

77th Annual
North Dakota County Recorders Convention
Ward County, Minot, North Dakota
July 24, 25 & 26, 2006

Monday, July 24, 2006

8:00 a.m. Registration at Grand International in Minot
9:00 a.m. Breakfast
10:00 a.m. "Legislative Process" ILG class presented by Terry Traynor, Assistant Director, NDACo.
11:00 a.m. Break
11:15 a.m. Class continued
12:00 p.m. Lunch
1:00 p.m. "Electronic Signatures" ILG class presented by Bill Roach. CRM, ITD/Records Management.
3:00 p.m. Hospitality Room opened and free time began for fairgoers
Classes were very helpful and informative. Several Recorders attended the fair this evening or visited in the hospitality room or both. T'was hot, hot, hot.

Tuesday, July 25, 2006

7:00 a.m. Breakfast and User Group meetings for CSA and Tyler (Mike from Tyler was unable to attend due to a family illness, he did come in the next day to join us)
8:00 a.m. Registration continued
9:00 a.m. President Linda Rohrbach called the 77th Annual Recorders Convention to order, followed by the Pledge of Allegiance and the singing of the National Anthem led by Ann Johnsrud.

Sheila Dalen, Ward County Recorder, welcomed the group back to Minot on behalf of the NW Quad.

Mr. Jerome Gruenberg, Chairman of the Ward County Commission, extended a warm welcome. He shared a light hearted story about shutting off cell phones in meetings, giving us quite a chuckle. Mr. Gruenberg commended the association on being so active in the legislature and congratulated those Recorders that have been nominated for the Excellence in County Government Award this year.

Vice President Ruth Stevens thanked Sheila and Mr. Gruenberg for the warm welcomes. Ruth also thanked the host counties of Bottineau, Burke, Divide, McLean, McHenry, McKenzie, Mountrail, Renville, Ward & Williams for hosting convention.

President Rohrbach acknowledged guests in attendance; Terry Traynor, Carmen Toman, Cass County Deputy Jules, Mountrail County Deputy Gerry.

Secretary Dalen provided roll call with 47 counties answering the call. All were introduced and came forward to receive their association cards and receive a gift from the county gift exchange. 2006 dues awards were presented to Ann Johnsrud for early bird, Joyce Dockter for middle of the road and Faye Schimelfenig the slow poke award.

9:30 a.m. Carmen Toman, of Nationwide Retirement Solutions was introduced and reminded us all of the importance of planning for retirement. Explained the service year credit buy back and encouraged us all to call with individual questions. Do not assume you can use someone else's formula in figuring retirement. Carmen also explained the rule of 85 formula and consequences of leaving PERS early. Be certain you want to withdraw from PERS before doing so, reentering at a later date causes you to lose all prior years of service.

10:00 a.m. Break

10:30 a.m. President Linda, displayed her county gift. A beautiful hand carved wooden vase crafted by Jeff Johnsrud of McKenzie County.

Darin Meschke, Vital Records-State Registrar gave an informative presentation on Birth and Death records and the confidentiality of portions of those records. Recapped AG's opinion on keeping info confidential these three items, cause of death, SS#, and out of wedlock births. After much discussion on how the death certificates are handled by us as Registrars and us as Recorders, Darin will be checking with AG to see if we should be redacting cause of death when recording or if that will have to be addressed legislatively. Mr. Meschke would like to see the cause of death not going into the public records.

Went over some minor issues they find on Death certificates and asked that we check them over good when filing as a Registrar. Went over amending marriage certificates and explained what a Certificate of facts of death is. Since the 1st of the year the state has been able to issue these certificates in place of a certified copy of a death certificate (depending on what the customer needs it for) These certificates do not and will not be issued with a 1 inch margin so we will have to charge the margin fee if they come in to be recorded.

Births are now being entered online by the hospitals and they love it. Mr. Meschke shared that the death records also will be going online in the near future. If funding comes through in October online Deaths could begin Jan 1, 2008. We will need to work closely with Vital Records in implementing this to see that we do not lose revenue as we would no longer be making certified copies. Darin would like to see something put in place to push the revenue back out to the counties, rather than each county issuing copies, as he favors the centralized system. Some of these changes are federally mandated but each state has some latitude in how it is set up, so we will try to retain the revenue somehow if possible for the counties.

