

**STATE ARCHIVES AND RECORDS COMMISSION**  
**Minutes of the Quarterly Meeting**  
**June 11, 2015**  
**Department for Libraries and Archives**

The State Archives and Records Commission met at 10:00 a.m., June 11, 2015, in the Board Room, Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky.

Members present: Wayne Onkst, Chair; Richard Belding, representing Citizens-at-Large; Mary Margaret Bell, representing Citizens-at-Large; David Gregory, representing regional colleges and universities; Jeremy Rogers, representing Citizens-at-Large; Dave Schroeder, representing the Kentucky Library Association; Debra Batliner, representing local governments; and Roger Hamperian, representing Citizens-at-Large.

Representatives present: Randy Justice, representing Thomas Zawacki, Secretary, Education and Workforce Development Cabinet; Amye Bensenhaver, representing Jack Conway, Attorney General; Brian Lykins, representing Adam H. Edelen, Auditor of Public Accounts; Jennifer Frazier, representing John D. Minton, Jr., Chief Justice, Supreme Court; Kara Smothermon, representing Jane Driskell, State Budget Director; Leslie Smith, representing Marcia Seiler, Acting Executive Director, Legislative Research Commission; and Glenn Thomas, representing Jim Fowler, Commissioner, Commonwealth Office of Technology.

Members not present or represented: Terry Birdwhistell, representing the University of Kentucky; and Louise Jones, representing the Kentucky Historical Society.

Archives and Records Management Division staff present: Barbara Teague, Director, Archives and Records Management Division; Jerry Carlton, Manager, Local Records Branch; Jim Cundy, Manager, State Records Branch; Mark Stone, Manager, Micrographics and Digital Imaging Services Branch; Trace Kirkwood, Local Records Regional Administrator; Jackie Arnold, Local Records Regional Administrator; Kris Justus, Electronic Records Analyst; Pam Compton, Records Analyst; Joe Isaac, Records Analyst.

Guests Present: Angel Douglas-White, and David Whitaker, Office of the Controller, County Fees Systems Branch; David Crume, Department of Revenue; Holly Mullins and Melissa McQueen, Department of Alcoholic Beverage Control; Vanessa Breeding, Board of Medical Imaging and Radiation Therapy;

Onkst called for introductions by those present.

Belding made a motion to accept the minutes of the previous Commission meeting, seconded by Bell. The vote by members and representatives present was unanimous.

## RECORDS RETENTION SCHEDULES

### Public Protection Cabinet – Department of Alcoholic Beverage Control

Compton was the Records Analyst working on the Schedule revisions. **Revisions to the Schedule:** Series 05871, License Audit Report, from "After Board review, records are transferred to Alcoholic Beverage Control Enforcement Case Files (Series 01063) and retain in Agency and destroyed ten (10) years after case is closed;" to "Retain in Agency until completion of audit and if no further action is required, then destroy. If additional action is required, transfer to Series 01063, Alcoholic Beverage Control Enforcement Case Report." *Staff also made administrative changes to seventeen (17) series without changing retention or disposition:* Series 01031, Alcoholic Beverage Control Board Final Order Books; Series 01037, Appealed Case Files; Series 01040, Alcoholic Beverage Control Refund Records; Series 01052, Alcoholic Beverage Control License Files; Series 01053, Distilled Spirits Quota Card File; Series 01063, Alcoholic Beverage Control Enforcement Case File; Series 01064, Agents' Daily Report; Series 01065, Field Reports; Series 01066, Uniform Citations; Series 01068, Complaint File; Series 05526, Server Training in Alcohol Regulations Training Class Records; Series 05529, Tobacco Compliance Check Files; Series 05530, Tobacco Violation Warning Files; Series 05531, Tobacco Citations; Series 05869, Server Training Alcohol Regulations (STAR) Instruction Files; Series 05870, Licensee Financial Records for Audits; and Series 05875. Malt Beverage Brewer Brand Approval & Distributor Territorial Designation Agreement File.

The Department of Alcoholic Beverage Control (ABC) is currently under the Public Protection Cabinet (2008). The Department's mission is to protect the public welfare and interest through regulation of the alcoholic beverage industry by maintaining a controlled distribution system through licensing, education and enforcement of the pertinent laws pursuant to KRS Chapters 241 through 245 and regulations. ABC has undertaken a special focus to combat youth access to alcohol and tobacco products. The Department is under the direction of a Commissioner, who is also serves as the chair of the Alcoholic Beverage Control Board.

In response to a question by Bensenhaver, Mullins said that Series 04871, License Audit Report, was a reconciliation of receipts by Department staff to make sure establishments have appropriate ratios of food sales to alcohol sales. If additional action is required, records would be found as part of Series 01063, Alcoholic Beverage Control Enforcement Case Report, which would be maintained for ten years. If there is no problem found during the audit, the records would be destroyed once the audit is completed. In response to a question by Frazier, Mullins said that if the matter resulted from an outside complaint, the original complaint would be in an enforcement file. The results of the investigation would be included with the original complaint.

