



# OHIO ELECTRONIC RECORDS COMMITTEE MEETING MINUTES

<http://www.ohiohistory.org/ohiojunction/erc/>

**DATE: 09 NOVEMBER 2005**

**LOCATION: OHIO HISTORICAL CENTER**

COMMITTEE MEMBERS					
<b>Chair:</b>	Mark Schmidbauer	✓	<b>Vice Chair:</b>	John Runion	✓
<b>Secretary:</b>	Pari Swift	✓	<b>Past Chair:</b>	n/a	
<b>State Archivist:</b>	Laurie Gemmill				
<b>Members:</b>	Deborah Archie	✓		Mary Beth Parisi	✓
	Craig Brown			Jon Patterson	✓
	Kevin Callaghan	✓		Karen Shaffer	✓
	Judy Cobb			Eric Silver	
	Barbara Floyd	✓		Karen Sorrell	
	Rai Goerler	✓		Martin Susec	✓
	David Landsbergen			Carol Thomas	✓
	Andrea Lentz	✓		Dino Tsiboruris	✓
	Kevin Loving	✓		Chris Wydman	✓
	Nicole Merriman	✓		Richard Whitehouse	
	Sharon Montgomery	✓		Tony Yankus	
	Mark Morris				
	<b>Alternates:</b>	Jerrie Amos		for Karen Sorrell	
<b>GUESTS:</b>					

## I. Welcome and Introductions

Chairman Mark Schmidbauer welcomed everyone to the meeting. Members present introduced themselves and stated the agency or local government that they represented.

Schmidbauer asked if there were any comments or corrections on the minutes from the 22 June 2005 meeting. Hearing none, John Runion motioned for approval and Mary Beth Parisi seconded the motion. With all in favor, the minutes were approved.

## II. ERC Website Statistics

Pari Swift gave a brief report on statistics for the ERC website. The hits on various pages and documents during the first half of the year seemed to be in line with previous years. There did not appear to be a dramatic increase during the time that the ERC surveys were being conducted. There has been a drop-off in the number of hits received during the second part of 2005. Schmidbauer and Swift hope to see these numbers go up based on the Ohio Digital Government Summit presentation and a number of electronic records presentations given to local governments in October and November.

OHIOERC: REFORMATTED 2011
PAGE 1 OF 4



### III. Membership Report

John Runion reported that six OERC memberships were terminated based on the guidelines set forth in Article III Section 4 of the Bylaws. One member resigned due to changes in her employment situation.

The following new members were added, by approval of the membership committee and executive committee:

Craig Brown, Columbiana County Recorder  
Sharon Montgomery, City of Gahanna Records Administrator  
Mark H. Morris, Senior Project Manager, Miami University

### IV. Communications Subcommittee Report

Rai Goerler reported on the Marketing Subcommittee's teleconference on August 2, 2005. During that meeting, the subcommittee chose to change its name to Communications Committee since "marketing" seemed to imply commercial gain and communications fits more with the goals of the subcommittee.

Carol Thomas reported that ARMA chapters from Cincinnati, Cleveland, Columbus, Toledo and ARMA International agreed to allow the OERC to link to their websites or provide their contact information. Once the OERC website is updated, she will then contact them about including a link to the OERC from their websites.

Marty Susec offered to include an additional appendix in the Ohio Sunshine Laws Update specifically covering electronic records and the resources that the OERC has to offer. Kevin Callaghan offered to work on the document building on the general information already written about the OERC in the Digital Government Summit brochure and various Ohio Historical Society informational handouts and publications.

Discussion then turned to the Vendor Registry Proposal, which was envisioned to be an "Angie's List" of state government. Several members expressed concerns over potentials for litigation and other risks associated with the proposal. Members of the OERC were more in favor of gathering procurement guidelines and making them available to state and local governments. It was suggested that there is more of a need for this type of service rather than vendor information. The proposal was tabled. Ideas will be further discussed within the Communications subcommittee.

### V. Instant Messaging Subcommittee Report

The Instant Messaging Subcommittee met via phone conference on October 25, 2005. Dino Tsibouris, chair, reported on various laws and regulations that apply to OERC constituents such as state and local governments, public universities and libraries. Currently most laws covering instant messaging is targeted to specific businesses, but those laws were included in the report because they could affect our constituents at some point in the future. Regulation of instant messaging currently seems to be set more in policy than in law.



## OHIO ELECTRONIC RECORDS COMMITTEE MEETING MINUTES

<http://www.ohiohistory.org/ohiojunction/erc/>

Tsibouris also passed out several articles dealing with instant messaging as well mentioned Nancy Flynn's book "Instant Messaging Rules: A Business Guide to Managing Policies, Security, and Legal Issues for Safe IM Communication."

The subcommittee felt that instant messaging should be treated in much the same way as email is treated. Instant messaging technology was not originally designed with records keeping in mind. There is technology available to facilitate records keeping, however. Simply put, instant messaging discussions have to be retained and disposed of in accordance with the public records law and should be retained according to the content of the messages. State and local governments could be found liable for destruction of evidence if instant messaging discussions are mismanaged or inappropriately destroyed. Management will most likely be user driven and tools are needed to guide appropriate use and maintenance of instant message discussions.

The OERC agreed that instant messaging could be addressed within the Guidelines for Managing Electronic Mail. A footnote could be provided that details the risks and benefits of instant messaging. The Instant Messaging Subcommittee agreed to draft language for these updates to the Guidelines for Managing Electronic Mail.

### **VI. Guideline Review Subcommittee Report**

Barbara Floyd reported on the findings of the Guideline Review Subcommittee, charged with reviewing current OERC guidelines for content, user-friendliness and needed updates and revisions. Individual subcommittee members were asked to review the guidelines and offer their general comments and guideline-specific comments. Some general observations were that the guidelines should be more uniform, printer-friendly, additional resources should be emphasized, contact information needs to be updated, and some information is not accessible. Floyd felt that the general consensus of the subcommittee was that the actual content of the guidelines was good.

Mary Beth Parisi suggested that the OERC look into writing a grant to seek funding to support a webmaster and necessary software and hardware to get the website and guidelines revamped since the State Archives has limited resources to dedicate to such a large task. Schmidbauer asked the subcommittee to look at alternatives for our current website set-up, such as checking with the Department of Administrative Services for possible resource ideas. Goerler suggested that the subcommittee develop a concise needs statement to use in getting funding. In the past, the OERC has received financial support from the Ohio State University Libraries and Archives and the John Glenn Institute.

Schmidbauer also suggested calling on former guidelines subcommittee chairs to revisit their documents by acting on the suggestions of the subcommittee. If the chair is no longer on the OERC, other members of the former subcommittees will be called on. Nicole Merriman volunteered to assist with the revisions to the Guidelines for Managing Web Content.



## OHIO ELECTRONIC RECORDS COMMITTEE MEETING MINUTES

<http://www.ohiohistory.org/ohiojunction/erc/>

---

### **VII. Forensic Discovery of Data Presentation**

The OERC welcomed Donald Wochna from Vestige Ltd. Wochna gave a 25-minute presentation of Electronic Records and Discovery of Forensic Data. Wochna talked about the difference between the duty of attorneys to produce relevant data versus the duty of records professionals to preserve and produce records. He cited growing case-law surrounding data discovery, including the opinions of Judge Scheindlin.

### **VIII. Wrap-Up**

The next meeting of the OERC will take place on Wednesday, March 8, 2006 at the Ohio Historical Center from 1:30 to 4:00.