Meeting Agenda
SOUTH DAKOTA ABSTRACTERS BOARD OF EXAMINERS
Via: https://state-sd.zoom.us/j/98213684025?pwd=RUYza01TjZRaM3bGyhY1E1QkhNQT09
Or Call +1 312 626 6799 Meeting ID: 982 1368 4025 Passcode: 188537
February 3, 2021, 4:00 p.m. CST

A. Call to Order
B. Roll Call/Introductions
C. Approval of the agenda
D. Public Comment
E. Approval of the Minutes of October 27, 2020
F. FY Financial Update
G. Update on South Dakota Land Title Guide/Addendum/Copyright
H. Agreed Upon Procedures Audit
I. Online renewal system
J. Executive Session-Pursuant to SDCL 1-25-2
   a. Complaints/Investigations-If any
   b. Resolution to extend passing of examination
   c. Executive Secretary Contract renewal
K. Executive Orders Update
L. Legislative Updates
M. Other Business
N. Next Meeting Date
O. Adjourn
Meeting Minutes
SOUTH DAKOTA ABSTRACTERS BOARD OF EXAMINERS
Teleconference
October 27, 2020 at 10:00 a.m. CDT

President Wick called the meeting to order at 10:00 a.m.

Members Present: Yvon Burtz, Dan Roe, Greg Wick, Terra Fisher, Victoria Wilds

Members Absent: None

Others Present: Carol Tellinghuisen, Executive Secretary; Jill Lesselyoung, Executive Assistant; Brooke Tellinghuisen Geddes, Executive Assistant; Graham Oey, Senior Staff Attorney, Department of Labor

Lesselyoung conducted roll call; Wick, Burtz, Roe, Wilds and Fisher in attendance. A quorum was present.

Burtz made a motion to approve the agenda as presented. Wilds seconded the motion. MOTION PASSED by roll call vote; Wick, yes; Wilds, yes; Roe, yes; Burtz, yes; Fisher, yes.

Burtz made a motion to stay with the current slate of officers; Wick serving as President and Wilds as Secretary. Roe seconded the motion. MOTION PASSED by roll call vote; Wick, yes; Wilds, yes; Roe, yes; Burtz, yes; Fisher, yes.

Wick asked for comments from the public. There were no comments offered.

Roe made a motion to approve the minutes from February 11, 2020. Burtz seconded the motion. MOTION PASSED by roll call vote; Wick, yes; Wilds, yes; Roe, yes; Burtz, yes; Fisher, yes.


Tellinghuisen Geddes advised all plants renewed this year with the required fees only. For the 2021 renewal period, plants will be issued new certificates and are required to submit proof of the bonds.

The contracts conveying the copyrights to the SD Land Title Guide and addendum have been completed, signed by Kirkeby and Losacker and forwarded on to the Department of Labor. Wick thanked Oey for his work to facilitate closure. Oey advised once the documents are signed by Hultman he will forward on to attorney Miller to finalize the registration to the Board.

The Board discussed the plant examination process, given the current circumstances with COVID. Wilds advised she was able to complete a portion of the last plant exam via an online process. Wick advised he had asked a plant for a sworn Affidavit due to the length of time it has
taken the plant to complete the items requested on the initial plant examination report. There are two plants awaiting an examination date.

Josh Riesetter joined the meeting at 10:22 a.m. There are currently 3 applicants ready to test for the abstracter examinations. It was agreed to offer testing at First Dakota Title’s downtown location in Sioux Falls on November 2 starting at 9:00 a.m. CT. Wilds will proctor the examinations.

There were no issues to discuss in executive session.

Oey advised a realtor has expressed interest in starting a discussion on remote notarization with the SD Real Estate Commission. He will follow up with any further information on the matter. Wick commended Oey on his communication on this subject.

The Board agreed to create a cover sheet and distribute the addendum to the SD Land Title Guide in digital format. The Board office will handle the distribution. Oey advised it is not premature to distribute at this point and can be made available.

