

## Minutes

Proofed by Gerald Smith: April 30, 2021

Board of Directors Meeting  
Property Records Industry Association  
11 a.m., ET, Wednesday, April 21, 2021  
Via Conference Call

Present for the call:

Jerry	Lewallen	President	Yes
Annette	Hill	Vice President	Yes
Gerald	Smith	Secretary	Yes
Brian	Ernissee	Treasurer	Yes
Brandon	Krause	Director - Government	No
Kyle	Quackenbush	At-large Director - Government	Yes
Sharon	Martin	Director - Government	Yes
Chris	Walker	Director - Government	Yes
Elizabeth	Blosser	Director - Business	Yes
Dan	Shmukler	Director - Business	No
Jana	Miyasaki	Director - Business	Yes
Penny	Reed	Director - Business	No
Larry	Burtness	Immediate Past President	No
Mark	Ladd	Advisory Council	Yes
Charlie	Epperson	Advisory Council	No
Carol	Foglesong	Advisory Council	Yes
Steve	McDonald	Advisory Council	Yes
Marc	Aronson	Advisory Council	Yes
Kelly	Romeo	Advisory Council	Yes
Diane	Swoboda Peterson	Advisory Council	No
Brent	Blankenship	Education	No
Dan	Crank	Education	No
Liz	Kelly	Membership	Yes
John	Murphy	Membership	No
David	Rooney	Standards/Practices	No
Nakia	McFarland	Standards/Practices	No
Ryan	Crowley	Governance	Yes
Teresa	Kiel	Governance	No
Christi	Adams	Communications	Yes
Michael	Miller	Communications	No
Carolyn	Ableman	PRIA Local Coordinator	Yes
Stevie	Kernick	Chief Staff Officer	Yes

## **Call to Order**

President Jerry Lewallen called the April 21, 2021, meeting of the PRIA Board of Directors to order at 11:03 a.m., ET, and declared a quorum present.

## **Consent Agenda**

***On a motion by Sharon Martin and a second by Gerald Smith, the board accepted the April 21, 2021, consent agenda as distributed.***

## **Old Business**

### **Membership**

Stevie Kernick said a year-end projection for 2020-21 was included on the financial summary report for March 31, 2021. The current projected year-end net revenue is \$60,000, which takes into account the additional \$13,500 in staff hours.

Membership lost a bit of ground in March with the total number of members for 2020-21 now at 27 lower than the same period in the previous year. At the end of February, current year membership was only 14 lower than previous year. Member retention climbed to 86 percent in March.

The association industry average for membership retention is 75 percent. A major membership campaign will launch next week targeting recorders in states surrounding Wisconsin and Arizona. This target audience, the “neighbors,” typically yields a significant number of new members.

### **ULC’s Mortgage Modification Study Committee**

Kernick provided an update in lieu of Penny Reed who represents PRIA on this ULC study committee. Reed reported that members of the study committee were reluctant to include residential mortgages in the study, but ultimately the committee decided to create two work streams for drafting, one for commercial and one for residential. The final draft would then have two sections that could be adopted by states or they could chose to adopt only one section.

The focus continues to be on preserving lien position without requiring additional documentation or subordination. There was also some discussion around push back from recorders since this would ultimately reduce some recording volume and revenue.

### **Papering-out Paper**

Kernick explained that this paper was first presented to the board at the February 17, 2021, meeting. At that time, the work group had not yet categorized the paper in accordance with PRIA work product descriptions. There also was an upcoming breakout session scheduled for the Winter Symposium on papering-out, which ultimately, resulted in additional comments.

The work group reconvened to determine the type of paper and review the input from the conference session. The final document is presented for approval to publish as a “position paper.”

***On a motion by Martin and a second by Elizabeth Blosser, the board approved the papering-out Paper for publication.***

The paper will now be sent to the Style Committee, prior to publishing.

#### eRecording Hub

The PRIA staff team met with Pro-west to discuss how to best to make global updates to the eRecording hub data. That meeting also touched briefly on whether a program could be written that would allow the PRIA staff to make those global updates. Currently, the staff can make updates and additions but only one at a time with individual jurisdictions.

