

OVERSIGHT COMMITTEE ON PUBLIC RECORDS  
Regular Meeting April 26, 2010

10-04-26-01

CALL TO ORDER AND ROLL

A regular meeting of the Oversight Committee on Public Records was held Monday, April 26, 2010. The meeting was called to order by Chairperson, Liz Keele, Designee for Todd Rokita, Secretary of State, at 1:30 p.m. in Room 401, Indiana State Library. Members present constituting a quorum: Pam Bennett, Director, Indiana Historical Bureau; Caroline Bradley, Designee for Gerry Weaver, Director, Indiana Office of Technology; Roberta Brooker, Director, Indiana State Library; Jim Corridan, Director & State Archivist, Indiana Commission on Public Records; John Jacob, Designee for Bruce Hartman, State Examiner, State Board of Accounts; Andrew Kossack, Public Access Counselor; Anita Samuel, Governor's Office; Connie Smith, Designee for Mark W. Everson, Commissioner, Department of Administration. Members absent: None. Commission staff in attendance: Ted Cotterill, Deputy Director; Larry Hummel and Amy Robinson, Records Management; Beverly Stiers, County and Local Government Records Management. Guests in attendance: Teresa Blalock and Connie Nalley, Indiana Department of Labor.

10-04-26-02

NEXT MEETING

Liz Keele announced the next meeting would be held May 19, 2010 at 1:30 p.m. in Room 401, Indiana State Library.

10-04-26-03

PREVIOUS MEETING

Pam Bennett moved approval of the March 17, 2010 minutes, seconded by Andrew Kossack. Motion carried.

10-04-26-04

OLD BUSINESS

1. FSSA Request for Waiver from OCPR Policy No. 06-01

Jim Corridan stated there is no action on this.

2. County/Local General Retention Schedule

Jim Corridan stated we are ready to move on this and he would give a report on this and the Oversight Committee could vote on this next month. Mr. Corridan stated all of the county office holders and cities and towns retention schedules have all been revised and are ready to be approved by the Oversight Committee. Mr. Corridan stated they have only had feedback from the Cities and Towns Association, who is concerned because of the length of time for which they have to retain financial records has dramatically increased. Mr. Corridan stated some have gone from three (3) years to five (5) and ten (10) years and this is because the law requires they be kept that long and we had just not updated the schedules to reflect what the law says. Mr. Corridan stated they understand their concerns and the space issues they have to deal with, but ironically he also received notification from a county stating they were notified by a vendor that four (4) or five (5) years earlier the county had not paid a bill and since the county was not required to retain their invoices for that long, they threw them all out. Mr. Corridan stated now the county has no documentation to show they did pay this bill. Mr. Corridan stated other than that, they have not heard any feedback. Mr. Corridan stated the other benefit is if we wait another month they should have the library schedule done which will be another component to this. Mr. Corridan stated he thinks the only local records retention schedule that will not be complete will be the schools which is extremely complicated and in need of updating also. Mr. Corridan stated

we will send out to the Oversight Committee a couple of weeks prior to the May meeting these retention schedules as we recommend them for adoption.

Jim Corridan reported he and Andrew Kossack are going to the annual Recordors' Conference on Tuesday and he anticipates he will get feedback from them, but not necessarily on the retention schedules. Mr. Corridan stated they are concerned with the requirement that the Oversight Committee passed, which might be written into the Administrative Rule, requiring local government offices to send the master copies of their microfilm to the State Archives to be stored in the vault there. Mr. Corridan stated the Recordors are very concerned that businesses will come to the State Archives to get a copy of the microfilm and get it from us rather than the counties and then the County Recordors will lose out on the revenue. Mr. Corridan stated they will smooth this over tomorrow if the issue comes up.

### 3. Utility Regulatory Commission, Reporting Division Retention Schedule

This retention schedule is on the agenda for approval today.

### 4. State Department of Health, Medical Radiological Services Division Retention Schedule

Jim Corridan stated they have not come to a conclusion on this yet.

### 5. Indiana Department of Labor, Indiana Occupational Safety Standards Commission Retention Schedule

Jim Corridan asked Larry Hummel if this has been resolved and Mr. Hummel introduced Teresa Blalock and Connie Nalley from this Agency. Mr. Hummel stated he had a meeting with them and submitted a report and will expand on this. Mr. Hummel stated they do have temporary variances as well as permanent variances – a temporary variance expires. Mr. Hummel stated permanent usually means permanent, but there can be exceptions. Mr. Hummel stated they have literally everything from over 30 years in the Department of Labor. Mr. Hummel stated in theory it could be put on film but they do not have a microfilm reader/printer. Mr. Hummel stated also it would take four (4) to five (5) years to even get one box full to put on film – a typical annual quantity is one quarter box or less. Mr. Hummel stated you might see Commission orders approving or denying the request, lot of correspondence to, from, perhaps photographs, other exhibits, justification, perhaps an appeal (they can be appealed). Mr. Hummel asked Brian Taylor from the Micrographics Division about this, and he told Mr. Hummel he thinks he can scan and convert to film, but would have to do a test first. Mr. Hummel stated if it is put on film, they are still going to have the paper.

