

PRESIDENTS COUNCIL MEETING  
OCTOBER 3, 2000  
CHULA VISTA RESORT, WI DELLS

Attendance:

Donald Schenker.....Wisconsin Land Title Association  
Roxanne Scott.....Wisconsin Land Information Association  
Steve Ventura.....Wisconsin Land Information Association  
Cheryl Zellmer.....Wisconsin Real Property Listers Association  
Duane Haakenson.....Wisconsin Real Property Listers Association  
Kathleen Walsh.....Wisconsin Register of Deeds Association  
Connie Olson.....Wisconsin Register of Deeds Association  
Jon Schwichtenberg.....Wisconsin Association of Consulting Engineers  
Hal Karas.....Wisconsin Bar Association  
Ken Brockman.....Wisconsin Department of Transportation  
Dan Birrenkott.....Wisconsin Society of Land Surveyors  
Francis Thousand.....Wisconsin Society of Land Surveyors  
Harold Charlier.....Wisconsin Society of Land Surveyors

Host and this year's Chair, Harold Charlier, Executive Director for the Wisconsin Society of Land Surveyors, opened the meeting at 10:15 a.m.. All those present were asked to introduce themselves.

Following introductions, Mr. Charlier reviewed the mailing list of the council. He had received word that the Banker Association and other banking affiliates were not interested in joining the council.

Mr. Charlier also reviewed the history and mission of the Presidents Council for the edification of the new attendees.

It was the consensus that each representative be given the floor to present their organization's legislative agendas, distribute handouts, or raise questions.

1. Wisconsin Land Information Association (WLIA) – Steve Ventura, President

Steve began by relating the history of the activity surrounding the proposed Wisconsin Land Information System (WLIS). The process of conceptualizing, educating, and securing funds has been a continuous effort on behalf of WLIA and the State Department of Administration since 1999. Now that a concept document has been published (the Technical Working Group Report) and expanded (Project Team Report) the time for support has come. The recommendations stated in the Project Team's report for startup funding is for \$1.3 million to be budgeted in the next biennium. WLIA supports this funding amount with some reservations.

WLIA position regarding the governance, and maintenance of WLIS

- The Wisconsin Land Information Board (Governor appointed panel to oversee land records modernization since 1989) is the appropriate body to oversee WLIS.
- Physical housing of the main node and the administration of WLIS must be fully investigated. DOA, DOT, DNR or OLIS are not "automatically" the best location.
- Funding cannot be "lifted" from the Wisconsin Land Information Program as those dollars are for local projects that are still very active. The original 19 ideas for funding WLIS (as listed in the original Technical Working Group Report) should be fully investigated. (list attached)

Steve reported that six other groups or individuals made formal comments to the Office of Land Information Services and that most of them echoed the WLIA concerns regarding governance, housing and funding. The report and recommendations of the Project Team were accepted and approved by both the

Wisconsin Land Information Board and the Wisconsin Land Council and are being conveyed to the Governor. However, neither the Wisconsin Land Information Board or the Wisconsin Land Council made any move to address or resolve the three issues mentioned above.

WLIA remains hopeful and watchful. Harold Charlier advised WLIA to get their Legislative contacts fully appraised of the situation now, so as not to surprise them later, either for correcting any budget errors or for full support. WLIA was asked to keep the Council aware of the budget implications as they arise so that the organizations can rally their memberships. Steve assured all the Presidents that WLIA would be glad of their help and support.

Other news relating to WLIA presented by Steve was that the Wisconsin Land Council oversees and is adopting rules to govern land-planning grants. WLIA is interested in this process because WLIB standards are involved. Steve was asked to define the difference between Land Information and Land Planning. Steve said that Land Planning is an application in which Land Information, in its various forms, is used to create the data on which land planning decisions are made.

WLIA is also forming a Data Policy Task Force, which will research data access, privacy and cost recovery. The mission is to research and recommend a "best practices" handbook regarding data – distribution.

