melissa Vachal, Mountrail County; Rebecca Nelson, Nelson County; Mickie McNulty-Eide, Oliver County; Kay Newell Braget, Pembina County; Shelly Schwab, Ransom County; Danielle Petersen, Renville County; Jackie Babbitt, Richland County; Sarah Bruce, Rolette County; Alison Toepke, Sargent County; Kathleen Mindt, Sheridan County; Vernetta Iron Eyes, Sioux County; Kris Jacobson, Slope County; Kim Kasian, Stark County; Michelle Newman, Steele County; Jessica Alonge, Stutsman County; Jolene Hoffert, Towner County; Marlene Eblen, Traill County; Yvette

Moe, Walsh County; Betty Braun, Ward County; Carrie Krause, Wells County; and Patti Ogurchak, Williams County. A quorum was declared.

Welcome and host introductions by Debbie Kroshus, SW Quad.

Welcome from Bismarck Mayor, Steve Bakken.

Vendor Introductions: U.S. IMAGING, U.S. RECORDS MIDWEST, ADVANCED BUSINESS METHODS, TYLER TECHNOLOGIES; SIMPLIFILE, ePN, and NRG.

Q&A – further discussion regarding Monday’s Stump the Chump session lead by Debbie Kroshus. Q#14 – Open Records – Be Consistent. Treat all requestors the same. Only give last Deed of record or answers to very specific questions. Our job is to record and preserve – not run title. As to documents rejected by Auditor, they should be sending out their rejection letters. Irregular Parcels less than ten acres, the Auditor may require plats (NDCC 57-02-39). Noted – NDCC 47-19-03 RECORD TITLE sometimes conflicts with NDCC 11-18 RECORDER.

Door Prize Drawing and Vendor Break.

WHAT DO TITLE COMPANIES DO? AND, WHO IS RON? -- Presented by Nick Hacker and Erin Schmitz, ND Guaranty and Title Company. TITLE COMPANIES handle/prepare: Owners and Encumbrances Reports; Abstracts and Title Opinion; Title Insurance; and Real Estate Closing. RON is Remote On-Line Notary created by HB1110 2019. Once the ND Secretary of State adopts regulations for Electronic and Remote Notarizations, notaries will be allowed to perform remote and electronic notarial acts. Caveat – notary must be physically located in ND when performing notaries.

PRIA – Christy Adams. PRIA’s goal is to be a leading resource for property records management. As of May 2019, 1965 Counties were eRecording nationwide. There are local PRIA chapters in the Bis-Man & F-M areas.

Karl Trottnow (Simplifile), Christy Adams (PRIA), and Carrie Krause(President) discussed a recent CSC webinar attended by Kelly Vincent, Laurie Good, and Carrie Krause. CSC showed how submitters may manipulate documents before submitting for eRecording. They don’t consider allowing editing tools as altering original documents, BUT those clean up/editing tools are shut off for North Dakota eRecordings (except for lighten/darken tool and few others). Christy & Karl advised when training submitters they are advised they may not alter documents. Further, submitters are required to keep the original paper document to prove what was eRecorded was not altered, if ever requested. Further, the eRecording systems have audit trails on submissions, so alterations are tracked. If a Recorder suspects a photocopy is being submitted for eRecording instead of the original, they are asked to contact the eRecording vendor and let them know.

DEFERRED COMP – Carmen Toman, Nationwide – explained the PERS retirement system and that Deferred Comp is a flexible pool of money for retirement. Carmen recommended keeping a folder with a print out of each financial account and insurance policy you may own (at least Bank/Company name/contact info, account name/number, and beneficiary).

Lunch and vendor visits. Awards Committee presented New Recorder Training Completion certificates.

