

OVERSIGHT COMMITTEE ON PUBLIC RECORDS
Regular Meeting February 15, 2006

06-02-15-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Wednesday, February 15, 2006. The meeting was called to order by Chairperson Liz Keele (Designee for Todd Rokita, Secretary of State) at 1:30 p.m. in E418, Indiana Government Center South. Members present constituting quorum: Pam Bennett (Director, Indiana Historical Bureau); Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; Chris Cotterill (Designee for Karl Browning, Director, Indiana Office of Technology); Karen Davis, Public Access Counselor; John Jacob (designee for Bruce Hartman, State Examiner, State Board of Accounts); Kevin Ober (designee for Earl A. Goode, Commissioner, Department of Administration); Nancy Turner (lay member). Absent: Anita Samuel (Governor's Office). Commission staff in attendance: Larry Hummel and Amy Robinson (Records Management); and Beverly Stiers (County and Local Records Management). Guests in attendance: Jacob Speer for Roberta Brooker (Interim Director, Indiana State Library); John Whitaker, Citizens Gas; Scott Himsel, Baker & Daniels; Doug Biggs, Indiana State Police; Susan Macey and Ellie Dieckmeyer, Office of Utility Consumer Counselor; Scott Huffman, Family and Social Services Administration.

06-02-15-02

NEXT MEETING

Liz Keele announced the next meeting would be held March 15, 2006 at 1:30 p.m. in Room E418, IGCS.

06-02-15-03

PREVIOUS MEETING

Pam Bennett moved approval of the minutes of the December 21, 2005 meeting as presented. Chris Cotterill seconded. Motion carried.

06-02-15-04

OLD BUSINESS

1. Publication of Nonrule Policy Documents – Pam Bennett stated she had nothing to report.
2. Legislative Updates – Jim Corridan stated there was nothing to report.
3. Email Retention Policy Implementation Review – Liz Keele stated she believed there was an ad hoc committee appointed in December, 2005. Karen Davis stated since the December, 2005 meeting, she took a look at the statute, IC 5-15-5.1, to look into the matter of the authority that would be vested in a sub-committee of this meeting. Ms. Davis opined, although obviously this Oversight Committee has responsibility for various items including approving Records Retention Schedules, with respect to guidelines to implement an email retention schedule she thinks it makes sense for Jim Corridan as Director of the Commission on Public Records with some assistance from others around the table to devise ways to implement this email retention policy, but not via a sub-committee of the Oversight Committee. Ms. Davis moved that the Oversight Committee on Public Records rescind its appointment of a committee to study implementation methods for retention, archiving, and retrieval of email messages. Further, the Oversight Committee could recommend that Jim Corridan, as Director of ICPR, work with the Office of Technology and Public Access Counselor, and any other appropriate persons, to develop an implementation strategy or guidelines for the State agencies. Kevin Ober seconded the motion. Motion carried.

Jim Corridan stated he did have something to report; he contacted the list serve of the 50 or so State Archivists, and has received responses from some of the other States about how they manage their email records. Mr. Corridan stated for the information of the Oversight Committee he would say at this point of the responses he has received, 25% of the States responded, Indiana's is probably among the most restrictive. Mr. Corridan stated there is only one other State with requirements as stringent to retain the same volume of email as Indiana. Mr. Corridan stated we are on one end of that spectrum and that may be another reason why we are looking at this a little more closely and perhaps create an additional category of email that does not have to be retained permanently, but there may be some legislative changes required in order to get that modified.

4. Record Center Fee Structure Proposal – Mr. Corridan stated he did meet with Karen Davis about some of the public access issues and authority for finance issues through the Commission. Mr. Corridan stated he would probably be coming back at next month's meeting with a slightly modified version of the policy. Liz Keele stated in looking over December's minutes she did have a question on that topic. Ms. Keele said it had been stated that the Agency could only charge ten cents per page for whatever the record was and her question is when they retrieve documents in the Secretary of State's office, it is normally for an order from a customer and by statute, they are to charge \$1.00. Ms. Keele stated she did not know how that would affect that arrangement or understanding. Mr. Corridan stated that is a part of the policy that Ms. Davis was raising a question about, in that Agencies may be able to charge some set fee and therefore if we are charging the Agency – what happens? Mr. Corridan stated that is why that part of the policy may actually disappear and we may just deal with the items that are past the date of destruction that are still being stored at the Records Center.

06-02-15-05

DIRECTOR'S REPORT

1. Jim Corridan stated he was very pleased to announce that of the 52 (fifty-two) state employees being honored next week by the Governor for extreme productivity and excellence in the performance of their job, three (3) are employees of the Indiana Commission on Public Records. The three are from the Micrographics Division, Debbie Martin, Kim Freeman, and Sheila Fair.
2. Mr. Corridan stated the next issue has to do with the COM, Computer Output to Microform machine that ICPR had used for a number of years. Mr. Corridan stated because of ICPR reviewing scanning standards, he asked the Micrographics Department to do some testing, which included determining the resolution quality of the COM when it produces microfiche. Mr. Corridan stated the State has set a standard of 5.0 for the resolution/clarity and apparently ICPR had never checked what its resolution was for microfiche. When this was done it was determined it was half the standard, 2.5, and that is a problem because ICPR has been advocating State Agencies use COM.

