



**MINUTES OF THE STATE COMMISSION OF PUBLIC RECORDS**  
**REGULAR MEETING – August 26, 2014**

The State Commission of Public Records convened at 9:30 a.m. on Tuesday, August 26, 2014 at 1209 Camino Carlos Rey, Santa Fe, New Mexico 87507.

**Members Present**

Robert J. Torrez	Chair, Historian
Edwynn Burckle	Cabinet Secretary, General Services Department
Christina Espinoza	Designee for the Honorable Secretary of State
Sonya Carrasco-Trujillo	Representative for the Honorable Hector Balderas, State Auditor
Mark Reynolds	Representative for the Honorable, Gary King, Attorney General
Jeff Pappas	Representative for the Department of Cultural Affairs

**Staff Present**

Linda Trujillo, Esq.	State Records Administrator
Antoinette L. Solano	Executive Administrative Assistant
Ruben Rivera	Accounts Payable Officer
Pete Chacon	Information Technology, Chief Information Officer
Pamela Vigil	Management Analyst, ALD
Jackie Garcia	Agency Analysis Bureau
Leo Lucero	Director, Records Management Division, RMD
Jennifer Camp	Management Analyst, RMD
Tanya Vigil	Management Analyst, RMD
Susan Montoya	Management Analyst, RMD
Melissa Salazar	Director, Archives and Historical Services
Felicia Lujan	Archives Bureau Chief
Dr. Rick Hendricks	State Historian
Matt Ortiz	Administrative Law, Division Director
Emily Brock	Senior Archivist
Gail Packard	Administrative Secretary
Rachel Adler	Senior Archivist
Bonnie Coleman	Office of the State Historian
Sibel Melik	Archives Division, Senior Archivist

**Guests**

Julia Wirick	Hoopes+Bowden, Architects
Suby Bowden	Hoopes+Bowden, Architects
Craig Hoopes	Hoopes+Bowden, Architects
Randi Johnson	State Personnel Office (SPO)
Jessica Cooper	SPO
Nita Tausam	SPO
Bernadette Torr	SPO
Michael Rodriguez	Facilities Management Division, GSD
John Langham	SPO
Ronald Herrera	SPO

**I. OPENING ACTIVITIES:**

### **A. Call to order**

The Chair called the meeting to order at 9:34 a.m.

### **B. Approval of agenda**

The Chair entertained a **MOTION** to approve the agenda. Mr. Reynolds **MOVED** and Ms. Carrasco-Trujillo **SECONDED** the motion. Ms. Trujillo noted that a numbering error on the agenda would be corrected in the minutes. The motion **PASSED** unanimously.

## **II. OLD BUSINESS:**

### **A. Building Expansion - Hoopes+Bowden presentation of building expansion process (programming, design and construction documents)**

Ms. Trujillo introduced the Architect team consisting of Greg Hoopes, Julia Wirick and Suby. Bowden. Ms. Bowden stated that the Hoopes+Bowden firm has a contract for the next 12 month with an ending date of July 2015. This team will study the existing Carruthers building and with input from interested parties they will complete an architectural design. Areas under review include clarifying the entrance and the general organization of the building. Because of the complexity of the building they are employing an integrated design process. This includes working with the staff of both agencies. She stated that they were also working with a very large team from the General Services Department that included all levels of staff, including maintenance staff.

Ms. Bowden explained that the information being presenting was approved by the SRCA and Library staff and included conceptual schematic designs. The presentation would also includes a full build out which is not fully designed. She said that most of the teams structural and chemical engineers are all local and of very high quality. However, Hoopes+Bowden decided to hire a national consultant from Image Permanent Institute (IPI). IPI is a 30 year old organization. The organization's purpose is to provide scientific evidence for preservation of archives and library materials. They are teamed with The Rochester Institute Technology a non-profit organization and have been consultants for the Library of Congress, National Archives, and National Library and also the British and French Libraries around the world. Ms. Bowden reported IPI had spent four days in deep study on the nature of the collections and the mechanical and electrical equipment that controls the building. She had been very impressed with them and they will continue to provide services for this project.