Pam Bennett stated what the OCPR Committee talked about is that variances are varying time frames, some are permanent and some are not, and she believes what they talked about from the minutes is that this should read to match the variances, in other words, it is destroyed after the variance has expired. Ms. Bennett asked if this would work. Connie Nalley from the Department of Labor stated it would be a lot more difficult for the permanent variances because unless the company goes out of business or sells the equipment or it is revoked, and she thinks they talked about dividing the permanent out from the temporary so there would be two (2) record schedules, one for the permanent which would be kept indefinitely and the temporary ones would be kept for the life of the variance or for the longest which is five (5) years. Ms. Nalley stated those are usually only granted for one (1) year and if their project was not actually done in that year they can ask for another temporary variance for another year. Mr. Corridan stated the way it is written right now is they all get destroyed after five (5) years. Ms. Nalley stated that is five (5) years after it expires and Mr. Corridan stated this is for the temporary ones. Mr. Corridan stated the problem is there is no differentiation here, so in theory you have permission right now to destroy the permanent variances which they would want not to happen. Caroline Bradley stated this is after five (5) years even if they are a 20 year variance or the life of the variance. Ms.

Bradley stated they probably need to divide it into two (2) categories. Ms. Nalley stated then they would have the issue of how to do this since they do not have the equipment for microfiche. Mr. Corridan stated let's deal with these issues separately. Mr. Corridan suggested that they split these into two (2) retention schedules, one for temporary variances, and if the maximum is one (1) year and they keep it for two (2) to three (3) years and then for the permanent variances, the purpose of the microfilm is not that you can access the microfilm, it is if the Labor Department is gone, that there is still access to the variances. Mr. Corridan stated at the State Archives we can recreate the file. Mr. Corridan stated they can keep the paper or use the microfilm readers at the State Library. Once the records are microfilmed, we will return the paper to the Agency and a roll of microfilm, or you can just keep the microfilm and come to the Library to access it. Mr. Corridan stated we could even create a scanned image, which might be the easiest way to access it. Mr. Corridan stated we can create microfilm and a scanned image at the same time and then you would not need the paper. Mr. Corridan stated those are choices the Department of Labor would need to make – you can keep the paper alone, although we want a copy of the microfilm, you can have microfilm and not keep the paper, you can have scanned image and microfilm and not keep the paper. Mr. Corridan stated whatever the Department of Labor decided would be most efficient is fine. Mr. Corridan stated we want microfilm of the permanent variances. Ms. Nalley stated she understands that now, she did not know that was an option; she thought they had to either microfilm it or scan it. Ms. Nalley stated she is still under the impression that they had to get rid of the paper files, that they have to have it in some form and Mr. Corridan stated no, you can keep it, he just wants to make sure we have a backup of permanent records because if that file cabinet burned, how do we prove that anyone who got a variance had a variance. Mr. Corridan stated everything is in that four drawer file cabinet and that is why they are trying to create a duplicate copy somewhere off site and that is our objective. Mr. Corridan stated there will be a charge but the charge to microfilm and scan as much as they are dealing with in a course of a year will probably be \$50.00. Ms. Nalley asked about the one they are doing now and Mr. Corridan said that would probably be \$200.00, might be \$250.00.

10-04-26-05

#### DIRECTOR'S REPORT

Jim Corridan stated other than what is in the Director's Report sent to the OCPR Committee, there is nothing else to report.

10-04-26-06

#### AGENCY REQUESTS-RECORDS RETENTION AND DISPOSITION SCHEDULES(S)

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

1. UTILITY REGULATORY COMMISSION.....03-08-10  
Reporting Division

In regard to this schedule, there were no questions or comments. A motion was made by Jim Corridan and seconded by Pam Bennett to approve Schedule No. 1 as submitted. Motion carried.

2. STATE DEPARTMENT OF HEALTH.....04-06-10  
Immunization Program

In regard to this schedule, there were no questions or comments. A motion was made by Pam Bennett and seconded by Connie Smith to approve Schedule No. 2 as submitted. Motion carried.

10-04-26-07

NEW BUSINESS

None

10-04-26-08

ADJOURNMENT

There being no further business, Caroline Bradley moved that the meeting be adjourned. John Jacob seconded. Motion carried. Meeting adjourned at 1:47 p.m.