

Minutes
Public Records Commission Meeting
May 2, 2018
Metropolitan Courthouse, Committee Room 2

Members present: Sue Cooper, Judge Steve Dozier (Chair), Keith Durbin (Vice Chair), Councilman Colby Sledge, Steve Moore on behalf of the County Register, and County Clerk Brenda Wynn

Absent: Carole Bucy, Ken Fieth

Staff: Theresa Costonis, Susan Jones, Elizabeth Waites, and Reed Williams

Call to Order: The meeting was called to order and commenced at 12:05 p.m.

The Chair declared a quorum present for the conducting of business.

Mr. Moore moved to approve the minutes of the November 8, 2017 meeting, which motion was seconded by Ms. Cooper. The motion passed by a voice vote, and the minutes were approved.

Sports Authority Request to Opt-In to Metro Clerk PRRC Program

There being no objection, the Chair took up the following matter in order to accommodate the schedules of guest attendees. Mr. Durbin moved to approve the request of the Sports Authority to opt-in to the Metro Public Records Request Policy in order to allow their public records requests to be facilitated by the Metro Public Records Request Coordinator program. Mr. Moore seconded the motion, which passed by unanimous vote of the Commission.

Fire Department Request to Opt-Out of Metro Clerk PRRC Program

Mr. Sledge moved to defer this matter for one meeting at the request of the Department. Ms. Wynn seconded the motion, which passed by a unanimous vote of the Commission.

Metro Public Records Request Policy Revision

Mr. Durbin moved to adopt the changes to the policy as proposed by the Metro Clerk and discussed by the Legal Department. Ms. Wynn seconded the motion, which passed by a unanimous vote of the Commission.

Records Disposition Authorizations

TRANSPORTATION LICENSING COMMISSION

Booting Service Companies (RDA 816): A booting service company desiring to engage in the business to operate such a booting service must apply for a license to operate said service under the provisions of Metro Code, chapter 6.81. The booting service must conform to all applicable laws, to the rules and regulations of the Metropolitan Transportation Licensing Commission, and carry the required liability insurance. The Commission may then grant and issue to such applicant a license for one year to operate a booting service at an authorized fee. This license must be renewed yearly or said license will be null and void. The licensee is only authorized to boot vehicles in duly inspected public and private lots after proper inspection and proper signage is posted at all points of ingress and egress. A master list of all private lots must be kept on file with the MTLC and be inspected for signage prior to the issuance of the booting license. Such license shall be prominently displayed and shall state the name and address of the licensee, the date of issuance, and such other information as the Commission determines to be necessary and proper.

RETENTION: Retain 5 years after expiration of last license, then destroy.

Booting Service Employees (RDA 817): Metro Code Chapter 6.81.080 requires an application be made with the Metropolitan Transportation Licensing Commission. Applicant shall have a valid Tennessee driver's license and be at least twenty-one (21) years of age. In addition, the applicant will present an MVR (Motor Vehicle Report) at the time of application and before a background check will be run. Upon approval an operator's permit shall be issued by the Commission to an employee of one of the booting service companies approved by the MTLC. This permit allows such person to engage in the practice of booting and shall be issued for a period of two (2) years at an authorized fee. All persons engaged in the act of booting shall wear an identification badge which shall include the person's first and last name, the name of the company, and the permit number of the employee. It must be carried by the employee at all times when engaged in the act of booting.

RETENTION: Retain 5 years after expiration of last license, then destroy.

Mr. Sledged moved to adopt RDA's 816 and 817 as presented by Mr. Williams. Ms. Wynn seconded the motion, which passed by a unanimous vote of the Commission.

ASSESSOR OF PROPERTY

Exemptions (RDA 818): This records series consists of forms filed with the State Board of Equalization (SBOE) in consideration of an exemption, in whole or part, from property taxation. A file will consist of an application, supplemental documents in support of the exemption request, and a denial or approval letter authored by a representative of the SBOE. Supplemental documentation may consist of financial statements, corporate charter, deed or any document provided by the taxpayer in response to an SBOE's representative's request for additional information.

RETENTION: An exemption is not required to be renewed and may remain in perpetuity unless and until there is a change in status of the use or ownership of a property. The assessor shall retain copies of any approved applications in paper, electronic, or digital format per Tennessee Code Annotated § 67-5-212(b)(2). After two (2) years, copies of an exemption file may be disposed. (MTAS N-3)

Ms. Wynn moved to adopt RDA 818 as presented by Mr. Williams. Mr. Sledge seconded the motion, which passed by a unanimous vote of the Commission.

GENERAL RECORDS SCHEDULE – METRO CLERK/RECORDS MANAGEMENT

GRS 308 Amendment - Employee File Folders

RETENTION:

Department Copy: If transferring to another Metro Department, transfer complete file to that department. If employee is separating from Metro, retain department copy file 5 years, then securely destroy. The Department of Personnel under Metro HR shall maintain the official record copy for each separated employee pursuant to RDA 389. If scanning employee documents directly to Personnel, the paper file is to be stored as back up (RDA 788) by the department. Electronic filing need not be printed.

CAUTION: Employee medical information shall be placed in a separate envelope, clearly identified, and remain under the department's personnel storage for 40 years (RDA 389) from separation. Accumulation may be sent to the Metro Records Center.

Mr. Durbin moved to adopt RDA 308 as presented by Mr. Williams. Mr. Sledge seconded the motion, which passed by a unanimous vote of the Commission.

GRS 311 – Volunteer Forms

Records series will document non-government personnel that volunteer and are accepted to participate in various recreational programs, environmental projects, department activities, or other similar events sponsored by Metro Government. Documents may include but are not limited to personal information, waiver forms absolving Metro Government of any liability, various consent forms for verification of such detail as drivers' license, background check, social security numbers, etc., with a signature of adult or guardian and a listing of the child's name if applicable. Program description and instructions, and the length of time a volunteer serves may also be included.

RETENTION: Keep documents 2 years from completion of program and then confidentially destroy. (Based upon statute of limitations for tort actions plus one year; MTAS P-1, P-2)

Ms. Wynn moved to adopt RDA 311 as presented by Mr. Williams. Mr. Sledge seconded the motion, which passed by a unanimous vote of the Commission.

Adjournment: The Chair declared the meeting adjourned at 12:40 p.m.



Metropolitan Clerk



Chair of the Commission