

**MINUTES OF THE STATE COMMISSION OF PUBLIC RECORDS**  
**REGULAR MEETING – February 26, 2020**  
**1205 Camino Carlos Rey, Santa Fe, NM 87505**

**Members Present**

Brian Colón, Esq.	Chairman and State Auditor, Office of State Auditor
Tania Maestas, Esq.	Attorney General, Designee
Kenneth Ortiz, Esq.	General Services Department
Stephanie Wilson, Esq.	Interim Director, State Law Librarian
Anita Tellez, Esq.	Designee, Department of Cultural Affairs
John Kreienkamp, Esq.	Attorney General Council, Office of the Attorney General
Dylan Lange, Esq.	Designee, Secretary of the State

**Staff Present**

Georgette L. Chavez	Deputy State Records Administrator
Rick Hendricks, Ph. D	State Records Administrator
Justin Herrera	Financial Specialist, Administrative Services Division, ASD
Amanda Griego	Executive Secretary, ASD
Leo Lucero	Director, Records Management Division, RMD
Robert Wise	Information Technology Management Division, ITMD
James Kirby	Information Technology End User Support, ITMD
Thomas Shumaker, Ph.D.	Grants Administrator, Office of the State Historian, OSH
Felicia Lujan	Director, State Archives of New Mexico, SANM
Albert Martinez	Bureau Chief, RMD
Cassandra Baca	Records Management Analyst, RMD
Dena Hunt	Archivist, SANM
Margarita Romero	Secretary, SANM
Albert Martinez	Bureau Chief, RMD
Dennis Branch	NM Register Editor, ALD
Tanya Vigil	Bureau Chief, RMD
Samantha Anaya	Records Management Analyst, RMD
Ruben Rivera	Chief Financial Officer, ASD
Matt Ortiz	Division Director, ALD

**Public Present**

Geoff Mamerow	Auditor, Southwest Accounting Solutions, LLC
---------------	--

1205 Camino Carlos Rey | Santa Fe, NM 87507 | [www.srca.nm.gov](http://www.srca.nm.gov)

**Hon. Hector Balderas**  
*Attorney General*

**Hon. Brian S. Colón**  
*Chairman/State Auditor*

**Hon. Maggie Toulouse Oliver**  
*Secretary of State*

**Debra Garcia y Griego**  
*Department of Cultural Affairs*

**Kenneth Ortiz**  
*General Services Department*

## **I. OPENING ACTIVITIES**

### **A. Call to Order**

Chairman Colón called the meeting to order at 10:01 a.m.

### **B. Approval of the Agenda**

Chairman Colón amended the order of section II items A and B and entertained a **MOTION** to approve the agenda as amended. Ms. Wilson **MOVED**. Ms. Maestas **SECONDED**. The motion **PASSED UNANIMOUSLY**.

### **C. Approval of the Minutes of the December 10, 2019, Regular Meeting.**

Chairman Colón entertained a **MOTION** to approve the minutes. Ms. Maestas. **MOVED**. Ms. Wilson **SECONDED**. The motion **PASSED UNANIMOUSLY**.

## **II. PRESENTATIONS**

### **A. FY19 Annual Report Presentation**

Deputy State Records Administrator Chavez referred the commission to the FY19 annual report, which provides a detailed look at the many activities and accomplishments of the agency's programs. She noted that in 1959 the State Records Center and Archives (SRCA) was created in statute, and this year's annual report celebrates the 60<sup>th</sup> anniversary. She thanked Matt Ortiz, Felicia Lujan, Pete Chacon, Robert Martinez, and Leo Lucero for their assistance in preparing the informational summary for each of their respective divisions. She gave special thanks to Dena Hunt for researching and selecting each beautiful image and acknowledged Dennis Branch, editor of the *New Mexico Register*, for his many hours of hard work in preparing the report for publication.

