

PHILIP BREDESEN, MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

METROPOLITAN GOVERNMENT ARCHIVES
THE PUBLIC LIBRARY OF NASHVILLE
AND DAVIDSON COUNTY
1113 ELM HILL PIKE
NASHVILLE, TENNESSEE 37210

Davidson County Public Records Commission

Policy and Procedures Manual

Adopted 1999

METRO GOVERNMENT
OF NASHVILLE &
DAVIDSON COUNTY

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APR 28 2000

METROPOLITAN
CLERK

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1. Public Records Commission

In order to provide for the orderly disposition of public records created by agencies of county government, the county legislative body shall create within the county a public records commission, composed of six members. (TCA 10-7-401).

2. Organization of the Commission

The county records commission shall elect a chairperson and a secretary and shall keep and preserve minutes of all its proceedings and transactions. Members of the commission shall receive no compensation except that any member who does not receive a fixed annual salary from the state or the county may be paid a per diem of twenty-five dollars for each day of actual meeting. Members may be reimbursed for actual expenses incurred in attendance upon their duties. The commission shall not meet less than twice annually. (TCA 10-7-402)

3. Membership.

The county executive shall appoint three members and the county legislative body shall confirm each appointee. Of the three appointees, one shall be a member of the county legislative body, one shall be a judge of one of the courts of record which holds court in the county and one shall be a genealogist. The county clerk, county register, duly appointed county archivist and the county historian shall be ex-officio members of the commission. Each member of the commission shall hold office during the term for which the member was elected to office. If a vacancy occurs in one of the appointed positions, the county executive shall appoint a person in the same manner as the original. (TCA 10-7-401).

4. Statutory Authority of the Commission

The commission has the authority to promulgate reasonable rules and regulations to the making, filing, storage, exhibiting, and copying of the reproductions of records authorized by Chapter 10 of the TCA. Such rules and regulations shall provide, but not be limited to, the following:

- Standards and procedures for the reproduction of records for security or for disposal of original records in all county offices.
- Procedures for compiling and submitting to all county offices lists, schedules or time tables for disposition of particular records within the county, and
- All rules and regulations shall be approved by a majority vote of the voting members of the county public records commission.

5. Public Records Commission Mission Statement

Public Records Commission

In accordance with Tennessee Code Annotated (TCA) 10-7-403, the public records commission of Metropolitan Nashville and Davidson County is established by the Metropolitan Council of Nashville and Davidson County, and its members appointed in accordance with the same provision by the Mayor. The mission of the public records commission is to:

- review and to revise, approve, or disapprove requests for records retention or disposal by issuing records disposition authorizations (RDAs);
- advise the records management system, the metropolitan clerk, mayor and metropolitan council on ways and means to improve records management services to the metropolitan government.
- advise the metropolitan archives, the director of the public library, mayor and metropolitan council on ways and means to improve archives management services to the metropolitan government.
- report to the mayor and metropolitan council on the state of archives and records management in metropolitan government.

6. Metropolitan Government Archives Mission Statement

Metropolitan Government Archives

The Metropolitan Government Archives of Nashville and Davidson County collects and maintains the historical permanently valuable records of metropolitan government. Those records include governmental records of the old city of Nashville and Davidson County. The Archives also collects the papers, both public and private, of former metropolitan, city, town, or county officials. Primary records of Nashville or Davidson county businesses, churches and schools are also collected.

7. Metropolitan Records Center

Metropolitan Records Center

The Metropolitan Records Center (MRC) serves as an off-site facility for the storage of inactive records. Records transferred to the MRC remain under the control of the transferring department. Information stored in the MRC is requested by and made available to the department of record. Direct public access is not permitted.

8. Definition of Terms

ACTIVE RECORD is any record that is being used or that must be retained by an operating department under its immediate custody and control for reference in order to conduct current business of the department.

ARCHIVES is a secure repository for the permanent retention, maintenance, and public inspection of permanently valuable records.

