

Electronic Services System

Coordinating Committee

Meeting Summary

November 9, 2021

Participants

Deb Kupka, Tama County Recorder
Denise Baker, Wright County Recorder
Julie Haggerty, Polk County Recorder
Jolynn Goodchild, Plymouth County Recorder
Lindsay Laufersweiler, Webster County Recorder
Eric Sloan, ICIT

Melissa Bahnsen, Cedar County Recorder
Nancy Booten, Lee County Recorder
Jamie Stargell, Adams County
Jonathan Lewis, Title Services Des Moines

Other Participants

Andrew Howe, Bergan KDV
Bob Rafferty, The Rafferty Group
Kati Ross, Iowa Land Records
Leah Champion, Iowa Land Records

Katie New, Bergan KDV
Phil Dunshee, Iowa Land Records
Lisa Long, Iowa Land Records
Sheri Jones, Jones County Recorder

Welcome

A special meeting of the ESS Coordinating Committee was held in person at the Iowa Land Records office and via webconference. The meeting was called to order by the Coordinating Committee Chair Deb Kupka. Introductions were made.

Meeting Summary

The October 4, 2021 joint ESS/ICRA Governance meeting summary and the August 10, 2021 ESS Coordinating Committee meeting summary were reviewed. Nancy Booten made a motion to approve the meeting summaries. Lindsay Laufersweiler seconded, and the motion was approved.

2022 Meeting Schedule

The proposed 2022 meeting schedule for the ESS Coordinating Committee was reviewed. A motion was made by Julie Haggerty to approve the meeting schedule. Denise Baker seconded the motion, and it was approved.

Financial Reports

The quarterly financial reports were presented. Julie Haggerty made a motion to approve the quarterly financial reports. Jolynn Goodchild seconded, and the motion was approved.

ILR Budget Review and Action

BOA CY 2021 Final Budget Amendment

The Project Manager presented a budget amendment for the remainder of calendar year 2021. The budget amendment presented recognized actual expenditures to date and refinements in projections for November and December. The Committee reviewed the proposed amendment and a motion was made by Nancy Booten to approve. Lindsay Laufersweiler seconded the motion, and it was approved.

BOA CY 2022 Budget

A BOA CY 2022 budget recommendation was presented to the Committee for review. The Committee reviewed information about the basis for revenue projections and cost estimates, and the effects of the pandemic were taken into consideration. Proposed expense increases for staffing and operations were also considered. Lindsay Laufersweiler made a motion to approve the proposed BOA CY 2022 Budget. Julie Haggerty seconded the motion, and the motion passed.

ESS Transition Actions

The Committee reviewed several transition actions that will need to be completed pending the approval of the 28E Amendment. The first action is to establish a new Bank of America account in the name of ESS and transfer funds from the Bank of America account in the name of ICRA. Another significant transition action is to move to a new agreement with employment vendor Oasis to reflect the new employer – from ICRA to ESS – pending approval of the 28E Agreement. This includes ensuring all employee information and benefits are transferred smoothly. Finally, there are a number of other service agreements with vendors that will need to be transferred from ICRA to ESS pending the approval of the 28E Agreement amendment. The Committee reviewed and discussed the transition actions. Jolynn Goodchild made a motion to approve all three transition action requests subject to the passage of the 28E agreement. Nancy Booten seconded the motion, and the motion passed.

ESS Employment Authorization

The Committee was presented with a recommendation for two new staff positions, as well as a recommendation to transition two contracted marketing and communications employees to full-time ESS staff positions. The two new positions would be a full-time policy coordinator, and a part-time customer service assistant. The Committee reviewed the recommendations, and Lindsay Laufersweiler made a motion to approve the staffing recommendations. Denise Baker seconded the motion, and it was approved.

BOA Reserve Fund Allocation

The Project Manager presented a memo concerning the reserve accounts and recommended the allocation of \$40,000 to the redaction reserve fund and \$73,140.94 to the Software Development and Equipment Maintenance Fund from the Bank of America operating account. Melissa Bahnsen made a motion to authorize the allocation of funds from the BOA account to the specified reserve funds. Nancy Booten seconded, and the motion was approved.

