

Electronic Services System Coordinating Committee

Meeting Summary

June 12, 2007

Participants

Joyce Jensen, Cass County Recorder
Tony Colacino, Iowa State Bar Assoc.
Deb Winke, Allamakee County Recorder
Denise Meeves, Crawford County Recorder
Megan Clyman, Davis Co. Deputy Recorder
Dwight Reiland, Wright County Recorder
Joan McCalmant, Linn County Recorder
Sue Vande Kamp, Story County Recorder
Marilyn Dopheide, Carroll County Recorder
Kim Painter, Johnson County Recorder

Diane Swoboda Peterson, Woodbury Co.
Recorder
Karen Ford, Fayette County Recorder
Jared Baker, ABC Virtual
Jeff Rodda, ICIT
Bill Blue, Iowa Land Title Association
Phil Dunshee, Enterprise MidAmerica
Julie DenOuden, Iowa Land Records
Lisa Sinclair, Enterprise MidAmerica

Welcome

Participants were welcomed to the meeting and the May 9, 2007 Meeting Summary was reviewed. Dwight Reiland moved to approve the summary and Joan McCalmant seconded. The motion was approved.

Subcommittee Reports

Standards Subcommittee

The Standards Subcommittee had no news to report. Members will soon schedule a face-to-face meeting and all interested parties are invited to attend.

Finance Subcommittee

The Finance Subcommittee held a conference call meeting earlier in the day. Members discussed the "Request for Insurance Quotation" and "Request for Quotation - Financial Auditing Services" and the consensus of the Subcommittee was to recommend approval to the ESS Coordinating Committee.

The Fund 823 Accounts Payable, Fund 255 Accounts Payable and current financial reports were reviewed and discussed. Members recommend approval of all financial statements by the ESS Coordinating Committee.

Also discussed was the "Integration Agreement / Data Tree, LLC And CLRIS / July 1, 2007." Members reviewed the proposed service fees and options and recommend the Project Office continue negotiating with First American representatives.

Members were informed of a potential collaboration between ABC Virtual and the ICRA to submit a response to the Iowa Judicial System RFQ for an Electronic Data Management System (EDMS).

Management Subcommittee

Members of the Management Subcommittee met earlier this afternoon. They discussed the Enterprise MidAmerica contract extension revision, terms and compensation. A performance review will be done soon. The Subcommittee has determined the contract revision acceptable and recommends its approval by the ESS Coordinating Committee.

The RFQ's for insurance and auditing services were also discussed.

Contracts and Agreements

Enterprise MidAmerica

ISAC legal counsel has reviewed the Enterprise MidAmerica, Inc. contract and the Management Subcommittee recommends its approval by the ESS Coordinating Committee. The first three parts of the contract were explained and discussed:

1. Definitions: Statement of Work, Transaction, Transaction Fee
2. Compensation
3. Reimbursable Expenses

Enterprise MidAmerica, Inc. is currently working at a reduced rate and will receive incentives when specified goals are attained.

Participants discussed how a job performance might be conducted and what party should be responsible for its completion.

Dwight Reiland made a motion to designate the ICRA Executive Board as the responsible party for evaluating the job performance of Enterprise MidAmerica, Inc. Sue Vande Kamp seconded the motion and it was approved.

Dwight Reiland moved to approve the Enterprise MidAmerica, Inc. contract extension through June 30, 2008. Sue Vande Kamp seconded and the motion was approved.

Phil Dunshee noted his appreciation for the opportunity to work on the project.

Insurance RFQ

The Finance and Management Subcommittees have discussed the "Request for Insurance Quotation" and recommend approval by the ESS Coordinating Committee.

The body of the letter explains e-submission. The ILR Terms of Use and Privacy Policy provide some protection from unusual transactions.

Audit RFQ

The Finance and Management Subcommittees have discussed the "Request for Quotation - Financial Auditing Services" and recommend approval by the ESS Coordinating Committee.

An annual audit is required as specified by the ESS 28E Agreement. Fund 823 and Fund 255 are excluded because the State Auditor audits these accounts annually.

Participants were asked to submit possible firms to the Project Office and RFQ's will be mailed to no more than ten Insurance Companies and ten Auditing Firms by the end of the week. Responses will be due July 11th and the Finance and Management Subcommittees will assist in the evaluation process which will be complete before Summer School.

Joan McCalmant moved to proceed with the Insurance and Auditing Services RFQ's. Dwight Reiland seconded and the motion was approved.

First American/Data Tree

Participants reviewed the "Integration Agreement / Data Tree, LLC AND CLRIS / July 1, 2007." ISAC legal counsel comments have been incorporated into this version and counsel will review again. A communication from First American to the Project Manager was also presented and explained.