Joe from CSA was summoned to the front by President Rohrbach and provided a gift from the association. Joe expressed his appreciation of our warm ND hospitality and thanked us for attending the user meeting at the wee hour of 7:00am.

At this time President Rohrbach asked Ann to provide the Record Preservation report which included a discussion on digital copies. Ann touched on the report that was done and provided to the ACIR committee by Mr. Traynor. Ann shared that she has been diligently working on a solution for those approaching the office using, digital cameras, scanners, copy machines etc. The AG's office, her SA, Assoc. of Counties and other Recorders have met and the consensus is, this is a very gray area and the best route to go is come up with a fee which we all agree to charge and to work with these companies on a case by case basis. Each office has different sets of circumstances as to how their records are kept and what's available in the office. Terry Traynor came forward to agree we should have a uniform fee and to reiterate these companies do want these records. However they realize there are costs involved and are willing to work with us and are hoping we can arrive at a fee.

There is a company right now wanting McKenzie counties records and a meeting will be set up soon to arrive at what will be charged.

Linda shared that we did pass a resolution last year at convention to charge 4 cents per image.

President Rohrbach acknowledged that Honorable Al Jaeger had entered the room; he took a moment to tell us he will be here later this afternoon and tonight but had to go to the Kiwana's luncheon to not break his 29 years of perfect attendance.

Continued much discussion on replacement costs of books, rebinding etc. and again the group was reminded to work with these companies. Discussion was tabled until the afternoon business meeting.

12:00 p.m. Lunch

1:00 p.m. Terry Traynor, Assistant Director, NDACo

Terry 1st off recognized Vicki for the good work she does on the NDACo board and in representing us. Thanked the NW Quad and association for the hospitality and gave greetings from the NDACo staff. Terry provided a look into the next legislative session as follows:

1. Gave update on surplus monies, anticipates some school funding issues and may be looking for our help with this, this session.
 2. Anticipates a bill again this year to reduce delinquency from 5 to 3yrs. For unpaid property taxes.
 3. Also a bill to add more information on tax statements.
 4. Sees possibility of a bill making county employee's use of credit cards legal.
- Break in the action "Told great joke about Mike Abel's horse"

5. Spoke on the interim committee looking at putting counseling back in the marriage license section of the code and providing a \$25.00 reduction from the county side of the 65.00 now being charged. The \$25.00 would be reimbursed to the counties through the state. There is a hearing next week. Terry figures this is a long way from a bill yet, as there are things to work out.
6. On the Clerk side, will be a bill to move child support employees from County to State employees.
7. Touched on the Preservation Fund report he delivered in March. Was received well by committee. Senator Cook made comment to be sure that we know and realize it is the legislator's intent that all counties be computerized. And publishing information. There are 6 counties not imaging yet and 6 not publishing to the internet, so 12 counties out there are not publishing.
8. Terry stated hopefully no one will bring a bill on this digital copy fee issue, especially if we as a group come up with a fee and work with these companies. We will keep an eye out though in case someone does bring something.
9. Sheila asked Terry about Vital Records and working with Darin. Terry agrees we should work with them and maybe not wait until October to be working with them.

Terry mentioned the budget memo is on their website for all to take a look at, take a look at the state aid if interested. Court facility grant funds are available again this year, if interested contact Susan Sisk at the State Administrators Office. All but 4 or 5 counties now use automated computer services through the Assoc. of Counties. The association is also looking into possibly offering Human Resource assistance to the counties. NDACo convention is Oct. 8, 9 & 10th at the Ramkota. They are looking forward to some fresh ideas from Alisha, Sandy's replacement. There will be individual time slots for association meetings again this year. Have some good entertainment and good speakers lined up for the convention. He extends a hearty invitation for all to attend.

1:45 p.m. Honorable Al Jaeger, Secretary of State & Llona Sailing

Mr. Jaeger's first words were paying homage to long time friend & co-worker Llona Sailing. He will be keeping her on as a consultant. Mr. Jaeger then introduced his Deputy Jim and Tracy (Llona's) replacement.

Mr. Jaeger touched on the new system SOSKB, Secretary of State Knowledge Base, that will be going in with all of us scanned in by early next year. Also touched on electronic signatures in Notaries, if not this session by next session they will have a bill to implement electronic notary signatures in North Dakota.

Mr. Jaeger introduced Llona who's first on her list was to bring us greetings from Bev & Karen. The following items were then discussed.

