

Tre Hargett, Secretary of State
State of Tennessee



Division of Records Management
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State of Tennessee Public Records Commission

Chairman – Tre Hargett, Secretary of State
Secretary – Christi Branscom, Commissioner Department of General Services
Jason Mumpower, Comptroller of the Treasury
David H. Lillard, Jr., State Treasurer
Chief Justice Holly Kirby, Tennessee Supreme Court
Jonathan Skrmetti, Attorney General
Anastasia Campbell, Director of Legal Services and Counsel to the Speaker of the House
Karen Garrett, Director of Legal Services and Counsel to the Lieutenant Governor
Jennifer Core, Tennessee Historical Society

Agenda

December 18, 2023, at 9:00 AM
Virtual Meeting Held via WebEx Meeting

1. Approval of Minutes from September 28, 2023, meeting
2. Adoption of Public Comment Policy
3. Old Business
4. Public Comment
5. Adjourn

State of Tennessee
Public Records Commission
MINUTES

September 28, 2023, at 9:00 AM

Tennessee State Library and Archives, Tennessee Room, Nashville, Tennessee

Public Records Commission Members:

Chairman – Tre Hargett, Secretary of State - *present*
Secretary – Christi Branscom, Commissioner of the Department of General Services
Jason Mumpower, Comptroller of the Treasury
David H. Lillard, Jr., State Treasurer
Chief Justice Roger A. Page, Tennessee Supreme Court
Jonathan Skrmetti, Attorney General and Reporter
Karen Garrett, Director of Legal Services and Counsel to the Lieutenant Governor
Anastasia Campbell, Director of Legal Services and Counsel to the Speaker of the House
Jennifer Core, Executive Director of the Tennessee Historical Society – *present*
Eddie Weeks, Legislative Librarian of Legal Services – *present*
Julie Hannah, Representative of the Commissioner of the Department of General Services – *present*
Rick DuBray, Representative of the State Treasurer - *present*
Michael Stahl, Representative of the Attorney General – *present*
Jordan Flynn, Representative of the Comptroller of the Treasury - *present*
Rachel Harmon, Representative of the Tennessee Supreme Court - *present*

Welcome

The Public Records Commission met this day at 9:00 a.m. in the Tennessee Room of the Tennessee State Library and Archives in Nashville, Tennessee, with the noted Public Records Commission members present. Secretary of State and Chairman of this Commission, Tre Hargett, called this meeting to order at 9:00 a.m. He detected a quorum and requested action on the following matters as presented.

Approval of Minutes from April 18, 2023

1. Chairman Hargett noted that the first order of business was approval of the April 18, 2023, minutes.
 - a. Chairman Hargett entertained a motion to approve the minutes.
 - b. Ms. Hannah stated that the retirement of Mr. Thomas Chester was effective March 1st prior to the April 18th meeting. Ms. Hannah asked that he be removed from the list of members' designees on the minutes.
 - c. Chairman Hargett agreed and asked for any further changes.
 - d. Mr. DuBray proposed adding unanimously approved on the approval of the consent agenda by the PRC.
 - e. Chairman Hargett asked if there were any objections. Hearing none, Chairman Hargett entertained a motion to approve the minutes with changes. The motion was properly moved by Mr. Weeks and properly seconded by Mr. DuBray; the April 18, 2023, minutes were unanimously approved.

Consent Agenda

2. Chairman Hargett stated that the next item was the consent agenda.
 - a. Director Callaghan reported that there were thirty-seven items on the consent agenda and no

- RDAs for discussion.
- b. Chairman Hargett asked if there were any questions; there were none.
 - c. Chairman Hargett entertained a motion to approve the consent agenda. The motion was properly moved by Mr. Weeks and properly seconded by Chairman Hargett; the consent agenda was unanimously approved.
 - d. Chairman Hargett confirmed with Director Callaghan that there were no RDAs on the agenda for discussion.