WLIA also has formed a Legal Description task force. Rich Leaver of Dodge County is the chair. The mission of this task force is to try and get rules for writing legal descriptions created to establish clear records into the future.

Steve invited the Presidents and their membership to the next quarterly meeting of WLIA. The meeting will be held December 7 & 8 at the Governor Dodge Motor Inn, Platteville. Scheduled agenda items are an all day workshop on digital orthophotos, which will provide information on integrating, replacing and updating older orthos with newer ones, coordinate systems, metadata, software etc. An evening seminar will present a session on the general understanding of orthos for those with limited exposure to the technology. On the second day of the meeting a panel discussion pertaining to digital orthophotography including a statewide status update with the digital soil survey and its relationship to the proposed WLIS, will be presented.

## 2. Wisconsin Land Title Association – Don Schenker

Mr. Schenker began by explaining that there have been changes in the processes for keeping the lien dockets in the Clerk of Courts Office. These changes have been brought about as a result of the Court Automation Program. Since money judgements can now be made into liens on real property the title people have a very large interest in tracking against whom the liens are filed. The automated system is hard to use and leaves out priority information (because it is web-based) that the title industry must have to insure title on property. WLTA is hoping that the Clerk of Courts will consent to keeping their originally formatted Judgement Docket Books so that retrieval of the record is still available to researchers. They are hoping for an Attorney General's Opinion on whether the entry in the automated system constitutes fulfilling the statutory duties of Clerk of Courts Office. (see article from Land Title News, Late summer 2000 issue, which is part of these minutes)

Don then broached the subject of the Affidavit of Correction, which is being widely discussed between the Register of Deeds Association, Real Property Listers Association, Land Title Association and hopefully the Bar Association. Don stated that WLTA accepts the need for such an instrument and recognized both the good and bad about the process.

The RPLA asked and received permission to join Mr. Schenker on this subject. Cheryl Zellmer distributed a new document being discussed by a joint committee within the four organizations. This is the re-recording cover sheet, which will allow previously recorded documents to be corrected and re-recorded. (copy attached). Discussion ensued.

The DOT representative, Ken Brockman, expressed real concern about a new Affidavit of Correction being the only instrument of correction. The DOT must correct plats several times before final road construction and the need for signatures seemed unwieldy for their use. He also stated that their particular form for amending DOT road plats is also called the Affidavit of Correction and he was concerned of future misunderstandings regarding which form is used at any given time or circumstance. Both WRPLA and WLTA agreed to take the DOT's concerns back to their organizations.

### 3. Wisconsin Society of Land Surveyors – Dan Birrenkott

Dan started by reviewing the strategic plans of WSLs. Areas of their profession they are working on are: Creating a new manual.

- Steve Ventura of WLIA, offered a comment regarding that perhaps WSLs may like their new manual incorporated into the OLIS/LIO handbook being created by WLIA and the Office of Land Information Services. This would be another link in the effort to promote knowledge among all factions of land records departments.

#### State Surveyor

This would be a State Level position but is still nebulous in concept. However, the thoughts of WSLs is that this position would deal with technical issues, like geodetic control and the HARN. The housing and governmental oversight is still very much "in the air."

#### Re-definition of Surveyor. Chap. 443 (regulation & license)

To deal with mapping and who can define property boundaries. It was noted that utilities, Federal and State agencies could survey without licensing.

#### Trans. 233

They are hoping to help revise this rule in order that its effectiveness is improved.

#### Permanent Liaison with other organizations.

Like other organizations, WSLs recognizes the need for constant and permanent communication between their organization and others that deal with land issues.

#### 2002 – 50<sup>th</sup> Anniversary of the WSLs

Plans are underway to mark this historical year.

#### Continuing Education

WSLs is designing and hoping to implement more professional training in the coming year. They hope to offer "Professional Development Hours" that will be awarded to graduates of the training offered. It is hoped that the membership will voluntarily attend these trainings and upgrade their profession through this effort.

