

MAY 10, 2012 – WORKSHOP

The Board of County Commissioners, Walton County, Florida held a Workshop on May 10, 2012 at 1:00 p.m. at the Northwest Florida State College, South Walton Center, in Santa Rosa Beach, Florida for public records training.

The following Board members were present: Commissioner Scott Brannon, Chairman; Commissioner Kenneth Pridgen, Vice-Chairman; Commissioner Cecilia Jones, and Commissioner Sara Comander. Mr. Gregory Kisela, County Administrator; and Attorney Toni Craig, County Attorney; were also present.

Mr. Louis Svehla, Public Information Manager, introduced everyone who would be presenting during the training: Attorney Toni Craig, County Attorney; Attorney Tim Warner, Warner Law Firm; Attorney Bill Warner, Warner Law Firm; Ms. Dede Hinote, Administrative Services Coordinator; Mr. Alex Alford, MIS Director; and Mr. Chris Campbell, MIS.

Mr. Gregory Kisela, County Administrator, briefly discussed the public records requirements and process.

Attorney Toni Craig, County Attorney, briefly discussed the agenda. She reported that there would be future training sessions. She spoke on the origins and intent of the Sunshine Law, the Sunshine Law Manual, and Statutory Exemptions. She discussed the definition of a public record, exemptions, and the General Records Retention Schedule Manual. Those in attendance participated in an exercise to determine which examples were within the Sunshine Law and how it should be retained. Attorney Craig reviewed each of the examples and the appropriate action to be taken for each. Mr. Bob Hudson questioned the procedure for recording and storing text messages. Mr. Hal Laird, Special Projects/Media Technologies Coordinator stated that currently

the County's provider does not have the ability to track text messages. Discussion ensued regarding the preservation of text messages.

The workshop recessed at 2:21 p.m. and reconvened at 2:31 p.m.

Attorney Craig briefly concluded the discussion of the retention schedule.

Attorney Tim Warner, Warner Law Firm, discussed the update on the 2009 Attorney General Opinion, case laws, and review of current practices. Attorney Warner discussed the effects of the public records procedures on Facebook posts made to a governmental page.

Attorney Bill Warner, Warner Law Firm, discussed Attorney General Opinions, and case laws relating to the retention of electronic documents, and the application of the Statute on private agencies.

Attorney Tim Warner discussed case law regarding the sending of emails from private email accounts of governmental officials, and personal emails from public email accounts.


Attorney Bill Warner discussed case law dealing with citizen requests for specific meeting minutes prior to approval.

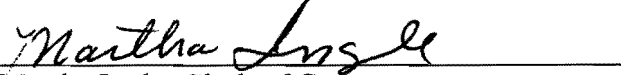
Mr. Alex Alford, MIS Director; and Mr. Chris Campbell, MIS; discussed email and electronic document classification and retention. Discussion ensued on the establishment of policy and procedures for email and electronic document retention. Chairman Brannon questioned if it were the responsibility of each employee to determine the retention length. Mr. Kisela stated that it was, and that the determination should be based upon the retention schedule. Commissioner Brannon referenced page 206 of the workshop handout, and stated that he had not witnessed this procedure during the recent public records request issue. He questioned if this was the proposed procedures. Attorney Craig stated that this is the current policy to be followed and said that current policies would be addressed later in the workshop. More discussion followed

regarding the retention of email documents. Chairman Brannon questioned if there was another policy being used to fill public records requests, and stated that the policy on page 206 is not currently being followed. Ms. Dede Hinote, Administrative Services Coordinator, stated that currently there is not an electronic records policy in place. She discussed the development of an internal tracking chart by County Administration to record public records request. Chairman Brannon stated that according to the policy, he had the opportunity to review any documents to determine which are private and which are public. He questioned if a policy was being developed. Ms. Hinote stated yes.

Ms. Hinote discussed the current county retention policy for paper records.

There being no further items to discuss, the workshop was adjourned at 4:00 p.m.


Scott Brannon, Chair


Martha Ingle, Clerk of Courts

(Minutes amended to reflect Chairman Brannon's comments regarding email policies. The amended minutes were presented for adoption at the July 24, 2012 Regular BCC Meeting.)