

**VILLAGE OF OAKWOOD
RECORDS COMMISSION MEETING MINUTES
2025-9-9**

ATTENDANCE

Erica Nikolic, Council President
James Climer, Law Director*
Tanya Joseph, Clerk of Council
Brian Thompson, Finance Director

ABSENT

Johnnie Warren, President Pro-Tem	Gary V Gottschalk, Mayor
Eloise Hardin, Ward 2	Tom Haba, Service Director
Paggie Matlock, Ward 3	Roland Walker, Chief Bldg. Official
Mary Davis, Ward 4	Dave Tapp, Fire Department
Taunya Scruggs, Ward 1	Mark Garratt, Police Department
Candace Williams, Ward 5	Karen Gaither – Recreation Director
Matt Jones, Village Engineer	Ross Cirincione, Prosecutor

*Arrived after roll call

All attendees are members of the Records Commission

Meeting opened at 6:00pm by Joseph

Roll Call taken

Joseph: We're calling the September 9th records commission meeting to order, it's 6:04pm right now. I'm just going to call roll call really quickly. Alright, so I sent out the disclosure request form to all the department heads back in June. The police department have responded to it so far with records that they intend to destroy. So, I have in front of me the RC3 form, which lists out what the department intends to destroy. Along with the RC2 form in front review that basically tells us the schedule of what types of documents can be destroyed and when. So, if you want to take some time to look at those, I don't know if you remember when we were reviewing those last time, but I can definitely go through that with you really quickly. So, for example, the first three lines are in regard to accident reports. So, in the RC-2 form, which is the scheduled one like this. You will go to, as you see in that schedule number, it's section four of their schedule. Some of these schedule numbers are a little off to me. But it's Section Four, and if you look at the first one, it says Accident Reports. **Thompson:** Three years. **Joseph:** And it says paper, electronic, three years before it can be destroyed. And so, the years that we're looking at for these are from the years 2019, 2020, and 2021. Which fell somewhere between January to December of those years. So, technically those three years would be appropriate now. It would be ready for this, you know, destruction in my opinion, for that. And then we have the tow slips, it's on page three. So, it's the same page we were just on, but section three, the last one where it says vehicle intake and dispositions. It includes tow slips, and this says three years after sale or other disposition. These are covering from years 2017, 2018, and 2019, so, that's the correct time frame for those to be destroyed as well. The part that I'm kind of a little stumped on and I'm waiting for the law director to come and share his input. And maybe you guys can help me. But as far as the records request, I'm kind of having a little bit of an issue figuring out what that would fall under. Because it isn't necessarily clearly described here in this schedule. **Climer:**

