

Special Note: The following is a summary of the Minutes taken from the Recorder's Advisory Council meeting held on Thursday, June 16, 2011 and does not necessarily provide a detailed verbatim transcription of the Minutes.

MINUTES

**RECORDER'S ADVISORY COUNCIL
THURSDAY, JUNE 16, 2011
9:30 A.M.**

**CLARK COUNTY GOVERNMENT CENTER
500 SOUTH GRAND CENTRAL PARKWAY
1ST FLOOR, PUEBLO ROOM
LAS VEGAS, NEVADA 89155**

Members Present

Debbie Conway, Clark County Recorder
Cliff Jeffers, Clark County District Attorney's Office
Lisa Fershin, Equity Land Title
Eric Puhl, Escrow Unlimited
Debora Lee, First American Title Company of Nevada
Michael Gilliam, FNTG Las Vegas Title Group
Amy Bernstein, FNTG Las Vegas Title Group
Paul Bell, GLVAR- Prudential Americana Group
Brenda Durant, NexTitle
Troy Sears, NexTitle
Vanah Rafanelli, Noble Title
Nick Nicholson, North American Title Company
Jack Woodcock, Prudential Americana Group, REALTORS
Brad Berrett, Republic Services

Members Absent

Mona Baca-Shaw, California Hall Service
Martin Bressler, Chicago Title
Joe McCaffery, Chicago Title Escondido
Debra Pomponio, Commerce Title Company
Tracey Keller, DHI Title
James Orate, Document Processing Solutions, Inc.
Eric Puhl, Escrow Unlimited
Sue Naumann, GLVAR- Tsunami Properties Inc.
Paul Bell, GLVAR- Prudential Americana Group
Keith Kelley, Kelley and Associates Real Estate
Daniel Potucek, Law Office of Daniel Potucek
Steve Dover, Lawyers' Title
Laurie Quigley, Legal Wings
Robert C. Sherratt, Mesquite Title Company
Cyndi Riska, Nevada State Title
Nick Nicholson, North American Title Company

Kehau Haia, Old Republic Title Company of Nevada
Ellie Lumsden, Premier Realty Group
Jerry Smith, Realty Ticor Group
Troy Hicks, Red Rock Title & Escrow Company
Jerry R. Smith, Ticor Realty Group
Troy Hicks, Public Member

Staff

Eugene Mendiola, Clark County Recorder's Office
Denise Gulia, Clark County Recorder's Office
Laurel Jimenez, Clark County Recorder's Office
Maurice Reid, Clark County Recorder's Office
Sheila Salehian, Clark County Recorder's Office
Susan Wohlbrandt, Clark County Recorder's Office
Maggie Tellez, Clark County Recorder's Office
Courtney Hill, Clark County Recorder's Office
Chris Chong-Wong, Clark County Recorder's Office
Billy Purcell, Clark County Recorder's Office

Guests

David Pierce, Clark County Assessor's Office
Joan Wiley, Santoro, Driggs, Walch, Kearney, Holley & Thompson Law Firm
Steven Morris, Woodbury, Morris & Brown

I. Call to Order

Debbie Conway, Clark County Recorder, called the meeting to order at approximately 09:37 AM.

II. Introductions

The committee members each introduced themselves and the companies they represent.

III. New Business

a. Approval of March 17, 2011 Minutes

The RAC members unanimously approved the minutes for the March 17, 2011 meeting.

b. Follow Up on Special RAC Meeting

Debbie Conway, Clark County Recorder, provided information on the special meeting that was held on May 6, 2011 and provided a copy of the minutes to the members which was an overview of what happened during the meeting.

Cliff Jeffers, Clark County District Attorney's Office, provided an update on the meeting. **Jeffers** stated that there was a provision in the Nevada Revised Statutes (NRS) that allowed the Recorder's Office to implement an additional fee of \$3.00 to record and index the documents that have multiple titles.

Debbie Conway, Clark County Recorder, provided information on the implementation of the multi-title document indexing fees per NRS that would be implemented on July 1st and also discussed the fee that would be applicable to UCC recordings also according to the current NRS statutes. **Conway** also brought to the council's attention a new legislative bill that just passed during this session, which may add a \$3.00 fee to the recording fees.

Eugene Mendiola, Clark County Recorder's Office, mentioned that the new bill approved by the Nevada Legislature may add an additional \$3.00 fee to the recording fee to fund Nevada Legal Services. The bill is subject to approval by the Board of County Commissioners.

Debora Lee, First American Title Company of Nevada, questioned on the UCC fee if it would be affecting recordings that would have fixture filings attached to the recording. **Mendiola** replied stating that the fee would be applied to recordings that are strictly a UCC document being recorded.