ESSENTIAL RECORD is any public record needed to resume or continue operations of state, county, or municipal government, to re-create the legal and financial status of government, or to protect and fulfill obligations to citizens.

INACTIVE RECORD is any record that is not active; it must be decided whether to retain it for future reference at public expense or destroy it as unworthy of retention.

RECORDS APPRAISAL is the examination of records to determine their value, and particularly to decide how long they should be retained and maintained at public expense in the public interest; it is also the result of such an examination.

RECORDS CENTER is the central repository, used by several departments, for the temporary and relatively economical storage of inactive records that have not yet reached the end of their retention under departmental control.

RECORDS DISPOSITION is what is done to records--whether that be retention and preservation of a record in whole or in part, by photographic or other reproduction process, in active files of departments, in record centers, archives or other institutions or outright destruction of the record.

RECORDS DISPOSITION AUTHORIZATION (RDA) is the formal, recorded approval of a decision to retain or to destroy a record or set of records, including formal decisions to approve record schedules covering several types of records, together with the justification for that decision, and, it is the official document used by a department head to request authority for the disposition of records.

RECORDS DISPOSITION SCHEDULE (RDAs) is a list of specific records or specific record series or classes of commonly-held records together with the term for which they must be retained in the control of the originating department before being transferred to the archives or destroyed.

GENERAL RECORDS SCHEDULE is a list of records and their retention that are common to several departments.

9. General Principles of Appraisal and Disposition

The following general principles are generally applied to the appraisal of records in the RDA process:

- If a federal, state or county legislative mandate requires permanent or temporary retention of any records or sets of records, then the records must be kept for as long as the mandate requires.
- Records should be retained by a department only as long as they are useful to the performance of the department's functions.
- Decisions to retain records beyond such active usefulness or legislative mandate is a decision to maintain them in such condition that they can be examined readily by the public.
- Records given permanent retention must be given perpetual care so that they can be examined by the public forever.
- Records necessary to the public interest should never be destroyed, those include:
 - essential records that are needed to resume or continue operations or to recreate legal and financial status after a disaster, or that are needed to protect or fulfill obligations
 - records that have lasting value as legal and fiscal evidence to account for responsible government
 - records that are of such high evidential and historical value that they should be retained at public expense for the sake of a sound, comprehensive understanding of the historical context of government and culture.

9. Records Disposition Outline

1. Records Officer Appointed
Appointment made by Department Head.
2. Department requests disposition of records
Records Officer completes Records Inventory Worksheet with assistance from the Metro Records Manager
3. Records Inventory Worksheet.
 - a. Identify record series
 - b. Identify purpose and function of each series
 - c. Describe location and storage conditions
 - d. Establish beginning and ending dates
 - e. Type of equipment used and volume of each series recorded
 - f. Additional information about series, if needed.
 - g. Suggested retention period and justification.
4. Metro Records Center
 - a. Appraises record series
 - b. Determination from Metro Archives for historical records
 - c. Prepares RDA form
 - d. Obtains signature of Metro Archivist
 - e. Transmits RDA to Department
5. Metro Department
 - a. Department Head/Division Head reviews and signs RDA
 - b. Transmits RDA to the Records Center
6. Metro Records Center
 - a. Transmits RDA to Metro Legal for review and signature
 - b. Return to Metro Records Center for assignment of RDA number
 - c. Notifies Metro Archives to schedule PRC meeting
7. Metro Archives
 - a. Schedules meeting of the PRC and prepares agenda
8. Public Records Commission
 - a. Chairman calls meeting to order
 - b. RDAs are read by Metro Archivist and questions answered
 - c. RDAs approved are signed by members of the PRC
 - d. Approved RDAs are returned to the Records Center

9. Records Disposition Outline

9. Metro Archives

- a. Notifies State Archivist of approved RDAs

10. State Archivist

- a. Reviews and determines which records, if any, will be retained by the Tennessee State Library and Archives.
- b. Letter of determination sent to Metro Archives from State Archivist

11. Metro Records Center

- a. Distributes RDAs to Metro Archives, Department or Division Head
- b. Public Record Commission copy kept by Archives

10. Destruction of Public Records

Before any records generated by Metropolitan Government are destroyed, they must first be approved for such destruction by the PRC through the RDA process. RDAs that approve destruction are sent by the Archives with a cover letter requesting destruction under the provisions of the RDA to the State Archivist. Generally, destruction is by burning, burying or shredding.

