

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

October 30, 2018 at 8:30 AM

Cordell Hull Building, House Hearing Room IV (HHR IV), Nashville, Tennessee

**Public Records Commission Members:**

Chairman – Tre Hargett, Secretary of State - *present*  
Secretary – Robert E. Oglesby, Commissioner of the Department of General Services - *present*  
Justin P. Wilson, Comptroller of the Treasury  
David H. Lillard, Jr., State Treasurer  
Chief Justice Jeffrey S. Bivins, Tennessee Supreme Court  
Herbert H. Slatery III, Attorney General  
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  
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**

The Public Records Commission met this day at 8:30 AM in the Cordell Hull Building, House Hearing Room IV (HHR IV), 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 at approximately 8:30 AM. He detected a quorum and requested action on the following matters as presented.

**Approval of Minutes from April 25, 2018**

1. Chairman Hargett noted that the first order of business was approval of the April 25, 2018 minutes.
  - a. Mr. Weeks requested that on page 2, item 3.g., “understand” be changed to “understanding.”
  - b. Chairman Hargett entertained a motion to approve the minutes as amended. The motion was properly moved and properly seconded; the April 25, 2018 minutes were approved.

**Consent Agenda**

2. Chairman Hargett moved on to the consent agenda.
  - a. Chairman Hargett asked if there were any items that needed to be removed from the consent agenda. Hearing none, he entertained a motion to adopt the consent agenda. The motion was properly moved and properly seconded; the consent agenda was approved.
  - b. Chairman Hargett asked Mr. Callaghan if there were any RDAs for discussion. Hearing none, Chairman Hargett moved to the Records Management Reports.

**Records Management Reports**

3. Chairman Hargett asked Mr. Callaghan to proceed with the Records Management Reports.
  - a. Mr. Callaghan reported that Records Management continues to meet with State agencies and reviews Records Disposition Authorizations (RDAs) as they are submitted.
  - b. Since 2013, Records Management has worked with agencies to create, revise, and retire 1,890 RDAs out of approximately 2,010 RDAs.
  - c. This month, out of 169 RDAs, fifty-six were retired, seventy-eight were revised, and thirty-five were created.

- d. As tasked in 2013, when there were 1,700 RDAs, Records Management has worked with the agencies to review all their RDAs.
- e. The goal is for Records Management to work with the agencies to complete any remaining RDAs by the upcoming spring PRC meeting.
- f. The outstanding RDAs remain pending due to legislative changes, legal issues under review, or upcoming business changes. Mr. Callaghan commended the agencies on their efforts to update and revise their RDAs and noted that it is the Comptroller's Audit Division's responsibility to note the status of all agency RDAs during their regular audit reviews.
- g. So far in 2018, Records Management has held 298 agency meetings. Records Management has conducted twenty training classes and workshops to assist Records Officers in understanding their responsibilities and to help revise RDAs.
- h. Records Management is very nearly finished with the current cycle of agency assessments that began two years ago; this cycle should be finished in the coming months. The next agency assessment cycle will begin in 2020.
- i. According to the Records Holding Report, the State had an overall reduction of 31,000 cubic feet of paper records. This represents an eight percent decrease in paper records stored in agencies.
- j. Due to some larger agencies experiencing litigation holds in the coming months, Mr. Callaghan noted that there may be some statistical variances on the next Records Holding Report.
- k. Chairman Hargett asked Mr. Callaghan to inform those present about the sale of Richards & Richards.
- l. Mr. Callaghan reported that Richards & Richards has been purchased by Vital Records Control (VRC). VRC will continue to honor the State's contract with Richards & Richards until 2021, at which time the State will bid for a new contract.
- m. Mr. Callaghan also reported that an amendment to the State's current contract is being processed in order to change the company's name and some other minor details.
- n. Chairman Hargett asked Mr. Callaghan to develop an appropriate way of charging State agencies for electronic records storage, as many agencies are converting from paper to electronic storage formatting.
- o. Mr. Callaghan reported that Records Management is currently looking to charge agencies significantly less for electronic storage than for paper storage, as several boxes of paper records can be stored on a single gigabyte. Mr. Callaghan noted that the rate for one gigabyte of storage may be about one-twentieth of the rate for one cubic foot of paper storage.
- p. Records Management is currently waiting on updated volumes of electronic storage in agencies from Strategic Technology Solutions to ensure a fair rate.

#### **Rulemaking Hearing**

- 4. Chairman Hargett opened the rulemaking hearing.
  - a. Chairman Hargett asked if there were any items to discuss on the proposed set of rules. Hearing none, he moved to adopt the rules as presented. The motion was properly seconded, and the rules were approved.
  - b. Chairman Hargett asked that Mr. Callaghan call roll of the members of the PRC.
  - c. Mr. Callaghan called roll for the members of the PRC in attendance, with all voting affirmative.
  - d. Chairman Hargett noted and approved the rules as presented.

#### **Closing Remarks**

- 5. Chairman Hargett asked if there was any further business or comments from the public.
- 6. Mr. Callaghan introduced Mark Wilson as Records Management's newest Records Analyst.
- 7. After hearing no further comments, Chairman Hargett declared the meeting adjourned. The Commission was adjourned.