RESOLUTION NO. 2-B-2020

RESOLUTION AUTHORIZING DESTRUCTION OF CERTAIN CITY POLICE DEPARTMENT RECORDS AND FOR OTHER PURPOSES

WHEREAS, Arkansas Code Annotated Section 16-10-211 provides that permanent records which consists of traffic citation ticket books, fixed assets, and equipment detail records must be maintained for a minimum of seven years by a municipality; and

WHEREAS, after said period, the records may be destroyed after an audit has been made of the records; and

WHEREAS, when the documents are destroyed, the municipality shall document the destruction by providing an Affidavit stating which documents are being destroyed, and to which period of time they apply, and indicating the method of destruction; the said Affidavit must be signed by the Police Chief, performing the destruction, and one council member; and

WHEREAS, Arkansas law provides that approval from the council for destruction of said documents shall be obtained, and an appropriate note of such approval must be indicated in the council minutes along with the destruction Affidavit.

NOW, THEREFOR, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS, AS FOLLOWS:

1. That approval is hereby granted for the destruction of certain Police Department documents all of which are more than seven (7) years old and all of which are described on a certain Affidavit signed by the appropriate Police Department official and one council member.
2. The Affidavit, along with the list of items to be destroyed, is attached hereto and incorporated by reference as if set out word for word herein.
3. The minutes of this meeting shall note the approval of the council for the destruction of said documents and shall contain the affidavit cited herein.

ADOPTED AND APPROVED this 11th day of February 2020, by a vote of 6 Yeas and 0 Nays

LARRY FOWLER, MAYOR

ATTEST:

CHARLOTTE GOODWIN, CITY RECORDER/TREASURER

(City Seal)

ASH FLAT POLICE DEPARTMENT

869 Ash Flat Drive
Ash Flat, AR 72513

PH: (870)994-3061
Fax: (870)994-7918

Mailing Address:
P.O. Box 280
Ash Flat, AR 72513

Chief of Police
Chief Steven Powell

Detective Wendell Lane
Officer Jeremy Stevens

Training Program
LT L. Allen Wallis

28 January 2020

From: Steven D. Powell, Chief of Police
To: Honorable Mayor Larry Fowler, City of Ash Flat

Subj: LEGACY TICKET BOOK DESTRUCTION REQUEST

Encl: (1) Copy of email from State Legislative Audit Office
(2) List of ticket books requesting to be destroyed

1. In a recent review of our Citation Program in preparation to upgrade to the Arkansas MOVE Program (to write and print computerized citations in our vehicles), an audit was conducted of physical, hard copy ticket books still in our possession. Based on advice from Jessica Brown, Arkansas Legislative Audit Office, Field Audit Supervisor, we were told to prepare a formal request listing ticket books that need to be destroyed, to present to the Mayor and City Council, for approval to destroy (Enclosure 1).

2. In accordance with the advice above, I ask for the Council and Mayor to approve the destruction of the tickets listed in Enclosure (2). Enclosure (2), once approved and signed, will be maintained as an official log for audit purposes for the final disposition of these books.

Steven D. Powell

I'm attaching copies of the ticket logs we had in our workpapers for both the 17/16 and 15/14 engagements. If the books you found are old and will not be used, I would check to see if they are on your current ticket book log. If they are, you'll need to document on the log that you are destroying them. If they are not on your current log, I would make up a document that lists all of the ticket ranges in the books you found with a narrative of what you found and where, and that this list will be presented to the city council for approval to destroy the old books that will not be used. If they are on your ticket book log, a copy of that log can be used for presentation to the council.

Our concern if we come across something like this would be whether or not they could be a separate set of tickets that are used off the books to collect road side bonds. Since these are all unused and were in storage, that does not appear to be the case here, but you'll want to be sure you hang onto all of your documentation for this and be sure to destroy them in a way that they don't end up in the wrong hands. Let me know if you have questions or need other information we might be able to help with.

