

Public Records Advisory Council  
Meeting Minutes  
November 19, 2018 – 10:00am-11:00am  
Oregon State Archives Building  
800 Summer Street NE  
Salem, OR 97310

**Attendees:**

Ginger McCall  
Mary Beth Herkert  
Michael Kron  
Les Zaitz  
Scott Winkels  
Rob Bovett  
Shirin Khosravi  
Tony Hernandez

**Introduction:**

Ginger McCall started the meeting by having everyone on the phone introduce themselves. Ginger stated the draft report for the governor and the survey to agencies agreed upon in the last meeting would be the discussion for this meeting.

**Updates by the Public Records Advocate:**

Ginger McCall stated they wanted to make sure people filled out the survey but were not so pushy people did not want to fill out the survey. Ginger McCall stated she received feedback from Mark Landauer and Les Zaitz. Les Zaitz stated he thought Ginger should include her own assessment about Oregon's public records laws and that she should take on the issue of cost upfront. Rob Bovett stated that Ginger has not been given enough staff to make cities and recorders participate. Michael Kron stated that the report is not a good place to talk about legislative changes that the council has not discussed yet. Ginger McCall stated she is fine with tabling that and stated that regarding Les Zaitz's suggestions asked how the council wanted her to proceed forward. Ginger McCall stated she is happy to bring up the cost in the legislative session if it gets brought up and that she is happy to talk to the council about this in the future.

Ginger McCall asked the council if they wanted her to add her observations and conclusions at the end of the report to the governor. Mary Beth Herkert stated she is neutral on this and asked if it is supposed to be Ginger McCall's conclusions or the Council's conclusions. Ginger McCall stated it is the Council's conclusions and they are supposed to report the findings of the council. Mary Beth Herkert stated Ginger McCall's report would be helpful for next year since they have nothing to compare it to. Ginger McCall asked the council if they need to have another meeting or if they were comfortable with her in her summary writing the opinion of herself and her office.

Les Zaitz stated that it would be useful information for the folks reading the report to see Ginger's summaries and conclusions. The council stated they did not need another meeting to go over Ginger McCall's summaries and conclusions in her report. Ginger stated that the persistent issues she sees in her job from government agencies are issues with fees and confusions with when to waive fees. Ginger McCall discussed with the Council that more clarifications were needed in the law.

Rob Bovett stated that he is comfortable with Ginger McCall presenting her summary as long as she makes it clear it is her opinions not the Council's. Council agreed they are fine with that and that Ginger will move forward writing her summaries and conclusions. Michael Kron stated he had one comment, he encouraged Ginger McCall to fill in the ORS citations and said this would be easier for the public to find them. Rob Bovett stated you cannot cite an ORS citation that is temporary. Council discussed which agencies to survey. Ginger McCall asked the council if they had more comments or ideas. Mary Beth Herkert stated Council needed to have a vote. Mary Beth Herkert stated that much of the training Ginger McCall had been doing over the past year was done with the records management at the archives. Council voted to move forward with the report and it was a unanimous "aye."

Ginger McCall stated they would send the survey to the ten largest cities in Oregon, ten randomly selected cities, ten randomly selected school districts, ten randomly selected counties, and ten randomly selected special districts. Council asked how they would randomly select these districts and cities for the survey. Council stated they were comfortable allowing Ginger to come up with a way to randomly select which government entities get surveyed. Council voted "aye" on this unanimously.

Council read over the cover letter Ginger McCall had emailed out to them for review. Ginger asked if the council had any comments or requests to change this letter. Ginger requested the council email her if they see errors. Council voted unanimously "aye" to move forward with using this cover letter. Ginger McCall stated the council had two legislative proposals and that the Council needed to decide to meet over the phone sometime in January or December. Ginger McCall stated she would do a doodle poll to find out what times worked for the Council.

### **Concluding Remarks:**

Ginger McCall stated in summary the review of the meeting: she would write the summary of her findings for the year to include with the report to the Governor and she would specify these summaries were just her opinions. The agency list would be up to Ginger McCall's discretion in how she would randomly select government entities to be surveyed. The cover letter the Council had gone over earlier was approved and included would be an explanation why the agencies needed to fill out the survey. Council motioned to adjourn and it was unanimously "aye."