Contracts and Agreements

Local Service Provider FY 2023 COLA

The Committee was reminded of the master agreement with local service providers regarding annual compensation adjustments. The terms of the agreement provide that annual compensation adjustments are to be aligned with the cost of living adjustments set for social security – with a cap of 3.5%. The SSN COLA announced in October is 5.8%, and therefore the service provider compensation adjustment for FY 2023 will be 3.5%. No action was required.

Bergan KDV CY 2022 Engagement

The Committee deferred action on the engagement renewal as discussions with Bergan KDV had not yet been completed.

Rafferty Group CY 2022 Engagement

A proposed engagement with the Rafferty Group for 2022 was presented for consideration. The proposal corresponds with the CY 2021 engagement. The Committee reviewed the proposal, and Julie Haggerty made a motion to approve. Lindsay Laufersweiler seconded the motion, and it was approved.

Brick Gentry CY 2022 Engagement

The Committee reviewed a proposed 2022 engagement proposal from Brick Gentry for legal services. The firm proposed an increase based on increased legal assistance provided in 2021 – primarily associated with work on the 28E amendment. Jolynn Goodchild made a motion to approve, and Lindsay Laufersweiler seconded the motion. The motion was approved.

Enterprise Iowa CY 2022 Extension

The Committee reviewed a proposed extension of the Enterprise Iowa contract for calendar year 2022. Changes include modifying the agreement to represent ESS instead of ICRA and a cost-of-living adjustment. The employee transition was represented in the proposal by removing those services from the agreement. Lindsay Laufersweiler made a motion to approve, and Julie Haggerty seconded the motion. The motion was approved.

ESS/Enterprise Iowa MOU Amendment and Transition Plan

A revised Memorandum of Understanding (MOU) between Enterprise Iowa and ESS for calendar year 2022 was presented for consideration. Generally, the amendment reflected plans for ESS to secure office space independently by calendar year 2023, and to make adjustments in the proportionate share of operating expenses. It is necessary for ESS to begin making preparations for future growth and transition. Julie Haggerty made a motion to approve the amendment MOU for 2022, and Nancy Booten seconded the motion. The motion was approved.

ILR Staff Compensation Adjustments

The Committee members were provided with a recommended staff compensation adjustment for the Customer Service/Account Manager position. Jolyn Goodchild made a motion to approve compensation adjustment. Lindsay Laufersweiler seconded the motion, and the motion was approved.

First American Data Access Authorization

The Project Manager provided the Committee with background information regarding the Portal Terms of Use and the history of First American Data's access to land records. A draft usage agreement was presented for discussion. The Committee expressed a desire to have more information, and action was deferred.

Lean Techniques and We Write Code Work Authorization

The Project Manager provided an overview of ongoing development work with the software development vendors Lean Techniques and We Write Code. Committee affirmation of the work authorizations was requested to ensure that the work reflected the expectations of the Committee. Nancy Booten made a motion to approve the work authorizations for Lean Techniques and We Write Code. Lindsay Laufersweiler seconded, and the motion was approved.

Governance – Discussion

28E Legislation and 28E Amendment

The Project Manager informed the Committee that the 28E Amendment was formally presented to the members and has been distributed to all 99 counties for action. Votes have started to return for tabulation. No action was required.

Groundwater Hazard Process Concept

The Project Manager discussed with the Committee the history of trying to advance legislation to improve processes relating to the groundwater hazard statements. The legislation was not advanced in the 2021 session, but the Project Manager is currently working with the Rafferty Group to draft a bill for the 2022 session.

Smart Contracts

The Committee discussed recent legislation regarding Smart Documents, legalizing the use of distributed ledger technology to transfer assets. The Committee discussed how the public land registry could be affected. Participants discussed the future of what electronic real estate transactions might look like as well as possible modifications to the Iowa Code to protect the public interest.

Terms of Use - Portal Registration Policy

The Project Manager provided the Committee with background of issues relating to the usage of the land records database and search engine, and efforts to prevent uses which are contrary to the Terms of Use. Legislation is being drafted to reinforce the authority of ESS to enact policies that will protect the system from misuse.

Key Project Updates

Development Updates

Participants were informed of the software developers' progress on the new E-Submission interface and other developments.

Communications Update

Kati Ross informed the Committee of a successful Deputies Conference in 2021 and briefed participants on tentative plans for a 2022 conference.

The meeting was adjourned at 2:11 PM.

Next Regular Meeting February 10, 2022