

Oct 1, 1996 meeting



Notes from: President's Council, Wisconsin Land Information Meeting held October 1, 1996 at F & M Bank in Tomah 10 a.m.-2:00 p.m.

Karen Gilster, Executive Officer, Wisconsin Land Title Association

In attendance were:

Roxanne Brown & Jeff Bluske-Real Property Listers
Mike Wille, Don Schenker, Karen Gilster-WLTA
Jane Licht-Register of Deeds Assoc.
Lorraine Hartung-County Clerks Assoc.
Ed Harvey-County Surveyors Assoc.
Tomah Rep-Society of Land Surveyors
Rep.-Wisc. Assoc. Assessing Ofc.
Monroe Co. Rep-Wis. Clerk of Courts Assoc.

Phone, fax & E Mail information was given to Roxanne to share with each Association.

Discussion on SB 606. Bill is being re-worded and is going back to Senator Welch's office. Lengthy discussion on definition of "customized records". Agreement that a standard product should be billed as per state statutes. A customized record requires more work on the part of the county employee and should be billed according to actual cost of services (including, computer-paper-employee time). Access to electronic records is not the same as "customized". Bill 606 should be drafted to make that clear.

Members present agreed to put together a survey for each association's members to fill out in January and return to Roxanne for compilation.

Questions on survey to be designed to ask sample questions to either the government or the private sector. Roxanne to design gov't survey, Mike Wille to design private industry survey. Sample questions: In what format do you provide data? What does your gov't agency charge? Beyond statutory fees, what do you charge for.....copies.....data..... services? What services do you need and want to see provided?

Use wording...."actual cost of production" in survey.

Conveyances with 10 or more exceptions: Discussion and recommendation for Mike Wille to contact President of Iowa Land Title Assoc. to ask for information and interpretation of Iowa Law re: parcel splits.

Transfer forms on exempt conveyances

Discussion initiated by the Real Property Listers regarding where to send tax bills on exempt conveyances. If there is an exempt transfer and no transfer form is required, they cannot track address of Grantee. Either a transfer form should still be provided or a space on the individual document should be provided to list Grantee & address. Pres. Council gave broad support to this issue.

Transportation Project Plat Act

Unanimous agreement to support. Bush Nielsen was an advisor on this document.

Divorce judgements discussions

In an attempt to glean information from individual divorce decrees that create imbedded judgements affecting Real Estate transactions, President's Council gave broad support to create a simple & clear chain & documentation to transactions in divorce judgements. In order to make sure abridgements cover all Real Estate matters, we need to communicate with the Bar Assoc. to educate attorneys & let them know what is needed to properly document the divorce decree. Communication will begin with Bar Assoc. in this regard.

Host for next meeting-1st Tuesday in October 1997.....Wisconsin Land Title Assn.

***Please note: These are NOT the minutes from the meeting, but rather some informal notes that were taken during the discussions. Minutes will be provided to each member of the President's Council by Roxanne Brown.

MINUTES OF THE
PRESIDENTS COUNCIL
OCTOBER 1, 1996

The first annual meeting of the Presidents Council was held in Tomah, on the first Tuesday of October 1996.

Participants:

Jeff Bluske, Pres. Wi. Real Property Listers Assoc.
Roxanne Brown, Rep. Wi. Real Property Listers Assoc.
Gary Sime, Rep. Wi. Society of Land Surveyors
Ed Harvey, Pres. Wi. County Surveyors Assoc.
Mike Wille, Pres. Wi. Land Title Assoc.
Donald Schenker, Rep. Wi. Land Title Assoc.
Karen Gilster, Rep. Wi. Land Title Assoc.
Lorraine Hartung, Pres. Wi. County Clerks Assoc.
Joyce Anderson, Rep. Wi. Clerk of Courts Assoc.
Jane Licht, Pres. Wi. Register of Deeds Assoc.

As per the policy set during the introductory meeting in Sept., Roxanne Brown acted as chair of this meeting.

Introductions were made by each participant.