The next meeting date is set in conjunction with the SD Land Title Association’s next meeting in Pierre. The testing meeting will be held on February 2, 2021 starting at 12:00 p.m. CT. The Board business meeting will be held on February 3, 2021 at 4:00 p.m.

Wilds made a motion to adjourn. Roe seconded the motion. **MOTION PASSED** by roll call vote; Wick, yes; Wilds, yes; Roe, yes; Burtz, yes; Fisher, yes.

The meeting adjourned at 10:46 a.m.

Respectfully submitted,

Carol Tellinghuisen
Executive Secretary
Abstracters Board of Examiners
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STATE OF SOUTH DAKOTA
CASH CENTER BALANCE AS OF: 12/31/2020
PAGE 152
INDEPENDENT ACCOUNTANT’S REPORT ON APPLYING AGREED-UPON PROCEDURES

South Dakota Abstracters’ Board of Examiners
and to the South Dakota Department of Labor and Regulation
810 N. Main Street, Suite 298
Spearfish, SD 57783

We have performed the procedures enumerated below, which were agreed to by the South Dakota Abstracters’ Board of Examiners and the South Dakota Department of Labor and Regulation, on the internal controls over the revenue function of the South Dakota Abstracters’ Board of Examiners and the South Dakota Department of Labor and Regulation for the year ended June 30, 2020. The SD Abstracters’ Board of Examiners management is responsible for the internal controls over the revenue function. The sufficiency of these procedures is solely the responsibility of the specified users of this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are as follows:

1. Inquire of management regarding the internal control processes as they relate to cash receipts for the revenue process.

   No findings were noted.

2. We selected 10% of plant licenses approved by the Board from the licensee list on the Organization’s database. For the licensees selected, we agreed the renewal fee charged with the South Dakota Codified Laws and Administrative Rules in effect for the fiscal year ending June 30, 2020, and with the fees published on the Organization’s website. We traced payments received to the weekly cash receipts transmittal report and agreed the total of the report to the cash account with the State of South Dakota.

   No findings were noted.

3. We selected 100% of exams from the exam roster and agreed the fee charged based on our review of the exam fee schedule included in the South Dakota Codified Laws and Administrative Rules in effect for the fiscal year ending June 30, 2020 and with the fees published on the Organization’s website. We traced payments received to the weekly cash receipts transmittal report and agreed the total of the report to the cash account with the State of South Dakota.

   No findings were noted.
This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an audit or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the internal controls over the revenue function. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the South Dakota Abstracters' Board of Examiners and the South Dakota Department of Labor and Regulation and is not intended to be and should not be used by anyone other than these specified parties.

KETEL THORSTENSON, LLP
Certified Public Accountants
STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2020-34

Whereas, An outbreak of the severe acute respiratory disease, COVID-19, which is caused by the person-to-person spread of the novel coronavirus, has been declared a public health emergency and pandemic by the World Health Organization and the Centers for Disease Control and Prevention (CDC); and,

Whereas, The President of the United States of America declared that the COVID-19 outbreak constitutes a national emergency; and,

Whereas, The CDC has issued guidance to all state and local governments and all citizens recommending preparedness, nonessential travel, social distancing, and other mitigation strategies impacting many sectors of daily life to slow the spread and guard against the COVID-19 outbreak; and,

Whereas, The State Emergency Operations Center and the National Guard have been activated to support the State’s response to COVID-19, along with the activation of local emergency operations centers in several South Dakota counties and in the City of Sioux Falls; and,

Whereas, The impending threat of COVID-19 is a public health emergency requiring the State to deploy substantial resources, to involve every state agency to help mitigate the impact of COVID-19 in our state, and to implement the emergency powers of the governor to protect the health and safety of South Dakotans; and,

Whereas, A state of emergency has been declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Orders 2020-15, 2020-26, and 2020-30, and continues to currently exist within the State of South Dakota; and,

Whereas, This emergency poses a danger to the public health and safety in all of South Dakota and impacts the daily lives of our citizens, health care systems, businesses, and the function of state and local governments; and,

