

STATE RECORDS COMMISSION

MINUTES

October 19, 2011

Springfield, Illinois

A meeting of the State Records Commission was held at 9:30 a.m., October 19, 2011 in the John Daly conference room of the Margaret Cross Norton Building in Springfield.

Commission members present were: Acting Chairman Gloria Huston, designee of Secretary of State Jesse White; Lynn Patton, representing Attorney General Lisa Madigan; Gary Stockton, the designee of the State Historian's Office and Secretary of the commission; Steve Klokkenga, representing State Comptroller Judy Baar Topinka; and David Boyd, representing Malcolm E. Weems, Acting Director of the Department of Central Management Services.

State Archives staff members present were: Steve Jones, Sandy Lucas, Rochelle Joseph and Lynn Kahbeah.

The meeting was called to order by Ms. Huston at 9:30 a.m. Ms. Huston called for the approval of the minutes of the meeting held on September 21, 2011. Mr. Boyd noted a clerical error on the first page, line 22. Mr. Stockton moved to approve. Mr. Boyd seconded the motion. The motion carried and the minutes of the September 21, 2011 meeting were approved as corrected.

The first item of new business was Application 11-49 from the Office of the Attorney General (Public Integrity Bureau). Mr. Boyd moved to item #3 "Administrative Correspondence Files," and #4 "General Administration Files." He asked if the three year retention was sufficient. Ms. Patton said yes. Mr. Boyd moved to approve. Mr. Stockton seconded the motion. The motion carried and Application 11-49 was approved as written.

Application 11-51 from the Board of Elections (Executive Director's Administration) was the next to be considered. Mr. Boyd moved to item #2 "Audio Tapes of Board Meeting." Mr. Boyd said tape recordings are usually erased or deleted not destroyed. Ms. Lucas said the agency is in the process of moving and has several boxes of these tapes. The agencies intention is to destroy them. Mr. Boyd said if these tapes are to be destroyed in a secure manner like the retention states, they cannot be tossed in the trash. Ms. Huston said since these are tape recordings of meetings which are public information it is not necessary to have "in a secure manner" in the retention. She said this record would not cover closed executive sessions which

are exempt. Ms. Patton asked if these tapes included the verbatim record which public bodies are required to have of executive sessions under section 2.06 of the Open Meetings Act. Ms. Huston said under the Open Meetings Act the State Records Commission does not have authority to approve records of closed meetings. Ms. Huston suggested adding a sentence to the record series. Ms. Patton suggesting inserting before the period at the end of the first sentence a comma and then adding “excluding verbatim records of executive sessions required under section 2.06 of the Open Meetings Act.” She also suggested amending the retention to read “Retain for thirty (30) days after minutes have been approved, then destroy providing no review by the Attorney General’s Public Access Counselor is pending or anticipated.” After deliberation Ms. Patton moved to approve. Mr. Boyd seconded the motion. The motion carried and Application 11-51 was approved as amended.

The next item of new business was Application 11-54 from the Office of the Secretary of State (General Counsel). Mr. Boyd asked if there was one copy in a central location or if there were multiple copies. Ms. Huston said there are multiple copies. Mr. Boyd moved to approve. Ms. Patton seconded the motion. The motion carried and Application 11-54 was approved as written.

Application 11-48 from the Office of the Secretary of State (Police) was the next item on the agenda. Ms. Patton noted on Item #3 “First Person Consent Organ/Tissue Certification Status Sheet Files” the reference to the statutes should be 50/5-20 (b-1), not 505-20. Mr. Boyd moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 11-48 was approved as corrected.

The next item on the agenda was Application 11-08A from the Illinois Toll Highway Authority (Electronic Tolling). Mr. Boyd moved to item 100.02 “Violation Settlement Forms.” He suggested removing the first audit clause in the retention. Ms. Patton asked if litigation has been filed. Mr. Jones said this records series deals with when people have had numerous violations and not paid any fines. In those cases the Attorney General’s office steps in and sets up a payment schedule for the fines. Ms. Patton said her concern is if the settlement is in litigation when the judgment is entered resolving the case the six year retention may not be sufficient. She suggested amending the second sentence of the retention to read “Retain electronic data in the system for six (6) years after satisfaction of any judgment or fine then

delete from the system provided all audits have been completed if necessary and no litigation is pending or anticipated.” Mr. Boyd then moved to item 100.04 “General Accounting and Budget (GAB) Violation Payment Files (Obsolete).” Mr. Boyd suggested since this application is to destroy an accumulation of records, removing the audit clause from the retention based on the records series being beyond the two year audit cycle. Mr. Boyd then moved to item 100.05 “Closed Violation Notice Files (Obsolete).” He asked if there would be litigation since these were “write-offs.” Ms. Patton said no. Mr. Boyd suggested removing the audit clause from this item also. After deliberation Mr. Stockton moved to approve. Ms. Patton seconded the motion. The motion carried and application 11-08A was approved as amended.

The next item on the agenda was Application 97-43UU from Southern Illinois University-Carbondale. Mr. Klokkenga moved to approve. Ms. Patton seconded the motion. The motion carried and application 97-43UU was approved as written.

Application 87-61M from Southern Illinois University – Carbondale was next on the agenda. Mr. Boyd moved to item 150.02 “Training and Consortium Files.” and 150.04 “Budget and Fiscal Administration Files” He suggested removing the reference to the Auditor General from the retention in both of these items. Mr. Boyd moved to approve. Mr. Stockton seconded the motion. The motion carried and Application 87-61M was approved as amended.

The last item of business was Application 85-147I from Western Illinois University (Vice President for Business Affairs). Ms. Huston noted the application number was missing from the second page. Ms. Patton moved to approve. Mr. Klokkenga seconded the motion. The motion carried and Application 85-147I was approved as corrected.

The date of the next scheduled State Records Commission meeting is Wednesday, November 16, 2011 at 9:30 a.m. in the John Daly Conference Room of the Margaret Cross Norton Building, Springfield, Illinois. Mr. Boyd moved to adjourn. Ms. Patton seconded the motion. The motion carried and the October 19, 2011 State Records Commission adjourned at 10:10 a.m.

The following applications were submitted to the State Records Commission members for Consideration:

- 11-49 Attorney General's Office
(Public Integrity Bureau)
Approved as Written
- 11-51 Board of Elections
(Executive Director's Administration)
Approved as Amended
- 11-54 Office of the Secretary of State
(General Counsel)
Approved as Written
- 11-48 Office of the Secretary of State
(Police)
Approved as Corrected
- 11-08A Illinois Toll Highway Authority
(Electronic Tolling)
Approved as Amended
- 97-43UU Southern Illinois University - Carbondale
(Provost and Vice Chancellor of Applied Sciences and Arts)
Approved as Written
- 87-61M Southern Illinois University - Carbondale
(Office of the President)
Approved as Amended
- 85-147I Western Illinois University
(V.P. for Business Affairs)
Approved as Corrected