



Archives Advisory Board

Meeting Minutes

March 21, 2024

1:00 pm – 2:30 pm

Location: Zoom

Board Members Present: Paige Lilly, Jennifer Tarr, Greg Zinser, Eric Stout, Shelly Crosby, Steve Collins

Board Members Absent: Adelaide Solomon-Jordan, Shirley Browne, James Francis, Brenda Kielty

MSA Staff Members Present: Kate McBrien (ex-officio), Tammy Marks, Heather Moran, Tiffany Tattan-Awley

The meeting was called to order at 1:05 pm.

Welcome and Land Acknowledgment

State Archivist Kate McBrien welcomed everyone to the meeting and recited the land acknowledgment which is offered by the Maine State Archives at each Archives Advisory Board meeting.

Welcome

Kate welcomed the Board and acknowledged a quorum.

Approval of January 18, 2024, Meeting Minutes

Steve Collins made a motion to accept the meeting minutes as written. Greg Zinser seconded the motion. Tammy did a roll call the board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby, yes; Voting 6-0 to approve the minutes with a few minor edits.

State Employee Disciplinary Records update

Kate discussed this issue with the board, which was reviewed by the Right to Know Advisory Committee and the Judiciary Committee. The Right to Know Advisory Committee suggested a study group to address records retention, confidentiality, and

HR implications for employee disciplinary records. However, the Judiciary Committee voted not to create a study group, leaving the issue unresolved. The Right to Know Advisory Committee is expected to revisit the matter in October. The Board recommends not changing the retention schedule for most State employee records but allowing the State Police to establish their own schedule due to their unique role with public interaction. If approved, the Board could suggest exploring a unique schedule for the State Police disciplinary records, avoiding legislative committee action, and maintaining the General Schedule for state agencies.

Consideration of Records Schedules

The following schedules were reviewed and voted on:

a. Legislature/Law Library (Amendments)

- Schedule 1259: Add new series for Remote Patron Log- Retention: one year retained in agency and destroy.
- Schedule 833:
 - Series 4# Reference Requests - changing title and description only (retention remains the same)
 - Series 5# Reference Responses - changing title and description to separate out the request from responses provided, changing retention from two years to five years.
 - Series 7# Interlibrary Loan Requests - changing retention from one year to three years.
- Schedule 1259: Series 23 Reference Log - changing retention from two years to five years.
- Schedule 1181: Series 1# - make obsolete, these are not original records but would be considered reference.

Greg Zinser made a motion to accept the schedules as written, Paige Lilly seconded the motion. Tammy did a roll call the following board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby (was away from Zoom meeting briefly, listened to schedule changes upon return and voted in favor). The vote was 6-0 in favor of approving the schedules as written.

b. DAFS/Bureau of Human Resources - New

- Employee Personnel Files Managed by Service Center – Retention: ten years retained in agency and destroy.

Steve Collins made a motion to accept the schedule as written, Greg Zinser seconded the motion. Tammy did a roll call the board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby (was away from Zoom meeting briefly, listened to schedule changes upon return and voted in favor). The vote was 6-0 in favor of approving the schedule as written.

c. DAFS/Office of Information Technology - New

- InforME Board Minutes – Retention: ten years retained in agency and Archival.
- InforME Board Annual Reports – Retention: ten years retained in agency and Archival.

Greg Zinser made a motion to accept the schedules as written, Paige Lilly seconded the motion. Tammy did a roll call the following board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby (was away from Zoom meeting briefly, listened to schedule changes upon return and voted in favor). The vote was 6-0 in favor of approving the schedules as written.

d. SOS/Maine State Archives Amendments

- Schedule 305, Series 004# Research Applications and Renewals – changing the title and description to encompass Series 005#. Retention: Remains the same, three years retained in agency and destroy.
- Series 005# Researcher Renewals - making obsolete and combining with Series 004#.

Steve Collins made a motion to accept the schedules as written, Greg Zinser seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby (was away from Zoom meeting briefly, listened to schedule changes upon return and voted in favor). The vote was 6-0 in favor of approving the schedules as amended.

e. DACF/Land for Maine's Future (review/follow-up)

- Land for Maine's Future Annual Monitoring Reports – Retention: fifteen years retained in agency and destroy.

Paige Lilly made a motion to accept the schedule as written, Greg Zinser seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby (was away from Zoom meeting briefly, listened to schedule changes upon return and voted in favor). The vote was 6-0 in favor of approving the schedule as written.

f. Department of Corrections (amendment)

- Schedule 673, Series7#: Administrative files - Associate Commissioner, Retention: three years retained in agency and destroy.

Greg Zinser made a motion to accept the schedule as written, Steve Collins seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby, yes. The vote was 6-0 in favor of approving the schedule as written.

g. DHHS Health and Environmental Testing - New

- Schedule 1439, Series 72: Forensic files, quality, and batch files – Retention: twenty years retained in agency and destroy.

Paige Lilly made a motion to accept the schedule as written, Eric Stout seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby, yes. The vote was 6-0 in favor of approving the schedule as written.

h. DHHS Office of Aging and Disability Services (amendments)

- Schedule 530, Series 6# Pineland Patient Case Files Retention: twenty-one years retained in agency and archival.
- Schedule 929, Series 19, 20, and 21 - obsolete as will merge with Schedule 530, 6#.