Updates on the situation and negotiations were given. Data Tree has not yet asked for changes and financial terms are still being discussed. "Draft Fees" listed on page 19 were explained and

discussed. Option 1, a per document account, and Option 2, a per month scenario, were described as mathematically equivalent. It was noted that a subscription fee would be easiest to track. Whichever option is implemented, funds will be proportionately distributed to counties. Before negotiations are complete, the format of delivery will be clarified.

If an agreement is reached, it would be a non-exclusive arrangement and could be offered to other entities.

The Coordinating Committee was asked for direction on this matter. The Finance and Management Subcommittees have discussed this agreement and both recommend continuing negotiations in order to receive a higher price for the product.

In order for counties to receive fair compensation, Members set the bottom line at \$15,625 which is equal to five cents per page and an average of five pages per document. This price is two and one-half times Data Tree's original offer.

Electronic Data Management System Collaboration

Participants reviewed an "Agreement" which states the "Association and ABC Virtual Communications, Inc. enter into an Agreement for the development of a proposal for an Electronic Data Management System (EDMS)."

Essentially, the Coordinating Committee is being asked to grant permission for ABC Virtual and ICRA to collaborate on an RFP response to the Iowa Judicial System which in turn would require ABC to use intellectual property that is in the code. Members discussed this possibility and some RFP specifics were explained.

Approval today would give ABC permission to submit a proposal that would use intellectual property owned by ILR. Intentions listed on "Agreement:"

1. "Intent to Authorize Use of Developments and Data"
2. "Intent to Provide In-Kind Support"
3. "Intent to Provide Service Fees"

The compensation amount has not been finalized but the number of processed documents would assist in determining the rate of compensation. An estimated eight million documents are processed annually by the Iowa Judicial System.

Joan McCalmant made a motion to approve the "Agreement" of Intent between the Iowa County Recorders Association and ABC Virtual. If the RFQ response is chosen by the Iowa Judicial System, more detailed information will be provided about the intellectual property to be used and how the ICRA would be compensated per ESS CC approval.

Sue Vande Kamp seconded the motion and it was approved.

Project Financial Reports

All of the financial reports have been recommended for approval by the Finance Subcommittee.

Fund 823 Accounts Payable

Members reviewed two invoices submitted for service completed in Winnebago County.

Fund 255 Accounts Payable

Three ABC Virtual invoices and two EMA invoices were explained.

Financial Reports

All financial reports have been reconciled. It was noted that a record e-submission daily high of \$3,000 was obtained earlier this month.

Megan Clyman moved to approve the Fund 823 Accounts Payable, the Fund 255 Accounts Payable and the financial reports. Denise Meeves seconded and the motion was approved.

ILR Application Development and Installation

2.9 & 2.10 Deployment

- **New Document Types (July 1)**

Bank of America

The Project Office and ABC Virtual are currently discussing direct integration with a B of A technical team.

DNR

Today, Joyce Jensen signed a DNR agreement about activation of the Groundwater Hazard documents and the DNR will be mailing letters to all of the Boards of Supervisors this week. Participation is voluntary but in order to take part, the County Board of Supervisors must sign the Resolution.

Leslie Leager will attend Summer School and the DNR will make a presentation during the morning session on August 9th.

CREW

CREW will hold its first official meeting on June 27th.

ILR Educational Activities

Iowa State Bar Association

The Iowa Bar Association Annual Meeting will be held June 20-22. The ILR Customer Service Manager has requested volunteers to assist at the ILR booth.

Outside Iowa Activities

The Project Manager recently spoke about the portal to a group of Recorders in Minnesota and will make a similar presentation to Recorders in Wisconsin next week.

This summer, the Project Manager will travel to Virginia to speak to NACRC participants. Also, he will attend the IACREOT and PRIA conferences in North Carolina. A reception to educate interested parties about the portal is being planned during IACREOT. The ICRA has been asked to join IACREOT for \$500 in order to hold this reception. The ESS Coordinating Committee Members gave their consensus for this expenditure.

A group from Washington may make a site visit this summer.

The Project Office has been communicating with a Kansas Recorders work group.

Jared Baker, ABC Virtual, attended the latest MISMO conference and was congratulated on his many contributions to national standards.

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Jeff Rodda explained to participants that Charles Hendricks recently applied, and was granted, a state waiver and has declared he will exclusively use ILR for records checks.

The Iowa Bar Association has filed complaints regarding this matter. The Association is concerned this action will set a bad precedence and will lower standards.

Participants were asked not to comment on this matter but to instead use the Project Office as a central point or clearinghouse. ISAC legal counsel will be sought and Joyce Jensen will send out communication to all Recorders.

Closing

The next meeting of the Coordinating Committee will be July 11th at the ISAC offices. Joyce Jensen will not be able to attend and a volunteer was asked to act as Committee Chair in her place.

The meeting was adjourned at 6:54 p.m.