

MINUTES
LOCAL GOVERNMENT RECORDS COMMISSION
November 2, 2011

The Local Government Records Commission met on November 2, 2011, in the Regions Board Room at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, Department of Archives and History; Reagan Grimsley, representing Auburn University; John Giggie, representing the University of Alabama; Rebecca Morris, representing the Secretary of State; Bill Garrett, representing the Attorney General; Linda Barrontine, representing the Examiners of Public Accounts; and Iva Nelson, City Clerk of Gadsden.

Government Records staff members present included Tracey Berezansky, Richard Wang, Tom Turley, Frank Brown, and Christine Garrett.

Dr. Bridges called the meeting to order at 11:05 a.m. He confirmed the presence of a quorum and noted that the meeting had been properly announced, as required by the Alabama Open Meetings Law. In his opening remarks, Dr. Bridges summarized the commission's purpose, responsibilities, and composition and welcomed those present. He also announced that the meeting was Linda Barrontine's last as a member of the commission, due to her upcoming retirement.

A motion to accept the agenda was made by Iva Nelson and seconded by John Giggie. The motion was unanimously approved.

A motion to approve the minutes of the January 26, 2011, meeting was made by Rebecca Morris and seconded by Bill Garrett. The minutes were approved by a unanimous vote.

Old Business

- Proposed Legislative Changes Affecting the State and Local Government Records Commissions (copy included)

Tracey Berezansky gave a synopsis of the proposed legislative changes affecting the State and Local Government Records Commissions. She reminded commissioners that they had seen earlier versions of the proposed changes. At the suggestion of the Legislative Reference Service's director, Mr. Jerry Bassett, Archives staff decided not to pursue legislation for reinstating replevin or increasing legal penalties for the intentional destruction or theft of records. The current proposal is to add two members to the Local Government Records Commission by including representatives of school boards and local law enforcement agencies; to allow constitutional officers to designate senior staff to represent them at commission meetings; and to reduce the number of required commission meetings to two per year.

The commission also discussed its ongoing problem of attaining a quorum. Quorum is normally defined as half the statutory members, plus one. Because some statutory positions are vacant and the governor is currently not filling vacancies, reaching a quorum for recent meetings has been

difficult. Staff suggested that a quorum might be redefined as half, plus one, of the currently appointed members. However, Mr. Garrett advised that the commission could not change the quorum on its own authority; doing so would require a legislative act.

A motion to allow the Archives staff to proceed with the proposed legislative changes was made by Bill Garrett, seconded by Linda Barrontine, and unanimously approved by the commission.

New Business

- Draft Disposition Requirements for Citizenship/Legal Immigration Status Verification Records (copy included)

Tom Turley stated these draft disposition requirements resulted from recent legislation requiring county and municipal licensing offices to ask for documents verifying the US citizenship, or legal immigration status, of applicants for various kinds of licenses. Because of ongoing legal action and the possibility of another bill that would counteract some requirements of the current one, the commission decided to delay action on this matter.

Records Disposition Authorities

- Local Law Enforcement Agencies (minor revision)

Dr. Turley informed the commission members that although this RDA was recently revised, one records series (Sex Offender Registration Records) required a correction. The disposition for juvenile files was revised “10 years after release or until subject’s age of majority, whichever is longer.” After a brief discussion, the commission unanimously approved the change.

- County Probate Offices (major revision)

Dr. Turley briefly summarized the changes to this RDA. The commission discussed the disposition of accounting records in guardianship and estate files; both series were amended to “permanent” for records created prior to and including 1975, and “two years after the case is closed” for guardianships created after 1975. A motion to approve this amendment was made by Bill Garrett, seconded by Rebecca Morris, and unanimously approved by the commission. A motion to approve the revised RDA was made by Rebecca Morris, seconded by Linda Barrontine, and unanimously approved by the commission.

- Municipalities (major revision)

Dr. Turley informed the commission that the revisions consisted primarily of additional series added to the RDA, such as: parks and recreation departments’ administrative files, architectural review board records, and cemetery sexton’s records. A motion to approve the revised RDA was made by Iva Nelson, seconded by Linda Barrontine, and unanimously approved by the commission.

- McClellan Development Authority (new)

Christine Garrett briefly summarized the purpose and history of the McClellan Development Authority. A motion to approve its new RDA was made by Linda Barrontine, seconded by John Giggie, and unanimously approved by the commission.

Dates for Future Meetings

The next meeting of the Local Government Records Commission is scheduled for Wednesday, January 25, 2012 at 11:00 a.m. The commission's spring meeting is scheduled for Wednesday, April 25, 2012.

Dr. Turley informed the commission that staff would prepare revised RDAs for local boards of education and local health care authorities for these forthcoming meetings.

Ms. Berezansky informed the commission that staff recently sent out an announcement for the Local Government Records Commission's annual awards. The commission will select the award recipients at its January meeting. If the commission does not meet in January, it will make the awards at its April meeting.

Dr. Bridges declared the meeting adjourned at 11:38 a.m.

Christine Garrett, Secretary
Local Government Records Commission

Edwin C. Bridges, Chairman
Local Government Records Commission