Mr. Hoopes stated that IPI was brought in because of the group's expertise and the most important aspect is that the NM Archives is an affiliate on the National Archives. He said it was very important that his team keep up to date with the happenings in the archival world to ensure new designs conform to national and international archives standards. He further stated that the team is considering solution. The estimation of the full build out would accommodate about 1,000,000 boxes in comparison to the estimate 5 years ago was around 300,000. Mr. Hoopes further advised the Commission that the team has not fully addressed all the building and environment issues but they understand water may need to be redirected to and moved away from the building. The team is also doing soil sampling and because the south area of the building was once a motor vehicle facility it has not been determined if there is a fuel or environmental issue. He said the team is also considering strategies to limit public access and increase security.

Chair Torrez asked about the scheme on page 7 regarding the square footage. Mr. Hoopes explained the new records area would have high density shelving and although it looks the same size there will be more box space. Mr. Pappas asked what would be a probable scenario of paper records in 30 years verses emerging technology. Mr. Hoopes stated the hope is that technology will catch up with the archival

process. He said the current maximum is 10 years for digital storage. Ms. Suby Bowden stated that the IPI group had given them this particular data. IPI has been studying digital data for the last 30 years to find anything that would last longer than the 10 years. She said the data must continually be migrated to new hardware and software in short periods of time which is very expensive and labor intensive. IPI recommends storing records and archives on microfiche, and high quality archival papers. She stated that Ink jet documents if not stored in a humidity correct environment will fall off the page and with some paper the ink may disappear.

The Chair stated that his understanding was that paper for the next 20 years is still an essential archival product. Mr. Hoopes said that was correct. Mr. Pappas stated that the National Archives was committed to paper and microfiche. Ms. Bowden reminded the Commissioners that the archive has a small cinematic film collection that has to be frozen. She said the teams have discussed the idea of cold rooms. The National Archives is still using refrigerator freezers so the recommendation is to purchase 8 freezers for the archives. Mr. Hoopes stated that the collections are now sitting on shelves in the Archives. Mr. Pappas asked what the shelf life expectancy was at this time. Ms. Bowden said if the film is frozen you can get 400 years. Ms. Salazar stated that the collections were inspected in 2003 and were measured for shrinkage. During the last few years there is more shrinkage on the collections despite the vaults being at a high archival standard.

Mr. Hoopes introduced Ms. Wirick. She advised the Commission that the team was on a fast track to complete the design schedule due to budget deadlines. She said that the schematics for phase one were under review. The Libraries South West Collection would potentially move upstairs and the whole area of the main Library would be a part of the renovation. She went on to present the new corridors for the front entry way and a staff entry down on the lower level. The Record Center area is showing a 24 ft. high for the shelving. But that an alternative version would be an addition and would leave the same footprint of the existing area. This would be higher area which IPI insisted was the more modern and consistent method of storage with leaving a single story that would need equipment and computers that would find the fastest way to retrieve from storage. She reviewed the numbers and space issues these plans would require. She said that the area that is currently occupied by the South West Collection, microfilm and the Archives Research space would be more appropriate upstairs in a larger space. This would be at the East end of the Library and would serve as a focal point for the campus.

The team reviewed the space and looked at the other corridors as needed. She asked that the Commission review the next page as the buildup of the initial study alternatives. The team has gone on to develop two alternatives she discussed the building maps, high density shelving and the picker equipment that would be needed to retrieve materials. She reiterated that some of the walls could be salvaged on this build while adding more box space. She said that in this idea they had restored the primary element to have an entry to serve as a welcoming possibly using a lantern affect, which would have a secured entrance to the Library. This particular sketch would not be a sole entrance but would stand as the primary entrance. This is an encouraging element of the upper level space and the campus as a whole. The mail room as the function of the library would stand as a relationship to the outside as the new floating dock would be developed at this location. Chair Torrez asked if this particular plan will mirror the Toney Anaya building. Ms. Wirick stated, yes and that the Toney Anaya building was actually three stories. She said that the shape of the build should blend with the campus.

Mr. Hoopes stated that one of the most important aspects of these ideas is that the public would be kept in the upper level. They would not be going down to the lower level unless escorted by staff. This would be apt to better monitor the public's comings and goings. The ideas is that the current Library becomes a great room a place where all of the research and reading will be done and the staff would be relocated to

the other level so that they could access and find what materials that they would need other than the public being able to go through these areas. Ms. Wirick also added that the schematics were also in the plans. Ms. Bowden explained the dimensions of the shelving that would be needed in these particular ideas that are still in development. This plan and the prior alternate represent a possible million cubic box capacity. Mr. Pappas asked if the team had considered using the existing unused space. Ms. Wirick advised him that yes, they had and it is part of the schematics.

