

ESS Coordinating Meeting
Hybrid Meeting and Web Conference
May 30, 2024

Attendance

Committee Members

Lisa Kent, Wapello County Recorder
Jolynn Goodchild, Plymouth County Recorder
Lindsay Laufersweiler, Webster County Recorder
Natalie Steffener, Des Moines County Recorder
Dillon Malone, Iowa Title Guaranty
David Erickson, Dentons Davis Brown

Julie Haggerty, Polk County Recorder
Denise Baker, Wright County Recorder
Melissa Bahnsen, Cedar County Recorder
Jamie Stargell, Adams County Recorder
Eric Sloan, IT Boone County

Other Participants

Stacie Herridge, Story County Recorder
Travis Case, Grundy County Recorder
Nancy Booten, Lee County Recorder
Jan Gemar, ILTA

Erin Canfield, Boone County Recorder
ReNae Arnold, Dallas County Recorder
Ann Ditsworth, Dickinson County Recorder

Lisa Long, Iowa Land Records
Census Lo-liyong, Iowa Land Records

Phil Dunshee, Iowa Land Records
Kristen Delaney-Cole, Iowa Land Records

Welcome

A meeting of the ESS Coordinating Committee was held via web conference and in-person.

May 16, 2024, Meeting Summary

The meeting summary of May 16, 2024, was reviewed. Jamie Stargell made a motion to approve the meeting summary with a minor correction. Dillon Malone seconded, and the motion was approved.

2024 Legislative Update

The Policy Coordinator provided a brief update on the 2024 Iowa legislative session. The primary objective of our advocacy efforts was to engage legislators and introduce future policy priorities. The legislative team communicated with numerous legislators across various committees, including Ways and Means and Local Government. Discussions were held with committee heads, who acknowledged the need for legislative review, noting that recording fees have not changed for nearly 40 years. Legislators showed interest and requested detailed plans on the proposed fee increase.

A highlight for the Recordors Association was County Day 2024, which received positive feedback from legislators. Several legislators expressed interest in the modernization initiatives.

The Policy Coordinator also closely monitored legislation that could impact ESS, electronic recording, and technology-related issues.

Stakeholder Survey

The preliminary report of the fee modernization survey was presented to the Committee. The recording modernization and fee increase policy survey targeted Iowa Land Records (ILR) users and stakeholders and received over 500 responses.

The survey consisted of 49 questions divided into three sections. Search users and E-Submission users were asked to rate the importance of various ideas and concepts. The last section consisted of open-ended questions. A key question on the reasonable increase of fees revealed that 79% of respondents agree that a reasonable increase is appropriate. Additionally, 83% of respondents supported a fee increase to fund potential system improvements. The survey also highlighted that the stakeholders highly value good communication with the recorder, consistent document processing practices across counties, and other improvements.

The final survey report will be shared in the Accountability and Reporting Section of the ILR website. [2024 Modernization Stakeholder Survey Report](#)

ESS/ ILR Priority Modernization Projects

Fee Policy Working Group

A discussion was held on the needs for prioritizing maintenance and modernization of the recording system. As part of the modernization project, several key development concepts have been identified. The concepts are based on survey results and the work of the Standards Subcommittee and the Document Formatting Working Group, as well as a leadership group of surveyors. The proposed projects would either be completed internally or with the support of external technical support.

- Statewide recording “notification” system
- Update “Document Formatting” Requirements
- Accessing more property information in other online systems
- Filling gaps in property location information
- Reforming “Back the Blue”
- Digitize historic surveys and plats
- Complete initiatives to update ESS applications and API integrations
- Use SMS texting for two factor authentication

ESS/ ILR Future Structure and Funding

The Project Manager provided a report on the fee policy to the ESS Coordinating Committee. The plan is leaning towards a standard fee per page. The fee allocation proposal aims to establish a base recording fee, with the average recorded document being between 4-5 pages. A component of this proposal would be to allocate a portion of the funds for Iowa Land Records operations and special projects. Another component of this proposal would be to allocate a portion of the funds for county recording technology and training. Most of the funding would be directed to the County General Fund.

As designed at the time of the presentation, the proposed model would generate income for Iowa Land Records, which would be used to hire additional technical and customer support staff. These additional funds would also help cover licensing and operational costs, ensuring that the system remains up-to-date and functional. This additional revenue would significantly enhance the team's capacity to address the system's needs and improvements. No action was requested as a proposal had not yet been finalized.

Timeline for the fee policy. The timeline for the fee policy begins with the ICRA summer conference on June 11, 2024. Following this, the plan will be incorporated with the ISAC legislative program. The details of the plan will be refined from July to October 2024. Concurrently, communication and advocacy efforts will take place from July to December 2024. Draft legislation will be prepared for the 2025 legislative session.