HR INFORMATION – ILG – presented by Tammy Terras, Burleigh County HR Director. Ms Terras advised interview notes are an open record with 3-year retention period. As to questions presented: Q#1 – Commissioners cannot fire an elected official, nor override hiring/firing decisions made by an elected office. BUT, they do control the elected official’s budget. Q#2 - Official Employee file versus Satellite file. A supervisor’s file can be an open record if a request is ever made for that satellite file. Q#3 – An Elected Office may allow flexible scheduling, but office must be open during regular public hours and must watch as to 40 working hours. Also, after four hours of work, Federal Regulations require a 30-minute lunch break – unpaid. If an employee wants to do a working lunch to flex time that day, employer should put into writing and have both signed off. An employee may take 15 minute paid break every 4 hours, though not required by law. Employees shouldn’t leave the campus during that paid leave, since County may be held liable if an accident off campus. Ms Terras stressed the importance of civility and respect amongst County Government employees.

ACTIVE SHOOTER TRAINING – ILG - presented by Burleigh county Sheriff’s Department – Sgt Nate McLeish and School Resource Officer, Deputy Heather Christianson. ALICE training – Alert – Lockdown – Inform – Counter – Evacuate. A common sense approach. Always be aware of exits. And, each County should have a rally point in the event of an evacuation.

SECRETARY OF STATE, Al Jaeger discussed the UCC money going to support ND voting system as of July 2019. And, he discussed “RON”. Electronic notary was already in the law and now adding remote notarization effective once Rules have been established for both electronic and remote notarizations. It will take a few months to work through and create the administrative rules. He also advised the SOS Office appreciates receiving notifications from Recorders when notary violations come through our offices.

QUESTION AND ANSWER session moderated by Carrie Krause, President. Recorders can’t reject a Deed regarding jointly-owned property if (for example) only one spouse is a party to the Deed -- provided all other recording requirements are met. For example, if a husband and wife are both listed as Grantors and only the husband signs, may be best practice to give a courtesy call and ask if wife’s signature was missed. If they don’t want to secure the wife’s signature, then record and index as to husband only. Noted Auditor’s office checks as to taxes only. They are not checking ownership before applying their transfer stamp. And, it is not the Recorder’s responsibility to check for ownership either. Legal descriptions should be sufficient to “stand alone” in documents submitted for recording. If a document contains a reference to an earlier document number only in place of the legal description, it should be rejected. We need complete and accurate legal descriptions acceptable to the Recorder [NDCC 11-18-05(1)(a)(3)].

SOCIAL AND BANQUET – Entertainment, Steven Tomac – Comedy and Motivational Speaker & Rodeo Clown entertained us with his stories and insights. Steven reminded us we all need “laughter” in our lives.

WEDNESDAY, JUNE 12TH

BREAKFAST AND TYLER USER MEETING lead by Jon Verbeck and Joe Silverthorne. Discussed the importance of backup procedures and disaster recovery systems. Recorders should verify with their IT department the correct data and image folders are being backed up nightly. Further, verify there is a backup on an external drive (that should be tested to verify integrity). Watch for signs of failure. Accept responsibility. Presented Tyler Disaster Recovery -- a daily off-site monitored backup that works in tandem with local backups. Allows software activation in a hosting center if a disaster is declared. Jon encouraged Recorders to get involved in Tyler Community – their on-line collaboration site. He also went over some eRecording features.

BUSINESS MEETING. The meeting was called to order by Carrie Krause, President at 8:30 AM.

ROLL CALL was taken and the following Recorders were present: Deborah Markegard, Adams County; Rhoda Pfieler, Benson County; Chris Johnson, Billings County; Jan Werre, Bowman County; Debbie Kroshus, Burleigh County; Deb Moeller, Cass County; Vicki Kubat, Cavalier County; Deborah Anderson, Dickey County; Christina Running, Divide County; Patty Hilbert, Eddy County; Anita Ibach, Emmons County; Lynelle Lyman Hoppe, Foster County; Angelina Marman (Deputy), Golden Valley County; Julie Fischer, Grant County; Kelly Vincent, Griggs County; Barbara Steinke, Kidder County; Laurie Good, Lamoure County; Helen Lehmann, McHenry County; Carol Fey, McIntosh County; Katie Paulson, McKenzie County; Heidi Anderson, McLean County; Brenda Cook, Mercer County; Nancy Seefeldt, Morton County; Mickie McNulty-Eide, Oliver County; Kay Newell Braget, Pembina County; Katie Nadeau, Ramsey County; Shelly Schwab, Ransom County; Danielle Petersen, Renville County; Jackie Babbitt, Richland County; Alison Toepke, Sargent County; Vernetta Iron Eyes, Sioux County; Kris Jacobson, Slope County; Kim Kasian, Stark County; Michelle Newman, Steele County; Jessica Alonge, Stutsman County; Jolene Hoffert, Towner County; Marlene Eblen, Traill County; Yvette Moe, Walsh County; Betty Braun, Ward County; Carrie Krause, Wells County; and Patti Ogurchak, Williams County. A quorum was declared.

