

**State of Tennessee**  
**Public Records Commission**  
**MINUTES**

March 28, 2017 at 09:00 AM  
Legislative Plaza, Room LP-30, Nashville, Tennessee 37243

**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  
David H. Lillard, Jr., State Treasurer  
Chief Justice Jeffery S. Bivins, Tennessee Supreme Court  
Herbert H. Slatery III, Attorney General  
Karen Garrett, Director of Legal Services and Counsel to the Lieutenant Governor  
Doug Himes, Director of Legal Services and Counsel to the Speaker of the House  
Ann Toplovich, Executive Director of the Tennessee Historical Society - *present*  
Eddie Weeks, Legislative Librarian of Legal Services - *present*  
Rick DuBray, Representative of the State Treasurer - *present*  
Janet Kleinfelter, Representative of the Attorney General - *present*  
Trent Andrews, Representative of the Comptroller of the Treasury - *present*  
Rachel Harmon, Representative of the Tennessee Supreme Court - *present*

**Welcome**

1. The Public Records Commission met this day at 09:00 a.m. in Legislative Plaza, Room LP-30, Nashville, Tennessee with the noted Public Records Commission members present. Secretary of State and Chairman of the Commission, Tre Hargett, called the meeting to order promptly at 09:00 a.m. He detected a quorum and requested action on the following matters as presented.

**Approval of Minutes from November 03, 2016**

2. Chairman Hargett asked if there were any changes to the November 03, 2016 minutes.
  - a. Hearing none; Chairman Hargett entertained a motion to approve the minutes. The motion was properly moved, and properly seconded; the minutes were approved.

**Consent Agenda**

3. Chairman Hargett called upon the Director of Records Management Kevin Callaghan to discuss the items on the consent agenda.
  - a. Chairman Hargett noted that there were a few new persons present at the meeting and asked Mr. Callaghan to explain how items were placed on the consent agenda.
  - b. Mr. Callaghan stated that when an RDA is submitted by an agency it is then reviewed by the Tennessee State Library & Archives, the Records Management Division, and the Comptroller's Audit Division. Upon review, comments are made and if there are any suggested changes the agency has the chance to concur or explain why they do not agree with the recommendation. Provided the agency agrees with the recommended changes or there are no recommended changes, the items are placed on the consent agenda. Otherwise, items are placed on the regular agenda for discussion.
  - c. Chairman Hargett asked Mr. Callaghan if a lot of work went into getting RDAs prepared and onto the consent agenda.
  - d. Mr. Callaghan answered in the affirmative.

- e. Chairman Hargett asked Mr. Callaghan if there are occasions where items are not placed on the consent agenda but instead moved to the next meeting to allow more time for discussion between staff and the agencies.
- f. Mr. Callaghan answered in the affirmative. Mr. Callaghan went on to explain that this occurs at the behest of either the agency or a member of the Public Records Commission. The Records Management Division does not have the authority to deny items appearing on the agenda for the PRC.
- g. Chairman Hargett asked Mr. Callaghan how many items were on the consent agenda for today.
- h. Mr. Callaghan stated that there were 112 items on the consent agenda.
- i. Chairman Hargett asked if there was any discussion regarding the consent agenda. Hearing none; Chairman Hargett entertained a motion to approve the consent agenda. The motion was properly moved and properly seconded; the motion was approved.

#### **RDAs for Discussion**

- 4. Chairman Hargett asked if there were any items slated for discussion; there were none.

#### **Records Management Update**

- 5. Chairman Hargett asked Mr. Callaghan to proceed with the Records Management update.
  - a. Mr. Callaghan reported that Records Management continues to meet weekly to review RDAs that are submitted and provide feedback to agencies. The PRC has created, revised, or retired 1430 RDAs out of the approximately 1800 RDAs that existed or have been created since 2013.
  - b. Mr. Callaghan stated that at the last meeting the PRC requested that the Records Management Division create an electronic records survey for state agencies to complete. Mr. Callaghan stated this survey was created and sent out on March 7<sup>th</sup>. Agencies are expected to have the survey completed by the end of May. The survey covers general understanding of electronic records, digital conversion plans, digital storage, and various workplace solutions they have for their physical space, and any plans they have for adjusting said physical space. Once the Records Management Division compiles the results of the survey, they will put together a summary and the information therein will be sent to the members of the PRC.
  - c. Mr. Callaghan stated that Records Management continues to meet with state agencies, work on RDAs, conduct classes for state records officers, and agency specific trainings at the agency's request. Mr. Callaghan went on to say that part of the reason for the agency trainings is to better prepare agencies for the records assessments conducted by the Records Management Division. Mr. Callaghan explained that the trainings are on everything from RDA basics to litigation holds and issues that can arise with electronic records. The goal of the trainings is to advance the knowledge base of all of the records officers and records coordinators within state agencies.
  - d. Mr. Callaghan informed the PRC that the Records Management Division is currently conducting agency assessments. The current focus is on offices in the Nashville region. However, the division is compiling lists of regional offices throughout the state to prepare for assessments of those offices. Mr. Callaghan went onto explain that this will be a multi-year endeavor involving coordination between Records Management, multiple state agencies, and offices throughout the state. The purpose of these assessments is to provide state agencies with an accurate count of their paper holdings, raise their awareness of how they store electronic records, and answer any questions the agencies may have. Mr. Callaghan expressed his belief that this process would answer questions about the annual records holding report because the Records Management Division will be able to physically see what records agencies have.

- e. Mr. Callaghan noted that the last item he had to discuss was an update on state records destruction over the last year. State agencies destroyed 22,750 cubic feet of records in agency with an additional 10,000 cubic feet destroyed at the state records center. Mr. Callaghan noted that this represented an increase equivalent to the last three years of destruction. Mr. Callaghan stated that the increase in the volume of records destroyed was a result of a rise in retention time for RDAs revised over the last few years. This necessitated agencies holding onto records for an extra year or two before destruction. Mr. Callaghan went on to explain that as state agencies more frequently utilize the state records center the volume of records destroyed there will continue to grow.
- f. Chairman Hargett then asked if there were any questions or comments; there were none.

#### **Old Business/Public Questions**

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

#### **Meeting Adjourned**

- 7. Chairman Hargett asked if there were any comments or further discussion.
  - a. Hearing none; Chairman Hargett entertained a motion to adjourn. The motion was properly moved, and properly seconded; the Commission was adjourned.