Schroeder made a motion to approve the Schedule revisions, seconded by Frazier. The vote by members present was unanimous.

### **Finance and Administration Cabinet – Commonwealth Office of Technology**

Compton was the Records Analyst working on the Schedule deletions and revisions. **Deletions from the Schedule:** Series 00316, Printing Orders; Series 00472, Forms Control Billing Journal Voucher File; Series 00473, Rosters; Series 00474, Routing Sheets; Series 00580, Monthly Charges Report; Series 00581, Agencies with Independent Switches File; Series 00582, Telephone Company Contracts Report; Series 03422, Class Folder for End-User Training Classes; Series 03423, Network Billing Records (ABRS Printout); Series 03633, Automated Billing Report System (ABRS); Series 03634, Agency Billing Records (ABRS Printout); Series 03635, Automated Time Reporting/Billing System (ATRBS); Series 03636, Time Reporting Edits (ATRBS Printout); Series 03637, JSI; Series 04231, Quick Copy Center Transmittal; Series 04232, Order for Printing or Duplicating; Series 04235, Forms Requisition; Series 04244, Agency Plan Collection and Management System (PCMS); Series 04268, Telco Service Request File; Series 04915, Project Management Records; Series 04916, Fiscal Records; Series 04917, Contract Record File; Series 04918, Assessment Record File; Series 04919, Systems Record File; and Series 04920, Documentation Checklist File. **Revisions to the Schedule:** *Staff made administrative changes to two (2) series without changing retention or disposition:* Series 00579, Kentucky Emergency Warning System (KEWS) Site Files; and Series 05431, Kentucky Geographic Information Records.

The Commonwealth Office of Technology (COT) is created within the Finance and Administration Cabinet and governed by KRS 42.724. COT is headed by an executive director, also known as the Chief Information Officer. COT consists of five (5) offices, each headed by an executive director, which are appointed by the Finance and Administration Cabinet Secretary with the approval of the Governor. COT provides a variety of information technology services to state agencies, including but not limited to the following: Backup and Storage Services; Data Communication Services; Desktop Service Support; Enterprise Server Processing; Messaging services; Professional services; Security services; Server support; Video conferencing; and Voice communications.

Compton presented the Schedule deletions and revisions.

Bell made a motion to approve the Schedule deletions and revisions, seconded by Rogers. The vote by members present was unanimous.

**Finance and Administration Cabinet – Office of the Controller – Division of Local Government Services – County Fees Systems Branch**

Compton was the Records Analyst working on the revised Schedule. **Deletion from the Schedule:** Series 00531, Witness Fund Reimbursement. **Revisions to the Schedule:** Series 00523, Fugitive From Justice Claims Form, from twelve (12) years to eight (8) years; Series 00525, County Clerk's Tax Bills Log from twelve (12) years to eight (8) years; Series 00530, Jury and Witness Fund Reimbursements, from twelve (12) years to eight (8) years; and Series 03162, Sheriff's and Jailer's Monthly Fee Claims File, from twelve (12) years to eight (8) years. *Staff also made administrative changes to eleven (11) series without changing retention or disposition:* Series 00509, Personnel Folders of County Employees on State Payroll; Series 00514, Sheriff's Expense Allowance; Series 00522, General Term Approving Budget for County Officials; Series 00529, Computer Calendar Year Receipts and Expenditure Detail; Series 00532, Sheriff's Advances to Defray Expenses; Series 00533, County Court Clerk, Sheriff and Jailer Bond Premiums; Series 03163, Report of State Moneys Collected; Series 05753, Indigent Program Payments; Series 05759, Purchase Orders; Series 05760, Board of Assessment Appeals; and Series 05761, Sequestered Juror Payments.

The County Fee Systems Branch is established in the Division of Local Government Services pursuant to KRS 42.0201 (6)(c). The Branch provides disbursement, fiscal, personnel, payroll, training, and other detailed administrative support services to local agencies, counties, and cities statewide. It also serves as a liaison between local governments and the federal Internal Revenue Service and Social Security Administration, serves as payroll and fiscal officer for the sheriff and clerk in counties over seventy thousand (70,000) in population, disbursing various reimbursements and expenditures to local governments and serving as liaison and conduit for all court fees associated with report of state money through the Circuit Courts and performs state government duties relating to county fee system for local entities.

**This is a new records retention schedule for this agency.**

**Current schedule date:** March 13, 2008

**Proposed schedule date:** June 11, 2015

Compton presented the revised Schedule.

Belding made a motion to approve the revised Schedule, seconded by Hamperian. The vote by members present was unanimous.

