



CITY OF NORTH RIDGEVILLE



RECORDS COMMISSION MEETING MINUTES JUNE 13, 2011

Chairman Mayor David Gillock called the meeting to order at 2:05 P.M. in the Conference Room at North Ridgeville City Hall, 7307 Avon Belden Road.

Present was Chairman, Mayor David Gillock; Law Director, Andrew Crites; Deputy Auditor, Teresa Machovina; Resident Appointee, Paula Cope and Secretary, Tara L. Maine, CMC.

Also present was Assistant Law Director, Toni Morgan and Safety Services Director, Jeffrey Armbruster.

Minutes from 2010

Ms. Maine stated the previous Clerk, Paula Cope, did not transcribe meeting minutes from the 2010 meeting, if one was held.

Approval of RC-1's

Ms. Maine suggested one motion for the acceptance of all RC-1's to the Commission, unless the Commission has amendments, and then an individual motion to amend could be offered.

Chairman Gillock asked for any corrections or additions to any of the RC-1's listed on the agenda.

Ms. Cope stated that on the Police Department RC-1, VHS tapes should be eliminated and moved to an RC-3 for disposal. Ms. Cope stated the record is still created and therefore it should not be on an RC-1.

Ms. Maine stated that in parenthesis on the RC-1 it stated "no longer reused". Ms. Maine further stated that the specific tapes addressed are no longer reused, therefore, making it a one time record.

Ms. Cope suggested doing away with the RC-1 and moving the VHS tapes to an RC-3.

Ms. Cope proposed a motion to remove the Police Department RC-1 and move the VHS tapes to an RC-3. The motion was seconded by Ms. Machovina. A voice vote was taken and the motion was carried, 4-0.

Ms. Cope stated that the RC-1 for Civil Service was incorrect. She further stated that the information on the RC-1 for Civil Service should be moved to an RC-3.

Ms. Maine stated Ms. Cope was incorrect. Ms. Maine further stated that Civil Service no longer creates assessments and performance evaluations for the Police and Fire Department. Ms. Maine stated that the Police and Fire hold these records and not Civil Service.

Chairman Gillock asked for any further discussion regarding the RC-1's. No further discussion was offered.

Chairman Gillock proposed a motion accepting the RC-1's as amended. Mr. Crites seconded the motion. A voice vote was taken and the motion was carried, 4-0.

Approval of RC-2's

Ms. Maine asked for any discussion regarding the proposed RC-2 schedules.

Ms. Cope stated that the items of "case files" and "dockets" on the Board of Zoning and Building Appeals and Planning Commission schedules should be retained much longer than suggested. Ms. Cope's argument was that the building department may lose, misplace, or destroy their files in which the Clerk of Council's office would then have a back-up copy.

Ms. Maine stated that the purpose of a retention schedule is to advise the public of how long the City holds a record, not to provide back-up to other departments. Ms. Maine stated that the Ohio Historical Society suggested the retention period and advised the Commission to leave it unchanged.

Ms. Cope stated on the Police Department RC-2 anything with a retention period of thirty (30) days, such as dash cam video, should also state in the retention period: "No RC-3 required".

Ms. Maine stated she would amend the language for the Police Department RC-2.

Ms. Cope proposed a motion to accept the Police Department RC-2 with the addition of "No RC-3 required" on items limited to a turnover of thirty (30) days. The motion was seconded by Mr. Crites. A voice vote was taken and the motion was carried, 4-0.

Ms. Cope stated that because "purchase orders" are on the All City-General schedule, it should be removed from the Civil Service RC-2.

Ms. Maine agreed.

Mr. Crites proposed a motion to amend the Civil Service RC-2 to remove "purchase orders". The motion was seconded by Chairman Gillock. A voice vote was taken and the motion was carried, 4-0.

Ms. Cope suggested shrinking the retention period on "meeting checklists" on the Planning Commission RC-2 from six (6) years to until no longer administratively needed. Ms. Cope argued that meeting checklists are not a public record, rather, just a checklist for the Deputy Clerk.

Mr. Crites stated that his office sees the checklists and further stated that constitutes it as a public record.

Ms. Maine also stated that the checklist is a public record and suggested limiting the retention period to one (1) year. Mr. Crites agreed.

