



Concord Property and Library Planning Task Force
 December 5, 2018
 6:30 – 8:30 pm

Concord Property
 3811 SE Concord Rd
 Oak Grove, OR 97267

Agenda - Meeting #1

The **purpose of this Task Force** is to advise the Board of County Commissioners (BCC), in the Board’s dual capacities as the BCC for Clackamas County and North Clackamas Parks and Recreation District Board on the future use of the Concord Property.

The **purpose of this meeting** is to kick off the Task Force, provide background information, review the Task Force Charter and establish meeting protocols.

6:30	Sign in, refreshments for committee members and staff	
6:35	Welcome	Paul Savas, County Commissioner Laura Zentner, BCS Director
6:40	Review Agenda Introductions: Staff and Task Force	Allison Brown, JLA Public Involvement
7:10	Presentation: Project Background, Purpose of Task Force and Charter	Donna Robinson, Project Manager
7:35	Meeting Protocols	Jeanne Lawson, JLA Public Involvement
8:15	Next steps	Donna
8:20	Values Exercise	Allison
8:30	Adjourn	



Concord Property and Library Planning Task Force Members

<i>Representing</i>	<i>Member Name</i>
	Ron Campbell
	Mark Elliott
	Denis Hickey
<i>NCPRD At-Large Appointees</i>	Anna Hoesly
	Stephanie Kurzenhauser
	Michael Schmeer
	Kristi Switzer
	Grover Bornefeld
<i>Library Appointees</i>	Jan Lindstrom
	Doug Jones
	Chaunda Wild
<i>Friends of Oak Lodge Library Appointee</i>	Jean Chapin
<i>NCPRD Advisory Board Appointees</i>	Lynn Fisher
	Eric Shawn
<i>Gladstone Appointee</i>	Gary Bokowski

Commonly Used Acronyms

ACRONYM	DESCRIPTION
BCC	Board of County Commissioners
BCS	Business & Community Services
CCS	Concord Community Stakeholders
CPLP	Concord Property and Library Planning
CPO	Community Planning Organization
DAB	District Advisory Board
DEQ	Oregon Department of Environmental Quality
DTD	Department of Transportation and Development
FY	Fiscal Year
GIS	Geographic Information Systems
JLCPO	Jennings Lodge Community Planning Organization
NCPRD	North Clackamas Parks and Recreation District
NCSD	North Clackamas School District
NR	Natural Resources
ODOT	Oregon Department of Transportation
OLA	Oregon Library Association
OGCC	Oak Grove Community Council
OPRD	Oregon Parks and Recreation Department
ORPA	Oregon Recreation and Park Association
OEDD	Oregon Economic Development Department
PGA	Public and Government Affairs
PMT	Project Management Team



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

2051 KAEN ROAD | OREGON CITY, OR 97045

Stephen L. Madkour
County Counsel

To: Villages, Hamlets, CPOs, and all other
Citizen Advisory Boards and Committees,
Don Krupp, County Administrator

From: Stephen Madkour, County Counsel
Gary Schmidt, Director, Public and Government Affairs *gs*

Kathleen Rastetter
Scott C. Ciecko
Alexander Gordon
Amanda Keller
Nathan K. Boderman
Christina Thacker
Shawn Lillegren
Jeffrey D. Munns
Andrew R. Naylor
Assistants

Date: June 14, 2018

Re: Personal Email Accounts and Public Records Retention Requirements

Issue:

How to effectively retain emails between members of Villages, Hamlets, CPOs, and all other Citizen Advisory Boards and Committees.

Background:

The County regularly receives public records requests seeking emails to and from certain county employees, elected officials, and members of the County's various advisory boards and committees. These requests typically seek emails within the County's Outlook system. However, it is becoming increasingly more frequent where the requests seek emails sent to and from an individual's personal email account, such as gmail, yahoo, or Comcast. These request often include text messages.

The County is the custodian of the Outlook email system. Request for internal emails are processed through the County Technology Services Department and reviewed for exemptions by the Office of County Counsel prior to any disclosure.

The process is not as simple with personal email accounts. Because the County is not the custodian of personal email accounts it is not able to access or retain emails from private servers. The fact that an email originated from a personal email account does not, in itself, make that communication exempt under Public Records Law. If the document "contains information relating to the conduct of the public's business" then it is a public record. ORS 192.410(4)(a). In sum, it is the content of the record, not where it is saved, retained, or originated from.

Public records include any "writing" containing information relating to the conduct of the public's business. ORS 192.410(4). The term "writing" is defined expansively to mean

“every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, files, facsimiles or electronic recordings.”

County emails are public records. Likewise, if the writing concerns the county's business and it is stored on other than the County's servers, such as a personal computer, it would nevertheless be considered a public record. The analysis is equally applicable to text messages on a cell phone. If it concerns county business, it is a public record.

Emails and text messages to and from members that relate to the conduct of the county's business are public records. This holds true regardless of whether the communication came from your county email account, your county computer, a private email account, a private computer, or a personal cell phone. As long as the record relates to the conducting of the county's business it is a public record. It may later be determined that the communication is exempt from disclosure, but it nonetheless remains a public record. The disclosure of public records is controlled by a number of exemptions.

There are also retention requirements for public records. Retention schedules are required by the State Archivist and set forth by the Secretary of State's Office. The retention schedule for communication logs on cell phones is 1 year and emails is at least 2 years, and perhaps longer depending on the content or subject of the communication. OAR 166-150-0005. It is a Class A misdemeanor to knowingly destroy, conceal, remove or falsely alter a public record. ORS 162.305.

Recommendation:

Staff recommends that all public members of county advisory boards copy staff liaisons on all email correspondence related to county business. Liaisons are county employees and their email is retained on county servers. Liaisons will then be responsible for ensuring record keeping of correspondence for issues related to the Village, Hamlet, CPO and ABC roles.

Concord Property and Library Planning Processes

Organizational Chart

