

**MINUTES**  
**STATE RECORDS COMMISSION**  
**November 5, 2008**

The State Records Commission met on Wednesday, November 5, 2008, at 10:00 a.m. in the Regions Board Room at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Bill Garrett, representing the Attorney General; Reagan Grimsley, representing Auburn University; Gail Traylor, representing the Examiner of Public Accounts; Yolanda Caldwell, representing the Department of Revenue; Rebecca Morris, representing the Secretary of State; and John Giggie, representing the University of Alabama. Also present were Jeff Jakeman of Auburn University, Barbara Gibson and Don Hallford of Choctawhatchee, Pea & Yellow Rivers Watershed Management Authority, Karen McGuire, James Sanders, and Brad Williams of State Health Planning and Development Agency, Doug Lunsford of State Personnel, Dwan Mason of the Department of Revenue, Chris Davidson of the Department of Transportation, and ADAH student workers Michael Harmon and James Phillips.

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

Ed Bridges called the meeting to order at 10:00 a.m. He confirmed the presence of a quorum for the meeting, 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 purpose, responsibility, and composition of the commission, introduced Reagan Grimsley as Auburn University's newly appointed representative on the commission, and welcomed those present.

A motion to accept the agenda was made by Gail Traylor, and seconded by Yolanda Caldwell. The motion was unanimously approved.

A motion to approve the minutes of the July 30, 2008, meeting was made by Ms. Caldwell, and seconded by Rebecca Morris. The minutes were approved by a unanimous vote.

**New Business**

- Commission Issues Proposed for Legislative Action (Update)

At the July meeting, staff presented the commission with a draft document identifying several public records issues proposed for possible legislative action, e.g., changes in the records commissions' membership, meeting schedule, and procedures; a restored replevin law; and legislation that would open all records in ADAH custody to public inspection after 75 years. Tracey Berezansky reported that staff are continuing to define the specifics for such legislation and are meeting with other agencies to gain their input and suggestions.

Tom Turley discussed recent contacts that he and Frank Brown had with Buddy Sharpless of the Association of County Commissions of Alabama and Lori Lein of the League of Municipalities to discuss the draft proposals. Neither Mr. Sharpless nor Ms. Lein were in favor of removing local government records commission members represented by their agencies (county

commission chairmen and municipal clerks), but were in favor of increasing the commissions' membership to include an historian from a black college and members to represent local law enforcement agencies and local boards of education. Further updates on the status of this project will be given at the January 2009 meeting.

- Scope and Preservation of Meeting Agendas, Minutes and Packets

Richard Wang reported to the commission that recently he had received two identical questions from the State Bar and the State Health Planning and Development Agency (SHPDA) concerning the scope and preservation of official records of formal meetings held by state government entities in Alabama. In accordance with a guideline issued by the State Records Commission on July 5, 2007, all state agencies are required to maintain all meeting packets along with meeting agendas and minutes. The State Bar raised the issue of some supporting documents distributed to meeting attendees that contain confidential information, i.e., medical data, credit reports, charges against a member, etc. The Bar is requesting guidance in handling the preservation of and access to these type confidential supporting documents. For SHPDA, some supporting documents included in the meeting packets sent to its board/council for discussion at meetings are basically copies of records that are addressed and listed separately in the agency's RDA as temporary records. In light of this situation, SHPDA would like to keep only agendas and minutes as permanent records and consider duplicate copies of temporary records eligible for destruction after meetings are held.

After lengthy discussion, Dr. Bridges suggested that this records series be addressed on an individual agency basis and the retention be determined according to the contents of the meeting packet. However, all meeting packet materials would be kept in accordance with minimum audit cycle requirements. Commission members agreed with this proposal.

