



Archives Advisory Board

Meeting Minutes

November 16th, 2023

1:00pm – 2:30pm

Location: Zoom

Board Members Present: Eric Stout, Brenda Kielty, Paige Lilly, Jennifer Tarr, James Francis, Steve Collins, Greg Zinser

Board Members Absent: Adelaide Solomon-Jordan, Shelly Crosby, Shirley Browne

MSA Staff Members Present: Kate McBrien (ex-officio), Felicia Kennedy, Tiffany Tattan-Awley, Heather Moran, Tammy Marks, Susan Verrier, Maricor DelaTorre

Meeting called to order at 1:03 pm

Welcome and Land Acknowledgment

Katherine 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

James welcomed the Board and acknowledged a quorum.

Approval of September 21, 2023 and October 18, 2023 (Special) Meeting Minutes

Paige Lilly made a motion to accept the September meeting minutes with edits; Greg Zinser seconded that motion. Tammy did a role call the following Board members voted: Jen Tarr, yes; Paige Lilly, yes; Greg Zinser, yes; Steve Collins, yes; James Francis, yes; Eric Stout, yes; Brenda Kielty, yes. Voting was 7-0 in favor of approving the minutes with the edits requested.

Greg Zinser made a motion to accept the October special meeting minutes. Eric Stout seconded the motion. Tammy did a role call the following Board members voted: Jen Tarr, yes; Paige Lilly, yes; Greg Zinser, yes; Steve Collins, yes; James Francis, yes;

Eric Stout, yes; Brenda Kielty was not present for the vote. Voting was 6-0 in favor of approving the special meeting minutes.

State Employee Disciplinary Records Update

Kate provided an update on the discussion with the Right-to-Know Advisory Committee regarding a state employee's disciplinary record. Eric serves on the Committee, and Brenda was present for much of the discussion at the Committee meeting.

The Committee met last week to discuss employee disciplinary records, and there were still many questions and discussions about defining what constitutes a severe offense versus a less serious one. They plan to conduct more research, including speaking with the Bureau of Human Resources and the Office of Employee Relations, to understand the State's perspective.

One of the questions that came up frequently was about retention schedules and how they are decided. While a retention schedule may be set, a collective bargaining agreement can allow the union and the State to negotiate a shorter time for retaining records, which would override the retention schedule unless addressed through legislation.

Consideration of Records Schedules

Agriculture, Conservation, and Forestry

Land Use Planning Commission

- Historic Published Documents
 - Digital: 10 years in Agency, Not Retained in Record Center, Archive
 - Paper records: 10 years in Agency, 10 years in Record Center, Archive
- Outdated Informational Materials
 - Mixed: 10 years in Agency, Not Retained in Record Center, Destroy
- Current Informational Materials
 - Mixed: Contingent Upon Event see Description, Not Retained in Record Center, Destroy
- Informational Material Supporting Documents
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy
- Internal Working Documents for Information Materials
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy

- Historic State, Regional, and Custom Plans
 - Digital: 20 years in Agency, Not Retained in Record Center, Archive
 - Paper: 10 years in Agency, 10 years Retained in Record Center, Archive
- Current State, Regional, and Custom Plans
 - Mixed: Contingent Upon Event, see Description. Not Retained in Record Center. See Description
- Supporting Materials for Planning Projects
 - Digital: 20 years in Agency, Not Retained in Record Center, Destroy
 - Paper: 10 years in Agency, 10 years Retained in Record Center, Destroy
- Planning Division Internal Working Documents
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy

Paige asked for clarity as to whether the minutes, etc. were for internal meetings or at commission level. Reference to final correspondence is unclear as to what it means. Felicia will ask the agency for clarification.

- Final Rezoning Petition Decision Documents
 - Digital: 30 years in Agency, Not Retained in Record Center, Archive
 - Paper: 10 years in Agency, 20 years in Record Center, Archive
- Historic Land Use Guidance Maps
 - Digital: 30 years in Agency, Not Retained in Record Center, Archive
 - Paper: 10 years in Agency, 20 years in Record Center, Archive
- Current Official Land Use Guidance Maps
 - Mixed: Contingent Upon Event, see Description, Not Retained in Record Center, See Description
- Zoning Petition Working Documents
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy
- Official APA Rulemaking Records
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy
- Current Agency Rules
 - Mixed: Contingent Upon Event, see Description, Not Retained in Record Center, Destroy

- Supporting Materials for Rulemaking Initiatives
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy
- Rulemaking Internal Working Documents
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy
- De-organization/Organization Decision Documents
 - Digital: thirty years in Agency, Not Retained in Record Center, Archive
 - Paper: twenty years in Agency, ten years in Record Center, Archive
- De-organization/Organization Supporting Materials
 - Digital: 30 years in Agency, Not Retained in Record Center, Destroy
 - Paper: 20 years in Agency, 10 years in Record Center, Destroy
- De-organization Internal Working Documents
 - Mixed: Variable, see Description, Not Retained in Record Center, Destroy

A few Board members had the same questions regarding supporting materials as was mentioned regarding Supporting Materials for Planning Projects series.