## **Board of Medical Imaging and Radiation Therapy**

Compton was the Records Analyst working on this new Schedule. **Additions to the Schedule:** Series 06594, License File; Series 06595, Temporary License File; Series 06596, Incomplete Applications File; Series 06597, Denied License Applications; Series 06598, Complaints – Substantiated and Revocation of License; Series 06599, Complaints – Substantiated (Disciplinary Action); Series 06600, Complaints – Unsubstantiated.

The Board of Medical Imaging and Radiation Therapy was created November 1, 2012, with the passage of House Bill 137. The Board is governed by KRS Chapter 311B and 201 KAR 46. The Board issues licenses to individuals to operate radiation emitting equipment for medicine, nuclear medicine, radiation therapy, chiropractic, podiatry or bone densitometry and include professionals of radiography, nuclear medicine, radiation therapy, radiologic assistants and limited x-ray machine operators.

**This is a new records retention schedule for this agency.**

**Proposed schedule date:** June 11, 2015

Bensenhaver noted that there is a General Schedule for Occupational and Professional Regulatory Agencies that has been drafted to cover records that are common among the professional regulatory agencies. There may be proposed retention periods on this General Schedule that differ from those on the proposed Schedule for the Medical Imaging and Radiation Therapy Board. Compton said that once that General Schedule is approved, it would supersede the Board's agency-specific schedule where appropriate.

Frazier made a motion to approve the new Schedule, seconded by Rogers. The vote by members present was unanimous.

## **Blue Grass Airport**

Carlton was the Records Analyst working the new Schedule. **Additions to the Schedule:** Administration: L6737 – L6738; L6740 – L6767. Engineering and Maintenance: L6811 – L6828. Finance: L6829 – L6848; L6850 – L6867; L6894. Human Resources: L6719 – L6730; L6732 – L6736; L6892 – L6893. Payroll: L6872 – L6882. Public Relations: L6868 – L6870. Public Safety and Operations: L6768 – L6810; L6895.

In 1940 the city and county governments purchased 523 acres of farmland off of Versailles Road to construct what would eventually become known as Blue Grass Field. Runway construction began on March 6, 1941 and progressed quickly since World War II was looming in Europe and Asia. In 1942, the first aircraft, an Army Air Corps B-25 bomber, officially landed at Blue Grass Field on July 11. The United States Army took

control of the airport and began using it as a secondary training facility and supply gateway during World War II. In 1945, airport operations were turned over to the city on August 15 and plans were made to build the first terminal building.

Lexington's Blue Grass Airport serves over one million passengers each year and occupies approximately 1,000 acres. The airport offers commercial flights to destinations worldwide and also provides a variety of corporate and general aviation services including U.S. Customs cargo inspection, flight instruction, charter aircraft, airplane maintenance, aircraft storage and more. Blue Grass Airport is owned and operated by the Lexington-Fayette Urban County Airport Board, a 10-member board of directors appointed by the mayor of Lexington and confirmed by the Urban County Council.

**This is a new records retention schedule for this agency.**

**Proposed schedule date:** June 11, 2015

Lykins asked whether the retention period for Series L6742, Meeting Notices/Agendas, was one year from the date of the meeting or one year from the date the meeting notice is posted. This could make a difference if an agency posts a calendar of meetings at the beginning of the year. Carlton said that it should be one year from the date of the meeting and that he would make that change to the schedule.

Teague said that Bensenhaver had noted various incorrect access restrictions on this Schedule and that Carlton had corrected them. Access restrictions are listed to alert agencies that a record or information in that record may be confidential. Agencies should always consult legal counsel regarding the application of access restrictions. Cundy said that the access restriction field would be changed to include a brief statement that the agency should consult counsel regarding any access restrictions. Teague said that division staff would review the access restrictions listed on the Local Government Schedules and make sure they are cited properly.

In response to a question by Bell, Carlton said that retention schedules are being created for the major airports individually. Smaller airports can use the Local Government General Records Retention Schedule.

Belding made a motion to approve the new Schedule, with the amendment of appropriate access restrictions, seconded by Bell. The vote by members present was unanimous.