#### 2022 Annual Conference

Lewallen reported the officers are recommending Atlanta for 2023 rather than 2022 given the polarizing voter rights issues in Georgia. It is likely in selecting and announcing Atlanta as a conference location, there would be some members who might have concerns with the choice. Staff will continue working on Atlanta for August 2023 but is now researching sites in Jacksonville and Ft. Lauderdale, FL, for August 2022.

One potential issue with Florida in August is the beginning of the hurricane season. The staff recommend Event Cancellation Insurance, as a precaution. Carol Foglesong said Ft. Lauderdale is hit more frequently with hurricanes than Jacksonville.

#### New Business

##### Automated Redaction Technology

The Redaction Work Group presented the stand-alone paper on technology for approval to post for 30-day comment. This paper would be categorized as a white paper, based on PRIA's publication categories.

***On a motion by Martin and a second by Jana Miyasaki, the board approved the paper for 30-day comment period.***

#### ULC Study Committees

There have been work groups in place at ALTA and PRIA on both redaction and restrictive covenants. There are no model laws for either topic. The Uniform Law Commission is the body that drafts model legislation and brings together representatives from business, government, academia and non-profits for thoughtful discussion.

ALTA sent two different letters to the ULC in December 2020 asking for study committees on redaction and restrictive covenants, which were considered but then both were turned down. ULC is now reconsidering both of these issues and seeking additional letters of support from other stakeholders. Blosser asked if PRIA would support both these issues and submit letters of support before July 2021.

Blosser said when the ULC decided not to move forward at the end of December it was because there were more pressing issues for consideration.

Foglesong said the redaction best practices taskforce would appreciate PRIA's support on this issue with the ULC. Martin agreed she wanted to learn how redaction would affect her office and the state.

***On a motion by Martin and a second by Smith, the board agreed to send a letter of support to the ULC asking them to reconsider study committees on record shielding (redaction) and restrictive covenants.***

Ryan Crowley said he recently had several counties ask Pioneer Technology Group about separating out restrictive covenants from the recording package.

#### eRecording Document Volume Survey

In the past, there has been a short-term taskforce formed to develop the questions for the eRecording Document Volume Survey. The staff then takes over managing the survey.

Lewallen asked the officers to review the questions from the previous survey, which they did during the April 1 officers meeting, and made several minor changes.

***On a motion by Martin and a second by Annette Hill, the board agreed to move forward with the bi-annual survey using the questions as distributed in the board binder.***

#### Awards

A question was posed by a member county asking if PRIA had an Awards Program or had plans to develop such a program. The Council of Advisors convened to discuss a possible awards program. Following discussion, the Council of Advisors recommends staying focused on developing a certification program rather than build a new awards program.

#### Other

Martin said one of her goals while in office is to get the IRS to electronically record tax liens and releases. In Wisconsin, the IRS said they needed all 72 counties to be eRecording enabled before they would consider electronic recording for liens and releases. Wisconsin has been 100 percent eRecording for two years, but the IRS still will not consider this.

Martin said a processing firm (Beckley Finance) actually sends out the liens and releases to be recorded.

Crowley said he would check with other divisions at PTG that work with tax situations.

Blosser said if anyone is talking with members of congress during the appropriations process, they can make study requests on specific topics. This issue would conform to the Federal Paperwork Reduction Act.

#### **Board Deliverables**

##### In-person Strategic Planning for 2021

Lewallen reminded the board that an in-person strategic planning meeting had been put on-hold in April 2020 to see how the COVID-19 virus and subsequent vaccines would affect travel restrictions. He

questioned the prospects of holding an in-person planning meeting during 2021 based on willingness to travel and organizational budgets.

Martin said she has permission to travel and the funds are available for her. Hill said September or early October would be preferable for in-person planning.

Lewallen recommended tabling further discussion until the June board meeting.

**Next Meeting**

The next meeting of the Board of Directors is scheduled for Wednesday, May 19, 2021, at 11 a.m., ET.

**Adjournment**

The meeting adjourned at 11:54 a.m. ET.

Jerry Lewallen, President

Stevie Kernick, Recording Secretary