APPROVAL OF AGENDA – Discussion to add convention guidelines to Agenda and the pull the Treasurer Report from the consent agenda.

Consent agenda included the following:

- a) Reports of Officers
 - President
 - Vice President
 - Secretary
 - ~~Treasurer~~
- b) Reports of Committee Chairs
 - Legislative
 - Marriage
 - Education
 - Election
 - Record Preservation
 - UCC
 - Chronicle
 - Awards

- e-Recording
- NDACo Board Representative
- NDACo Conference Delegates
- NDRIN Chairman
- ND iGo Representative
- ND PRIA Representative

Motion by Katie Paulson was made to accept the consent agenda and all reports as submitted, seconded by Laurie Good. All in favor. Motion carried.

Request for approval of the October NDACo Business Meeting Minutes. Motion by Brenda Cook, 2nd by Debbie Kroshus. Motion Carried.

Financial Report – Balance Sheet as of May 2019 was presented by Helen Lehmann, Treasurer. Motion was made to accept the financial report by Debbie Kroshus, seconded by Chris Johnson. All in favor. Motion carried.

Old Business

Scholarship Requirements – Jolene Hoffert noted that clarification is needed as to requirements. There was discussion regarding changing wording in the Scholarship Guidelines to “active NDCRA member or employees that are currently on the payroll”. Motion by Laurie Good to model the scholarship requirements after NDACo Scholarship current requirements. Further, to send this to the NDCRA Scholarship Committee for changes to be presented at the October business meeting for approval. Debbie Kroshus – 2nd. All in favor. Motion carried.

By-Laws – Following discussion regarding amending the By-Laws, an addition was proposed as follows: Section 7.4: The registration fee for the annual conference will be \$200. A one-day fee will be \$100. A deadline for registration will be set by the host Quad. No refunds shall be issued after the deadline. Cancellations received before the deadline will receive a full refund. Emergency situations will be determined by the Convention host. Heidi Anderson so moved. Carol Fey – 2nd. Motion carried.

Retirement Gifts – Carrie Krause checked with NDACo regarding switching to giving gift cards in lieu of clocks. The retiree could then order a clock, if so desired. Carrie was advised that would be acceptable, noting the recipient is responsible for any tax reporting of income. Vicki Kubat made a motion to give a \$50.00 gift card to future retirees. Deb Kroshus – 2nd. All in favor. Motion carried.

eRecording – Carrie Krause, Kelly Vincent, and Laurie Good recently watched a CSC webinar in which the vendor was showing submitters how to manipulate/edit original documents before submitting. This was discussed on Tuesday with the ePN and Simplifile vendors, and they advised those editing tools are shut off for North Dakota. Also, that during training submitters are told they are not allowed to alter original documents for ND. They also noted the eRecording systems have an auditing trail on submissions as to alterations; and that the submitter is to retain the original paper copy of the eRecording in their files.

Marriage License Program – Debbie Kroshus advised the marriage license program is NRG's system. Sometimes it is tough to get programming fixes. Please call NRG first if you are having issues with the program.

June 2018 Minutes Correction: Katie Nadeau advised a correction was needed in the 2018 Annual Conference Minutes – June 7th - Old Business – "... change in ~~association~~ conference dues to \$200 that was approved in 2016." Motion to change "association" to "conference" made by Katie Paulson. Mickey McNulty-Eide – 2nd. Motion Carried.