## Public School District

Arnold and Kirkwood were the Records Analyst working on the revised Schedule. **Additions to the Schedule:** Administration: Series L6902, Field Trip Permission Form; Series L6903, Private/Parochial School Enrollment Notification Form; Series L6909, Student Release Form; and Series L6910, School Data Form for Homeless Children. Facilities-Maintenance: Series L6695, Material Safety Data Sheets (MSDS); Series L6696, Asbestos Management Plans; Series L6697, Capital Construction Process Files; Series L6698, Routine Inspections File; Series L6699, Underground Storage Tank Files; Series L6700, Work Orders; Series L6701, District Keying Schedule; Series L6702, Energy Management Report; Series L6710, District Facility Plans; Series L6711, Annual Facility Needs Assessment Report; Series L6712, Wastewater Treatment Plant Discharge Monitoring Report (DMR); Series L6713, E-Rate/Universal Service Fund; Series L6714, Facility Insurance Claims File; Series L6715, Pest Management Program; Series L6716, Refrigerant Management Log; Series L6717, Hazardous Materials Elimination Log; and Series L6718, FEMA Claims File. Food Services: Series L6694, Procurement Certification. Student Records: Series L6911, Daily Progress Report. Student Health Records: Series L6905, Program Plan of Care; Series L6906, Eating and Feeding Evaluation - Special Needs Form; Series L6907, Completed Medication Administration Checklist; and Series L6908, Health Office Visit File. Transportation: Series L6901, Bus Rider Change Notification. **Deletions from the Schedule:** Facilities – Maintenance: Series L1914, Custodial Supplies Order; Series L1917, Heating and Cooling System Service Log; Series L1918, School Maintenance Work Request; Series L1919, Daily Activity Report; and Series L2403, Teacher's Maintenance Request. Family Resource Centers: Series L4444, Family Resource Center Advance Funding Request. School-Based Decision Making Council: Series L3006, School-Based Decision Making Council Meeting Announcement; and Series L3007, School-Based Decision Making Council Committee Meeting Announcement. Special Education: Series L5653, Evaluation Tests for Students with Special Needs. **Revisions to the Schedule:** Administration: Series L6389, Schools & Libraries Telecommunication Program File (E-Rate) - Universal Service (FCC), from "Destroy five (5) years after last date of service," to "Destroy ten (10) years after last date of service." Athletics and Activities: Series L2457, Student Activities Budget Form from one (1) year to three (3) years; and Series L2458, Fund Raising Activity Request Form, from one (1) year to three (3) years. Curriculum and Assessment: *Closed Series*: Series L3022, KIRIS Writing Portfolio – 3yr (ended 1998); Series L3025, KIRIS Mathematics Portfolio – 3yr (ended 1998); Series L4435, KIRIS Assessment Report – 10yr (ended 1998); Series L4436, KIRIS School Verification and Enrollment – 5yr (ended 1998); Series L4437, KIRIS Writing Portfolio Analysis – 5yr (ended 1998); Series L4438, KIRIS Writing Portfolio Audit – 8yr (ended 1998); Series L4439, KIRIS Alternate Portfolios – 3yr (ended 1998); Series L4441, KIRIS Test Information/School – 8yr (ended 1998); Series L4442, KIRIS Baseline Study Test – 5yr (ended 1998); Series L4443, KIRIS Individual Student Assessment Report-age 22 (ended 1998); Series L4499, KIRIS Test Information/District – 8yr (ended 1998); Series L5241, CATS Writing

Portfolio – 4yr (ended 2010); Series L5242, CATS Alternate Portfolio – 4yr (ended 2010); Series L5244, CATS Test Information for School & District-4yr (ended 2010); Series L5245, CATS School Verification and Enrollment (ended 2010); Series L5246, CATS Writing Portfolio Analysis – 4yr (ended 2010); and Series L5247, CATS Writing Portfolio Audit – 4yr (ended 2010). Food Services: Series L1882, List of Food Suppliers/Bid List, from one (1) year to “Retain for three (3) years. Destroy after audit;” Series L2361, Lunch Menu and Production Record, from one (1) year to “Retain for three (3) years. Destroy after audit;” and Series L5367, Pest Control Service Record one (1) year to “Retain for three (3) years. Destroy after audit.”

The first attempt to assemble a school district – wide records retention schedule was made in 1988. The Archives and Records Commission approved the schedule that year. In 1999 a complete revision of the schedule was approved by the Commission. This schedule included K through 12 and the school district central office in one schedule. In March of 2003 the Commission once again approved a revision of the entire schedule. In June 2012 another complete revision was presented to the Commission where it was approved. The 173 school districts in the Commonwealth produce an overwhelming amount of paper and electronic records. We continue to work with school districts providing records management training and direct service.

**This represents a complete revision of this records retention schedule.**

**Current schedule date:** July 2, 2012

**Proposed schedule date:** June 11, 2015

Arnold said that Advisory Committee members had pointed out several incorrect access restrictions on the draft schedule. Those had been corrected.

Arnold said that Series L6710, District Facility Plans, had originally been proposed with a five-year retention period, but the Advisory Committee had recommended a change to ten years. Commission members are being asked to approve the ten-year retention period. Bensenhaver said the increased retention period was because these materials documented the basis of decisions to close schools. Arnold said that every four years, school districts have to come up with a facility plan. The work of the committee that completes that plan is documented in meeting minutes and materials, which are permanent records. A copy of the plan is sent to the Department of Education. Because a new plan is completed every four years, and because each new plan supersedes the previous one, the five-year retention period would be acceptable. The plan is meant to demonstrate that facilities the school district will be using are in acceptable condition and are being utilized in an appropriate manner. This plan does not document the rationale behind school closings. Teague said that Committee members felt that the ten-year retention period was appropriate because it would cover the length of time a student would be in any school.