- Agency Annual RDA Implementation Monitoring Reports (copy attached):

Richard Wang reported that 30 state agencies were scheduled to submit annual implementation monitoring reports this quarter. Staff members provided the commission with a summary report outlining the records management activities of those agencies with RDAs approved in previous Octobers. Agencies that submitted reports are: Board of Examiners of Assisted Living Administrators, Alabama State Board of Chiropractic Examiners, Alabama Department of Conservation and Natural Resources, Alabama Board of Cosmetology, Board for Licensure for Professional Engineers and Land Surveyors, State Ethics Commission, Department of Examiners of Public Accounts, Governor's Office of Faith Based and Community Services, Alabama Forestry Commission, Board of Licensure for Professional Geologists, Alabama Historical Commission, Alabama State Board of Registration for Interior Design, Alabama Licensure Board for Interpreters and Transliterators, Joint Fiscal Committee/Legislative Fiscal Office, Department of Labor, Board of Massage Therapy, Alabama Board of Pardons and Paroles, State Pilotage Commission, Alabama Board of Podiatry, President Pro Tempore of the Senate, Alabama State Board of Public Accountancy, Department of Examiners of Public Accounts, Alabama Real Estate Appraisers Board, Alabama Board of Examiners for Speech-Language Pathology and Audiology, Alabama State Bar, State Pilotage Commission, Board of Social Work Examiners, Bureau of Tourism and Travel, Department of Veterans Affairs and Board of Veterinary Medical

Examiners.

Dr. Wang informed the commission that he received the Alabama Board of Heating and Air Conditioning Contractors annual report just prior to this meeting and the report would be incorporated into the summary report. The only agency that has not yet submitted its report is the Office of the Secretary of State.

**Records Disposition Authorities (Minor Revisions)**

- Alabama Department of Archives and History (copy attached):
- Alabama Forestry Commission (copy attached):
- Alabama Medicaid Agency (copy attached):

A motion to approve the RDA revisions as presented for the Alabama Department of Archives and History, the Alabama Forestry Commission, and the Alabama Medicaid Agency was made by Ms. Traylor, seconded by John Giggie, and unanimously approved by the commission.

**Records Disposition Authorities (Major Revisions)**

- Risk Management Division, Department of Finance (copy attached):

Tracey Berezansky advised the commission of a question raised by the Risk Management Division of the Department of Finance concerning whether or not back up documentation for claim voucher requests should be kept for seven years by the division once the division implements the new digital imaging system.

In accordance with a communication between Ms. Berezansky and Ms. Traylor of the Examiners of Public Accounts, if Risk Management decides it will no longer send a copy of its backup documentation for claim voucher requests to the State Comptroller's office and the State Comptroller requests their files serve as backup documentation for his records, then all backup documentation for claim voucher requests must be retained by Risk Management for a minimum of seven years. On the other hand, Risk Management may retain backup documentation for only three years if a copy of claim voucher requests are sent to the Comptroller's office or the Comptroller indicates he does not need the records for backup.

A motion to approve the RDA revision as presented for the Risk Management Division, Department of Finance was made by Ms. Caldwell, seconded by Ms. Traylor, and unanimously approved by the commission.

**Records Disposition Authorities (New)**

- Choctawhatchee, Pea, and Yellow Rivers Watershed Management Authority (copy attached):

A motion to approve the RDA as presented for the Choctawhatchee, Pea, and Yellow Rivers Watershed Management Authority was made by Ms. Traylor, seconded by Ms. Morris, and

unanimously approved by the commission.

- Historic Chattahoochee Commission (copy attached):

A motion to approve the RDA as presented for the Historic Chattahoochee Commission was made by Ms. Morris, seconded by Reagan Grimsley, and unanimously approved by the commission.

**Dates for Future Meetings**

The next meeting of the State Records Commission is scheduled for Wednesday, January 28, 2009, at 10:00 a.m. For planning purposes, the April meeting of the commission is scheduled for Wednesday, April 29, 2009.

Dr. Bridges declared the meeting adjourned at 10:43 a.m.

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Corlis Floyd, Secretary  
State Records Commission

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Edwin C. Bridges, Chairman  
State Records Commission