

FARMINGTON TOWNSHIP
PUBLIC RECORDS RETENTION POLICY

PURPOSE:

The Ohio Public Records Act, along with the Board of Trustees, mandate the Township establish maintain and direct an active continuing program for the effective management of the Township's records, including the designation of records officers responsible for responding to records requests and making Township records available to the public in furtherance of the Public Records Act and Ohio Law. The fiscal officer has been designated as the Township's official public records custodian to respond to public records requests not related to legal matters and to be responsible for the general management of the Township's Public Records Management Program.

RECORDS COMMISSION:

The Records Commission to oversee the retention and disposal of its public records is established by ORC. 149.42. The Farmington Township Records Commission is comprised of the Fiscal Office and Chairman of the Board of Trustees.

RECORDS RETENTION SCHEDULES:

The Township's Records Retention Schedules account for the management and disposition of records series that are common to the various township departments. A records retention schedule is a comprehensive list of records series, indicating for each the length of time the series is to be maintained and its disposition. A record Series is a group of related records filed and or used together as a unit and therefore evaluated as a unit for retention and disposition purposes. In addition to general administrative records series, there are records series unique to the operations of a particular budget center or township responsibility (zoning, fire, roads).

DESTRUCTION OF TRANSIENT/TRANSITORY RECORDS:

Transient records are records which serve to convey information of a temporary nature, and have a very short-lived administrative, legal and/or financial value to the Township. Transient records may be destroyed by the Township personnel once they are no longer of administrative value, according to approved retention schedules. Typically, the retention is not a fixed period of time and is event driven. It may be as short as a few hours and could be as long as several days, weeks, or months. Transient records may include public records that consist of emails, text messages, voice mail messages, telephone message slips, post-it notes, notes and superseded drafts.

UNLAWFUL DESTRUCTION OF PUBLIC RECORDS:

The Township, its Board of Trustees and its employees are prohibited from removing, destroying, mutilating, transferring or otherwise damaging or disposing of its records except as provided by approved Records Retention Schedules, Ohio law or under rules adopted by the State Records Administration or a Records Commission.

Outgoing Township officials and employees shall deliver Township public records to their successors and shall not otherwise remove, destroy, mutilate, or transfer Township records unlawfully.

The consequences for improperly disposing of a public record may be either or both of the following: (1) injunctive relief that orders the public office to comply with the retention law, plus a reasonable attorney's fees award, or (2) a forfeiture in the amount of \$1,000 for each violation, but not to exceed a cumulative total of \$10,000, regardless of the number of violations, and an award of the reasonable attorney's fees incurred by the person in the civil action not to exceed the forfeiture amount recovered. (ORC. 149.351)