Onkst said that David Gregory, representing Regional Colleges and Universities, had joined the meeting

Schroeder made a motion to approve the revised Schedule, seconded by Belding. The vote by members present was unanimous.

### **County Clerks**

Arnold was the Records Analyst working on the Schedule addition. **Additions to the Schedule:** Series L6883, Annual County Tax Rate Worksheet File

The office of the county court clerk was first created when Kentucky was part of Commonwealth of Virginia. As the title implies they actually were the clerks of the county courts. When Kentucky became a state in 1792 the first constitution of Kentucky provided for the appointment of the county clerk by the county court. The clerk's duties included collecting taxes, creating a list of persons and property for tax purposes, receiving and acknowledging deeds in and out of county court, administer oaths and performing other duties. The third constitution was adopted in 1850 and it made the county court clerk an elective office and their duties expanded to include licensing of businesses, recorded property records (deeds) and all public moneys received to the circuit court. Most of their duties were for the courts. Under the present constitution (1891) the county court clerk has taken on many duties. Those include; elections, recording of deeds, mortgages, liens, collecting delinquent tax, marriage licensing, probate (recording of wills and maintaining the original will), motor vehicle licensing, recording certain UCC filings, administering oaths, recording incorporations, and other duties. The county court clerks can choose to be the clerk of the fiscal court.

Arnold presented the Schedule addition.

Bell made a motion to approve the Schedule addition, seconded by Thomas. The vote by members present was unanimous.

### **County Jailer**

Kirkwood was the Records Analyst working on the Schedule additions. **Additions to the Schedule:** Administration: Series L6914, Inmate Transport File. Canteen: Series L6913, Commissary Request Form.

The Office of the Jailer traces its origins to the 1850 Constitution, which required each county to elect a jailer. Section 105 of the present Constitution permits the legislature to consolidate the office of the jailer and sheriff in any or all counties, provided the sheriff's office is retained and the sheriff assumes the jailer's duties. Kentucky's

constitutional provisions related to the jailer are unique. No other state constitution refers to jailers. In most states, the sheriff performs the duties which, in Kentucky, are assigned to the jailer. The jailer's recordkeeping responsibilities largely evolve from his powers and duties: keeping the jail; transporting prisoners; preparing the budget; as well as responsibility for county property, jail canteen, work release, educational release, and community service related work.

In response to a question by Frazier, Kirkwood said that there is an annual audit of Series L6914, Inmate Transport File.

In response to a question by Bensenhaver, Kirkwood said that these records are maintained separately from Series L2751, Inmate Record/Folder.

Belding made a motion to approve the Schedule additions, seconded by Bell. The vote by members present was unanimous.

### **Cabinet for Economic Development – Department for Business Development**

Isaac was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Series 06605, Facility Update Form

In 1956, the Department of Economic Development was created as the successor to the Agricultural and Industrial Development Board, which was created in 1948. In 1962, the Department was renamed the Department of Commerce. The Department was placed under the newly created Development Cabinet by Executive Order 72-1167, issued on December 22, 1972. Also included within the Cabinet were the Departments of Agriculture, Fish and Wildlife, and Parks, as well as the State Fair Board and the Bicentennial Commission. In 1982, the Development Cabinet became the Commerce Cabinet, which was renamed in 1988 as the Cabinet for Economic Development. The Cabinet formerly included the Department of the Arts, the Tobacco Research Board, and the Kentucky Geological Survey to the University of Kentucky. The Department of the Arts was abolished by Executive Order 90-727, which was issued August 7, 1990. Its divisions were transferred to other areas of state government. In 1992, the Kentucky Economic Development Partnership was created as a board to govern the Cabinet, and the Kentucky Economic Development Finance Authority replaced the Kentucky Development Finance Authority and the Kentucky Rural Economic Development Authority. The Cabinet for Economic Development is the primary state agency in Kentucky responsible for encouraging job creation and retention and new investment in the state. Programs administered by the Cabinet are designed to support and promote economic development within the state, primarily by attracting new industries, assisting in the development of existing industries, leading a statewide network of support for entrepreneurs, small business owners and knowledge-based start-up entities, and assisting communities in preparing for economic development

opportunities. Currently, the Cabinet consists of the Office of the Secretary, the Department for Business Development, the Office of Legal Services, the Office of Financial Services, the Office of Research and Public Affairs, and the Office of Entrepreneurship.

Isaac said that the Cabinet maintains the current information collected on these forms in the Kentucky Business and Industry Information System Database, but also keeps track of the changes they make to the information, so there is both a directory of industries and a record of changes that have been made.