Records Management Reports

- 3. Chairman Hargett then asked Director Callaghan to present the Records Management Reports.
 - a. Director Callaghan reported that Records Management Division continues to conduct its weekly meetings with the Tennessee State Library and Archives and the Comptroller's Audit Division.
 - b. To date, Records Management has created, revised, or retired 2,493 out of approximately 2,532 RDAs. Director Callaghan reported that out of thirty-seven RDAs on the consent agenda, there were nine retired, sixteen revised, and twelve created.
 - c. Director Callaghan stated that Records Management continues to meet with state agencies to work on RDAs and advise on information governance issues.
 - d. Director Callaghan reported that Records Management continues to conduct its normal training schedule as well as specific topic training classes for agencies on request.
 - e. Director Callaghan explained that Records Management had conducted twenty-four record assessments this year and will continue to schedule assessments with agencies to finish any records assessments over the next year.
 - f. Director Callaghan reported that all agencies and universities completed the Records Holding Report on time. The agencies showed a decrease of 3,222 cubic feet of paper. This is a 1% decrease in records stored in agency. Director Callaghan further stated that electronic records increased from 3,112 terabytes to 7,086 terabytes, which is a growth of 3,958 terabytes, an increase of 126%.
 - g. Director Callaghan reported that the universities show an increase of 3,486 cubic feet which is an increase of about 9.5%. Further, the electronic records increased from 650,720 terabytes to 660,326 terabytes for a 1.5% increase.
 - h. Director Callaghan further explained that there were several legal holds lifted this year, but several significant legal holds on agency records continue.
 - i. Chairman Hargett asked if there were any further questions; there were none.

Old Business and Public Questions

- 4. Chairman Hargett asked if there was any old business or comments from the public; there were none.

Closing Remarks

- 5. Chairman Hargett entertained a motion to adjourn. The motion was properly moved, and properly seconded; the Commission was adjourned.

BEFORE THE PUBLIC RECORDS COMMISSION

RESOLUTION

WHEREAS, Tennessee Code Annotated, Title 8, Chapter 44, Part 1 was amended by 2023 Public Chapter 300 and requires governing bodies to reserve a period for public comment at public meetings with actionable items on the agenda to provide the public with the opportunity to comment on matters that are germane to the items on the agenda for the meeting; and

WHEREAS, 2023 Public Chapter 300 authorizes governing bodies to set forth reasonable restrictions on the period for public comment;

NOW, THEREFORE, BE IT RESOLVED that the Public Records Commission (the “Commission”) hereby approves the following parameters for any public comment period:

1. No later than two (2) business days before a meeting, written notification to request to make public comment on an agenda item at an upcoming meeting must be sent to and received by the Director of the Records Management Division of the Tennessee Secretary of State’s Office at records.management@tnsos.gov. The email must include the proposed speaker’s name, the agenda item(s) about which the speaker wishes to comment, and whether the speaker’s comments will be in favor of or opposed to the agenda item(s). Speakers will be selected on a first-come, first-served basis.

2. The public comment period will be held at the beginning of the meeting once the meeting is called to order and a quorum has been established. The Chair of the Commission (the “Chair”), in the Chair’s discretion, may assign all or a portion of the comment period to different parts of the agenda if the Chair deems it appropriate.

3. Speakers will be limited to two (2) minutes per person per agenda item, with a maximum of two (2) speakers in favor of and two (2) speakers opposed to each agenda item.

4. Speakers must identify themselves at the beginning of the allotted time and stay on topic of the agenda item(s) that they have indicated their desire to speak on when addressing the Commission.

5. Speakers should conduct themselves in a respectful manner and may be asked to leave the meeting if they engage in threatening or disruptive behavior.

6. The Commission, in its discretion, may ask relevant questions of any speaker providing public comment. Such question period will not reduce the speaker’s allotted time.

7. The Chair has the discretion to extend the allotted time or the number of speakers for a particular agenda item. If the Chair extends the allotted time or the number of speakers, then the Chair will take practicable steps to ensure that an equal extension is granted to both those in favor of and those opposed to any agenda item subject to an extension.

Adopted by the Public Records Commission on this the 18th day of December, 2023.

Chair

ATTEST:

Kevin Callaghan, Director
Division of Records Management, Tennessee Secretary of State's Office