Convention Guidelines – Katie Nadeau advised the 2015 Convention Guidelines need some updating. She proposed taking out the Gift Exchange and replace with Fundraiser. Vernetta Iron Eyes made a motion to change from gift exchange to fundraiser. Anita Ibach – 2nd. All in favor. Motion carried.

New Business

PRIA – iGo: Debbie Kroshus and Carrie Krause informed membership regarding differences between PRIA and iGo. PRIA seems to be more Recorder-orientated. The vendors are also members. Input from mortgage industry, banks, abstractors, eRecorders, and records management systems. PRIA webinars are also available to non-members. Katie Nadeau urged the Association to move from state-wide iGo membership to PRIA.

2020 Budget: Reviewed two versions – one with state-wide iGo membership and one without. Debbie Kroshus motion to eliminate iGo state-wide membership in 2020 and any national association representative. Deborah Anderson – 2nd. Motion carried. Discussion regarding leaving National Association Membership line item and checking into cost of state-wide PRIA membership fee for review at October Conference meeting. Discussion National Conference Expenses to pay expenses up to \$2,000 for President to attend a National Conference. Motion to accept budget by Patti Ogurchak; Marlene Eblen – 2nd; Motion carried.

Recorder's Brochure: Katie Nadeau updated digital version that is available to all Recorders to use on their websites.

Removal of Documents on Record: Once a document is recorded, it may only be removed by Court Order.

Charges for Certified Copies of Marriage Licenses: Each County should charge fees according to the office assigned Marriage Licenses in their County (i.e. County Recorder, or other official as designated by Board of County Commissioners). Recorders follow NDCC 11-18-05(3) Fees (\$5 for 1st page + \$2 each additional page). Clerks follow State Court Fee Scheduled (\$10.00 first document, then \$5.00 for each additional document certified at time of request).

Conference Fees and Cancellation Policies: (By-Laws addition 7.4 discussed earlier)

Corner Monument Records: Aaron Birst advised at Monday's Stump the Chump session the original corner monument records (but not index books) may be sent to the salt mines for storage. Further, that each office needs a digital record available in their County. (NDCC 47-20.1-07). Counties need to maintain their index books "in house". Some Counties have created a separate Corner Records department in Document Pro.

Quad Questions: \$200 accounts receivable in financial report presented at Quad meetings was \$200.00 dues remaining to be paid at that time.

UCC Money and Committee: Due to legislation supporting voting systems starting in July 2019, the UCC monthly payments from SOS stop in June. Discussion regarding Recorders shouldn't need to store UCC records in Document Pro anymore. Carrie will inquire of Tyler Tech how best to remove those records. Discussion regarding disbanding the UCC Committee. Motion by Vernetta Iron Eyes to disband the UCC Committee. Chris Johnson – 2nd. All in favor. Motion approved.

Coroner Records: Each County should verify where the Coroner Records are being stored. NDCC 11-19.1-08: All records must be kept in the office of the coroner if the coroner maintains an office as coroner. Otherwise the records are to be maintained by the recorder or other designated official. Sharon Freeman contacted Carrie regarding retention schedule and was questioning whether should be placed with the Recorders. Most Recorders were not in favor of this being added to our retention schedule.

Font Size for Certified Copies: Except for government issued forms, Judicial Orders, certified copies of documents recorded before NDCC-11-18-05(1)(a)(2) went into effect; discussion

that all Recorders are to follow NDCC as to font size on certified copies submitted for recording.

NDACO October Conference – October 6-8, 2019: Theme is County Country. Rebecca Nelson will be our 2019 Costume Chairperson. Our Association Business Meeting will be held on Sunday afternoon.