Ms. Bowden stated that they have a two month process ahead that will include interviewing staff as well as speaking with GSD. At this point the project is in the beginning stages. She stated that this building will look like one of the best buildings in town once the entrances are done. It will be a beautiful welcoming area. The Chair asked if this phase would double the size of the building. Ms. Bowden said, yes absolutely. She reiterated that the two phases were different in design and idea. But what the team has been told by consultants on the project was that if the build is done in a two story mass the cost would be less and the staff time would be shorter. Mr. Pappas asked if they had thought of solar. Ms. Bowden said that they are required by contract to provide the state with alternative energy sources and that they were committed to that as a firm. Secretary Burckle asked if there was going to be sufficient parking with the builds. Ms. Wirick said that they are beginning this study. She said that the parking as it is, was very under used and because of this they believed that some parking spaces could be used. This will be reviewed closer as the plans develop.

Mr. Hoopes stated that if the build was successful it would encourage more people coming into the building. The team is trying to accommodate for that as well. Ms. Wirick went on to discuss more of the schematics and signatures that will be established with the beginning of the build. Ms. Bowden also explained that the next sections would accommodate security staffing because of the issues that are currently happening in the building. She said the lockers would be removed but it would still provide a beautiful entry way. There would be an elevator so that staff would have access to the vault that would be below the great room. It would be a keyed elevator and key stair case for limited staff access. She said it would help to improve circulation of the building as well as a nicer a secure image. Secretary Burckle asked if the 5 years appropriation was sufficient. Mr. Hoopes stated, yes that was the best guess at the time it was brought up. Secretary Burckle asked that in 1980 when the building was built the life of the equipment was a 10 to 20 year life. This would provide now a very important major issue especially if all the equipment will have to be replaced. Ms. Bowden stated that of course this would be reviewed and that the team was relying on reports from the General Services Department. The recent reports date back to 2007, 2009 and 2011. She said that the HVAC systems that currently serves the Library and the Record Center are no longer in existence and the team is deeply impressed with the Staff's skills in repairing equipment along with the fire sprinkler systems, water heaters and boilers. She said the team is packaging a cost estimate that would separate the cost of repairs from the cost of renovation. They have been in discussion with the Facilities Management and Mr. Michael Rodriguez, site manager. They will present those two separate costs to them in order to address all the essential services that naturally start to expire even though the building is concrete and a 400 year building. The equipment inside of it even when you buy the highest equipment will not last more than 20 years. Secretary Burckle asked if this will be included in the cost estimate. Ms. Bowden said yes. She said that the chiller system is shared with the Toney Anaya building. So this build will need an additional chiller. She said that New Mexico has adopted standards for energy reductions and that energy reduction has basically been to turn off your heating ventilation and air conditioning. She said this was being done in the Library every evening and weekend. The Archives however, is kept on 24 hours because of the long term care and needs of the material in the vaults. She said that IPI recommended that the Library be on a 24 hour temperature control. This is based on the library having 50 to 100 year needs and they may in 10 years feel it should be even longer. The team is studying this very rapidly for a solution.

Mr. Reynolds asked if the Chair could speak more about what he mentioned earlier as to the site being contaminated because it had been a prior auto repair facility. This reminded him of the issues that the new court house encountered. Ms. Wirick replied that the team had been researching for any evidence or any prior study. She said that she had a lengthily conversation with Michelle Hunter from the Environment department and was still studying this issue. Ms. Bowden said that this must be studied further. The Chair asked Ms. Salazar if she had any knowledge of this issue. Ms. Salazar replied that she would have to do some research. The Chair thanked the team on behalf of the Commission for their efforts.

### **III. EXECUTIVE SESSION:**

The Chair entertained a **MOTION** to go into Executive Session. Mr. Reynolds **MOVED** to go into closed session for Limited Personnel Matters under the Open Meeting Act in section 10-15-1 (H)(2) for the limited purpose of discussing the possible selection of a new State Records Administrator. Ms. Espinoza **SECONDED** the motion. Ms. Solano conducted a roll call vote. Chair Torrez, yes: Mr. Reynolds, Yes: Secretary Burckle, yes: Ms. Trujillo, yes: Mr. Pappas, yes: Ms. Espinoza, yes. The **MOTION** passed unanimously and the Commission went into Executive Session at 10:25 a.m.

The Commission re-convened the regular meeting at 11:09 a.m. Mr. Reynolds stated that only limited personnel issues were discussed in Executive Session.