Whereas, Strict compliance with the regulatory requirements for annual training of family daycare and child care program staff will prevent, hinder, or delay necessary actions to cope with this emergency in all counties of our state because staff members have been periodically absent from work due to quarantine or isolation requirements for close contacts or positive cases, and because state licensing staff verify completion of the current year’s training requirements the following year during the annual monitoring process:

NOW, THEREFORE, I, KRISTI NOEM, Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of this State, including but not limited to SDCL 34-48A, do hereby declare that a state of emergency exists within the State of South Dakota and hereby order and direct the following:
Section 1 Declaration. I do hereby declare that a State of Emergency continues to exist in all counties in the State of South Dakota, and I direct the plans and procedures of the State Emergency Operations Plan continue to be implemented. State agencies and departments are directed to utilize state resources and to continue to do everything reasonably possible to assist efforts to respond to and recover from this emergency.

Section 2 Oversight. I direct and order that the South Dakota Department of Health, by and through the secretary, has continuing authority and oversight of measures to control and contain the spread of COVID-19, and other agencies to identify and utilize appropriate state personnel and resources for conducting necessary and ongoing incident related assessments.

Section 3 Resources. I direct and order the Department of Health and any other agency of the State of South Dakota to continue to seek and accept any funding or other resources from any entity, governmental or private, to treat, control, and slow the spread of COVID-19.

Section 4 Extension of Previously Suspended Statutes and Administrative Rules. I hereby extend these 10 Executive Orders related to the suspension of statutes and administrative rules due to the COVID-19 emergency for the duration of the emergency, and continue to temporarily suspend the enforcement of the statutory and regulatory requirements as previously suspended by the following sections of these Executive Orders:

a. 2020-07, Sections 1 to 4.
b. 2020-10, Sections 1 to 4.
c. 2020-14, Sections 1 to 3.
d. 2020-16, Sections 1 to 36, and 39.
e. 2020-19, Sections 1 to 4.
f. 2020-21, Sections 11 to 12.
g. 2020-24, Sections 1 to 2.
h. 2020-25, Sections 1 to 2.
i. 2020-28, Section 1.
j. 2020-33, Sections 1 to 8.

Section 5 Termination of Executive Orders. I hereby terminate Executive Orders 2020-17, 2020-23, and 2020-31 so that the statutory and regulatory requirements suspended by these Orders are in full force and effect as of the date of this Order, to wit:

a. 2020-17, Section 2 relating to the enforcement of overstocking pork operations.
b. 2020-23, Section 1 relating to the non-renewal of alcoholic beverage licenses for delinquent state and local taxes.
c. 2020-23, Section 2 relating to the submission to the Commission on Gaming of annually reviewed financial statements for licensed operators and route operators in Deadwood, SD.
d. 2020-31 relating to the use of a SmarterBalanced assessment score for South Dakota Opportunity Scholarship eligibility.

Section 6 Termination of Suspension of Statutes and Administrative Rules. I hereby terminate the following sections of these Executive Orders so that these statutory and regulatory requirements suspended by these sections of these Orders are in full force and effect as of the date of this Order, to wit:
a. 2020-16, Section 38 relating to the notarization of applications for public grain warehouse licenses and grain buyer licenses. A licensee who was granted a license without submission of a notarized application pursuant to the 2020-16 Executive Order suspension of that requirement shall submit a notarized application to the Public Utilities Commission as part of the first license renewal application following this termination of the suspension.

b. 2020-19, Section 3 relating to the timely payment of the report fee for the 2019 Tier II Hazardous Chemical Inventory Report.

c. 2020-30, Section 6 relating to the expiration of certain operator licenses, identification cards, or permits. Licensees, permittees, and cardholders shall comply with statutory requirements and renew their respective license, permit, or card.


BE IT FURTHER ORDERED, This Executive Order shall be in effect at 12:01 a.m. on December 31, 2020 and shall continue until expiration on June 30, 2021, unless sooner terminated or extended.

Dated in Pierre, South Dakota this 18th day of December, 2020.

Kristi Noem
Governor of South Dakota

ATTEST:

Steve Barnett
Secretary of State