

State of Tennessee
Public Records Commission
MINUTES

May 4, 2021 at 2:00 p.m.
Nashville, Tennessee

Public Records Commission Members:

Chairman – Tre Hargett, Secretary of State - *present*
Secretary – Christi Branscom, Commissioner of the Department of General Services - *present via Webex*
Jason Mumpower, Comptroller of the Treasury
David H. Lillard, Jr., State Treasurer
Chief Justice Jeffrey S. Bivins, Tennessee Supreme Court
Herbert H. Slatery III, 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 via Webex*
Eddie Weeks, Legislative Librarian of Legal Services - *present*
Rick DuBray, Representative of the State Treasurer - *present*
Janet Kleinfelter, Representative of the Attorney General
John Cressman, Representative of the Comptroller of the Treasury - *present*
Rachel Harmon, Representative of the Tennessee Supreme Court - *present via Webex*

Welcome

The Public Records Commission met this day at 2:00 p.m. in the Nashville Room of the Tennessee Tower, 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 approximately 2:00 p.m. He detected a quorum and requested action on the following matters as presented.

Statement of Necessity for Remote Meeting

1. Chairman Hargett opened this meeting with the following statement:
 - a. This meeting of the Public Records Commission, held on May 4, 2021, is being conducted in-person and electronically via WebEx conference. The Open Meetings Act, located at Tennessee Code Annotated Section 8-44-108, allows for participation by electronic or other means of communication for the benefit of the public and the Commission in connection with any meeting authorized by law; provided, that a physical quorum is present at the location specified in the notice of the meeting as the location of the meeting. Some Commission members are participating by electronic means; however, there is a physical quorum present. Members of the public may also participate via WebEx as the link will be continuously monitored for public comments. Mr. Callaghan will now call the roll.
 - b. The motion was properly moved and properly seconded; the finding of necessity was approved by roll call vote.

Approval of Minutes from September 21, 2020

2. Chairman Hargett noted that the next order of business was approval of the September 21, 2020, minutes.
 - a. Chairman Hargett entertained a motion to approve the minutes. The motion was properly moved and properly seconded; the September 21, 2020, minutes were approved.

RDAs for Discussion

3. Chairman Hargett asked Director Callaghan if there were any RDAs for discussion; Director Callaghan stated that there were none.

Consent Agenda

4. Chairman Hargett stated the next item was the consent agenda.
 - a. Chairman Hargett moved to approve the consent agenda. The motion was properly seconded; the consent agenda was approved.

Records Management Reports

5. Chairman Hargett then asked Director Callaghan to present the Records Management Reports.
 - a. Director Callaghan reported that Records Management 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 2,462 RDAs. Director Callaghan reported that for this Public Records Commission meeting, out of 78 RDAs on the consent agenda there were fifteen retired, forty-six revised, and seventeen created. Director Callaghan explained that we are at a place where most RDAs have been reviewed per Public Records Commission instructions. Records Management continues to approve revisions, creations, or deletions as needed.
 - c. Director Callaghan reported that Records Management continues to conduct its meetings with the state agencies for RDA issues and general information governance issues. Due to COVID-19, meetings are conducted via WebEx, Zoom, or phone. Records Management is available and will practice safe social distancing.
 - d. Director Callaghan further explained that Records Management continues to conduct monthly trainings via WebEx or by uploading videos for agencies to view.
 - e. Director Callaghan commented that the State held approximately 600,000 cubic feet of paper in 2012; that volume has since been reduced to 336,069 cubic feet.
 - f. Mr. Weeks then inquired about the 120 pending RDAs that have not been revised or retired since 2013.
 - g. Director Callaghan stated that litigation, legal holds, and ongoing reviews may be contributing to the delays for those RDAs.
 - h. Chairman Hargett asked if the Commission members could be sent a list of all pending RDAs.
 - i. Director Callaghan agreed to provide the PRC members with the requested list.
 - j. Mr. Cressman then inquired as to why the State's contract with Vital Records Control is being reviewed as a sole-source contract.
 - k. Director Callaghan went into detail regarding the fees associated with retrieval and removal of records from the current state records center. These costs make the prospect of moving to a new records center less practical, despite the slight increase in fees at VRC.
 - l. Chairman Hargett asked if there were any further questions; there were none.

Closing Remarks

6. Chairman Hargett asked if there was any old business or comments from the public. Hearing none, Chairman Hargett entertained a motion to adjourn. The motion was properly moved, and properly seconded; the Commission was adjourned.