The State Archivist must review the destruction of public records. If the State Archivist determines that a particular record should be retained, those records are transferred to the State Library and Archives or other appropriate facility.

11. Appendix

1. Metro Code Chapter 2.140 Public Records Commission
2. Records Inventory Worksheet Sample
3. Records Disposition Authorization Sample
4. RDA letter to the State Archivist

AN ORDINANCE TO AMEND TITLE 2 OF THE METROPOLITAN CODE OF LAWS BY DELETING CHAPTER 2.140-PUBLIC RECORDS COMMISSION IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER 2.140 IN LIEU THEREOF.

WHEREAS, Tennessee Code Annotated, Sections 10-7-401 through 10-7-413, concerning county public records commissions has recently been amended; and

WHEREAS, Title 2 of the Metropolitan Code of Laws concerning the Davidson County Public Records Commission should be amended to comply with the new state law; and

WHEREAS, deletion of Chapter 2.140 of the Metropolitan Code of Laws and substitution of a new Chapter 2.140 will more precisely define the purpose and authority of the Commission;

NOW, THEREFORE, BE IT ENACTED BY THE METROPOLITAN COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

SECTION 1. That Title 2, Chapter 2.140 of the Metropolitan Code of Laws is hereby repealed in its entirety and that a new Chapter 2.140 of the Metropolitan Code of Laws is substituted in lieu therefore, to read as follows:

2.140.010 Commission created.

There is created the public records commission for the purpose of providing the orderly disposition of public records created by all departments and agencies, including boards and commissions, of The Metropolitan Government of Nashville/ Davidson County .

2.140.020 Public records defined.

"Public records" shall be construed to mean:

- A. All documents, papers, records, books, and books of account in all offices of the Metropolitan Government and county elected officials, including, but not limited to, the county clerk, the county register, the county trustee, the sheriff, the assessor of property;
- B. The pleadings, documents, and other papers filed with the clerks of all courts including the courts of record, general sessions courts;
- C. All documents created by any office or department of the old Davidson County or former city of Nashville, or of any office, department or agency of the Metropolitan Government.

2.140.030 Membership-Qualifications and terms of office-Vacancy filling

- A. The Davidson County public records commission shall consist of six members:
 - 1. The mayor shall appoint three (3) members and the Metro council shall confirm each appointee. Of the three (3) appointees, one (1) shall be a member of the Metro council, one (1) shall be a judge of one of the courts of record, and one (1) shall be a genealogist.
 - B. The county clerk, county register, and county historian shall be ex officio members of the commission.
 - C. Each elected member of the commission shall hold office during the term for which the member was elected to office; any non-elected member of the commission shall serve for the term of the appointing official.
 - D. If a vacancy occurs in one (1) of the appointed positions, the mayor shall appoint a person in the same manner as the original appointment

2.140.040 Officers- Meetings-Quorum

The public records commission shall elect a chairman and a secretary, and shall preserve the minutes of all its proceedings and transactions. A majority of the full membership of the Commission shall constitute a quorum for the purpose of meeting and transacting business.

