

MINUTES
LOCAL GOVERNMENT RECORDS COMMISSION
November 5, 2008

The Local Government Records Commission met at 1:30 p.m., on Wednesday, November 5, 2008, in the Regions Board Room at the Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Betty Carmack, representing the Attorney General; Reagan Grimsley, representing Auburn University; Ed Bishop, Chairman of the Baldwin County Commission; Linda Barrontine, representing the Examiners of Public Accounts; Rebecca Morris, representing the Secretary of State; and John Giggie, representing the University of Alabama. Visitors present included Jeff Jakeman of Auburn University and ADAH student worker James Phillips.

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

Ed Bridges called the meeting to order at 1:40 p.m., confirmed the presence of a quorum, noted that the meeting had been properly announced as required by the Alabama Open Meetings Law, and welcomed those present. He introduced Reagan Grimsley as Auburn University's newly appointed representative and Betty Carmack as the Attorney General's alternate representative to the commission.

Dr. Bridges asked that the meeting agenda be amended to include a brief report from Richard Wang on the October 23 meeting of the Alabama Law Institute's Real Estate Committee held in Birmingham. A motion to accept the agenda as amended was made by Ed Bishop and seconded by Linda Barrontine. The motion was unanimously approved.

A motion to approve the minutes of the April 23, 2008, meeting was made by Rebecca Morris and seconded by Mr. Bishop. The minutes were approved as submitted.

Real Estate Committee Meeting Report

Richard Wang presented highlights of the October 23 Real Estate Committee's meeting, which included a presentation by E.B. Shore of Manatee, Florida, on the electronic filing of real estate records. It also included a demonstration of software used for the electronic filing of real estate records and a discussion of a proposed act being drafted by the committee entitled, "Uniform Real Property Electronic Recording Act." Committee members discussed the pros and cons of electronic filing, further refined the language of the proposed act, and talked about the creation of an electronic records commission and its composition.

Dr. Bridges pointed out because of the Local Government Records Commission's responsibility to oversee the retention of local government records in all formats, it should offer its input and assistance to the Real Estate Committee in the creation and passage of an electronic recording act.

A motion was made by Mr. Bishop directing Dr. Bridges, on behalf of the Local Government Records Commission, to draft a letter to Bob McCurley, Director of the Alabama Law Institute, offering our assistance to the Real Estate Committee in drafting a proposed records retention section for inclusion in the legislation. The motion was seconded by Ms. Barrontine and unanimously approved by the commission.

Old Business

- HRAB Local Records Preservation Grant Program

Tracey Berezansky updated the commission on the status of the Historical Records Advisory Board's regrant program for local records preservation. Ms. Berezansky reported that she and Tom Turley conducted five grant writing workshops throughout the state during October, with approximately 40 participants. The grant application deadline is January 31, 2009, and the maximum amount of each award will be \$3,000.

- State and Local Government Records Commission Annual Awards (copy attached)

ADAH staff presented commission members with a document outlining selection criteria and guidelines for an annual awards program to recognize state and local agencies or individuals that have made special accomplishments in records management and preservation. Tom Turley explained that ADAH staff and commission members would present nominations for consideration in January of each year (instead of in October as set out in the draft proposal presented to commission members). After the commission selects the individuals or agencies deserving of recognition, certificates will be presented in April. Those agencies or individuals receiving awards will be recognized in *State and Local Records News* and publicity resources available to the recipients.

A motion to proceed with the annual awards program as amended, with a January nomination deadline and an April presentation date, was made by Reagan Grimsley, seconded by John Giggie, and unanimously approved by the commission.

- Report on Legal Issues Affecting Revised Disposition for Involuntary Commitment Records (Probate RDA)

This agenda item was postponed pending a report by Matt Bledsoe of the AG's office on legal issues affecting the disposition of these records. (Mr. Bledsoe was unable to attend the meeting).

- Commission Issues Proposed for Legislative Action (copy attached)

At the April 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.

Records Disposition Authorities

- Municipalities (major revision - copy attached)

Linda Barrontine requested that the disposition of Item 19.24, Federal Form 1099, be changed to read: Retain 2 years following audit.

A motion to approve the revised RDA as amended was made by Mr. Bishop, seconded by Ms. Barrontine, and unanimously approved by the commission.

Date of Next Meeting

The next meeting of the Local Government Records Commission is tentatively scheduled for Wednesday, January 28, 2009, at 1:30 p.m. For planning purposes, the April meeting of the commission is scheduled for Wednesday, April 29, 2009.

The meeting was adjourned at approximately 2:27 p.m.

Corlis Floyd, Secretary
Local Government Records Commission

Edwin C. Bridges, Chairman
Local Government Records Commission