



County of Rutherford

BOARD OF COMMISSIONERS

May 2, 2013

Honorable Ernest G. Burgess
Rutherford County Mayor
County Courthouse, Room 101
Murfreesboro, TN 37130

Re: Records Commission Request for Steering Committee

Mayor Burgess:

First, I regret that I am unable to attend the Steering Committee meeting this month to discuss the issues below in person, but my family will be out of town on vacation. Hopefully this letter will suffice to provide the necessary background information on behalf of the Records Commission.

The Tennessee General Assembly recently changed the law with respect to county records commissions, allowing counties with a technology office to designate the director of that department as an *ex officio* member of such county's records commission. Also, the law was amended to allow the judge serving on a records commission to send a designee in his place. Of course, these changes at the state level were made at the request of the Rutherford County Board of Commissioners, acting on a recommendation from the Rutherford County Records Commission at the end of 2012. The law just took effect at the end of April, and I have included a copy of the changes with this letter.

Our first request for the Steering Committee is to designate the director of the Office of Information Technology to serve on the Records Commission as an *ex officio* member. This means that whoever the director is now or in the future will sit on the committee by means of his position. Brian Robertson will be a great addition given his expertise in digital records and technology in general. As you know, record keeping is become more technologically based, and it is critical that we have someone on this board who is skilled in digital and electronic records management.

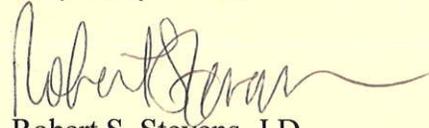
Next, the judicial representative appointed to serve on the Records Commission was Judge Don Ash, who recently retired from the Circuit Court to take senior status. State law requires that the judge on the Records Commission be a circuit court judge or a chancellor. Thus, this position is currently vacant and needs to be filled as quickly as possible. Mayor Burgess is currently working on locating a judge to serve in this capacity on the Records Commission. Because our judges are extremely busy, state law also now allows the judge to send a designee in his place. We fully anticipate that the appointed judge will designate our

Circuit Court Clerk, Laura Bohling, to attend on his behalf. Mrs. Bohling will also be an outstanding representative to represent the interests of the court system.

Our next records commission meeting is May 21, 2013, and we would like to have these two positions filled before then, if possible. Thus, we request the Steering Committee to make the above-outlined recommendations at its May meeting and forward these on to the full Commission for consideration and approval May 14. Each person on the Records Commission brings a unique perspective, so we would appreciate having every position filled quickly.

Please feel free to contact me if you have any questions or if I can be of assistance in any other manner; my cell phone number is (615) 948-5238.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Robert Stevens", with a long, sweeping horizontal flourish extending to the right.

Robert S. Stevens, J.D.
County Commissioner, District 12

cc: John Lodi
Laura Bohling
Brian Robertson



State of Tennessee
PUBLIC CHAPTER NO. 135

SENATE BILL NO. 284

By Ketron

Substituted for: House Bill No. 407

By Joe Carr

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, Part 4, relative to the county public records commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-401, is amended by inserting the language "or designee of such judge" after the language "judge of one of the courts of record" in the third sentence.

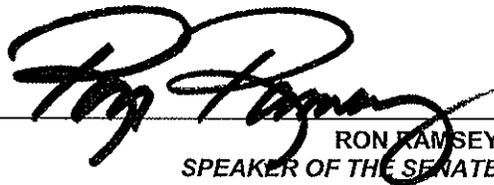
SECTION 2. Tennessee Code Annotated, Section 10-7-401, is amended by inserting the following language between the fifth and sixth sentences:

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.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 284

PASSED: March 21, 2013



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 12th day of April 2013



BILL HASLAM, GOVERNOR