2.140.050 Rules and regulations.

The public records commission shall establish reasonable rules and regulations to accomplish the primary task of providing for the orderly disposition of records. Such rules shall provide , but not be limited to,

1. Standards and procedures related to the creation, filing, storage, disposal, preservation, and duplication of records.
2. Appointment of Records Officers. The head of each department shall designate a Records Officer, who shall be an employee at the administrative level, and inform the Commission Chairman in writing of such designation. The Records Officer shall be the primary facilitator between the department and the staff of the records commission.
3. The rules shall be applicable to all Metro government departments.

2.140.060 Staff

The Archives division of the Public Library and the Records division of the Metropolitan Clerks office shall share joint secretarial duties for the public records commission.

SECTION 2. That the members constituting the public records commission as of the effective date of this ordinance shall continue in their respective positions until the end of their elected term or the end of the elected term of the appointing official.

SECTION 3. That if any provision of this chapter shall conflict with any provision of Sections 10-7-401 through 10-7-414, Tennessee Code Annotated, that provisions of Sections 10-7-401 through 10-7-414, Tennessee Code Annotated, with which this chapter shall conflict, shall govern.

RECOMMENDED BY:

Louise D. Theobald
Chairman, Public Records Commission

Marilyn S. Swing
Metropolitan Clerk

Donna D. Mancini
Director of Libraries

INTRODUCED BY:

Phil Ponder

Members of Council

APPROVED AS TO FORM
AND LEGALITY:

Phil Ponder
Metropolitan Attorney

FILED
METROPOLITAN
COUNCIL
JUL 8 3 14 PM '97

DUPLIHAIE

METROPOLITAN COUNTY COUNCIL

Bill No. 097-845

AN ORDINANCE TO AMEND TITLE 2 OF THE METROPOLITAN CODE OF LAWS BY DELETING CHAPTER 2.140 - PUBLIC RECORDS COMMISSION IN ITS ENTIRETY AND SUBSTITUTING A NEW CHAPTER 2.140 IN LIEU THEREOF.

Introduced JUL 15 1997

Passed first Reading JUL 15 1997

Referred to PARKS & RECREATION COMMITTEE

Amended AUG 7 1997

Passed second Reading AUG 7 1997

Referred to _____

Passed third Reading AUG 19 1997

Approved _____

By *Don W. ...*
Metropolitan Mayor

Departments Notified _____

Advertised _____

AMENDMENT NO. 1
TO
ORDINANCE NO. 097-845

Mr. President:

I move to amend Bill No. 097-845 by adding the following new Section 4 thereto which provides as follows:

Section 4. That this Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.



Member(s) of Council

ADOPTED: AUGUST 7, 1997

RECORDS INVENTORY WORKSHEET

1. DEPARTMENT
Personnel

2. DIVISION
Administration

3. SECTION
File Room

4. LOCATION OF RECORDS
222 3rd Ave. No. Suite 200

5. RECORD SERIES TITLE
Employee Personnel Folder

6. STATUTORY REQUIREMENTS

7. DESCRIPTION OF RECORDS

This is the official personnel files for all Metro employees. It is use to administer personnel related activities and benefit plans. It may include applications, disciplinary actions, beneficiary information, appraisals, promotions, demotions, transfers, etc.

8. BEGINNING DATE
1969

9. ENDING DATE
Continuing

10. VOLUME (CUBIC FEET)
700 cu. ft.

11. SIZE OF RECORD
Legal

12. ARRANGEMENT OF RECORDS ALPHABETICAL BY:

NUMERICAL BY:

SAMPLE

Social Security Number

13. ARE THERE OTHER COPIES OF THIS RECORD ELSEWHERE? IF YES, GIVE LOCATION.
Forms which have multiple parts are stored in the Department and Division level.

14. RELATIONSHIP TO OTHER RECORD SERIES
These files may be provide information necessary to Payroll and Benefit Board.

15. SUGGESTED RETENTION PERIOD
A retention period of 40 years beginning at the time of termination is suggested. This period is in accordance with the Code of Federal Regulation, U.S. Code and Internal Revenue Service. Copies of these are attached.