Isaac said that Justus had been working on revising the Cabinet's Systems Descriptions. Justus said that the records in one System had been moved to the University of Kentucky, while the other System Descriptions need only minor revisions. In response to a question by Belding, Isaac said that he could find out to which entity at UK the records had been transferred.

Frazier made a motion to approve the Schedule addition, seconded by Rogers. The vote by members present was unanimous.

### **General Schedule for State Agencies – Personnel and Payroll Records Section**

Cundy was the Records Analyst working on this Schedule revision. **Revision to the Schedule:** Series P0001, Personnel Folder -- Agency Copy, from "If an employee's master personnel file is maintained by a separate agency, destroy five (5) years after termination of employment. Should an employee transfer to another state agency, the Personnel Folder will transfer, as well, to the new agency. Termination is defined as 'no longer an employee of state government.'" to "If an employee's master personnel file is maintained by a separate agency, destroy five (5) years after termination of employment. Should an employee transfer to another state agency, the Personnel Folder will transfer to the new agency. If an employee terminates employment with the state, but is rehired within five years, the Personnel Folder will be forwarded to the hiring agency. Termination is defined as "no longer an employee of state government." If an employee's master personnel file is not maintained by a separate agency, retain until fifty (50) years after most recent date of separation, then destroy. If any investigation, litigation, or open records request involving these records is taking place or is pending, maintain until all investigative or legal activity is completed."

A General Schedule is a class of records retention schedule that governs the retention and disposition of specified records common to several or all public agencies. The General Schedule for State Agencies covers records for State Agencies.

Cundy said that the change in retention for Agency-level personnel files that are considered master personnel files brings it into line with Series 04522, Master Personnel Folder, maintained by the Personnel Cabinet. While most state employees' master personnel files are maintained by the Personnel Cabinet, an agency-level personnel file is considered the employee's master personnel file if the agency is not covered by KRS Chapter 18A. At the September 12, 2013 meeting, Commission members had approved a change in retention for Series 04522 from seventy (70) years to "Retain until fifty (50) years after most recent date of separation, then destroy."

In response to a question by Lykins, Cundy said that the separate agency in the disposition was the Personnel Cabinet.

In response to a question by Frazier, Cundy said that the seventy-year retention had been based on date of hire, while the current retention was based on date of separation.

Frazier said that she felt fifty years from date of separation might not be enough time to retain a file for verification purposes, if a person starts working for an agency at a young age and leaves the agency relatively soon thereafter. For example, fifty years after date of separation might not be long enough for an employee who begins work at age eighteen and leaves at age twenty-five. Cundy said he would look into this.

Schroeder made a motion to approve the Schedule revision, seconded by Hamperian. The vote by members present was unanimous.

### **Finance and Administration Cabinet – Kentucky Housing Corporation**

Isaac was the Records Analyst working on the Schedule additions. **Additions to the Schedule:** Series 06549, Weatherization Assistance Program Files; Series 06554, Approved Application Projects; Series 06555, Denied Application Projects; Series 06556, Qualified Allocation Plan; Series 06557, Annual Competitive Allocation of Multifamily Resources; Series 06591, Litigation File; Series 06592, Section 8 Litigation File; Series 06593, Personal Service Contracts; Series 06603, Bond Issuance File; Series 06604, Trustee Statements; Series 06606, Timesheet Allocation Log; Series 06607, 8823 IRS Form for Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition; and Series 06608, Real Estate Assessment Center (REAC) Inspection.

To promote and improve the health, welfare, and prosperity of the people of the Commonwealth of Kentucky, the Kentucky Housing Corporation (KHC) was established as a result of the passage of HB 27 during the 1972 General Assembly. KRS Chapter 198A specifies KHC's creation, purpose, and powers. Among its powers, the KHC can provide low-cost housing to low- and moderate-income families, make insured

construction loans to sponsors of land development and residential housing, purchase insured mortgage loans made to sponsors and to families of low and moderate income, and lease and sublease residential housing to families of low and moderate income.

Bensenhaver noted that the Housing Corporation had hired an outside firm to conduct its litigation. She asked whether the Housing Corporation could be sure that litigation files created by that firm were being maintained for an appropriate period of time. Isaac said that he had spoken to an attorney with the Housing Corporation who said that the proposed retention of three years for Series 06591, Litigation File, met the needs of the agency, and that it was written into the contract that the private firm would maintain relevant litigation files for at least three years.

Frazier made a motion to approve the Schedule additions, seconded by Belding. The vote by members present was unanimous.

### **Lexington/Fayette Urban County Government**

Arnold was the Records Analyst working on the Schedule additions and revision. **Additions to the Schedule:** Common Records: Series L6898, Photo/Video Release Form. Planning: Series L6899, Zoning Violation File; and Series L6900, Zoning Compliance File. Police Department: Series L6912, Body-Worn Camera Recordings (Audio/Video). **Revision to the Schedule:** Human Resources: Series L5489, Personnel File – Disciplinary Actions from “Destroy 5 years after termination,” to “Destroy 60 years after date of hire.”