Old Business

a. Fees for customized work products report by R. Brown

Discussion of plan of action in presenting this bill once again for legislative action. It was suggested that two bills be presented simultaneously. One would only address county agencies that may create customized products and the other to address only state agencies. This suggestion will be taken under advisement by the WLIA committee handling this bill. All those present were in favor of the bill, but wanted to be sure that this legislation is not used to charge for existing records. Roxanne stated that the definition is:

A customized work product is a compilation of existing records organized in such a way as to fulfil a specific request. The compilation did not exist before the request, nor does it fulfil any governmental use of the agency after it is created. The creation of the product results in diverting the agency and its time, personnel, and equipment from their statutory purpose in order to fulfil the request, and therefore the agency should be reimbursed.

b. Transfer forms on exempt conveyances

Discussion of the problem Listers have when addresses are not supplied when land is transferred by conveyances that do not require transfer tax forms. We need a mechanism for forcing drafters of documents to include an address for the grantee somewhere; either the document should contain it or a transfer tax form be submitted on all documents.

MOTION by Mike Wille/Don Schenker to recommend that legislation be forwarded that would state: The Register of Deeds must be provided with the address of where to send the tax bill.

This recommendation provides for the address to be added to the document or supplied with a transfer form. This recommendation will be forwarded to the Real Property Listers and the Register of Deeds Associations and it is assumed that the Listers will carry through on this action in the future with the support of all the associations.

c. Requiring new description on conveyances with 10 or more exceptions.

This discussion was tabled until the 1997 meeting for lack of information. Mike Wille volunteered to contact the Title Association in Iowa for details on their laws. When we get the Iowa laws we will then have an idea on how limiting exceptions on conveyances could be accomplished.

d. Requiring Court Documents to be recorded at the Register of Deeds Office

During this discussion it became evident that there may be some cases where recording is mandatory. Further research will be done on this issue by Don Schenker. Jeff Bluske will also get further details of documents not being recorded from the Listers. The Statutes relating to this situation are found in Chap. 706

e. Standard fee for electronic access.

Electronic access fees were the focus for much of the meeting. There is much disparity between counties and it causes many problems in the Land Title profession. The consensus at this meeting was that fees should cover costs. The problem exists because differing counties have different costs or decide not to cover any costs. Since we do not have enough information at hand to really discern the implications of electronic access, we decided to survey our individual associations on what is available and the fees charged. Two questions to be asked of the governmental associations are:

1. What services and products are you providing to customers (outside of statutory services and fees).
2. What is your fee for these services.

Non governmental associations are to survey their memberships on:

1. what services do you receive from which public agency
2. what services or products would you like to get
3. what are you charged
4. do you believe that fees should cover the provider's cost

The results of each survey will be compiled by the Assoc. rep and sent to Roxanne Brown, for final report.

f. WLIA Standard on standards

no problems were associated with this activity.

g. Number of official attendees of the Council

The recommendation remains the President, and a representative from each Association be present at the regular Council meeting. Continuity will be maintained by having the representatives serve at least a two year term. Since no major issue votes (only recommendations after consensus) should be made by this group the number of those representing any one association is not important. The idea behind the formation of this Council was for sharing information and garnering support.

h. Name of the Council

Since legislative issues seem to be the focus of this group, we decided that keeping "THE PRESIDENTS COUNCIL" as the official name could carry some political clout. Consensus was to keep the name, and to actively urge the Presidents of every association to attend.

NEW BUSINESS

a. Transportation Project Plat Act

A report on the final draft of an act to change the recording procedures of highway plats was presented by Ed Harvey. The draft was handed out, and is attached to these minutes. This act will be introduced this January. Many associations had members active on the committee to draft this legislation, and has the Councils support. Ed will keep us posted as to its progress.

b. 1997 Presidents Council Host

Karen Gilster of the Wi Land Title Association will host the next annual meeting of the Presidents Council. She thought that she would be able to arrange for it to be in Stevens Point.

c. Newsletter exchange

It was suggested that each association exchange newsletters in the spirit of cooperation. Those attending thought it a good idea.

d. News articles for the Wi. Land Title Association Newsletter

Karen said that the WLTA would welcome any news articles for their newsletter, should any of us want to have a voice in that arena. The offer was appreciated.

Meeting adjourned

Respectfully Submitted

Roxanne Brown, WRPLA
Acting 1996 host/chair.