Hey, hey, my apologies for the lateness. **Joseph:** We have a Law Director Climer here. Alright, Mr. Climer, as I was mentioning, we have just from the police department their RC2, RC3 form. And at the moment we're just reviewing their slips. I know you just got in, but there was an area that I kind of had some questions on because I wasn't sure where it would fall in the schedule. And whenever you get to that part, we can. We already went over the accident reports and the tow slips, and those were good to go so far. **Climer:** Okay. **Joseph:** But the records request, what section would that technically fall under? I couldn't really find it here. Do you know what category it would go under in the schedule? **Nikolic:** This is Council President Nikolic, perhaps at the bottom of page one, there's a section that says surveys, questionnaires, information inquiries or responses. I think that that potentially could fall under information inquiries. **Climer:** I agree. **Joseph:** Okay, perfect, so then that will just be one year. **Nikolic:** And these all are after 2024? **Joseph:** Before, so that started from 2019 to 2023, these records. So, these will technically be good. **Climer:** Yes. **Joseph:** Gas receipts, that falls under... **Nikolic:** It's page two, third column. **Joseph:** I think it's up on another general and administrative records. **Climer:** Brian, is that something that I'd be on a seven-year schedule for the IRS? **Thompson:** The gas receipts? **Climer:** No, the time sheets, I'm sorry, I didn't realize they were on gas, never mind. **Joseph:** Gas receipts is just one year, so technically those are good too because that's 2017, 2019. **Joseph:** Would that technically fall under the daily activity reports/logs/worksheets then? For the daily shift assignments? **Climer:** Yes, I believe so. **Nikolic:** Is activity the same thing as a shift? Wouldn't that be more like a personnel record as opposed to activity? Meaning arrests or those type of details? Is there anything for personnel? **Joseph:** Or could it be personnel, if you go to the second page, personnel assignment rosters and/or schedules; daily, weekly, or monthly? Still underneath general and administrative records, but the second part. **Nikolic:** Yeah, that to me is what that is. **Climer:** I agree. **Joseph:** Okay, so the DV reports, I'm not certain if they're misdemeanors or felonies because you have two different time frames. It's six years for the felony and two years for the misdemeanor. **Climer:** I think it can be either. **Joseph:** But yeah, it should be sufficient time? **Nikolic:** Where are you, Tanya, because I don't see the domestic reports, but under... **Joseph:** So, if you go under where it says, accidents, arrest, complaints, so under section four. So I'm looking at crime and/or criminal reports, and for felony and misdemeanor, because I'm not sure which one it was, it didn't specify. **Nikolic:** It's still under one though, right? PD-102 is that? **Joseph:** She has a list of PD-102, but... **Nikolic:** So is it a report, so it could potentially be on page two, bureau or unit copies of offense reports, incident reports, or arrest reports... **Joseph:** I will shift that question over to the law director for his opinion on that. I don't know if those necessarily... **Climer:** Well, domestic violence can be either a felony or misdemeanor if my memory serves correct, is correct. Where are you looking at the felony, misdemeanor? **Joseph:** I'm looking at a section four. **Nikolic:** Yeah, but she has it listed as one, so I would think that it would fall under these general reports. Under four, what does it say? **Joseph:** Section four is for the crime and or criminal reports, felony except homicide and then crime and or criminal reports for misdemeanor. **Thompson:** Domestic violence can be ultimately felony felonies, Jim? **Climer:** They can be, yes. **Nikolic:** Because if you look at the reports under general admin you have to hold it until no investigative value. Or what's UNLAN ? **Joseph:** Until no longer administratively needed. **Nikolic:** Is there anything else under one that these could fall under? I don't see anything else under one where they could fall besides that. **Climer:** What did she classify this under? **Nikolic:** General Admin, so, there may be a differentiation between general admin reports and criminal reports, right? I don't, perhaps these don't necessarily arise to the level of a criminal report, they may just be... **Climer:** Yeah, because

