

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting January 21, 2015

15-1-21-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, January 21, 2015. The meeting was called to order by Chairman Caroline Bradley, Designee for Paul Baltzell, Chief Information Officer, Office of Technology, at 1:30 p.m. in Conference Room 3 Indiana Government Center South-First Floor. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Mike Bozyski, Designee for Paul Joyce, State Examiner, State Board of Accounts; Caroline Bradley, Designee for Paul Baltzell, Chief Information Officer, Office of Technology; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; Erin Kellam, Designee for Jessica Robertson, Commissioner, Department of Administration; Jacob Speer, Director, Indiana State Library; Mallory Wilson, Designee for Connie Lawson, Secretary of State. Members absent: Adam Berry, Designee for Mike Pence, Governor; Luke Britt, Public Access Counselor. Commission staff in attendance: Ted Cotterill, Deputy Director; Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: None.

15-1-21-02

NEXT MEETING

Caroline Bradley announced the next meeting would be held February 18, 2015 at 1:30 p.m. in Conference Room 9, Indiana Government Center South, 1st Floor.

15-1-21-03

PREVIOUS MEETING

A motion was made by Jim Corridan and seconded by Pam Bennett to approve the minutes of the November 19, 2014 meeting. Caroline Bradley stated she had a question on the last sentence in third paragraph on page 2, and Jim Corridan stated there should be a period after 75 years and the rest of that sentence struck. Jim Corridan moved this change be made and this was seconded by Pam Bennett. Motion carried. A vote was then taken on approval of minutes as amended, motion carried.

15-1-21-04

OLD BUSINESS

None

15-1-21-05

DIRECTOR'S REPORT

Jim Corridan reported that it looks very strongly that the new State Archives will be built and that will entail, if this does happen, that the Commission on Public Records centralize nearly all of its operations into that one (1) building. There are still currently four (4) locations being discussed for the Archives building, all downtown, the War Memorial, the canal by the Senate Avenue garage, the grass in front of the Washington garage, and a spot behind the State Museum and the NCAA building. Mr. Corridan stated he thinks they will probably come to a decision quickly. Mr. Corridan reported that \$25,000,000 has been set aside in the Governor's budget. They have also set aside \$300,000 to help move from 30th Street to the new location. Mr. Corridan stated the Records Center would stay on 30th Street and everything else, Micrographics, the Administrative offices and the Archives would all be centralized in the new location.

Jim Corridan stated they have legislation being sponsored, Senate Bill 528, which will help us do some other things. Mr. Corridan stated there is some language from two (2) or three (3) years ago

where the legislature changed the way local governments adopt retention schedules. Mr. Corridan stated prior to this change, County Commissions of Public Record would adopt retention schedules at the local level and until that happened, the local county retention schedules were in effect in that county and this ended up in a hodgepodge of problems where all 92 counties might have different rules how public records should be treated in that county versus other counties. Mr. Corridan stated it was changed by Legislature so that when the retention schedules were approved by the Oversight Committee on Public Records they would go into effect 30 days later in all counties. Mr. Corridan stated there are pieces of that code that did not get changed which is confusing, so they are cleaning up all of that and they are also trying to create parity between the local and state laws for public records. Mr. Corridan stated if you intentionally destroy public records that are not supposed to be destroyed at the local level it is a Class 6 Felony and at the State level it is illegal but there is not any penalty, so they are making those the same.

Jim Corridan reported another thing that bill will do is change the name of the Agency so when they move to the new building or before that the Agency's name will be the Indiana Archives and Records Administration, as they discussed last month.

Jim Corridan stated they are also adding something that says people having illegal possession of State records, they should come to the State Archives, and they are also saying that State and territorial records would be brought back if someone has illegal possession of them as well. Mr. Corridan stated they are adding in some language about the ability for the Commission on Public Records to sell items, like the State Library and Historical Bureau presently do. Mr. Corridan stated they are finding items since they have done this mass inventory, and you could make great replicas. Mr. Corridan stated they found the original drawing done by the architect of the State Capitol building, hand painted by the architectural firm, great detail, never seen before, and they would make copies of that and sell as posters. Jim Corridan stated another thing they are copying from the State Library's language is the way to sell things, as they are finding some things in their collection that are probably not State documents and they may end up selling some things that are in their control currently and that revenue would go back into non-reverting fund.

Erin Kellam asked what are some things at the State Archives that people would want to buy, and Mr. Corridan stated one of the things they found is from the 1880's in San Diego, California, the Coronado Beach Company developed the land and we have a copy of the Coronado Beach Company land prospective. There would be no reason to retain this in Indiana, but there would be some value in selling it in San Diego. Mr. Corridan stated they also picked up some artwork over the years that might be contemplated to put up for sale.

Caroline Bradley stated it would be awesome for making proposed legislation on public records available on the Internet and Mr. Corridan stated they have had conversations with the person who suggested that. Mr. Corridan stated ICPR is all in favor of the concept for those records that are public to be available through public access sites on the internet. Ms. Bradley stated she could not remember what the bill number was and Mr. Corridan stated the idea is there would be a central forwarding. Ms. Bradley stated yes, it is similar to the federal data.gov site which is why IOT is interested in this. Ms. Bradley stated right now from their conversations with Representative Huston what he was primarily hoping to get up on that are some of the budget and financial information that the local counties are not putting on the website. Ms. Bradley stated there is a bill introduced to make locals put their information on a transparency site which already exists. Ms. Bradley stated if that was satisfactory for this year then maybe they can look at more public records being available on the Internet after conversations about the cost. Ms. Bradley stated right now that is so broad and it refers

to public records that are most often requested which she does not think is necessarily what they are wanting.