#### **A. Appointment of State Records Administrator**

The Chair stated that he was pleased to announce and would entertain a **MOTION** to affect the hiring of Ms. Linda Trujillo as the next State Records Administrator; Mr. Reynolds **MOVED** and Mr. Pappas **SECONDED** the motion. The motion **PASSED** unanimously.

The Chair entertained a **MOTION** regarding a salary increase for the position of State Records Administrator. The recommendation of the Committee was to increase the amount to \$85,000.00 per year; Secretary Burckle **MOVED** and Ms. Espinoza **SECONDED** the motion. The motion **PASSED UNANIMOUSLY**.

#### **B. Meeting minutes**

##### **1. Approval of the May 22, 2014- Special Commission Meeting Minutes**

The Chair entertained a **MOTION** to approve the minutes of the May 22, 2014 Special Commission Meeting minutes. Mr. Reynolds stated that there was one typo on the first line of the date should be May 22, 2014 rather than August 26, 2013. The Chair entertained a **MOTION** to approve the minutes as amended; Mr. Reynolds **MOVED** and Secretary Burckle **SECONDED** the motion. The motion **PASSED** unanimously.

##### **2. Approval of the June 17, 2014 Commission Meeting Minutes**

The Chair entertained a **MOTION** to approve the minutes of June 17, 2014 Commission Meeting minutes. Mr. Pappas asked that his title be changed to reflect the New Mexico Preservation Division and not New Mexico History Museum. The Chair asked for a correction on page 5 second paragraph to omit the word *was* on the page. Also on page 8 the fourth paragraph change *suing* to *using*. The Chair entertained a **MOTION** to approve the minutes as amended; Mr. Reynolds **MOVED** and Ms. Espinoza **SECONDED** the motion. The motion **PASSED** unanimously.

#### **C. Agency budget- Approval of the agency appropriation request for FY 16**

Ms. Trujillo stated that Mr. Rivera would distribute the E4 forms which had the budget information to be discussed. She wanted to point out a few items and noted the dollars amounts represent thousands. She first thanked Mr. Rivera for his hard work on the preparations for the budget process. She explained the 200 category is personnel services and employee benefits expense and that vacant positions are represented at mid-point. She noted that \$51.0 of the increase reflects the three percent salary increase given to state employees at the beginning of FY15.

Ms. Trujillo then explained the 300 category, which are contract services. This budget request is the same amount requested last year. She said there is \$15.0 in professional services; \$5.0 for the State Historians Office and \$10.0 for the Re-grant program that the HRAB Committee issues as re-grants.

She then explained the 400 category, which covers all supplies, travel, leasing, etc. She pointed out that last year the Commission gave a directive to begin using the state transportation pool and staff had begun using this resource so it will reduce the request for state mileage and fares. She stated that it took a few months for staff to acquire defensive driver training and the proper agreement with GSD, but in most instances staff is now using the GSD Motor Pool.

Ms. Trujillo further explained that the agency is almost at full staffing, but full funding for the vacant positions is being requested. Secretary Burckle asked if DFA had indicated they were going to support an increase. Ms. Trujillo stated that DFA would support fixed cost increases. Mr. Pappas asked if the agency had to process BAR monies. She said that the agency does BAR funding when it is changed from one category to another. She said that DFA and LFC analysts had been very supportive and processed BAR's in a timely. She stated that at this time our analyst Mr. Randall Soderquist has moved on to a new job with the Department of Transportation and that she hoped that the agency would acquire an analyst that was as responsive to the agency's needs as he has been.

Ms. Trujillo then explained the revolving fund. This fund is the money that the agency earns with the sale of box and the publication of the register. She said on page one the only increase was for the three percent salary increase. The 300 category stayed the same. She said that on the last page she would like to point out that the total for the 400 category is less the three percent that was added in the 200 category in order to keep a base budget of \$218.4.

Mr. Pappas asked what constituted State and Federal funding in the agency's budget. Ms. Trujillo stated that this budget doesn't have Federal funds. She said that some years the agency doesn't have Federal funding approval and that nothing is submitted and then when Federal funds are awarded, the agency submits a BAR to increase spending authority.

