

APPROVED MINUTES

LOUISIANA CLERKS REMOTE ACCESS AUTHORITY (LCRAA)

12:30 PM Wednesday, October 15, 2014

10202 Jefferson Highway, Building A
Baton Rouge, Louisiana

MINUTES

- I. **Call to Order:** Meeting called to order by Chairman Gary Loftin.
- II. **Invocation and Pledge of Allegiance:** David Dart
- III. **Roll Call:** Board members present were: Gary Loftin, Malise Prieto, Mark Graffeo, Rick Arceneaux, Tom Sullivan, David Boneno, and Ronny Champlin.
- IV. **Acceptance of Agenda:** Motion was made by Rick Arceneaux to approve the Agenda. Motion seconded by Malise Prieto. **MOTION CARRIED.**
- V. **Approval of Minutes:** Motion was made by Rick Arceneaux to approve the minutes of the August 27, 2014 meeting. Motion seconded by Mark Graffeo. **MOTION CARRIED.**
- VI. **Financial Report:** Treasurer Mark Graffeo reported \$87,029 in current assets which included all of the fees as of October 14, 2014 for the month of September. Chris Kershaw explained that the Income Statement might look a little strange for the rest of the year because the budget that was adopted was based on 10/12th of a full year. He said that until there was data for an entire year the budget might look a little unusual.

Debbie Hudnall explained that prior to the first LCRAA Board meeting that the Louisiana Clerks of Court Association had incurred some expenses on behalf of LCRAA. The Association Board had hired a company to develop a high level design concept in order to prepare for legislation at the cost of \$10,000. Additionally, there were attorney's fees for drafting legislation and participation agreements along with other legal advice. Debbie informed the Board that the Clerks' Association had incurred about \$17,000 in expenses. She also informed the Board that Chris Kershaw had contacted the Legislative Auditors' office to see if there would be any issue in LCRAA reimbursing the Association. She said they had received an email from the Legislative Auditors' office just prior to the meeting stating the Association could be reimbursed but they also suggested that we contact our individual auditors. Although the LCRAA Board had not retained an auditor, she said that she and Chris would contact Michelle Cunningham with Duplantier Hrapmann, Hogan & Maher in New Orleans who currently audits the Association and the Clerks' Retirement Fund to see if they could foresee any issues with the reimbursement. Debbie said if there are no issues, they would present the Board with an itemized accounting of those expenses at the next meeting to approve.

Mark Graffeo moved that the Financial Report be received. Motion seconded by Malise Prieto. **MOTION CARRIED**

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- VII. Report of Administrative Staff** – Debbie reported they had received monies from 36 of the 45 parishes as of October 14th. She said there had been numerous questions on exempted recordings and that the staff had been contacting those parishes if the exemption numbers seemed high. Attorney Sheri Morris said the participating clerks that are granting exemptions on certain recording documents need to make sure they can be exempt by law. There was discussion as to whether the legislation needs further clarification. Ronnie Champlin asked that Debbie send a list of the participating clerks to him and he would email the list to the title industry. There was also discussion on how the LCRAA fees from the civil departments were being handled from different offices. Lengthy discussion ensued on the matter, but Debbie asked that they be allowed to continue to monitor the matter because she thought many of the issues were because it was the first month of reporting.

Debbie further reported that the bank account had been opened and they were awaiting printed checks.

- VIII. Report of Technology Meeting** – Chairman Loftin reported that the Technology Workshop was held on Tuesday, September 16th with all of the LCRAA Board members in attendance along with participating clerks, non-participating clerks and vendors. He reported that he gave an overview of the history of LCRAA and they discussed that a survey had been sent out to all participating clerks but not all had responded at that time. He also reported that the four major vendors currently serving the clerks spoke briefly in addition to a few vendors that might be interest in responding to the LCRAA RFP. Gary stated that COTT distributed a document discussing the different structural models and considerations for a state-wide portal. It was discussed that there appeared to be a consensus of the vendors that a centralized index would be the best. Malise stated there was discussion of three types of models: centralized indexes; hybrid with central and distributed indexes and distributed indexes. She further stated that the hybrid model must be considered or some clerks might not want to belong. Gary advised the Board that a copy of the survey sent to the clerks was in the Board book for them to review.