1. State is working on updating the forms to be more like national forms.
2. Scanning should be done by the first of the year with help from the SOS office if needed. The data base really needs to be cleaned up before the information can be moved over. And a couple of things we will need to be doing.

1. Have to notify customers to continue UCC side of the UCC/Real Estate filings. She will send us a list and sample letter. (Some of these may be released so you will have to check your lists).
 2. There are 933 name changes to be done in the system. In 1992 there were only 45 characters in the name field and in 2001 that field was changed to 75 characters. So a list of those will come out that need to be completed taking the filings with 45 characters to 75.
 3. Individual and organization field was one field, that has to be cleaned up and she is not sure how yet.
 4. Some "City of" filings are in the system as City of Minot, and some are Minot, City of. These will all need to be changed to however it reads on the form. These will need to be done with a filing officer statement. She will be sending us a list of those to be fixed. Keep in mind searches do not pull both, only the one that is asked for.
3. Article 9 gave them 5 years (June 30 2006) to amend filings to correct names, debtors, etc. but we were entering these wrong so we will have to fix them before transferring the data to the new system.
 4. The new system will hopefully be on the web to show customers how filings are in the system and show them how to search. Images won't be on the new system at first.
 5. If we want to start scanning the SOS can run you a list of active filings. Please contact Llona or Tracy if you intend to start scanning. **Caution: Sounded like there was some confusion as to whether you should be entering the associated file number or related numbers? Be sure to check this out before you start scanning.**

Llona assures us all there will be training sessions, manuals and "It will work". We made it through 1992.

In lieu of filings were to be done by June 30, 2006 as well, but if you receive one now, file it, they are.

UCC/CNS with "all" in the codes works, and is not a non-standard if same size form.

Cannot type all crops, use defaults to "all" for the year etc.

They will be working on bogus filings in legislature again this year. Don't file if same debtor and secured party.

Jim added there will be portals we can access on the website for the latest manuals and information.

President Rohrbach acknowledged this would be Llona's last presentation to us and commended her on a great job working with the Recorders.

3:00 p.m. Break

3:30 p.m. Business Meeting continued.

Moved by Bob, 2nd by Susan to accept the minutes of the 76th Annual Convention

Moved by Ann, 2nd by Dewey to accept the Treasurers Report as presented

Marriage License Report – Drafted by Chairman of Committee Wanda Knutson and read by President Rohrbach.

Continue to work on Marriage License issue with interim Committee. Next meeting is 8-7-06 10:00am Harvest Room. Wanda and Sheila will be attending and Wanda asks that anyone else available please attend. Terry is helping with some testimony for Wanda, and she will be in touch after the meeting.

Legislative Report – Presented by Sheila, very short as most had been covered by Terry and Marriage License Committee. One other interim committee we are watching is the Judicial Process & identity theft; to be sure nothing they do effects us as Recorders. Sheila reminded the group that last year it was suggested we put some definitions in 11-18 of the NDCC. President Rohrbach asked for a motion to proceed with this, so moved by Carol, 2nd by Marlene. Sheila will call a legislative meeting to work on this.

The legislative committee will also work with Terry to stay on top of the Vital Record changes affecting our revenue from loss of issuing certified copies.

UCC Report – Presented by Jan, again most all had already been covered. Shared that CSA has Ruth's data base on scanning UCC's. Another reminder to talk with Llona first.

Website – Presented by Vice President Ruth & Secretary Sheila. They had nothing new to report. Website is not available to us as of yet, but the NDRIN board is staying after this to make it available for Recorders to input information.

Chronicle – Presented by Vice President Ruth. We have a scrap book thanks to Ann and Lynelle for submitting some older articles and photographs. Please send anything you would like to add to the scrap book to one of the committee members. As Ruth did not blow her own horn, President Rohrbach commended her on the beautiful job she had done on putting the scrap book together. All agreed and showed our gratitude with a round of applause.

It was stated that the minutes from 1942-1957 are missing and no one knows where they have gone.

NDRIN Report – Presented by Faye, there are 41 full and 3 associate members now. Faye encouraged the group to be sure to be checking your doc counts in your office with the website to be sure they match. Also, reminded CSA Counties with new update to be sure to re-export their images to NDRIN. Call them. Faye encouraged all to attend the next NDRIN meeting in Bismarck Sept 7 at 9:00am at the City/County Building. President Rohrbach asked that meeting reminders always be sent out to everyone.