The Chair asked if this was consistent with the HRAB. She said yes, he was correct and that when they BAR to increase spending authority there is not a 10 day waiting period. In fact, requests are processed almost immediately and have come through very quickly. Secretary Burckle asked for clarification on the staff position that was listed. Ms. Trujillo said it is for the Editor of the Register in the Administrative Law Division. She said that there had been discussion this year of trying to move the salary over to the general fund. She said that the agency still didn't have all of its positions full so the recommendation to the Commission is that we keep it in this fund and once the agency is fully staffed it would move over. The Chair asked for clarification of the numbers of the funds. She stated 17900 and 37100. The Chair entertained a **MOTION** to approve both 17900 and 37100 agency budgets as submitted; Mr. Reynolds **MOVED** and Mr. Pappas **SECONDED** the motion. The motion **PASSED** unanimously.

#### **D. Records retention and disposition schedules**

### **1.18.333 NMAC, Executive Records Retention and Disposition Schedule (ERRDS), Department of Taxation and Revenue**

Ms. Camp presented the amendment to *1.18.333 NMAC, Department of Taxation and Revenue*. Ms. Camp informed the Commission that this was an amendment to the records retention schedule for the Taxation and Revenue. The purpose of this amendment is to schedule and update the current records and record keeping practices, being produced by the department

The amendments are the following programs: Property Tax with changes to the schedule to address formatting in the confidentiality and language that was utilized in the content that were identified in the review and update of the schedule. Throughout the course of surveying the records the following amendments were created.

Section: 1, 7, 8, 51, 60, 68, 74, 75, 81-93, 100-103, 106-108, 113.114, 120, 125, 126, 130, 136-138, 144-149, 155-157, 161, 167, 168, 171-173, 178, 183, 184, 187-189, 195, 200-203, 205-207, 210, 212-218, 221-226, 230-214, 246-251, 255-258, 262-265, were amended to reflect current record keeping practices.

Sections: 182, 185, 186 and 190-194 were repealed as these records are no longer in creation.

Sections: 185, 186, 196 and 197 were added to capture new records series as they are being created.

These amendments have been reviewed by the Cabinet Secretary of the Taxation and Revenue Department, the State Records Center and Archives Internal Review Committee and the Taxation and Revenue Department legal counsel.

The Chair asked if there were any guests from Tax and Revenue. Ms. Camp stated that there were not. The Chair asked for a brief description of the amendments. Ms. Camp stated that most of the changes were updates of confidentiality. She understood the changes were because the Retention Schedules do not determine confidentiality. The update states that some areas in the schedule may be confidential. And there were also updates to the Property Tax that was requested by the agency.

The Chair entertained a **MOTION** for adoption of the amendments; Mr. Jeff Pappas **MOVED** and Ms. Espinoza **SECONDED** the motion. The Chair asked if there were any further questions or comments. The motion **PASSED** unanimously.

### **1.18.420 NMAC, ERRDS, Regulation and Licensing Department**

Ms. Camp stated that the amendments to the retention schedule are for the *1.18.350 NMAC ERRDS, The General Services Department*. The purpose of this amendment is to schedule and update current records and record keeping practices being produced by the department.

The amendments are for the following programs: State Purchasing, Facilities Management and Transportation Services with changes to the schedule to address formatting in the confidentiality and language that was utilized in the content that were identified in the review of the schedule.

Throughout the course of surveying the records the following amendments were created.

Sections 1, 7, 8, 9, 101-103, 110, 117-120, 127, 128, 136, 137, 160, 178-183, 190-192, 224, 229-233, 236 were amended to reflect current records keeping practices.

Section 161 was repealed as this record is no longer in creation.

Sections 237- 240 were added to capture new records series as they were being created.

These amendments have been reviewed by the Cabinet Secretary of the General Services Department, the State Records Center and Archives Internal Review Committee and the General Services Department legal counsel.

The Chair asked what happens to the records after they are no longer being created that are being repealed in Section 161. Ms. Camp referred the question to Mr. Lucero. Mr. Lucero stated that the retention of 25 years will still apply to those records. The Chair asked if there was any further discussion or comments. Mr. Reynolds noted that on page 4 the addition of language that retention is permanent until there is a retention schedule. Ms. Trujillo replied that it had been added to the retention schedule due to some agencies destroying records because there was not a retention schedule in place. She said last year it was added in the schedule and that it had not been common practice to inform agencies that if there is not a retention schedule the records cannot be destroyed.

The Chair entertained a **MOTION** to approve the amendment to *ERRDS, General Services Department*; Mr. Reynolds **MOVED** and Ms. Espinoza **SECONDED** the motion. The motion **PASSED** unanimously. Ms. Camp thanked the staff from the General Services Department, and Secretary Burckle.