Elections: Brenda Cook, Election Committee advised Helen Lehmann (NW Quad) will be stepping down from Treasurer position. Katie Paulson (NW Quad) will be replacing Helen on the ballot. Carrie Krause, Wells County, moved to Past-President. Katie Nadeau, Ramsey County, moved to President. Kay Newell Braget, Pembina County, moved to Vice-President. Katie Paulson, McKenzie County, nominated for office of Secretary. Motion by Vicki Kubat; 2nd by Patti Ogurchak. All in favor. Motion Carried. Nancy Seefeldt, Morton County (SW Quad), nominated for office of Treasurer. Motion by Vernetta Iron Eyes; 2nd by Debbie Kroshus. All in favor. Motion carried. Chris Johnson and Vernetta Iron Eyes presented to be our new NDACo Delegates by Election Committee and the membership approved.

Installation of Officers: President, Katie Nadeau; Vice-President, Kay Newell Braget; Secretary, Katie Paulson; and Treasurer, Nancy Seefeldt took their oaths of office.

Newly Elected President's Remarks: Katie Nadeau thanked the membership and encouraged all members to be vocal and involved in our Association.

Committee Assignments: There was a discussion increasing the Legislative Committee to include two representatives from each Quad.

LEGISLATIVE -- 9 members (2 from each quad) plus President

Katie Nadeau, President, Ramsey Co (NE)	Debbie Kroshus, Burleigh County (SW)
Carrie Krause, Wells County (NE)	Lisa Guenther, Dunn County (SW)
Melissa Vachal, Mountrail County (NW)	Marlene Eblen, Traill County (SE)
Danielle Petersen, Renville County (NW)	Shelly Schwab, Ransom County (SE)

MARRIAGE – Members appointed at large by this committee

Wanda Knutson, Mercer County Clerk – Chair	Debbie Kroshus, Burleigh County
____ ??____, Cass County Treasurer	Beth Innis, Williams County Auditor

ELECTION – 4 members

Brenda Cook, Mercer County, Chair	Marlene Eblen, Traill County
Vicki Kubat, Cavalier County	Vernetta Iron Eyes, Sioux County

RECORD PRESERVATION – 2 members plus Secretary

Vicki Kubat, Cavalier County – Chair	Deb Anderson, Dickey County
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Katie Paulson, Secretary, McKenzie County

UCC – 1 member plus President (obsolete)

EDUCATION – 5 members plus Vice President

Lynelle Lyman Hoppe, Foster County-Chair	Jolene Hoffert, Towner Co, Scholarship Chair
Kay Braget, Vice President, Ramsey County	Sylvia Gion, Hettinger County
Brenda Cook, Mercer County	Vicki Kubat, Cavalier County

CHRONICLE – 3 members

Jessica Alonge, Stutsman County - Chair	Jan Werre, Bowman County
Patty Hilbert, Eddy County	

AWARDS – 4 members plus Vice President

Kay Newell Braget, Vice President	Kelly Vincent, Griggs County
Laurie Good, LaMoure County, Chair	Melissa Vachal, Mountrail County
Anita Ibach, Emmons County	

NDACO BOARD REPRESENTATIVE – 1 member elected annually (4 yr term limit)

Carrie K. Krause, Wells County

NDACO CONFERENCE DELEGATES – 2 members elected to 2 year term

Chris Johnson, Billings County	Vernetta Iron Eyes, Sioux County
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NDACO NATIONAL CONFERENCE DELEGATE – President and State Coordinator

Katie Nadeau, NDCRA President, Ramsey County

Nomination for NDACo Award: Carrie Krause nominated Vicki Kubat for NDACO Elected Official of the Year. Vicki has been a Recorder since 1991 and has been an active member in all our membership associations. The Recorders in attendance approved.

Presentation to Outgoing President: Laurie Good thanked Carrie for her service as President and presented Carrie with a Clock and Past-President plaque.

Travelling ND Quilted Map went home with Rhoda Pfeifer, Benson County, until next year's conference.

Our next Annual Conference will be hosted by the SE Quad in Fargo on June 16-18, 2020.

Motion to adjourn was made by Debbie Kroshus, seconded by Kelly Vincent; therefore, the Meeting was adjourned at 10:55 AM.

Respectfully submitted, Kay Newell Braget, NDCRA Secretary