16. INVENTORIED BY:
John Doe, Administrative Assistant, 862-5885

17. DATE
6-19-98

1. Requesting Department Sheriff's Office, 506 2nd Avenue North		
2. Signature of Department Head Gayle Ray, Sheriff <i>Gayle Ray</i>	Date 5-3-99	Telephone Number 862-8170
3. Name & Title, Person in Charge, Records Byron Grizzle, Records Manager <i>Byron Grizzle</i>	Date 5-2-99	Telephone Number 862-8162
4. Signature of Attorney, Department of Law Philip D. Baltz <i>Phil Baltz</i>	Date 5/6/99	Telephone Number 862-6380
5. Signature, Metro Archivist Carl Kenneth Fiehn <i>Carl Kenneth Fiehn</i>	Date 4/23/99	Telephone Number 862-5880
6. Record Series Title & Description of Records (Content, purpose, by whom created) (Attach sample) Kitchen Records This series documents activities related to the provision of meals to inmates. The series has been obsolete since December of 1996 when a private vendor began to provide food service.		7. Beginning Date 1986 Ending Date 1996
8. Location of Records (Building, room, etc.) Sheriff Archives		
9. Type of filing/storage containers Chronological	10. Volume (cubic feet) 10 cu. ft.	11. Statutory Retention Years Statute
12. Other copies of records, if any (identify)		
13. Action Requested <input checked="" type="checkbox"/> CONTINUING AUTHORITY (Records will continue to accumulate) <input type="checkbox"/> ONE-TIME DISPOSAL (No further accumulation anticipated)		
14. Recommended Disposition and Disposal Method Maintain by calendar year. Hold 5 years and destroy.		

FOR PUBLIC RECORDS COMMISSION USE ONLY
 Authorization is hereby given to dispose of the above records as specified.

RDA Number 434	Date Approved May 17, 1999
Signature of Chairman <i>James W. McDonough</i>	Signature of Member <i>Steve R. Dozzi</i>
Signature of Member <i>Phil Ponder</i>	Signature of member <i>Bill Garrett</i>
Signature of Member <i>John L. Connolly</i>	Signature of member

PHILIP BREDESEN, MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

METROPOLITAN GOVERNMENT ARCHIVES
THE PUBLIC LIBRARY OF NASHVILLE
AND DAVIDSON COUNTY
1113 ELM HILL PIKE
NASHVILLE, TENNESSEE 37210

April 11, 2000

Mr. Bill Moss
Assistant State Archivist
State Library and Archives
403 Seventh Ave. North
Nashville, TN 3743-0312

Dear Mr. Moss,

Enclosed is a copy of RDAs 473 to 481. These RDAs were approved by the Davidson County Public Records Commission on April 4, 2000.

Please let us know if disposal may be made as scheduled or if these records will be requested for transfer to the State Library and Archives in accordance with T.C.A. 10-7-413.

Sincerely,

Kenneth Fieth
Metropolitan Nashville Archivist

Enclosure: Copies of RDAs

Ordinance No. BL2014-660

An ordinance amending section 2.140.030 of the Metropolitan Code of Laws, pertaining to the membership of the Davidson County Public Records Commission.

WHEREAS, T.C.A. § 10-7-401 authorizes the county legislative body to create a county public records commission; and,

WHEREAS, such public records commission (“commission”) was created by section 2.140.010, and membership of such commission was authorized by section 2.140.030 of the Metropolitan Code of Laws; and,

WHEREAS, T.C.A. § 10-7-401 provides, in pertinent part, that such commission shall be composed of at least six (6) members, and that the county clerk or designee of the county clerk, and the county register or designee of the county register, the county historian, and the duly appointed county archivist shall be ex officio members of the commission; and,

WHEREAS, T.C.A. § 10-7-401 was recently amended to provide that in counties having a technology department or information technology department, the county legislative body may designate the director of such department as an ex officio member of the commission, and if so designated, the director or designee of the director shall also serve as an ex officio member of the commission; and,