NDACo – Presented by Vicki. Biggest issue has been the HAVA. ND was the 1st state to fully comply with all the HAVA guidelines which is quite an accomplishment. Shared she has been appointed to the Finance Committee and asked that we please bring her anything we would like addressed. Thanked the group for allowing her to serve.

Education Report – Presented by Nell, ILG Advisory Board may be disbanding and becoming an ad hoc committee. Newly elected Officials program may be changing to 3 separate meetings with two of them including travel, please put in your budgets to attend. Especially all new Recorders.

Nell attended the Prep Meeting with the Minnesota chapter. She enjoyed the meeting and has been asked to co chair a committee for the group. There was much discussion on whether to join the chapter with Minnesota or look into a North Dakota chapter. The Board will look into this further and get back to everyone. President Rohrbach asked that Nell continue to attend the meetings.

Bob Wood asked about having training sessions or something for Recorders and staff. The education committee will look into this and see what they can come up with.

Announcements prior to adjourning for day.

Reminder to meet at 5:00 sharp for the group photo.

NDACo convention is Oct. 8, 9, & 10th. "Counties Work" is the theme "Party Zone" theme for banquet night, so don't forget your hard hats.

NACRC Conventions: July 22-24, 2007 Richmond Va.

July 10-13, 2008 Kansas City Mo.

Discussed how to fill remaining time of Retiring President Rohrbach, several options tossed around. Tabled until tomorrow.

Marlyn Redman was thanked for attending. She shared with us how their association handles training and continuing education. Their convention is Wahpeton September 21-23rd, and hopes we will be attending. Vice President Stevens has received the invitation.

Meeting Adjourned.

5:00 p.m. Group photo taken by Bill Leonard of Rainbow Photo (which he delivered back to us that evening by 7:00 p.m.)

Hospitality Room open for social hour, great conversation and good laughs.

6:45 p.m. President Rohrbach and Vice President Stevens served as greeters. Mr. Dewey Oster served as MC for the evening and did a wonderful job once again. All guests were introduced, which included several spouses with several years of wedded bliss under their belts. Happy Anniversary to all of you. Dinner was served. All retiree's were brought up front to speak and receive a retirement clock. 9 of the 11 retiring were present. Mr. Oster prepared and presented a special retirement speech and gift for Llona, also retiring this year from the Secretary of States Office. Entertainment was provided by DesLacs/Burlington JC's in the form of a Casino Night. High Roller for the evening was Bob Woods with an amazing amount of money topping 500,000.00. Go Bob! Evening ended with a scavenger hunt of sorts won by our own Dewey Oster with the help of the Honorable Al Jaeger. Fun was had by all. The hospitality room hosted the remainder of the evening.

Wednesday July 25, 2006

8:30 a.m. Continental Breakfast

9:00 a.m. Convention reconvened continuing the business meeting.

President Rohrbach's opening announcements included the following:

SW Quad will be hosting 2007 convention, will be held in Dickinson, Carol will get the dates out to us soon.

If planning to attend NACRC convention in 2007 remember to plan for it now in your 2007 budgets. There are 4 going this year.

Vice President Stevens came up with a solution to our President retiring. The vice president will take over in January and fulfill the remaining term; all others will stay in place until June.

Fees for digital copies etc. was back up for discussion. Nell moved 4 cents per image be charged, motion was 2nd by Ann. Motion passed. This will include all images, digital etc., own equipment, anything not covered in the current NDCC 11-18 fee schedule.

President Rohrbach thanked Kerstin and Lisa for challenging her and the association to look into new issues and go over others. Encouraged all Recorders to continue the great discussions brought up by new Recorders. Items covered this year included:

1. Name and address of drafter of Legal on deeds. This is in the century code and should be included on all deeds with metes and bounds descriptions. Not needed on Notice of Contract For Deeds.
2. Farm Names 47-19-17 (See handout) Much discussion ended with there are almost none coming into the offices. In looking at older ones, some counties recorded them, some filed them. The certificate to be issued as stated in the NDCC has been done, by giving them back the original, copying the form in the farm register book or by separate form. (Dewey has a form he will forward to Linda to look at and she will forward it to the group). If you receive a centennial farm it should be recorded so it is indexed. We also have books with brand names, nurses, doctors and none are being used. Sheila shared we looked into removing these sections of the code in 1997 but found no where else where they were being kept on record, so the legislative committee left these in our section of the code.
3. Discussion on wills, there was a new form passed out to use if needed. Ann shared we should all have the administrative rules and forms that were done in regards to wills. She will email it all out to all again so all new Recorders will have those forms and that information

Went on to next discussion. President received email from a Janice Dalton of GSA.gov wanting info on when they can begin using e-recording. She was answered that it is not available as of yet and reminds us all it is coming.