Eric Stout made a motion to accept the schedules as written; Greg Zinser seconded the motion. Tammy did a role call the following Board members voted as follows: Jennifer Tarr, yes; Paige Lilly, yes; Greg Zinser, yes; James Francis, yes; Eric Stout, yes; Brenda Kielty, yes; Steve Collins, yes; Voting 7-0 in favor of approving the schedules as written.

Local Government General Schedule Revisions

There was discussion on several changes to the administrative schedule, which are being reviewed and discussed by a subcommittee. The subcommittee will bring forward the proposed changes for everyone's review and input, then check and vote on the final package. The discussion is focused on making the schedules more consistent with the State's General Schedules. The subcommittee's comments, which include recommendations from Greg, Shelley, Paige, and two other local clerks, were highlighted in purple on handout. The subcommittee is also trying to make the schedules more accessible to the public. There was discussion on line 41, Publications adopted from the State General Schedule and not published books. The subcommittee is unsure if these publications are published or not.

Town reports are sent to the State Library from municipalities, while other publications are not required in statute. The difference between local and state governments were discussed, as local government maintains their archival records the Archives does not receive them. The Board also touched on the idea of towns keeping a record of what

has been destroyed. The discussion highlighted the importance of maintaining records in the town office and ensuring they are correctly documented and destroyed.

The subcommittee discussed records retention after digitization, mainly financial information. They agreed that they should keep some records for a long time, especially if it is significant. However, they also acknowledge that some documents, such as payroll records, may be destroyed after a certain period. There was discussion regarding the need for a specific classification of forms, such as employee records or lawsuits.

The subcommittee agreed that the retention schedules should be based on specific criteria, such as the type of record being kept and the type of significant functions of the agency. They suggest that if the records are substantial, they should be kept permanently. The discussion also touched on changing the language to address the municipality's specific needs.

It was identified that there is a need for a comprehensive record schedule for significant programs for the agency rather than general records like financial records. The available schedule, which includes a change in the word municipality, is intended to protect long-term retention or archival records rather than run-of-the-mill records. The difference between the state and local government is when records are transferred to Archives, they are considered transferred and if disposed of, there is a disposition or destruction notification. The subcommittee addressed the need for Shelley to be part of the conversation. The financial schedule has not changed significantly, but there may be some need for language cleanup. The correspondence language is based on the State General's schedules and retention periods, and the electronic information schedule is like the State General schedules.

Deaccessions

Kennebec County Registry of Deeds Microfilm (extra copy) – A roll of microfilm was created in 2004, made as a reference copy for a patron who came to the Maine State Archives for research. There is a copy of this microfilm available online at the Kennebec County Registry of Deeds (website). Kate McBrien, State of Maine Archivist, stated that Maine State Archives is required by law to store a security copy of the microfilm for each County's Registry of Deeds, which they have on file.

Published Laws of Maine – There are eleven boxes of Published Laws of Maine. These boxes were taken in by error. They were transferred from Lithgow Library back in June of 1970. It is duplicate material for the Maine State Archives' legislative collection.

Paige Lilly made a motion to accept the deaccessions proposed. Steve Collins seconded the motion. Tammy did a role call, and the following Board members voted: Jennifer Tarr, yes; Paige Lilly, yes; Greg Zinser, yes; James Francis, yes; Eric Stout, yes; Brenda Kielty, yes; Steve Collins, yes. Voting in favor of 7-0 in favor of

deaccessioning the Registry of Deeds microfilm and eleven boxes of Published Laws of Maine.

State Archivist Report

The State Archives provides valuable guidance to the legislature on bills they are considering. Recognition of the Archives' work is beneficial for state government. Archives is offering tours to legislative staff and members of the legislature who enjoy learning about the Archives and what is accessible to them.

Archives is working to create a record retention schedule for the newly created Independent Commission investigating the shootings in Lewiston. This unique Commission will review a historic event that will be important for generations to learn from. The retention schedule is recommending all records created are archival; with the Governor making some of it confidential. The goal is to make the information available to the public in 75 years or before, ensuring that the records are preserved and accessible.

Report of Standing and Special Committees

None.

Potential Agenda Items for Future Meetings

None mentioned.

Adjournment

James Francis made a motion to adjourn, all members present were in favor. Meeting adjourned at 2:00 pm.

The next meeting is scheduled for January 18th at 1:00 pm.