#### **1.18.378 NMAC, ERRDS, State Personnel Office**

Ms. Garcia presented the amendment to *1.18.378 NMAC, ERRDS, State Personnel Office*. The amendments are to Sections: 1, 8, 9, and 41. Sections being added: 100-103 and 150. She said that pending on the approval of the Commission this would go into effect on September 26, 2014. This schedule was proposed upon the request of State Personnel and this will be a first of maybe two or three amendments in order to replace the entire schedule. This was reviewed by the Records Management Division and the Internal Review Committee and had been sent out for comment. She said that there was a proposed change. It is a change in the record series name Section: *1.18.101*, upon the request of the State Personnel Office. She said that currently in the packets it reads, *Collective Bargaining Act Trainings* they proposed a change to say: *Collective Bargaining Agreement Training*. This was taking the word *Act* and replacing it with *Agreement*. The Record Center and Archives staff is in agreement with this proposed change. The Chair asked if in the future the change could be made internally and Ms. Garcia stated that once the proposed rules are posted for comment any additional changes must be made by the Commission.

Ms. Garcia said procedurally the Committee could approve the changes as an amendment. The Chair asked for clarification that the word *Act* was being replaced with *Agreement*. Ms. Garcia stated, yes he was correct. She introduced the staff that was in attendance from State Personnel. Ms. Johnson from State Personnel said upon review of the schedule there is no such thing as a *Collective Bargaining Act*. So she said that she suggested that the change be to *Labor Training*. At this time Ms. Garcia suggested to change the word *Act* to *Agreement*. The Chair asked if this was sufficient for them. Ms. Johnson stated that this change would encompass what they do. Ms. Garcia stated that she suggested it read *Collective Bargaining Training* because these trainings are specifically conducted for State agencies and stewards with regards to the *Collective Bargaining Agreement*. She also stated that personnel training are different core trainings as well as organizational training. She said that it might be confusing in these two records series. She said this is why she suggested that it stay *Collective Bargaining Agreements Training* which would be specific to the type of labor training. Mr. Pappas asked if there was a section just for training. Ms. Garcia stated that this was the whole section it never had a record series in the current schedule with regards to labor training. She said that all these sections will be entirely new to this schedule. Ms.



Johnson concurred and explained the separate training divisions. The Chair asked for clarification on the Labor Training. Ms. Johnson suggested that it would be changed to *Collective Bargaining Agreement and Labor Training*. She said that would combine both and it would be more specific to what they were trying to accomplish. Ms. Garcia stated that would be feasible.

Mr. Reynolds asked that if there was a Section for additional training. Ms. Garcia said with this current survey this was supposed to cover all these issues. The Chair asked if the wording *Collective Bargaining and Agreement and Labor Training* were the change. Ms. Garcia stated that this was the wording that was agreed upon. The Commissioners discussed the description and changes of the wording. Ms. Johnson stated that SPO does not provide general labor relations training. Secretary Burckle asked who the training was provided for. Ms. Johnson said the training was geared more for management. Mr. Reynolds suggested leaving the first sentence as is and then adding a sentence after that says training on Labor relations and appointed matters. Ms. Johnson stated that would be acceptable. Mr. Reynolds had a concern on some of the disciplinary action case files; he stated he used to be very involved as Counsel for state agencies. He felt that 10 years was not long enough retention. He suggested that it read 10 years from date of final resolution of the case. Ms. Johnson stated to the Commission that she was in agreement.

The Chair entertained a **MOTION** to approve the amendments to *ERRDS, 1.18.378 NMAC, ERRDS, State Personnel Office*; Mr. Pappas **MOVED** and Secretary Burckle **SECONDED** the motion. Mr. Reynolds asked what 5 years from date training superseded meant. Ms. Garcia said the date is superseded and is usually the scheduling style of wording. She said when the training is superseded; by a new training the other one would meet its retention. The motion **PASSED** unanimously.

Ms. Trujillo thanked Ms. Garcia for her hard work in helping the State Personnel Office update the retention schedules. She also thanked the staff at State Personnel. She noted to the Commission that the relationship between the SRCA and the State Personnel had greatly improved. Ms. Johnson stated that she concurred with Ms. Trujillo on all the hard work of both agencies' staff.