Pam Bennett stated the State Library has duplicated maps to sell and they are about to start selling them at the Historical Bureau.

15-1-21-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

The Oversight Committee on Public Records took the following action regarding retention and disposition schedules.

1. PUBLIC ACCESS COUNSELOR

Agency Wide

A motion was made by Jim Corridan and seconded by Erin Kellam to approve Schedule No. 1 as submitted. Motion carried.

2. PUBLIC-PRIVATE AGREEMENT (PPA)

A motion was made by Jim Corridan and seconded by Mike Bozymski to approve Schedule No. 2 as submitted. Jim Corridan stated on this particular schedule they are going to have to work out some details and asked that this one be tabled. Caroline Bradley had a question concerning PPA 14-5, it stated "Retain. This record series is not subject to IC 5-23-7", so is a retention going to be recommended for that? Ted Cotterill stated the reason that is on there so that a governmental body that is in litigation with an operator is not obligated to turn over their legal files. Jim Corridan made a motion to table Schedule No. 2 until the next meeting, seconded by Mike Bozymski. Motion carried.

3. ZONING, PLANNING, DEVELOPMENT AND ENFORCMENT (LAND)

Ted Cotterill explained to the Oversight Committee that these schedules are in order by what the changes are to each one. This schedule is the other new one. A motion was made by Pam Bennett and seconded by Mallory Wilson to approve Schedule No. 3 as submitted. Mr. Cotterill stated this is a new schedule and came about because the County/Local Records Division had been receiving questions about these records. Mr. Cotterill stated by having a schedule for these records, it allows the offices to destroy these records when allowed. Mr. Cotterill stated they worked with Department of Homeland Security, Fire and Safety Division, and others.

A vote was then taken and motion carried.

4. ASSESSING OFFICIAL (AS)

A motion was made by Jim Corridan and seconded by Mallory Wilson to approve Schedule No. 4 as submitted. Ted Cotterill stated this one is in a class by itself and the only change is in the instructions. A vote was then taken and motion carried.

5. SPECIAL DISTRICTS (SD)

A motion was made by Pam Bennett and seconded by Jim Corridan to approve Schedule No. 5 as submitted. Ted Cotterill stated this one and the next three schedules have changed in the instructions and updating language that specifically deals with permanent non-critical records. The law defines critical records, and there is also a statutory change between records that have official value and records that have historical value, but do not have official value. Mr. Cotterill stated we deal with that in this language but then on this schedule specifically these are all records that were deemed non-critical, so what we have said is you may microfilm them and the language that follows that reflects the official and historical value requirements in State law. A vote was then taken and motion carried.

6. TOWNSHIP TRUSTEE (TT)

A motion was made by Pam Bennett and seconded by Mike Bozymski to approve Schedule No. 6 as submitted. Motion carried.

7. PUBLIC LIBRARIES (LIB)

A motion was made by Jacob Speer and seconded by Pam Bennett to approve Schedule No. 7 as submitted. Motion carried.

8. COUNTY CORONER (CO)

A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 8 as submitted. Caroline Bradley had a question concerning CO 10-9, Coroner's Release for Cremation, is there no release for burial in this schedule? Erin Kellam stated there is burial release so that is a separate document. Jim Corridan stated there should be a burial certificate and asked Ms. Kellam to check into this. A vote was then taken and motion carried.

9. COUNTY RECORDER (RE)

A motion was made by Mike Bozymski and seconded by Jacob Speer to approve Schedule No. 9 as submitted. Motion carried.

10. COUNTY AUDITOR (AU)

A motion was made by Jim Corridan and seconded by Mike Bozymski to approve Schedule No. 10 as submitted. Motion carried.

11. COUNTY TREASURER (TR)

A motion was made by Pam Bennett and seconded by Erin Kellam to approve Schedule No. 11 as submitted. Motion carried.

12. CITIES AND TOWNS (CT)

A motion was made by Jacob Speer and seconded by Pam Bennett to approve Schedule No. 12 as submitted. Motion carried.

13. COUNTY/LOCAL GENERAL RETENTION SCHEDULE (GEN)

A motion was made by Jim Corridan and seconded by Mike Bozymski to approve Schedule No 13 as submitted. Motion carried.

14. NON-JUDICIAL COUNTY CLERK (CL)

A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 14 as submitted. Motion carried.

15-1-21-07

NEW BUSINESS

Election of Officers – Pam Bennett nominated Caroline Bradley as Chairman, seconded by Mike Bozymski. A motion was made by Jim Corridan to close nominations, seconded by Erin Kellam. A vote was then taken to close nominations and Caroline Bradley was elected by acclamation.

Erin Kellam nominated Luke Britt as Vice-Chair, seconded by Jim Corridan. A motion was made by Jacob Speer to close nominations, seconded by Pam Bennett. A vote was then taken to close nominations and Luke Britt was elected by acclamation.

15-1-21-08

ADJOURNMENT

There being no further business before the Committee, Jim Corridan moved that the meeting be adjourned. Pam Bennett seconded. Motion carried. Meeting adjourned at 2:00 p.m.