

State of Tennessee
Public Records Commission
MINUTES

February 25, 2016 at 1:30 PM
Tennessee Tower, Nashville Room, 3rd Floor, Nashville, Tennessee

Public Records Commission Members:

Chairman – Tre Hargett, Secretary of State – *present*
Secretary – Robert E. Oglesby, Commissioner Department of General Services – *present*
Justin P. Wilson, Comptroller of the Treasury
Rick DuBray, Representative of State Treasurer – *present*
Herbert Slatery III, Attorney General
Karen Garrett, Director of Legislative Office of Legal Services
Doug Himes, Director of Legislative Office of Legal Services
Ann Toplovich, Tennessee Historical Society – *present*
Eddie Weeks, Legislative Librarian of Legal Services – *present*
John Greer, Representative of the Comptroller of the Treasury – *present*

Welcome

The Public Records Commission met this day at 1:30 PM in Tennessee Tower, Nashville Room, 3rd floor, Nashville, Tennessee with the noted Public Records Commission members present. Secretary of State and Chairman of the Commission, Tre Hargett, calls the meeting to order promptly at 1:30 PM. He detects a quorum and requests action on the following matters as presented.

Approval of Minutes from October 13, 2015

1. Chairman Hargett asks if there were any changes to the October 13, 2015 minutes
 - a. Mr. Weeks notes item 3c, “request” needs to be changed to “requests”, item 3j, should read “Mr. Callaghan” not “Callaghan”, item 3n, between Division of Audit and the Tennessee Bureau of Investigation the word “and” needs to be inserted.
 - b. Chairman Hargett asks if there are any other changes to the minutes, hearing none; Chairman Hargett entertains a motion to approve the minutes with changes. The motion is properly moved and properly seconded; the minutes are approved.

Consent Agenda

2. Chairman Hargett states that there are two RDAs that have been moved to the regular agenda.
 - a. Mr. Callaghan agrees and states that item nineteen and item twenty, RDA 881 and RDA 882, are to be moved to the regular agenda.
 - b. Chairman Hargett asks if there are any questions on the consent agenda. Hearing none, Chairman Hargett entertains a motion to approve the consent agenda. The motion is properly moved and properly seconded; the motion is approved.

RDAs for Discussion

3. Chairman Hargett states that there are two RDAs for discussion and asks Mr. Callaghan to explain.
 - a. Mr. Callaghan reports that there are two RDAs up for discussion, RDA 881 and RDA 882. Mr. Callaghan proceeds to explain that during discussions it would be best if both RDAs 881 and 882 abstracts reflect that Commerce and Insurance maintains these records as they are the primary inspection agency.

- b. Mr. Callaghan also notes that in the abstract for RDA 881, it states that “The manufacturer of the home creates the data plate and the data plates may vary slightly...” Mr. Callaghan notes that it should read “vary slightly,” and that change will be made.
- c. Chairman Hargett asks if there are any questions regarding these items.
- d. Mr. Weeks explains why these RDAs were bumped to the regular agenda. The abstract stated that these records are created by a private company and given to the state. These records are then kept permanently by the state on behalf of the private company. Mr. Weeks then explains that if the abstract is rewritten to explain that these records are kept by the state because it has the responsibility of conducting inspections of the private company, this would clear up any concerns he has about the RDAs.
- e. Chairman Hargett asks if there are any further questions or comments about RDA 881. Hearing none, Chairman Hargett entertains a motion to adopt RDA 881 as amended. The motion is properly moved and properly seconded, RDA 881 is approved.
- f. Mr. Callaghan then explains RDA 882. These records are plant inspections reports, filed by the production inspection agency, that identify the manufacturer of the home and the serial number by unit. The data is supplied to HUD (Housing and Urban Development) and is requested to be produced by the Code of Federal Regulations. Mr. Callaghan further explains that this information needs to be adjusted to read 24 C.F.R. 3282.362.
- g. Chairman Hargett asks if there is any further discussion, hearing none, Chairman Hargett entertains a motion for approval. The motion is properly moved and properly seconded; the motion is approved.

Records Management Update

- 4. Chairman Hargett asks Mr. Callaghan to proceed with the Records Management update.
 - a. Mr. Callaghan reports that Records Management continues to meet weekly with the Library & Archives, Audit, and General Services to review RDAs that are submitted. Mr. Callaghan points out that with the RDAs approved today; Records Management has created, revised, or retired over 50% of the state’s RDAs (965 out of 1700). In 2015, Records Management conducted twenty training sessions, town hall meetings, or workshops, with over 275 attendees. Records Management staff members conducted 375 agency visits. Records Management continues to provide next day deliveries to agencies every business day of the year. In 2016, they have not suspended any deliveries due to inclement weather. The state has destroyed over 16,000 cubic feet of records in the last year, in agency or at the records center. Mr. Callaghan further explains that over several meetings with the commission it has been expressed that there needs to be guidelines and standard on the three primary records formats: paper, electronic, and microfilm. These standards will go into further detail on how to keep records in all formats for short term, long term, and permanent retention. This will be in addition to the Records Management Best Practices and Procedures manual. Mr. Callaghan explains that Records Management will start working on this project with the goal of having this completed by this summer’s commission meeting. This will give the commission the opportunity to look over these standards, review, and make any changes necessary.
 - b. Mr. Callaghan states that Records Management will continue working with Strategic Technology Solutions (STS) to make sure all electronic record standards are updated for the various electronic types. Mr. Callaghan further explains that as the project moves forward, any other electronic standards that need further governance will be brought in front of the commission for review and approval.
 - c. Mr. Callaghan explains that Records Management will send out notices to all state agencies that Records Management will be conducting records assessments in the coming months. Mr. Callaghan further explains that it has been over two years since assessments were last conducted, and it is a good time to map out the physical records that are being

kept in agency. Records Management will work with STS on the digital footprint of the agencies as well.

- d. Mr. Callaghan explains that the bid for the State Records Center went out and is under review. Mr. Callaghan further explains that the contract should be in place well before the end of the current contract in July 2016.
- e. Mr. Callaghan states that he would like to introduce Jasmine White, the new records analyst with Records Management. Jasmine has a history background and has worked at the State Library & Archives as an intern and processing Supreme Court documents.
- f. Chairman Hargett then asks if there are any questions or comments; there are none.

Old Business/Public Questions

- 5. Chairman Hargett asks if there is any old business or comments from the public; there are none.

Meeting Adjourned

- 6. Chairman Hargett asks if there is any further discussion or comments.
 - a. Hearing none, Chairman Hargett entertains a motion to adjourn. The motion is properly moved, and properly seconded; the commission is adjourned.