

**MINUTES**  
**LOCAL GOVERNMENT RECORDS COMMISSION**  
**April 22, 2004**

The Local Government Records Commission met at 1:30 p.m., on Thursday, April 22, 2004, at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Allison Akins, City Clerk-Treasurer for the City of Madison; Peggy Bates, City Clerk for the City of Pelham; Lisa Dorr, representing the University of Alabama; Fran Hamilton, Madison County Tax Assessor; CaSandra Horsley, Winston County Judge of Probate; Jeff Jakeman, representing Auburn University; William Joseph, Chairman, Montgomery County Commission; Eliza Marshall, representing the Secretary of State; and Alyce Robertson, representing the Attorney General. Also present was Barbara Atkinson of the City of Pelham.

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

Dr. Bridges called the meeting to order, welcomed those present, and for the benefit of newly-appointed commission members (Ms. Akins and Ms. Hamilton) asked that everyone introduce themselves.

A motion to approve the minutes of the October 24, 2003, meeting was made by Bill Joseph and seconded by Peggy Bates. The minutes were approved as submitted.

**Old Business**

- RDA Distribution/Implementation Report (Local Archives and Museums, Health Care Authorities, Public Libraries, and Racing Commissions):

Tom Turley distributed a chart (copy attached) to commission members updating the status of Local RDA development and implementation. Dr. Turley reported that 22 of the 33 health care authorities have signed the RDA. Several others have called for assistance with their records management programs, and a few have submitted annual reports.

- Withdrawal of Revised RDA for County Boards of Registrars/Temporary "Freeze" on the Records Destruction by the County Boards:

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In January, Secretary of State Nancy Worley requested the temporary withdrawal of revisions to the County Boards of Registrars' RDA, pending implementation of federal election law changes by the Secretary of State's office. Ms. Worley also directed the county boards to suspend records disposition until further notice from her office.

- Loose Records Program Update

Dr. Turley reported that 25 counties have completed filming their records and 10 more counties have completed processing records for filming. We currently have three couples working in the Archives building who are assisting us with processing and filming ADAH's county and private records of genealogical significance. A map depicting the status of county loose records participation, preparation, and filming was distributed to the commission (copy attached).

- Legislative Update (HRAB legislation, ADAH Board of Trustees):

Frank Brown reported that ADAH's bill to create a Historical Records Advisory Board should be in a position to pass this legislative session. Mr. Brown also stated that legislation had been passed to increase the number of trustees serving on the Archives Board from 8 to 17.

### **New Business**

- Informational Leaflet: "Public Officials: Your Records Responsibilities and the Law (revision-copy attached):

A motion to approve the leaflet as revised was made by Jeff Jakeman and seconded by Allison Akins. It was unanimously approved by the commission.

- Revision of Local Government Records Destruction Notice Form (copy attached):

To alleviate agency confusion concerning "audit period" on the destruction notice form, a slight wording change was made by staff, and a courtesy copy of the updated form was provided to commission members.

### **Records Disposition Authority**

- Municipalities (revision):

In discussing this RDA, Dr. Bridges expressed concern about several municipal records whose retention had not been addressed in the proposed revision:

Dr. Bridges wondered whether the 5-year retention for item 5.09 (Landfill Records) on page 3-12 was adequate. He proposed a retention period of 40-50 years. Dr. Turley noted that requirements for these records are set by the Alabama Department of Environmental Management (ADEM), but he agreed to consult again with ADEM staff concerning their retention.

On page 3-19, item 12.04 (Fire Department Inspection Reports), Dr. Bridges noted that the current retention statement does not cover inspection reports containing no violations. It was agreed to add the words: **If no violation is found, retain 3 years.**

On page 3-22, 16.01 Assessments for Public Improvements, Dr Bridges questioned the PERMA-

NENT retention assigned to these records in 1989. Dr. Turley noted that the Code of Alabama, Section 11-48-34, does not allow municipalities to enforce liens for payment of assessments after 20 years. Ms. Bates and Ms. Akins thought it likely that most municipalities would continue to maintain assessment records permanently in any case.

Regarding item 11.06 (Commercial and Residential Building Plans) on page 3-18, Ms. Robertson asked about the 13-year retention assigned to these records. She wondered whether such a period was adequate for commercial building plans. Ms. Bates noted that her city maintained copies of all commercial building plans indefinitely, but it was agreed that to require this practice might place an unreasonable burden on some municipalities. Dr. Turley noted that the existing requirement is based on the Code of Alabama, Section 6-5-222 [Suppl. 1994]), which sets a 13-year statute of limitations for bringing suits against commercial or residential building contractors.

After a lengthy discussion, the commission agreed to postpone approval of this revised RDA until its July meeting, allowing staff more time to research and address commission members' concerns about the records discussed above.

- Jefferson Rehabilitation and Health Center (new):

A motion to approve the RDA as presented was made by Bill Joseph, seconded by Ms. Robertson, and unanimously approved by the commission.

### **Date of Next Meeting**

Dr. Bridges noted that a member had indicated that Wednesday meeting days for the Local Commission would be better for his schedule than Thursdays. After discussion, it was agreed to schedule the records commission's next meeting for 1:30 p.m., on Wednesday, July 21, 2004. For planning purposes, the October meeting of the commission is scheduled for Wednesday, October 27, 2004.

The meeting was adjourned at approximately 2:13 p.m.

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Corlis Floyd, Secretary  
Local Government Records Commission

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Edwin C. Bridges, Chairman  
Local Government Records Commission