The Chair asked why the schedule for Regulation and Licensing was not in the packet. She said that RLD requested that retention of their case files that end up in the suspension or revocation of a licensee's license be reduced to a 10 year retention period. The SRCA Internal Review Committee did not agree with this. It is currently a 25 retention period. RLD expressed that because SRCA has run out of space for records there is a record storage issue. RLD also stated that there is an IPRA problem with having these records an extra 15 years. Ms. Trujillo stated that the recommendation from the SRCA IRC is to remain at 25 years because the purpose behind this retention has nothing to do with those issues. It has to do with a licensee trying to come back and get relicensed. The Committee reasoned that 25 years is probably a professional lifetime of a licensee in the Construction Industry. The Chair asked if there were any staff members from RLD in attendance. Ms. Trujillo stated no. Mr. Reynolds stated that no action needed to be taken for this issue.

## **E. Deeds of gift**

### **1. Anton Chico Land Grant Records**

Ms. Lujan presented the deeds of gift in Ms. Salazar's absence. Ms. Lujan stated that the Anton Chico Land Grant Board of Trustees has passed a resolution to transfer the surviving records of the land grant to the State Records Center and Archives. The resolution reads: be it resolved by the Board of Trustees of the Anton Chico Land grant that in order to protect and preserve the existing and surviving minutes books and ledgers of the Anton Chico Land Grant (Merced), for present and future generations and for posterity

to enjoy, the President Cristobal Marquez shall register or cause to be registered these Historical Records with the New Mexico State Records Center and Archives.

**Summary:**

The following summary of the Anton Chico Land Grant was written by J.J. Bowden. You may view the full text on the [newmexico.org](http://newmexico.org) website. She stated that Ms. Salazar had done a Summary of how the Anton Chico Land Grant tied into J.J. Bowden's research.

Manuel Rivera, on behalf of himself and thirty-six others, petitioned the Ayuntamiento of San Miguel del Vado for a grant covering a tract of land situated about 30 miles south of San Miguel del Vado on the Pecos River, which was known as Anton Chico. The President of the Ayuntamiento, Manuel Baca, notified the petitioners that the Ayuntamiento did not have authority to issue the grant since the requested lands were located beyond its jurisdiction, but he had referred the matter to the Provincial Deputation of New Mexico for further action. The Provincial Deputation apparently approved the request and referred the matter to Governor Facundo Melgares for his consent. On May 2, 1822, Melgares granted the land to petitioners and directed Baca, who was also an Alcalde, to place them in possession of the grant. In compliance with the Governor's instruction, Baca immediately went to the town of Anton Chico and proceeded to survey the grant which was described as being bounded:

On the north, by the Antonio Ortiz Grant; on the east, by the Salino Spring, with the Alto de los Esteros, where the river forms a canyon below where the men were killed; on the south, by the ridge of Piedra Pintada and the little table land of Guadalupe; and on the west, by the Cuesta and Bernal Hill which is the boundary of San Miguel del Vado grant.

Following the completion of the survey, Baca Gave the grantees legal possession of the premises subject to the conditions that the grant be held in common for the benefit of the grantees and all future settlers who might move to Anton Chico, that each colonist equip himself with fire-arms and arrows for the defense of the colony and be able to pass muster before settling upon the grant, and that each settler must perform his share of any labors necessary for the general welfare of the community, such as digging ditches.

Office of the State Historian, NMSRCA  
(<http://www.newmexicohistory.org/fileddetails.docs.php?fileID=23131>)

The Commission had discussion of the materials and reviewed a copy of the resolution. The Chair entertained a **MOTION** to accept the deed of gift for the Anton Chico Land Grant Records; Mr. Reynolds **MOVED** and Ms. Espinoza **SECONDED** the motion. The motion **PASSED** unanimously.

**2. Ralph Charles Papers relating to the San Juan-Chama Project & other NM Water Projects**

Ms. Felicia stated that Dr. Gerald Charles wished to donate the papers of his late father Ralph Charles. The papers relate to significant water projects in New Mexico and the surrounding states. The papers, dating from approximately 1935 to 1989, are comprised of approximately 4 linear feet of material's the materials include correspondence, reports, presentations, maps, newspaper clippings, photographs and subject files relating to the San Juan-Chama project, the Middle Rio Grande Project and Conservancy District, and other water projects in New Mexico. She stated that Mr. Charles did provide a very detailed biography on his father who was very active. He has a Bachelor's of Science in Engineering he went on to have an accomplished career in regards to water research in general. And it closes with his recognition of his ceremony in 1989 in the city of Albuquerque along with representation of the state of New Mexico and various Federal agencies commemorating his work in water and natural resources in the Southwest.