- IX. Grant Committee Report** - Tom Sullivan stated there was nothing to report at this time.

- X. Review and approval of By-Laws:** Chairman Loftin stated that the By-Laws had previously been sent out to the Board and that a few suggestions were submitted by Malise. Debbie said she had incorporated those suggestions into the By-Laws that were currently before them. Motion by Mark Graffeo to adopt the proposed By-Laws as amended. Motion seconded by Tom Sullivan. **MOTION CARRIED.**

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XI. Review and approval of Preliminary Time-Line/Consultant Discussion

Chairman Loftin said he wanted to discuss the possibility of a third party consultant and if it was decided a third party consultant was needed, there might not be the need for a timeline. He said the third party consultant would guide the Board. Malise said she had received an email from a gentleman that had attended the Technology Workshop whose company (Prime Tech) does help develop RFP's and recognizes that if they help to design the RFP they would not be allowed to bid on the project. There was extensive discussion as to whether or not a consultant was needed.

David Boneno said that he was concerned that the more technical the RFP is made; that it might limit the proposals, so he was very leery of bringing in a consultant to help write the RFP. He said he was concerned if the RFP were too narrow and too focused, it might limit the interest for companies to respond to the RFP. David thought it best to have a very open and broad RFP in order for interested parties to present the best ideas available. He said the Board might want a consultant to help analyze the proposals. He suggested also looking at other states. Sheri Morris discussed with the Board her experience in drafting RFP's. She said the critical parts of a RFP are the deliverables and the evaluation criteria and said she would be comfortable in defining the deliverables in a RFP. She said generally the evaluation criteria comes down to cost, turnaround time, how efficient it is for the users and the qualifications of the people submitting the proposals. She said there is not a lot of variation in the selection criteria; some will think cost is more important than delivery time. Sheri also said that it is a discretionary decision that would need to be made by the Board as to how many points they would assign to each category. She said she would probably need some input from some IT people; the IT staff of the clerks could be used or hire some other consultant. She said she personally thought the clerks' IT staff would be best because they know the operations of the clerks' offices. Sheri said she agreed with David that it needed to be an open deliverable. She said that one of the vendors at the Technology meeting had suggested that perhaps a model be included in the response using two or three data sets and that could also be done.

Chairman Loftin asked Sheri to describe the steps for a RFP and what she would recommend for the Board to consider. Sheri explained there would be a timeline approved by the Board attached to the RFP. She reminded the Board that the RFP has to be approved at a public meeting, so when it is approved you want it to coincide with when you will publish it on the website and then send it to the newspaper. She discussed the possible time frame in detail.

There was discussion as to what would happen if there were not enough funds in the account at the end of the RFP process. Sheri stated that some of her clients started out as new entities and included in the RFP about payment of cost being staggered in order for

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the funding to be available. There was further discussion as to the funding of the portal, possible grants to clerks and items that might or might not be included in the RFP. David said he thought it was important to get the portal up and running as the first step.

David suggested that since Sheri is comfortable drafting the RFP and a timeline that the Board allow her to draft it with the help of some of the IT staff of the clerks to present at the next Board meeting. If the Board decided down the road they wanted to hire a third-party consultant, they would always have that option. Sheri informed the Board that her work for the Board is privileged so the Board can direct her and staff to work on the RFP and she can communicate with staff in privileged documents. She said it wouldn't really come back to the Board until it was in the final form. The Chairman verified with Sheri that if his IT staff assisted Sheri with the RFP they could not communicate with him in reference to the RFP because he is a Board member, as it would be for all clerks.

XII. Adoption of Regular meeting schedule for 2014 in accordance with La. R.S. 42:19:

After discussion, it was decided there would not be another Board meeting until January 2015.

Chairman Loftin said he would propose dates for a January 2015 meeting and then have them sent to the Board. Sheri said that in accordance with law, the Board should select the 2015 meetings at their first meeting in 2015.

XIII. New Business – None

XIV. Other Business – None

XV. Announcements - None

XVI. Adjournment – David Boneno moved that meeting be adjourned. Motion seconded by Ronnie Champlin. MOTION CARRIED.

Respectfully Submitted:



David Boneno, Secretary

12-18-14

Approved:



Gary Loftin, Chairman

12-22-14