Mr. Crites proposed a motion to amend the Planning Commission RC-2 to reduce the retention period of schedule number 11-04 – "meeting checklists" from six (6) years to one (1) year. The motion was seconded by Ms. Cope. A voice vote was taken and the motion carried, 4-0.

Ms. Cope stated that on the Planning Commission RC-2, "research files" should be removed because it is already listed on the All City-General RC-2.

Ms. Maine agreed.

Mayor Gillock proposed a motion to amend the Planning Commission RC-2 to remove “research files”. The motion was seconded by Ms. Cope. A voice vote was taken and the motion carried, 4-0.

Ms. Cope stated that on the Fire Department RC-2, “employee training records” should be changed from four (4) years to “place in employee personnel file”. Ms. Cope asked if the Chief had reviewed his schedule.

Ms. Maine stated that she sat with an Assistant Chief and went through the schedule together. Ms. Maine further stated she was in agreement with the proposed change to the retention period. The Commission agreed to change the retention period from four (4) years to “place in employee personnel file.”

Chairman Gillock proposed a motion to amend the Fire Department RC-2 to change the employee training records retention period from four (4) years to “place in employee personnel file.” The motion was seconded by Mr. Crites. A voice vote was taken and the motion was carried, 4-0.

Ms. Cope stated that item number 2010-31 on the Fire Department RC-2 should not be retained permanently.

Ms. Maine stated that Ms. Cope had that retention period during her time period as Assistant Clerk and it was in accordance with the Ohio Historical Society suggested retention period. Ms. Maine stated no change was made as the schedule number has not changed.

Ms. Cope stated it has to be correct if she was the person that created the document.

Ms. Cope also stated that she felt item number 99-15 on the Mayor’s Court RC-2 was too long of a retention period for monthly records.

Ms. Maine stated that Ms. Cope held that retention period for Mayor’s Court when Ms. Cope was Assistant Clerk. Ms. Maine stated no change was made to that schedule number.

Ms. Cope stated that it must be correct if she was the person that created the schedule. She further suggested reducing the retention period for the paper copy and keeping the electronic copy permanently.

Mr. Crites stated he did not believe that would be a good idea from a retention standpoint. He further stated that the paper and electronic copy should be the same.

Chairman Gillock asked for any further discussion regarding the RC-2’s. No further discussion was offered.

Chairman Gillock proposed a motion to accept all the RC-2’s as amended. The motion was seconded by Mr. Crites. A voice vote was taken and the motion carried, 4-0.

Approval of amendment to Record’s Policy

Mr. Crites stated the term “transient records” was added to the Record’s Policy and also to the All City-General records retention schedule. A Resolution is pending before Council in its third reading on June 20, 2011. The definition covers transient records which include informal/temporary messages.

Ms. Cope stated that while she was Assistant Clerk of Council, she prepared a draft Resolution better defining transient records. Ms. Cope asked Ms. Maine to pull it up on her computer.

Ms. Maine stated that she and Mr. Crites worked together on a new Resolution and her draft was deleted.

Ms. Cope asked Ms. Maine again to provide a copy of her draft on the computer which was the correct version of what a transient record was.

Assistant Law Director Morgan stated she had concerns with the overly broad nature of the definition of transient records. Ms. Morgan stated that a court case regarding the Akron Beacon Journal is addressing the issue of the overly broad definition of transient records. Ms. Morgan stated she did not know all the details of the case, but something more concrete needed to be defined.

Ms. Maine suggested that Ms. Morgan prepare language for the Record's Commission after additional research.

Mr. Crites proposed a motion accepting the definition of transient records in the City's Record's Policy as proposed. The motion was seconded by Ms. Machovina. A voice vote was taken and the motion was carried, 4-0.

Mr. Maine stated she provided case law currently pending in the courts regarding records retention. She further stated the hand-outs were for informational purposes to keep the Record's Commission advised of pending litigation and liabilities.

Mr. Crites noted that there are a few cases currently pending in the courts in which fines against municipalities regarding records are being capped.

Chairman Gillock asked for any further discussion. No further discussion was offered. Chairman Gillock adjourned the meeting at 3:11 P.M.

These meeting minutes were approved on this _____ day of _____, 2011.

Mayor David Gillock, Chairman

Tara L. Maine, CMC
Assistant Clerk of Council – Secretary