Jack Woodcock, Prudential Americana Group, REALTORS, questioned the UCC fee if it applies to the recordings that have furniture, fixtures, and equipment. **Mendiola** replied that the fee does not apply to the recording and only to the documents that are strictly for UCC recordings. **Woodcock** questioned if a landlord sends in a long term lease that has a UCC recording for the equipment would the fee apply to the recording.

Denise Gulia, Clark County Recorder's Office, answered that in the past the UCC fees depended on the type of form that was sent in which would determine which fee would be charged to the recording. **Mendiola** added that the document in question would be classified as a multi-titled document. **Woodcock** also questioned if a landlord records a lease that includes an additional improvement made to a building would the additional UCC fee apply to the separate UCC filing covering the equipment that was recorded separately from the lease recording. **Mendiola** replied stating that the fee would apply. **Jimenez** also stated that the UCC filing should be submitted separately at the time of recording.

Debbie Conway, Clark County Recorder, stated that the Board of County Commissioners approved an Ordinance that applies a fee for recording liens that affect those liens that are submitted by Republic Services. There were announcements of the fees advertised in the newspaper.

Brad Barrett, Republic Services, questioned when would the new fee be implemented and questioned the posting of the announcement. **Conway** replied stating that the new fee will be implemented on June 21st and the Recorder's Office will need to make enhancements to the system to accommodate the new fees.

c. Status on Upgrades or Recordation System Changes

Laurel Jimenez, Clark County Recorder's Office, discussed the changes that the UCC fees will make to the recordation system. She announced that the vendor of the recording system is working on a formula to help calculate the UCC fees. **Jimenez** also stated that the multiple-titled documents will be indexed in a different format than of those with just one title. **Jimenez** gave a status on the image uploading and announced the completion of the project. She gave information on the rollout of the digital reel which provides the digital version of the microfilm reels in the Recorder's Office, thus eliminating the use of the microfilm reels and microfiche machines.

d. Update Re: E-Notary

Laurel Jimenez, Clark County Recorder's Office, elaborated on some information regarding the new capability being brought to the Recorder's Office which will allow the Office to issue electronic notarization to documents. She provided information on the collaboration of the Nevada Secretary of State and the Secretary of State's office in Pennsylvania and North Carolina by taking their information on the trials and errors, and providing a template which the Recorder's Office can use to model the electronic notarization process of the two states.

Brad Barrett, Republic Services, questioned if someone needs to be E-Recording to use the E-Notary process. **Jimenez** replied stating that the most efficient use of the E-Notary would be in the E-Recording process. This process provides efficiency while recording because a document can be submitted once instead of getting E-Notarized then submitted again for recording. She also stated that a customer can get the E-Notary done separately.

Debora Lee, First American Title Company of Nevada, questioned if the E-Notarization would be counted a valid signature and not a copy. **Jimenez** answered that the research is being done and the applicable laws and policies are being considered regarding this issue.

Amy Bernstein, FNTG Las Vegas Title Group, questioned if the E-Notary was rejected at the time of recording would the recording process be restarted, and would this affect the deadline of recording documents before 4:00 p.m. for title companies. **Mendiola** replied that the issue is being researched as part of the discussion for developing the E-Notary process. **Conway** provided that the Recorders throughout the state of Nevada have met about the E-Notary process and will provide more information and have more details available soon.

e. Schedule for Non-Compliance Training

Eugene Mendiola, Clark County Recorder's Office, gave an update on the progress of the non-compliance training being conducted. He offered a choice in where the forum for both feedback and training for the title companies should be. **Mendiola** stated that the classes will be offered in September. A timeframe of 45 minutes to an hour for the training with time to answer any questions regarding non-compliance before the class is started.

f. Legislative Changes

Debbie Conway, Clark County Recorder, reiterated the new legislative bills that have been passed and signed into law and provided a summary of the new bills that will affect the Recorder's Office.

IV. Miscellaneous Discussions

Debbie Conway, Clark County Recorder, stated that the kiosk project has been submitted to the Clark County Commissioners for consideration on their agenda. She discussed the proposed seven locations for the kiosks. **Conway** also provided an update on the roll out progress of the kiosks in Maricopa County, Arizona into the libraries throughout Phoenix.

Debbie Conway, Clark County Recorder, announced that the Recorder's Office won two new NACO national awards; the incentive award for the employee recognition program "Keys to Our Success" and Gov-to-Gov collaboration.

V. **Public Comments**

VI. **Next Meeting Date:** Thursday, September 15, 2011, 9:30 AM, 1st Floor, Pueblo Room,
Clark County Government Center, 500 S. Grand Central Pkwy., Las Vegas, NV 89155

VII. **Adjournment**

The meeting was adjourned at 10:22 AM.