Mr. Corridan reported in addition, the COM equipment which had been leased to purchase, cost about \$250,000. In 2004 ICPR surplused the equipment and it sold at State Surplus for \$200. Should Indiana ever desire to repurchase the equipment, the owner is willing to sell it for \$60,000. ICPR has no plans to pursue that. Mr. Corridan stated the Commission is working on reducing dependence on COM by moving toward a scanning and microfilming solution. The available equipment cannot meet the State's 5.0 standard for resolution, but would meet a 4.0 standard, which would be far superior to the COM. Mr. Corridan stated that is about the best that technology currently allows us to do, unless we scan everything and then run it all through a separate process of microfilming, which is creating double verification of all the records and that is actually happening right now but is a tremendous waste of State employee time and resources.

3. Jim Corridan stated another issue identified about two (2) weeks ago is that the State Archives has microfilm viruses called redox and vinegar syndrome. Mr. Corridan stated redox is caused by peroxides in the oxidizing the silver on the film and we are actually losing images on some of the microfilm stored at the State Archives. The vinegar syndrome results in the film giving off a vinegar smell and eats away at the acetate film causing it to warp and become brittle. Mr. Corridan stated this is permanent, cannot be reversed, but can be stopped. Mr. Corridan stated we are in the process of working with the Department of Administration to set up a special facility on the second floor of the State Archives building which has ventilation, water, drainage, and electricity, and a special processing unit will be placed there. The film will run through a process called brown-toning which will wash and then stop the deterioration of the film. Mr. Corridan stated there appears to be at least 2,000 rolls of film which could have redox and or vinegar syndrome. ICPR does not know how far or vast the problem is and we are trying to get this serious problem addressed as quickly as we can. Mr. Corridan stated we certainly appreciate the support of DOA.
4. Mr. Corridan reported the National Film Institute is looking to provide a grant to the State Archives to restore movie film that is stored there and special film that was made from the 30's and 40's of the State Fair, DNR film, etc. Mr. Corridan stated we are in the process of getting a grant to hopefully restore and replicate that film into more modern format. Mr. Corridan stated the State Fair is very excited because it is their 150th Anniversary and they hope to use some of that at their anniversary celebration this summer.
5. Mr. Corridan stated if Anita Samuel were here she would tell the OCPR Committee that the Governor is approving an Executive Order creating the State Historic Records Advisory Board (SHRAB). Mr. Corridan stated that will be in place this month and appointments will be made by the end of the month. Mr. Corridan reported we hope to be applying for a grant by March 1 to the National Historic Publications and Records Commission to help support the Indiana SHRAB. Mr. Corridan stated in April there will be additional funding available for support of the SHRAB and other things we would like to do for the State of Indiana including electronic records.

Nancy Turner asked if the State Archives has a list of 1940's film. Mr. Corridan stated ironically he has been asking the State Archives for this information and he thinks they are almost done with the inventory. Ms. Turner stated they have been looking for years for something that was made in the 1940's, they have the 1950's film and the 1930's film, but they are looking for one that was made in the 1940's. Mr. Corridan stated when he gets this information, he will be happy to send it to Ms. Turner.

Chris Cotterill asked should our microfilm standards be lower than 5.0? Mr. Corridan stated he thinks what will end up happening is the standard may remain at 5.0 with the exception of scanned records that also need to be microfilmed, and in that case we will recommend changing that specific standard to 4.0. Mr. Cotterill asked if there is a higher cost for 5.0 versus 4.0 for those that do not fit that exception and Mr. Corridan said no, there would be no financial difference.

06-02-15-06

AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

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

1. DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF INDIANAPOLIS D/B/A
CITIZENS GAS & COKE UTILITY.....01/04/06
All Divisions

2. INDIANA DEPARTMENT OF REVENUE..... 01/20/06
Motor Carrier Services Division
3. FAMILY AND SOCIAL SERVICES ADMINISTRATION.....01/23/06
Office of Medicaid Policy and Planning
4. OFFICE OF UTILITY CONSUMER COUNSELOR.....01/26/06
5. INDIANA STATE POLICE.....02/01/06
Fiscal Division

Liz Keele stated in regard to Records Retention and Disposition Schedules, it has been determined that we need a motion for each item and the motion should include each State Agency's full name and the disposition schedule.