Jan/Ruth ? had an issue with UCC provisions contained within mortgages (handout was provided). Sample has it on page 8 of 10. Use rejection letter to determine whether can be filed in UCC's as well as recorded. Original would then be kept in file if done on UCC side. We would charge the non standard fee as well.

Karen received email in regard to changing something on a plat from DOT. There is an affidavit of correction that should be done in regards to this, which would be recorded

and attached to the original plat. President Rohrbach will find this code and forward it to DOT. Also a Recorder had requested DOT to provide smaller plats for scanning. Most Recorders are keeping the plats as you should and are reducing them down for scanning.

Break time

Mr. Mike Shelton from Tyler Technologies came forward to thank the group and apologize for not making it for Tues. as a family illness kept him at home. He was thanked for making the effort to come anyway. We drew for the door prize they provided and Doris won the digital camera and memory card. Congrats

Vice President Stevens will be emailing everyone a list of the names for the group photo.

President Rohrbach encouraged all Recorders to serve on the board if asked as it is quite an experience.

In the 1997 minutes it stated host counties were to get \$100.00 for expenses like deputies meals etc. and that this has never been done. Now with quads doing, we should withdraw this motion. Max so moved, 2nd by Ann.

When secretary/treasurer position was split we did not discuss paying the officers. To clear up was decided President is paid \$150.00, Vice President \$75.00, Secretary \$75.00 and Treasurer \$75.00. So moved by Ann, 2nd by Sue.

Nominations commenced for NDACo Representative. Ann nominated Vicki, 2nd by Dewey. No other nominations. Vicki is our rep.

Was discovered we have some changes to make in the bylaws 5.3 removing delegate and replacing with representative.

Delegates serve 2 years, Brenda and Sue will remain for 2nd year. This 2 year term is not in the bylaws so will be added to 5.4, changes and additions so moved by Ann, 2nd by Ginger.

President Rohrbach announced committee members. Recorders currently serving withdrew their names from committees. Complete committee list will be emailed to all and listed later in minutes.

Legislative Committee- Remained same with Linda and Maxine withdrawn.

Marriage License Committee- Same with Linda & Mary withdrawn.

Education Committee-Nell Walstead & Ann

Resolution Committee- Same

Record Preservation- Same with Mary, Maxine & Linda withdrawn.

UCC Committee- Same with Reuben, Maxine, Deanna withdrawn.

Website Committee- Same adding Ann

Chronicle Committee- Lynelle will chair, add Jan, Mary withdrawn.

Discussion moved to changing order of convention agenda in the future. Carol stated early morning user meetings are tough and too much is crammed into to short of a time. All agreed, many other suggestions such as banquet on last night, no early mornings, 2 full days etc. were discussed. It was decided the board would take a look at this at their next board meeting and get a new agenda schedule out for review.

Maxine spoke to Recorders and encouraged association to continue networking and attending National conventions. To stay proactive as an association.

President Rohrbach reminded all to invite past Recorders to conventions.

Final grand prize drawings were drawn with Kerstin winning a wonderful basket from Mind, Body & Spirit. Faye won the Portable DVD Player from the North Dakota Land Title Association. All other door prizes were handed out sporadically throughout convention, we had wonderful support from businesses in the NW area donating door prizes and dollars.

Sheila's name was drawn for the traveling trophy, and she announced she will display it proudly in her office until next convention.

Dewey announced he was the last man standing today!

Karen thanked the NW Quad for a wonderful convention.

Vice President Stevens presented President Rohrbach with the outgoing Presidents Clock and thanked her for serving on the board and being a great leader. President Rohrbach read the inscription, thanked everyone and stated we will cry in December as she will serve until the end of the year.

Resolutions were read by Pam.

Next years convention dates to be announced.

Motion to adjourn the 77th Annual Recorders convention made by Ruth, 2nd by Donna.

Respectfully submitted this 10th day of August 2006 by, Sheila K. Dalen, Association Secretary.