Key plan elements. Key elements of the plan include the simplification of the recording fee structure by eliminating the additional transaction fee, non-standard fee, the current \$1 records management fee, the \$1 e-commerce (ILR fee). Some clarification regarding multi-transaction documents, particularly with respect to mortgage and release documents, will be needed with respect to changes in policy concerning the additional transaction fee.

Stakeholder Communications

Surveyors Stakeholders Update

A subcommittee of recorders and surveyors (Society of Land Surveyors of Iowa - SLSI) has conducted a series of productive meetings. During these discussions the subcommittee has worked to standardize formatting and indexing requirements for surveys. Surveyors have also expressed a strong interest in digitizing unrecorded surveys and making them available online through Iowa Land Records.

ILR is administering a questionnaire to explore the digitization of older, non-recorded surveys and corner certificates. The questionnaire seeks to determine surveyors' willingness to assist in gathering the necessary images and indexing information for a searchable database. The survey received 51 responses, indicating interest in digitizing the records.

County Auditor's Stakeholder Update

It was reported that the fee policy working group had held several meetings with the county auditor's affiliate. There is a pending discussion about whether adjustments should be made to the auditors' transfer fee, which currently involves the calculation of the number of parcels being transferred. There has been discussion about the possibility of restructuring the fee to be a flat fee per conveyance document. Conversations are ongoing to determine the best course of action.

ISBA Stakeholder Update

A discussion was held with the Bar Association regarding updates and legislative changes related to formatting requirements. The possibility of forming a subcommittee was suggested by David Erickson. The draft document formatting amendments were shared with the Iowa Docs team. Updated document templates were tested with the ILR E-Submission staging site, and the quality appeared to be satisfactory. Feedback from Bar representatives has been generally positive, but it is hoped that they will engage further in the coming weeks.

ILTA Stakeholder Update

A discussion was held with the Iowa Land Title Association (ILTA) regarding the modernization project and survey questions. ILTA provided constructive feedback on the modernization document, including questions about the meaning of 'associated documents', questions about indexing notary information, and queries about the property notification alert system. Further discussions are planned as more details are developed.

Other Stakeholders

The ESS Coordinating Committee was informed that communication is ongoing with other stakeholders including the realtors, bankers, and credit unions. The project team will continue to engage with the stakeholders and aim to hold additional meetings in the coming weeks. Further plans for advocacy with state legislators and stakeholders are being developed. A need for more grassroots advocacy was noted during the meeting and recorders were encouraged to have more conversations with their legislators and local communities.

ESS Statutory Policies - Document Formatting

A memo from the Project Manager was presented which outlined proposed changes to document formatting standards. This was based on the work of the ESS Standards Subcommittee and the document formatting working group. The memo was accompanied by the corresponding legislative language.

Formatting and Legibility. Key changes include modifications to 331.606B, subsection 1, focusing on legibility, the size of the top margin of the first page and the minimum size of the stamp area. The changes also included a modification of the minimum font size requirement from 12 pt to 10 pt while maintaining the minimum font size of 8 pt for survey documents.

Parcel Identification Numbers. Proposed policy changes included a requirement to index parcel identification numbers. Preparers would be required to include the parcel identification numbers (PIN) in documents when applicable and recorders would be required to index the PIN information when present. Recorders would also be required to add any new PIN created for a parcel resulting from a change such as a subdivision.

Parsed Location Information. The draft amendment included a provision to require the indexing of section, township, range information for both platted and unplatted land. However, it was noted that this was an unsettled question which will be considered further as discussions with the stakeholder groups are undertaken.

First Page and Cover Sheet. Section 331.606B, subsections 2 and 3 would be amended to include more details in the first page or cover sheet of a document. It was noted that the requirement for preparer information is retained and that the reference to a telephone number OR an email address would be included. The draft amendment also clarifies requirements for the use of a cover sheet.

Surveyors Policies

As noted earlier in the meeting, a subcommittee of recorders and surveyors has worked to standardize formatting and indexing requirements for surveys. Proposed new legislation would create a new section of the Iowa Code specifically for that purpose. A draft of the legislation, presented as a new Section 331.612 - Recording of Surveys, was shared with the Committee.

PRIA Update

The Project Manager provided a report on the activities of a PRIA blockchain working group. The working group is preparing a paper on blockchain and the public land registry. The report is expected to be published in the coming months.

It was reported that there were some questions about the inclusion of blockchain in the modernization stakeholder survey. The purpose of this inclusion was to gauge stakeholder interest in the subject. It was noted that private sector organizations had been actively discussing the use of blockchain to replace the public land registry. The suggestion of an ILR blockchain would be to preserve the public interest in the land registry system. The concept did not score well in the survey results and therefore it was not included in the list of priorities for the modernization initiative.

Next meeting

The meeting was adjourned. The next regular meeting will be on August 15, 2024.