WHEREAS, in keeping with state law, it is in the best interest of the Metropolitan Government to have the information technology department director or his designee serve as member of the commission.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: That section 2.140.030 A. of the Metropolitan Code of Laws is hereby amended by deleting the current section and replacing with the following new section 2.140.030 A. to read as follows:

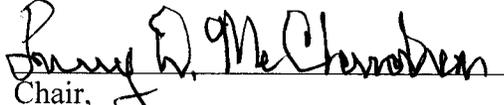
A. The Davidson County public records commission shall consist of seven members: The mayor shall appoint three members and the metro council shall confirm each appointee. Of the three appointees, one shall be a member of the metro council, one shall be a judge of one of the courts of record, and one shall be a genealogist.

Section 2: That the section 2.140.030 B. of the Metropolitan Code of Laws is hereby amended by deleting the current section and replacing with the following new section 2.140.030 B. to read as follows:

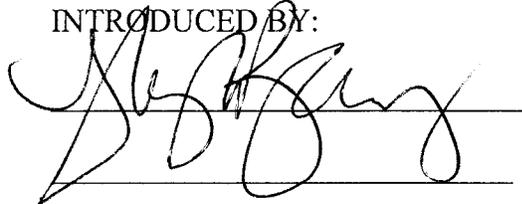
B. The county clerk or designee of the county clerk, county register or designee of the county register, the director of ITS or designee of the director of ITS, and the county historian shall be ex officio members of the commission.

Section 3: This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring.

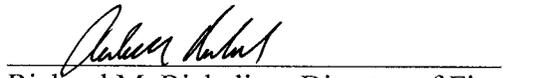
RECOMMENDED BY:


Chair,
Public Records Commission

INTRODUCED BY:

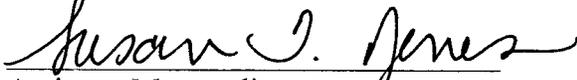


APPROVED AS TO THE AVAILABILITY
OF FUNDS:


Richard M. Riebeling, Director of Finance

Council Member(s)

APPROVED AS TO FORM AND LEGALITY:


Assistant Metropolitan Attorney

Ordinance No. BL2014-727

An ordinance to amend provisions of Metropolitan Code §2.140 to include the Metro Archivist as a member of the Public Records Commission.

WHEREAS, T.C.A. §10-7-401 authorizes the county legislative body to create a county public records commission; and,

WHEREAS, such public records commission ("commission") was created by section 2.140.010 and membership of such commission was authorized by section 2.140.030 of the Metropolitan Code of Laws; and,

WHEREAS, T.C.A. §10-7-401 provides, in pertinent part, that the composition of the commission shall include the "duly appointed county archivist" as an ex officio member of the commission; and,

WHEREAS, the Metro Library Board recently appointed the Metro Archivist; and,

WHEREAS, in keeping with state law, it is in the best interest of the Metropolitan Government to have the Metro Archivist serve as a member of the commission.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: Metropolitan Code of Laws Section 2.140.030(B) is hereby amended to read as follows:

B. The county clerk or designee of the county clerk, county register or designee of the county register, the director of ITS or designee of the director of ITS, the county historian, and the archivist shall be ex officio members of the commission.

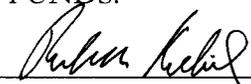
Section 2: This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:



Kent Oliver, Director
Nashville Public Library

APPROVED AS TO AVAILABILITY
OF FUNDS:



Richard M. Riebeling, Director
Finance Department

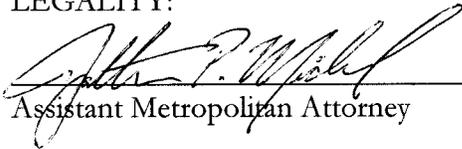
INTRODUCED BY:





Council Member(s)

APPROVED AS TO FORM AND
LEGALITY:



Assistant Metropolitan Attorney