In 1974, the city of Lexington and Fayette County merged, creating Kentucky’s first urban county government. The Lexington/Fayette Urban County Government (LFUCG) Records Retention Schedule was approved by the Archives and Records Commission in 2004. The LFUCG retention schedule includes all departments and agencies within merged government.

Lykins said he would be interested in knowing how offices were maintaining Series L6912, Body-Worn Camera Recordings (Audio/Video), to ensure the integrity of the files for the entire retention period. He wondered whether agencies had any off-site storage or backup for these records, especially in the event of an emergency or critical incident.

Frazier asked whether there had been any orders from District Courts to destroy recordings. Carlton said he was not aware of any and was not sure how a police department could isolate a recording of an individual incident. Arnold said that departments are burning the recording of the incident onto portable storage media and it is becoming part of the case file.

Bell made a motion to approve the Schedule additions and revision, seconded by Frazier. The vote by members present was unanimous.

### **Education and Workforce Development Cabinet – Department for Libraries and Archives – Library Services Division**

Cundy was the Records Analyst working on this Schedule revision. **Revision to the Schedule:** Series 05980, Schools and Libraries Telecommunications Program File (E-Rate) -- Universal Service Fund (FCC), from eight (8) years to "Retain ten (10) years after last date of service, then destroy."

The Department for Libraries and Archives addresses the state's information and knowledge needs by initiating and directing statewide activities for library and archive development and for public records management. The Commissioner's Office and two divisions, Library Services and Archives and Records Management administer the Department's programs.

In response to a question by Hamperian, Schroeder said that these files are updated annually.

Belding made a motion to approve the Schedule revision, seconded by Bell. The vote by members present was unanimous.

### **Local Government General Records Retention Schedule**

Arnold was the Records Analyst working on the Schedule addition. **Addition to the Schedule:** Planning & Zoning / Building & Housing: Series L6897, Sign Permits File.

The Local Government General Records Retention Schedule was created in 1999 and has been updated periodically since that time. This schedule lists those record series that may be found throughout local government agencies. Local governments in Kentucky include, but are not limited to, all 120 counties and their many offices, over 400 incorporated cities, 173 school districts, 15 Area Development Districts and at least 2000 Special Purpose Government Entities.

Arnold presented the Schedule addition.

Bell made a motion to approve the Schedule addition, seconded by Rogers. The vote by members present was unanimous.

## **Louisville/Jefferson County Metro Government**

Arnold was the Records Analyst working on the Schedule revisions and additions. **Addition to the Schedule:** Louisville Metro Police: Series L6896, Body-Worn Camera Recordings (Audio/Video). **Revisions to the schedule:** Louisville Zoo: Series L4369, Membership Files, from ten (10) years to five (5) years after membership becomes inactive. Human Resources: Series L6096, Personnel File – Disciplinary Actions – from “Destroy 5 years after termination,” to “Destroy 60 years after date of hire.”

Louisville and Jefferson County merged into the Louisville/Jefferson County Metro Government in January 2003. This took place after special legislation was passed whereby a county with a first class city could merge into one government. A referendum was on the ballot in 2001 and was passed by voters in Jefferson County. Under the new government some of the existing incorporated municipalities joined the new merged government.

Arnold presented the Schedule addition and revisions.

Belding made a motion to approve the Schedule addition and revisions, seconded by Bell. The vote by members present was unanimous.

## **Personnel Cabinet**

Isaac was the Records Analyst working on the Schedule revisions. **Revisions to the Schedule:** *Closed Series*: Series 04525, Summary of Position Action File. *Staff made administrative changes to two series without changing retention or disposition*. Series 04522, Master Personnel Folder; and Series 04524, Request for Position Action Only File.

During the First Extraordinary Session of the 1956 Kentucky General Assembly, the Division of Personnel of the Department of Finance was abolished and the Department of Personnel was created. It was headed by a Commissioner appointed by the Governor. Chief among its responsibilities then, as now, was the certification of applicants for state jobs. Approximately four years later, a uniform Merit System for the Executive Department was created. On December 13, 1995, Executive Order 95-19 elevated the Department of Personnel to cabinet status and all powers and responsibilities of the Department of Personnel were transferred to the Personnel Cabinet. Upon expiration of the order, Executive Order 96-909 was issued on July 11, 1996, to create the Personnel Cabinet and this was confirmed by 1998 SB 139. Currently, the Personnel Cabinet is organized as follows: Office of the Secretary; Office of Administrative Services; Office of Legal Services; Office of Employee Relations; Office of Diversity and Equality; Office of Governmental Services; Center of Strategic

Innovation; Ky Public Employees Deferred Compensation; Department of Human Resources Administration; and the Department of Employee Insurance.