It stated that he was one of the most remarkable photo planners and Hydro Politicians that New Mexico had known. She passed around aerial photos, general planning documents dating back to the 1960s.

His career spanned several decades in New Mexico. The Chair entertained a **MOTION** to accept the Ralph Charles Papers; Mr. Reynolds **MOVED** and Ms. Espinoza **SECONDED** the motion. The motion **PASSED** unanimously.

## V. NEW BUSINESS

### A. Employee recognition

Ms. Linda Trujillo stated that she had some exemplary service awards. The employees recognized were Ms. Jennifer Camp, Jay (Emmanuel) Rodriguez, Felicia Lujan, and Melissa Salazar.

## IV. DIRECTORS REPORT

Ms. Trujillo stated that the Commissioners have in their packets her report. She said that all the material and numbers were accurate. She pointed out a couple of issues. The agency had received approval to advertise the two positions that were requested from DFA. She advised of a new hire in the Record Center, Mr. Leroy Rivera and also approved for hire was an Archivist O position that would be advertised. The next position ready for hire is a Management Analyst which the agency had acquired the list and staff is reviewing for interviews. She said that the Records Clerk was also approved. She said that with the hiring of the Agency Director that there will only be three positions that will be unfilled in the agency. She noted that when she was hired three years ago the agency had a 35-40 vacancy rate. The agency has done a great job of hiring new people. The Legislature, DFA, LFC and the Governor have assisted the agency with its staffing issues.

Ms. Trujillo reported that there would be a rule hearing on September 2, 2014 with Mr. Ortiz designated as the hearing officer. The proposed rulemaking action is to update the rules for internal processing, access to the research room, and records management. Secretary Burckle asked if he could be emailed a copy of the notice and the rules that were being updated. Ms. Trujillo stated, yes. She also reported that an MOU (Memo of Understanding) with the State Library was in the first stages. The MOU is an agreement to have the library to be the official repository for receiving state publications. This is because both agencies have statutory responsibility for receiving publications. It is easier for agencies to give copies to one particular agency and the Library is the agreed upon point of contact and then they give copies to the SRCA.

Ms. Trujillo also reported that Mr. Ortiz had drafted a letter for distribution to the Counties to ensure that the most recent subdivision regulations are filed with the agency in order to be effective as required by law. She said that out of the 33 counties, 15 had submitted new regulations and there were only 5 counties that had not responded.

The Office of the State Historian has been traveling to different high schools around the State and is in the process of developing a tote bag to carry out to schools. It was determined that it is easier to go out to the schools than coordinate school children visiting the agency. The Chair commended the staff for going out into the rural areas of the State. Ms. Trujillo stated that in the Commission packet was an Archival and Temperature Inventory report for the Commissions review. These reports are done annually and were completed over the summer.

Ms. Trujillo stated that Mr. Lucero had taken over the leadership role in the agency's CERR project. He will be the point of contact for DoIT, GSD and the internal team. The Chair asked that on page two there seemed to be an issue with the temperatures of the vault. She stated that in that particular time frame the

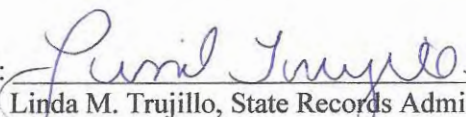
agency was having issues with the HVAC systems. She said that GSD was asked to move the HVAC system down to 50 degrees and 38 humidity. But after reviewing the HVAC system it was determined that it is not capable of these settings. Before the temperatures suggested by the IPI experts can be obtained, the HVAC system must be upgraded. She said that Ms. Coleman of the Office of the State Historian had been working on the annual report for 2013 for distribution. That was the end of her report.

**VII. SCHEDULING OF NEXT MEETING**

The Chair entertained a **MOTION** to schedule the meeting for Tuesday, December 9, 2014; Mr. Reynolds **MOVED** and Secretary Burckle **SECONDED** the motion. The motion **PASSED** unanimously.

**VII. ADJOURNMENT**

The Chair entertained a **MOTION** to adjourn; Secretary Burckle **MOVED** and Mr. Reynolds **SECONDED** the motion. The motion **PASSED** unanimously. The meeting adjourned at 12:49 p.m.

Submitted by:  12/22/14  
Linda M. Trujillo, State Records Administrator Date

Attested by:  12/14/14  
Robert J. Torrez, Commission Chair Date

Minutes approved on: December 9, 2014