

Public Records Advisory Council
Meeting Agenda
October 3, 2017 – 1:00pm – 3:00pm
Oregon State Archives Building
800 Summer Street NE
Salem, OR 97304

- I. Welcome
- II. Expectations
- III. Introductions
- IV. Public Records Advocate Qualities
- V. Moving Forward
- VI. Next Meeting Date

Public Records Advisory Council
Meeting Minutes
October 3, 2017 – 1:00pm – 3:00pm
Oregon State Archives Building
800 Summer Street NE
Salem, OR 97304

Attendees:

Mary Beth Herkert, Secretary of State, Archives Division
Michael Kron, Dept. of Justice, Attorney General's Office
Matt Shelby, Department of Administrative Services
Steve Suo, *Oregonian* (news media)
Lee van der Voo, *Investigate West*, (news media)
Scott Winkels, League of Oregon Cities, (representative of the cities)
Rob Bovett, Association of Oregon Counties, (representative of the counties)
Mark Landauer, special districts, (representative of the special districts)
Tony Hernandez, (public member)
Les Zaitz, *Malheur Enterprise*, (news media)
Rep. Karin Power
Justin Brecht, representing Sen. Kim Thatcher
Shirin Khosravi, SEIU, (public sector workforce) - called in
Stephanie Clark, Secretary of State, Archives Division (support for council meeting)

I. Welcome

Mary Beth Herkert, as acting chair of the council, welcomed the group and gave a brief history of how we got to the Public Records Advocate, including research done of other states' public records ombudsman offices or equivalent. From this research, a list of strengths and weaknesses of each program were developed and presented to the Governor, Secretary of State and the Attorney General's Task force for consideration in moving forward in creating a similar program in Oregon.

II. Expectations

Mary Beth moved on to the expectations she has for the Council, primarily presenting three candidates to the Governor that the entire Council can endorse as Oregon's Public Records Advocate. Since transparency and trust are at the core of SB 106 it is imperative that the Advocate be well versed in all aspects of ORS 192 (public records and public meetings), is trusted, independent, strong in training and public speaking, and understands the differences that Oregon state and local government present (i.e. size).

Mary Beth also expressed that it is her expectation that the communications and actions of the Council will be transparent and that those members without a government issued email have been issued state email addresses. She also asked that those who have a government email use PRAC in the subject line when communicating Council business. Rob Bovett reminded the members to be careful not to hold discussions or deliberations that would be seen as a violation of the Public Meetings Law. Mary Beth then finished her part by stating that all of the records of the Council will be put into the Archives, electronic records management system.

III. Introductions

We then went around the room and each member of the council introduced themselves and shared their expectations for this group. All agreed with the above and added the following expectations:

Do what SB 106 set forth to do

- Restore public faith and trust
- Acting for the citizens
- Reduce conflicts and confusion about public records
- Improve the problem and not make it worse
- Pick up where the task force left off
- Balance transparency with common sense exemptions
- Establish a clear and consistent process.

IV. Public Records Advocate Qualities

The council discussed qualities they are looking for in a Public Records Advocate. There were 13 applicants in the first batch with only 8 meeting the minimum qualifications. Council unanimously agreed to re-open the recruitment and that they would post it in other markets where qualified candidates would see it. The recruitment will be open until October 15, 2017. The group also agreed that the Secretary of State's Human Resources division should weed out all candidates who don't have a law degree. We also agreed that the entire group will participate in the evaluation of applications and the interviews.

V. Moving Forward

The Council agreed to try to have the nominees to the Governor in time for the November Legislative days but felt it is more important to have three solid candidates to present to the Governor than meeting that deadline. If we miss the November Legislative Days, we will make the deadline for January.

VI. Next Meeting Dates

October 17th 1:00 pm – 4:00 pm – Review the pool of Public Records Advocate applicants and decide on interview questions that Council members will forward to Mary Beth ahead of time.

October 23rd 1:00 pm – 5:00 pm – Interviews of the Public Records Advocate candidates
Archives Building, Large Conference Room, 800 Summer St. Salem, OR 97310

For more information on the council: <http://sos.oregon.gov/archives/Pages/public-records-advisory.aspx>

To subscribe to receive email updates:

https://public.govdelivery.com/accounts/ORSOS/subscriber/new?topic_id=ORSOS_94