Thanks,
Jessica

Jessica Brown, CPA
Field Audit Supervisor
Arkansas Legislative Audit
1141 E. Main, Suite 215B
Batesville, AR 72501
(501) 683-8600 ext. 4503

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Enclosure (1)

1/13/2020

ASH FLAT POLICE DEPARTMENT
LEGACY CITATION DESTRUCTION REQUEST

LOCAL TICKET BOOK #	TICKET BOOK START	TICKET BOOK END	DISCREPANCIES OR MISSING TICKETS
A001	431751	731775	
A002	415076	415100	
A003	415026	415050	
A004	414701	414725	
A005	414726	414750	
A006	414751	414775	
A007	414776	414800	
A008	414976	415000	
A009	414951	414975	
A010	415001	415025	
A011	414626	414650	
A012	414601	414625	Tickets 414601-414619 are removed from book.
A013	414851	414875	
A014	414876	414900	
A015	414901	414925	
A016	414926	414950	
A017	414676	414700	
A018	414801	414825	
A019	414826	414850	
A020	413776	413800	
A021	431726	431750	
A022	431901	431925	
A023	432301	432325	
A024	432326	432350	
A025	432351	432375	
A026	432376	432400	
A027	432201	432225	
A028	432226	432250	
A029	432251	432275	
A030	432276	432300	
A031	432001	432025	
A032	432026	432050	
A033	432051	432075	
A034	432076	432100	
A035	432101	432125	

ASH FLAT POLICE DEPARTMENT
LEGACY CITATION DESTRUCTION REQUEST

LOCAL TICKET BOOK #	TICKET BOOK START	TICKET BOOK END	DISCREPANCIES OR MISSING TICKETS
A036	432126	432150	
A037	432151	432175	
A038	432176	432200	
A039	431926	431950	
A040	431951	431975	
A041	431976	432000	
A042	431801	431825	
A043	431826	431850	
A044	431851	431875	
A045	431876	431900	
A046	432401	432425	
A047	432426	432450	
A048	432451	432475	
A049	432476	432500	

As presented by the Chief of Police, of the City of Ash Flat, the above listed tickets, as designated locally by A001 through A049, are hereby authorized for destruction. A copy of this order shall be maintained with other citation records to account for their final disposition.

Voted and approved by the City Council of Ash Flat on February 11, 2020

MAYOR LARRY FOWLER DATE

STATE OF ARKANSAS

COUNTY OF SHARP

AFFIDAVIT

Before the undersigned Notary Public, duly qualified and acting in and for said County and State, appeared Steven D. Powell, Police Chief for the City of Ash Flat, Arkansas, to me well known to be the affiant herein who stated the following under oath:

That I am the Police Chief for the City of Ash Flat, Arkansas, and it is my duty to maintain certain records on behalf of the City of Ash Flat Police Department.

That I have prepared a list of documents, a copy of said list being attached hereto and incorporated by reference as if set out word for word herein, which are more than seven (7) years old and which shall be destroyed by shredding.

That said attachment describes with detail exactly which documents are being destroyed and the period of time to which said documents apply.

That I have read the above and foregoing statements and they are true and correct to the best of my knowledge and belief.

IN WITNESS WHEREOF, I hereunto set my hand this 14th day of April, 2020.

Police Chief Steven D. Powell

Ash Flat City Council Member

STATE OF ARKANSAS

COUNTY OF SHARP

Subscribed and sworn to before me by Steven D. Powell, Police Chief for the City of Ash Flat, Arkansas, on this 14th day of April. 2020.

My Commission Expires:

3-18-2023

Notary Public

CHARLOTTE GOODWIN Comm. No. 12392564 NOTARY PUBLIC My Comm. Exp. 3-18-2023 SHARP CO., ARKANSAS

STATE OF ARKANSAS

COUNTY OF SHARP

Subscribed and sworn to before me by Fred Goodwin, the elected Council member for the City of Ash Flat, Arkansas, on this 14th day of April. 2020.

My Commission Expires:

3-18-2023

CHARLOTTE GOODWIN Comm. No. 12392564 NOTARY PUBLIC My Comm. Exp. 3-18-2023 SHARP CO., ARKANSAS