### 4. Wisconsin County Surveyors Association – Frank Thousand, Legislative Chair for WSLs

Frank stated that while there were a couple of legislative issues begun by the County Surveyors Association last year, he wasn't aware of anything special this year. Matt Janiak was scheduled to attend this meeting but because he didn't show, Frank had no news to present.

Frank did offer up some concern regarding the proposed statutory language to Chap. 236.34(3) that would require lot numbers on conveyances of CSM. This language is proposed by WRPLA. He had concerns that the Listers had not forwarded this language change onto them earlier. Cheryl Zellmer replied that the idea was only two weeks old and that WRPLA hoped that this forum would accomplish the necessary notification. Cheryl assured both Surveyor Associations that they would not only be kept informed, but would be asked to help clarify the needed changes.

5. Wisconsin Register of Deeds Association- Kathleen Walsh, President

Ms. Walsh introduced herself and her Legislative Chair (Connie Olson) and explained the process of the executive branch of their organization.

Issues of concern for WRODA are:

Child Support Liens

This is administrated by the Department of Work Force Development and will take effect on Oct. 10<sup>th</sup> of this year. The liens will only be on debts of \$30,000 or more to begin. Since only the name of the debtor is given (with no other identifier), this lien on property will be very hard to track on the land title. The liens are "registered" statewide now and are also put on personal property.

Article 9 of the Uniform Commercial Code

WRODA will hear more about these revisions at their conference. The State Department of Financial Institutions will be giving them training. However the concern is that by 07/01/01 the state will implement a "central filing point" at the state level, thereby causing a loss of filing fees at the local level ROD's office.

Documents available on the Internet

This is an ongoing issue, with many concerns. It was noted however that Brown County has an RFP out for services to create software to allow access to the records.

4 Year Terms for County Elected Officials

WRODA believes that the statutes should be changed to allow 4 year terms, as 2 years doesn't allow any time for much other than campaigning.

6. Wisconsin Bar Association - Hal Karas

Mr. Karas told us of a special legislative committee being formed to investigate and review condominium laws. Bob Leibslie is in charge of that committee. Hal also explained that lawyers must have 30 hours of continuing legal education every 2 years, which includes 3 hours on ethics. The Wisconsin Bar Association website is: [www.wisbar.org](http://www.wisbar.org)

7. Wisconsin Department of Transportation - Ken Brockman

WiDOT now has 32 plats for road construction involving 10 projects in various areas of the state. There were some problems with plat size but the Department has now reverted to 22'' x 30'', which is standard. DOT must file the plats prior to taking the right of way. This process is problematic due to the many changes that occur between the plan and the purchase. This process really needs to be reviewed.

Height Modernization Program. The objectives are to densify the current elevations by utilizing GPS technology. Hopefully the project will be completed in 10 years and the data would be blue booked. The project needs help on a local level regarding understanding, communication and education about the project. The maintenance of the monuments is still to be decided. Funding for this project is "cobbled" together as the need is so great for the information. DOT just couldn't ignore the need, and found the means to accomplish the project, over time.

Ken stressed the need for change within the DOT. However, change comes with difficulty and pressure must come from outside the Department.

Trans 233. The Senate Transportation Committee will only reconvene if there are substantial objections.

8. Consulting Engineers – Jon Schwichtenberg

Jon explained to us that the Consulting Engineers use the public record. And even though they have Surveyors and GPS Technicians, everything done in the public sector records is affecting how they do their job. Since WACE is new to our forum, Jon made it clear that they are anxious to be of help to all of us in our goals of modernizing land records.

Having now gone through all the attendees and their agendas, volunteers were called for to host the next Presidents Council for 2001. The Register of Deeds Association will do so on the first Tuesday in October of 2001.

Harold Charlier offered closing remarks, thanking participants and advising that this exchange of ideas and information was very worthwhile and hopefully beneficial to all.

Meeting adjourned 2:20pm.

Respectfully submitted,

Roxanne Scott  
Secretary pro tem