on the following page she lists crime reports, so she must be differentiating somehow. **Nikolic:** Right, so yeah, these reports, maybe they have intake, different type of intake for the domestic violence reports that don't arise to actually criminal report. Because there may be some complaints. **Joseph:** Right, just having a record of it. **Nikolic:** Right, where they don't follow up on it. Where it's just, I just want to make a report that this happened in my house. **Joseph:** Right, and it's just paper, so that could be the case. **Climer:** Yeah, because she's got the crime reports listed appropriately. They've taken felonies for sure. **Nikolic:** So, my question then becomes is if it's listed, does that mean we assume that it's no longer needed or has no investigative value if they've listed them? **Joseph:** Yeah, I would assume so, but the reason I have to work here is because... **Nikolic:** Law director, do we need to explore, do any more information to support that? **Climer:** I would suggest that we should get an explanation from Nikki as to where she's classifying those and why. **Joseph:** So, for now, we just skip these. **Nikolic:** And also, clarification on, so I guess we no longer need it. I guess when the investigation has reached a certain point. Is there anything that is there any documentation that we have that would, or did they need to provide to show that that's where it is? Where the case is reached for us to say it's okay to destroy it? Because essentially we're saying it's ok to destroy. But they have to tell us this is no longer needed for our investigation. So, I guess, we have to take their word for it, Law Director? **Climer:** Yeah, I know of no other way to do it, I don't think there's any necessarily objective standard you'd put on it that would apply across the board other than their knowledge. **Joseph:** So, I mean, we can just hold those three now. You know, once we get that, put it on the other thing. Moving on to vehicle impound sheet, that would be under section three as well, the last part. Last three years, this one 2010 to 2015, so that's definitely good to be destroyed. **Climer:** And as well past the statute of limitations. **Joseph:** And then the crime reports, of course, whether it was... Six years or two, it was still covered with time from these crime reports. So, whether it's felony or it was a misdemeanor, the time frame still covers, because this is coming from 2012 and 2013. Then the last will be the payroll and that's just a year. **Climer:** My question is, for IRS purposes, is it seven years? **Thompson:** I was looking here; it said that Ohio employers must keep time sheets and other payroll records for a minimum of three years. According to our Ohio Revised Code in Ohio, history of connections, local government guidelines. **Climer:** Okay. **Thompson:** So, it's three years? **Climer:** Yeah, but does the IRS make you keep those longer? I'm not sure off the top of my head. **Thompson:** The IRS government, they say six. **Climer:** Okay. We have one on here. Let's listen to this. And all the connections. **Thompson:** So, IRS here Jim says for tax purposes, the IRS requires employers to keep employment tax records for a number of four years after the tax would be paid. That's what they do with the tax sheets, talking about tax records. On the actual time sheets, it's saying three years. What do you think? **Climer:** All right, and the Fair Labor Standards Act stamped your limitations as a maximum of three years, so we're covered there. And it's saying, the IRS is saying the actual time sheets are three years? **Thompson:** Yes, so those would be good. **Joseph:** Maybe 2022, we'll have to wait on, maybe, because it does from January to December of 2022. **Nikolic:** So, this is the three years in addition to the one year that's here where it says payroll records one year? **Climer:** Yeah, I think 2022 needs to wait until next year. **Nikolic:** Wait until next year as per the IRS requirement that we keep... **Climer:** Yeah, and the Fair Labor Standards Act. **Nikolic:** Fair labor standards, what's the standard? **Climer:** Have two years for a normal claim, three years for a ruleful violation. **Thompson:** Are we saying wait on that last one because three years will happen till we get past December 25th? **Climer:** Yeah, it's the employer's burden to be able to demonstrate the actual hours somebody worked. And so, we

would need those to do that. **Nikolic:** Okay. **Joseph:** Last time, we asked for a motion to accept the RC3 form with certain exceptions. I don't know if you want to read that Mr. Climer.

Motion to approve the Police Department's RC3 form with the exception of the three lines for domestic violence reports pending clarification from the Police Department and also with the exemption for the 2022 payroll sheets which will wait till next year made by Climer seconded by Thompson

YES VOTE: Nikolic, Climer, Thompson, Joseph

PASSED

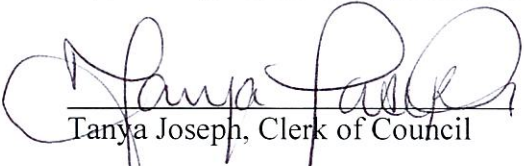
Motion to adjourn made by Climer seconded by Nikolic

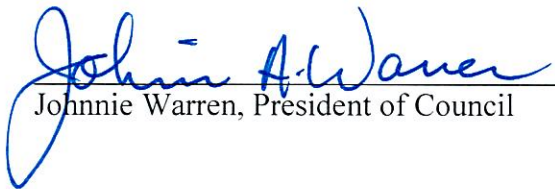
YES VOTE: Nikolic, Climer, Thompson, Joseph

MOTION PASSED

Adjourned at 6:27p.m.

Approved 10.14.25


Tanya Joseph, Clerk of Council


Johnnie Warren, President of Council