In regard to Schedule No. 1, Department of Public Utilities of the City of Indianapolis D/B/A Citizens Gas & Coke Utility, there were two (2) guests present, Scott Himsel from Baker and Daniels and John Whitaker from Citizens Gas. Jim Corridan stated because this is the first time OCPR has had a utility schedule come before the Committee that the gentlemen representing Citizens Gas briefly speak about why this is coming before OCPR and what the regulations require. Mr. Himsel stated Citizens Gas as you probably all know is a public charitable trust serving this area for a long, long time, and more recently has become the Department of Public Utilities with the city of Indianapolis. Mr. Himsel stated they are asking the OCPR to approve this retention schedule, because they are subject to a tremendous amount of regulations at both the State and Federal level and there are a lot of documents piling up. Mr. Himsel stated they were looking for a retention schedule that made sense and in looking at the existing schedules, because of the size of the utility, there are many categories of documents that are not specifically addressed. Mr. Himsel stated they decided to put together a retention schedule and this was not a difficult project because there is already a retention schedule that is just as thick as the one you have before you that was developed by the Committee on Accounts of the National Association of Regulatory Utility Commissioners in Washington and this is what that schedule looks like. Mr. Himsel stated the other interesting fact is that under the regulations already on the books in the Indiana Utility Regulatory Commission, they are already required to follow that schedule that already has the force of law in Indiana. Mr. Himsel stated it is extraordinarily detailed as you might expect for a utility, so what they did was essentially prepare the retention schedule that is before the Committee today based upon this schedule. Mr. Himsel stated the obvious advantage of this is that they do not have to reinvent the wheel. Mr. Himsel stated another advantage of it is by adopting this schedule for your purposes, they do not have to worry about being subject to two (2) inconsistent rules about the same category of documents. Mr. Himsel stated finally it is tailor made for utilities, to the extent that they get audited by the URC and that is how things are set up, to the extent that they are privately audited by private accounting firms, and utilities frequently are, and it is set up on that basis as well depending on the particular type of record they are dealing with. Mr. Himsel stated the OCPR's approval will allow them to complete the legal aspect, because they are only permitted to destroy documents pursuant to an approved Retention Schedule or going to the County Commission on Public Records every time they want to destroy them. Mr. Himsel stated given their size, it just makes a lot more sense to cover the whole waterfront with a retention schedule.

A motion was made by Chris Cotterill and seconded by Pam Bennett to approve the Department of Public Utilities of the City of Indianapolis D/B/A Citizens Gas and Coke Utility, All Divisions, Retention Schedule. Motion carried.

In regard to Schedule No. 2, Indiana Department of Revenue, Motor Carrier Services Division, there were no questions or comments. A motion was made by Pam Bennett and seconded by Karen Davis to approve this schedule. Motion carried.

In regard to Schedule No. 3, Family and Social Services Administration, Office of Medicaid Policy and Planning, there were no questions or comments. Scott Huffman from this office was present. A motion was made by Jim Corridan and seconded by Keith Ober to approve this schedule. Motion carried.

In regard to Schedule No. 4, Office of Utility Consumer Counselor, there were no questions or comments. Amy Robinson introduced Susan Macey and Ellie Dieckmeyer from this office. A motion was made by Keith Ober and seconded by Nancy Turner to approve this schedule. Motion carried.

In regard to Schedule No. 5, Indiana State Police, Fiscal Division, there were no questions or comments. Larry Hummel introduced Major Doug Biggs, Commander of the Fiscal Division for the Indiana State Police and stated he has worked with him extensively to update this schedule. A motion was made by Pam Bennett and seconded by Karen Davis to approve this schedule. Motion carried.

06-02-15-07

NEW BUSINESS

Election of Officers – Liz Keele stated there was a quorum present in order to conduct the election of officers and opened the floor for nominations for each officer, Chairman and Vice Chairman. Ms. Keele stated the Director of the Commission on Public Records serves as Secretary. Pam Bennett nominated Liz Keele to remain as Chairman. Nancy Turner seconded the motion and Chris Cotterill thirded that. Jim Corridan moved that nominations be closed and Nancy Turner seconded. Motion carried. Liz Keele was unanimously reelected as Chairman.

Nancy Turner moved that John Jacob remain as Vice Chairman. John Jacob nominated Karen Davis as Vice Chairman. Pam Bennett moved that nominations be closed and Karen Davis seconded. Motion carried. There was one vote for John Jacob, the remaining members voting for Karen Davis, the new Vice Chairman. Ms. Keele thanked John Jacob for serving this past year.

Scanning Standards for Creating Electronic Records – Jim Corridan stated the Commission is taking the microfilming standards in 60 IAC 2 and creating a new section specifically dealing with scanning and requirements for scanning. Mr. Corridan stated at this point we are looking at using 300 dpi (dots per inch) for the minimum standard and also some kind of non-proprietary format to retain the scanned images in either a TIFF or a PDF/A format. Mr. Corridan stated ICPR would also deal with permanency and if an agency writes these records to an off-line format, some kind of regular transition of that media on to a different media at some set pattern of time will need to be developed. Mr. Corridan stated this will be presented in the next few weeks. Mr. Corridan stated agencies want to scan their records and are scanning records, but we really do not have set standards in place. Some agencies are trying to scan permanent records which have normally been microfilmed, clearly violating retention requirements. Mr. Corridan stated he would like to have this in place because agencies are spending a lot of time and money duplicating efforts unnecessarily.

06-02-15-08

ADJOURNMENT

There being no further business, Chris Cotterill moved that the meeting be adjourned. Pam Bennett seconded. Motion carried. Meeting adjourned at 1:58 p.m. Ms. Keele thanked the members for being present and for their vote of confidence.