

CITY OF DUBLIN RECORDS COMMISSION

Meeting Minutes

Date of Meeting: July 17, 2014

Present: Lisa Wilson, Court Administrator; Mitch Banchefsky, Assistant Law Director; Jerry O'Brien, Chief Accountant; Laura Colwell, Resident Representative; Diane Jayaraman, Records Management Technician

Date of Next Meeting: January 22, 2015 at 9 a.m. in Council Chambers

Vice Mayor Richard Gerber swore in Jerry O'Brien and Laura Colwell as members of the Records Commission.

Roll Call

Ms. Wilson called the meeting to order at 9:03 a.m.

Review/Approval of Meeting Minutes from January 23, 2014

Mr. Banchefsky motioned to approve the minutes from the last meeting. Ms. Colwell seconded the motion. Motion carried.

New Business

- **Police (100)**
100-93-001 "Accident Files"
Change Retention to 3 years

Ms. Wilson stated that she and Mr. Stephen Smith (Legal) met with staff members from the Police Department regarding some changes to the Retention Schedule. The first change Mr. Smith suggested was to Accident Files. He would like to change the retention from "3 years pending no claims" to "3 years". The description and media type would remain the same. Chief Von Eckartsberg and Mr. Banchefsky agreed this was necessary because there is no way to determine if there are any pending claims. The statute of limitations for accidents is 2 years unless it is an accident where the defendant is charged with a felony OVI. These have a statute of limitations of 6 years. Ms. Wilson pointed out that the retention for accidents related to a felony OVI becomes reclassified under Offense Reports and they are kept well beyond the statute of limitations. Ms. Wilson motioned to change the retention period to 3 years. Mr. Banchefsky seconded the motion. Motion carried.

100-11-377 "Accident Reports; Major Crash Files"

Change Record Series title to "Accident Files; Fatal"

Description – Fatal auto accident reports and computerized records

Ms. Wilson stated there is currently a record series "Accident Reports; Major Crash Files". To more accurately reflect what these are, the Police Department would like to have the title changed to "Accident Reports; Fatal" The retention period would stay the same. Mr. Banchefsky motioned to change the name to "Accident Reports: Fatal" and add a description of "fatal auto accident reports and computerized records". Ms. Colwell seconded the motion. Motion carried.

Add "Offense Reports; Aggravated Murder/Murder"

Suggested Retention – Permanent

Media Type – Microfiche, Paper and/or Digital

100-11-132 "Offense Reports; Major Case Files"

Add Description – Cases with a statute of limitations in excess of 6 years.

Change Retention – 32 years

Change Media Type – Paper and/or Digital

100-02-132 Offense Reports; Except Homicide"

Change Record Series title to "Offense Reports"

Change Description – Cases with a statute of limitations of 6 years or less

Change Retention – 9 years

Ms. Wilson stated there are currently two record series for Offense Reports; "Offense Reports; Major Case Files" which are permanent and "Offense Reports; Except Homicide" which are kept for 15 years provided no action pending. As a result of Senate Bill 77, the Police Department is required to keep biological evidence on certain types of cases for 30 years. As a result, the case files need to be kept that long as well. Only 10 percent of the current offense reports fall under this category. The suggestion is to have three record series for offense reports, with a different retention period for each one. The Police Department would like to add "Offense Reports; Aggravated Murder/Murder" with a permanent retention. They would also like to change the description and retention period of "Offense Reports; Major Case Files" to 'Cases with a statute of limitations in excess of 6 years', with a retention period of 32 years and change "Offense Reports; Except Homicide" to "Offense Reports" with a description of 'Cases with a statute of limitations of 6 years or less' and a retention period of 9 years.

Chief Von Eckartsberg questioned whether or not all of the offenses mentioned in SB 77 have a statute of limitations greater than 6 years. Mr. Banchefsky confirmed that the statute of limitations for all of these offenses is greater than 6 years so the suggested description for "Offense Reports; Major Case Files" is fine.

Ms. Wilson stated by changing 100-02-132 to "Offense Reports", the majority of offense reports would be kept for a lesser amount of time going from 15 years to 9 years. Chief Von Eckartsberg added that after 30 years if someone was still incarcerated for an offense, the law requires us to keep the evidence until that person is released or dies. Ms. Colwell asked if wording such as "brought to our attention that someone is still incarcerated" could be put in the description. Mr. Banchefsky replied that he thought it best to leave it alone. He didn't think it was necessary to put the duty of checking to see if someone was still incarcerated on the City. He added it was an interesting idea and thought it may need to be looked at in the future. Mr. Banchefsky stated he would check into the issue and we would discuss at our next meeting.

Mr. Banchefsky motioned to approve the addition of the new record series and the changes to the existing two record series. Ms. Wilson seconded the motion. Motion carried

100-07-119 "Juvenile Arrest Cards"

Remove from Retention Schedule. These cards are no longer created and existing cards were merged with 100-11-127 "Master Name Index"

Ms. Wilson stated this was a housekeeping item and these cards no longer exist and have not been created since the mid 1990's. Mr. Banchefsky motioned for "Juvenile Arrest Cards" to be removed from the retention schedule. Ms. Wilson seconded motion. Motion carried.

- **Legislative Affairs (710)**

- Add "Campaign Finance Reports"**

- Description – Contributions received from campaign, including in-kind contributions as well as expenditures made by campaign.

- Suggested Retention – 6 years

- Media Type – Paper and/or Digital

Ms. Wilson stated that Ms. Mumma, Finance Director, asked that we add a new record series to the retention schedule. Legislative Affairs has had campaign finance reports since 2000, after City Council passed an ordinance requiring these reports be filed by candidates in 1999. Ms. Wilson researched these records and found that the Secretary

of the State of Ohio keeps campaign finance reports for six years. Mr. Banchefsky said the record series title should be "Campaign Finance Reports required by Dublin Codified Ordinance" to prevent any confusion in the future. Ms. Wilson motioned to add "Campaign Finance Reports required by Dublin Codified Ordinance" to the retention schedule. Mr. Banchefsky seconded the motion. Motion carried.

Old Business

- **Streets and Utilities (210)**
210-14-408 "Accreditation Proofs of Compliance"

Ms. Wilson stated "Accreditation Proofs of Compliance" record series was added to the retention schedule at the last meeting. Mr. Banchefsky had asked Ms. Wilson to find out how they came up with a retention period of 9 years. After checking with Streets and Utilities, Ms. Wilson reported that the accreditation cycle is every 4 years. The 9 year retention period allows them to have the 2 previous accreditation cycles while going thru the current one. Mr. Banchefsky was satisfied with the reasoning.

Roundtable

The Next meeting will be Thursday, January 22 at 9:00 a.m. at City Hall

Ms. Colwell did not receive Ms. Wilson's email regarding the Records Commission meeting. She will give Ms. Wilson a different email address.

Meeting adjourned at 9:31 a.m.