Eric Stout made a motion to accept the schedules as written, Steve Collins seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby, yes. The vote was 6-0 in favor of approving the schedules as amended.

a. PFR Insurance – New - Digital

- Detailed Claims Information and Workers' Compensation Hearing and Mediation (Confidential) - Retention: seven years retained in agency and destroy.

Greg Zinser made a motion to accept the schedule as written, Paige Lilly seconded the motion. Tammy did a roll call board members voted as follows: Eric Stout, yes; Steve Collins, yes; Paige Lilly, yes; Jennifer Tarr, yes; Greg Zinser, yes; Shelly Crosby, yes. The vote was 6-0 in favor of approving the schedule as written.

Local Government General Schedule Revisions

The board discussed the possibility of changing the retention schedule for personnel and disciplinary records of the local government. The retention period for these records is sixty years after termination, which is longer than the State's General Schedule of only ten years. Greg and Eric agreed that the retention schedule for both local and State records should be the same. Eric also suggested that law enforcement records could be kept longer than regular employee records. Eric pointed out that the disciplinary records might have been included in the official personnel file, which has been retained for 60 years. However, the group now understands that disciplinary records can be treated separately from the employee eligibility and benefit record.

Kate asked for the group's opinion on making disciplinary records consistent with the State's General Schedule, which is ten years. The Board is reviewing all local government schedules and will vote on them as a whole board.

The Board also discussed the importance of keeping disciplinary records separate from employee records. Eric suggested that employee records that prove eligibility for benefits should be treated differently from disciplinary records. He also noted that the Federal General Schedule for the federal government show that disciplinary records are only kept for 2 or 3 years, which is significantly shorter than the Federal General Schedule for employee records.

The Board verbally agreed to make the disciplinary records schedule for local government 10 years, to remain consistent with the State General Schedules. They also emphasized the importance of keeping disciplinary records separate from employee records. A final and official vote on this will take place with Board review of the entire Local Government General Schedules as a whole package.

State Archivist Report

Kate shared some exciting updates. The team is making significant progress on their digital preservation system and plans to launch it in mid-May, with a possible delay until early June. Kate is thrilled to give a demonstration once the system is up and running. The new system will revolutionize the Archives and allow them to preserve digital-born records as well as a security backup of paper records. They have hired a Digital Archivist, Al Melton, who will join the team from Colorado in April or May. The team has also hired a Judicial Archivist, Sarah Breaux, who will start in April. This is the first time they will have an Archivist dedicated to judicial records, which will help them better understand and manage the collection. This will allow the agency to gain intellectual control over the collection and work with courts to manage it better.

The Archives also has two vacant Imaging Specialist positions. Peter Mallow, who has recently retired, and the other position is a new position Archives received. Archives will also be advertising for a Photographer position, which is also new. This means that the department, previously a team of one, will now expand into a team of three. With this expansion, the department will be better equipped to image collections and assist local governments and state agencies as needed.

The organization is also interviewing for a coordinator position for the Maine Semiquincentennial Commission (America250). The Archives has hired someone for the shared position between the Archives, Library, and Museum. Heather Moran served on the search committee, and Sam Bunker (currently a contract worker for the Archives) was offered the position. Felicia Kennedy, our Management Analyst II, will be retiring in mid-June.

The only other significant news is the move back to the Cultural Building, which is scheduled to start in January 2025.

Discussion

In the supplemental budget currently under consideration, the Archives requested a limited period local government management analyst position. Shelly and Kate discussed this position as a municipal liaison position to digitize records, provide training, and ensure long-term success. This role would provide technology and training to support municipalities and ensure long-term success. Shelly believes this position can be a significant step forward for municipalities as it can guide them with their retention projects and provide guidance on state clerk issues.

Kate encouraged all municipalities to contact elected officials and advocate for this position. This role can eventually grow into a program with more staff, providing direct guidance and help with records management. Shelly also believes that the more public information is made accessible, the more the Archives can help address the needs of the state and the wider community.

During a recent FOAA training, Shelly emphasized the importance of implementing practices to help agencies respond to FOAA requests and maintain a strong organization. She highlighted the need for more attention and respect for the Maine State Archives, as they are underutilized and not given the attention they need. Shelly suggested that the more services available, the more the Archives can be seen as a resource for good planning. She believes that without records and paper, municipalities cannot build infrastructure and can't effectively manage their documents.

Eric wanted to acknowledge the excellent work of Tiffany and Felicia. They do an amazing job, and half of their agenda was dedicated to managing schedules. There is a lot of background work involved in working with the agency, and both handle it very well.

Report of Standing and Special Committees

Kate will contact the Board members to confirm if everyone wants to stay on the board. She is working with the Secretary of State to determine the reappointment process. Kate will check with each member individually to ensure they want to continue serving.

Adjournment

The meeting adjourned at 2:30 pm.

The next meeting is scheduled for May 16, 2024, at 1:00 p.m.