Isaac presented the Schedule revisions.

Schroeder made a motion to approve the Schedule revisions, seconded by Bell. The vote by members present was unanimous.

### **Public Library and Library Board**

Arnold was the Records Analyst working on the Schedule revision. **Revision to the Schedule:** Administration: Series L6661, Schools & Libraries Telecommunication Program File (E-Rate) - Universal Service (FCC), from "Destroy five (5) years after last date of service," to "Destroy ten (10) years after last date of service."

This retention schedule was last revised in 2001 and contains those record series that are specific to all public libraries in the state. Additionally, all libraries use the Local Government General Records Retention Schedule.

Arnold presented the Schedule revision.

Belding made a motion to approve the Schedule revision, seconded by Hamperian. The vote by members present was unanimous.

### **Transportation Cabinet – Department of Highways – Office of Highway Safety**

Isaac was the Records Analyst working on this Schedule deletion. **Deletion from the Schedule:** Series 04071, Highway Safety Grant Application File

The statutory organization for the Cabinet is set forth in KRS Chapter 174. KRS 174.010 creates the Cabinet and KRS 174.020 – 174.100 outlines the various organizational components and administrative duties of the Cabinet. The Cabinet is responsible for maintaining and improving the delivery of transportation services in the state. The organizational structure of the Cabinet is as follows: the Office of the Secretary, the Office of Public Affairs, the Office of Inspector General, the Office of Budget and Fiscal Management, the Office of Legal Services, the Office for Civil Rights and Small Business Development, the Office of Information Technology, the Office of Support Services, the Office of Audits, the Office of Human Resource Management, the Office for Transportation Delivery, the Department of Aviation, the Department of Highways, the Department of Rural and Municipal Aid and the Department of Vehicle Regulation. Other bodies attached to the Cabinet administrative purposes are the Kentucky Airport Zoning Commission, the Kentucky Motorcycle Advisory Commission for Highway Safety,

the Kentucky Motorcycle Safety Education Advisory Commission, the Kentucky Bicycle and Bikeway Commission and the Kentucky Motor Vehicle Commission.

Isaac said this Series would be covered by Series F0111, Grant Project File, with a retention of eight (8) years after end of project or after audit, whichever is longer.

Bell made a motion to approve the Schedule deletion, seconded by Frazier. The vote by members present was unanimous.

### **State University Model**

Cundy was the Records Analyst working on the Schedule addition and revisions.  
**Addition to the Schedule:** F. Personnel/Payroll Records: Series U0654, Volunteer File.

The State University Model Records Retention Schedule covers records that are common among Kentucky's public university campuses and its Community and Technical College System. This is part of the ongoing effort to revise the State University Model Records Retention Schedule.

Cundy presented the Schedule addition.

Gregory made a motion to approve the Schedule addition, seconded by Belding. The vote by members present was unanimous.

The next item was **other business**. Cundy said that Division staff had completed an update of 725 KAR 1:061, Records retention schedule; authorized schedules. This regulation incorporates by reference the retention schedules approved by the Commission. This update includes schedules as approved through December 31, 2014. On Tuesday, June 9, 2015, Onkst, Teague and Cundy attended the hearing of the Administrative Regulation Review Subcommittee at which the regulation was reviewed and approved.

Teague said that the division had received one of the first State Government Electronic Records Grants given out by the National Historical Publications and Records Commission. The grant will begin October 1, 2015, and is for \$200,000. Shields will be the project director. The grant will support the division's transition to a fully-functional trusted digital repository. KDLA will make records accessible online; improve workflows for accessioning born-digital records; improve audio/video preservation and access; provide training for Kentucky state government officials and repository users; and provide training to archival and records management programs in other states and territories.

Teague said that Shields had been hired as Manager of the Electronic Records Branch.

Onkst said that the department had given its first Charlene Davis Award, in honor of Charlene Davis, a thirty-five year KDLA employee. The 2015 Award was given to Steve Shackelford, Records Center Supervisor, for his work moving the Records Center to its new location. The Davis Award will be given annually to a KDLA employee who displays exemplary public service.

Onkst noted that Glen McAninch had retired from the position of Electronic Records Branch Manager in May, after twenty-eight years of service to the department. Division staff had drafted a Resolution of Appreciation in McAninch's honor.

Belding made a motion to approve the Resolution of Appreciation to Glen McAninch, seconded by Bell. The vote by members present was unanimous.

Onkst said that Jerry Carlton would be retiring on July 1, 2015, after thirty-four years of service to the department. Division staff had drafted a Resolution of Appreciation in Carlton's honor.

Bell made a motion to approve the Resolution of Appreciation to Jerry Carlton, seconded by Belding. The vote by members present was unanimous.

There being no further business, Onkst adjourned the meeting at 11:51.