

**Testimony To  
THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS  
Prepared Wednesday, January 23, 2008 by  
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**REGARDING COUNTY RECORD PRESERVATION**

Chairman Kaldor and members of the Commission, thank you for inviting me to make a preliminary presentation on county record preservation.

After the 1997 Red River Valley flood, it was learned that many of the permanent land records of Grand Forks County had been destroyed. For most of these, there was no publically held copy, and recovery was a cooperative effort between the county and the local abstractor with funding support from the federal government (FEMA).

Convinced that this should not happen again, the County Recorders of the State developed a statewide project to ensure that every single land record was duplicated, with a copy stored somewhere other than the county courthouse. FEMA again came forward to financially support this effort, with the condition that once all existing records were preserved in this manner the counties ensure that, going forward, all newly recorded documents would be similarly preserved.

To fund this ongoing effort, the Legislature allowed for a \$3 per document dedicated recording fee. The Legislature also established a condition – the requirement for an interim report on the collection and use of the dedicated fee revenue and the status of county record preservation efforts.

As stated in the statute (below), the North Dakota Association of Counties is charged with compiling the individual county reports for submittal to the Legislature. In anticipation of this, a draft survey document was prepared in cooperation with the County Recorders Association last fall, and the final version was sent to each county upon the close of their fiscal year in December.

The responses are currently coming in, with 45 of 53 county surveys already completed. It is our expectation that all surveys will be complete and compiled by the end of January, and the required report will be available for your next meeting. A copy of the blank survey form is attached.

**11-18-22.1. (Effective through July 31, 2009) Document preservation fund - Recorder reporting requirement to legislative council.** Before March first of each even-numbered year, each recorder shall prepare a report that specifies how the county used the county's document preservation funds during the preceding two fiscal years; how the county's use of the document preservation funds has furthered the goal of document preservation; and the county's general strategic plans for document preservation. The county reports must be submitted to the North Dakota association of counties for compilation and submittal to the legislative council before April first of each even-numbered year.

## 2007 Record Preservation Survey

### 1. Enter Your County Name:

### 2. Check ALL answers that describe your system of record management and preservation that you are using RIGHT NOW for all NEW documents presented for recording:

- Paper copy in bound books
- Hand written reception book
- Hand written tract index
- Electronic reception book
- Electronic tract index
- In-office microfilming - county staff
- In-office microfilming - contractor
- Off-site microfilming from images
- In-office storage of microfilm
- Off-site storage of microfilm - salt mines
- Off-site storage of microfilm - somewhere else
- Electronic image creation at courthouse
- Electronic image storage (server) in courthouse
- Electronic image storage (server) off-site (NDRIN or Other)
- Electronic image on the Internet - NDRIN
- Electronic image on the Internet - Other
- Other (please specify) \_\_\_\_\_

### 3. If you currently use an automated land record system, please indicate the software:

- Tyler Technologies (Cris+)
- Computer Professionals
- Information Systems Corporation
- Computer Software Associates
- Software Innovations
- Other (please specify) \_\_\_\_\_

No changes anticipated in next 12 months

Electronic reception book

Electronic tract index

In-office microfilming - county staff

In-office microfilming - contractor

Off-site microfilming from images

In-office storage of microfilm

Off-site storage of microfilm - salt mines

Off-site storage of microfilm - somewhere else

Local staff creates electronic images on-site

Electronic image storage (server) in courthouse

Electronic image storage (server) off-site (NDRIN or other)

Electronic image on Internet server - NDRIN

Electronic image on Internet server - Other

Other (please specify)

*[Redacted]*



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**10. Enter ALL dollars spent in the last TWO (2) years (CY06 & CY07) on the following record preservation items. (Not just "record preservation fee" dollars - but ALL county expenditures related to land record preservation):**

Book purchase/replacement/repair	<input type="text"/>
Microfilm equipment purchase/replacement/repair	<input type="text"/>
Microfilm storage costs	<input type="text"/>
Computer/scanner/printer purchase/replacement/repair	<input type="text"/>
Public terminal purchase/replacement/repair	<input type="text"/>
Software purchase/support/training/maintenance	<input type="text"/>
Custom programming	<input type="text"/>
NDRIN payments for storage/microfilming/publishing	<input type="text"/>
Other Contract imaging or microfilming	<input type="text"/>
Additional staff costs incurred specifically for preservation activities	<input type="text"/>
Other Expenditures	<input type="text"/>

**11. If you have any extraordinary expenditures of record preservation funds planned for CY2008 that would be significantly different from the last two years, please describe them below:**

\*

**12. Indicate the earliest (in time) records that have been preserved by microfilm, aperture card, and/or microfiche:**

Back to our very first record

Other (Enter Year)

\*

**13. How up-to-date are your microfilm, microfiche, or aperture card copies of your new records (Not copies of index books - but the documents themselves)**

As they come in - within the week

Quarterly NDRIN does ours from the images

## About Quarterly

### About Semi-annually

Annually

More than a year's documents are not yet filmed

**14. Indicate the earliest (in time) records that are stored as an electronic image.**

No records are currently imaged

Back to our very first record

Other (Enter Year)

**15. Enter the frequency in which new records are imaged**

Not currently storing records as electronic images

Daily - In-house

Other (please specify) \_\_\_\_\_

**16. Enter name and phone number of person that should be contacted with questions.**

\_\_\_\_\_

**17. Please write any comments or clarifications that you feel would help explain your use of the county preservation fund to the Interim Legislative Committee.**

[illegible]

**18. If you are aware of any, please comment on the status of any record preservation efforts that are in progress or planned by other county offices in your county. (Include a contact name).**

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**19. Estimate (by category) the percentage of all users that actually come into your office to research, view, and/or copy records.**

Oil/Gas/Coal landmen (landpersons)	
Realtors	
Builders/Developers/Contractors	
Abstractors	
Appraisers	
County/City/State Government Employees	
Individuals Citizens	
Others	