### **B. FY19 Audit Report-Southwest Solutions, LLC**

Mr. Geoff Mamerow presented a summary of his audit report to the commission. He stated, "I've literally done hundreds of audits in the state of New Mexico. The Commission of Public Records is probably the best government entity that I have ever done. It is kind of the model that you want for control. Everything has its proper place. Everything runs through proper channels. It's just an exceptional organization. It really is, from the top to the bottom. It's just phenomenal. I wish everything was like this." Mr. Mamerow noted that there were no findings in the audit. He made a restatement of liabilities as a result of compensated absences the prior year because the previous auditor had mistakenly placed all sick leave in that liability.

Chairman Colón thanked Mr. Mamerow for his presentation. Deputy Chavez addressed the commission, informing them that this was the third year in a row that there have not been any findings in our audits. Mr. Lange also commended the staff for its hard work.

### III. ACTION ITEMS

#### Vote on Proposed Commission Rules

##### A. 1.21.2 NMAC Retention and Disposition of Public Records (CPR Rule)

Chairman Colón entertained a **MOTION** to adopt the amended rule as written and make July 1, 2020, the effective date. Mr. Ortiz. **MOVED**. Ms. Wilson **SECONDED**. The motion **PASSED UNANIMOUSLY**

##### B. Request to initiate the rulemaking process for the New Mexico Administrative Code

Chairman Colón entertained a **MOTION** to initiate the rule making process, Ms. Maestas. **MOVED**. Mr. Ortiz **SECONDED**. The motion **PASSED UNANIMOUSLY**.

### IV. DIRECTORS REPORT

Deputy Chavez reported that the agency had 7 vacancies out of 37 positions placing our vacancy rate at 18.9 percent. She provided a list of the all the vacant positions and reported information regarding fiscal year 2020 budget and then provided the divisions highlights.

In addition, Deputy Chavez reported on the budget balances as of February 1, 2020. The general fund balance in the 200 category was \$1,202,374; the balance in the 300 category was \$3,263; and the 400 category balance was \$3,805.

### BUILDING PROJECTS

Deputy Chavez presented the following building project updates.

#### HVAC System

The General Services Department (GSD) is currently working with engineers and contractors to install the new HVAC units. The installation process began with the replacement of the HVAC unit for the main and inner archives vaults, and the second unit will be replaced at the beginning of next month. In addition to stabilizing the temperature and relative humidity in the vaults, we anticipate that that the improved airflow will help mitigate the problem of elevated levels of radon in certain areas of the building.

#### Radon Mitigation

Radon mitigation efforts have continued since SRCA met in May 2019 with Secretary Kenneth Ortiz, FMD Director Anna Silva, and New Mexico Environment Department OSHA Compliance Assistance Specialist Jay Stimmel to identify cracks in the utility tunnel and archives vaults. With the assistance of the National Archives and Records Administration and GSD, we have identified a caulking and a wall coating to address the cracks in the archives vaults and utility tunnel, which are used specifically to mitigate elevated levels of radon. GSD has decided to follow the contractor's recommendations for this project.

**Shelving Extensions for the Main Archives Vault**

Contingent upon the approval of a budget adjustment request, SRCA will be utilizing operating budget to purchase shelving extensions for the archives main vault to maximize the space that is currently available. The shelving will provide additional space for 4,700 boxes. This project will be completed by the end of this fiscal year.

Leo Lucero, division director of the Records Management Division, provided a PowerPoint presentation on the Risk Management Project.

**V. SCHEDULING OF NEXT MEETING**

Chairman Colón stated the next meeting is scheduled for May 26, 2020.

**VI. ADJOURNMENT**

Chairman Colon entertained a **MOTION** to adjourn.  
The motion **PASSED UNANIMOUSLY**.

Submitted by: \_\_\_\_\_  
Rick Hendricks Ph.D. \_\_\_\_\_ Date \_\_\_\_\_  
State Records Administrator

Attested by: \_\_\_\_\_  
Brian S. Colón, Esq. \_\_\_\_\_ Date \_\_\_\_\_  
Commission Chair

Minutes Approved on: \_\_\_\_\_

