



Gunnison Valley Rural Transportation Authority

GUNNISON VALLEY TRANSPORTATION AUTHORITY (RTA) DOCUMENT RETENTION POLICY

Several state laws, as well as law established in court cases, dictate what documents the Gunnison Valley Transportation Authority (RTA), as a government agency, must retain. Under the state Open Records Act, we must allow inspection of certain records we keep in the course running the RTA. However, there is no requirement that the RTA create new records because of a citizen request. If an RTA representative receives any request for records, that representative should consult with the RTA Executive Director or the RTA Attorney.

Some records relating to vehicles and vehicle maintenance are by necessity kept by the contractor who provides transit services under a transportation services agreement. These records are noted as kept "by contractor" in this policy.

Correspondence:

- a) A hard copy or electronic copy of all letters sent out; U.S. Mail, FedEx, UPS, or electronically: **1 year** (plus current year)
- b) Correspondence related to an RTA policy, legal, fiscal, historical or research of enduring value or any Public Record: **Permanently**. (Exhibit A: Definitions of Public and Non-public Records)

Contracts and Agreements

- a) Contracts: **6 years** (plus current year), after Contract becomes inactive
- b) Agreements: **6 years** (plus current year), after Contract becomes inactive

Complaints

- a) Written or via E-mail: **7 years** from date of receipt

Board Materials

- a) Agenda: **Permanently**
- b) By-laws: **Permanently**
- c) Minutes: **Permanently**
- d) Board Packets: **3 years** (plus current year)
- e) Recordings of meetings: **90 days**
- f) Meeting Notices: **1 year** (plus current year)
- g) Resolutions: **Permanent**
- h) Executive Sessions (recordings): **90 days**
- i) Board Public Record Emails: **Permanent**
- j) Board Executive Session Emails: **90 days**

k) Emails: **Permanent** (Board Members are all elected officials and should use only their governmental emails for RTA business. The respective governmental entities retain Board Member emails per their retention policies.)

l) Appointments: **Permanent**

Financial Records

a) Since Gunnison County is the fiscal agent for the RTA, financial records of the RTA are kept by Gunnison County according to their Financial Document Retention Policy

Litigation Records

a) Proceedings Files: **Permanent**

b) Legal Memo Research Files: **Permanent**

c) Litigation Files: **Permanent**

d) Court Decisions: **Permanent**

Personnel Records

a) The RTA currently has no personnel. If the RTA hires personnel in the future, a policy for retention of personnel records will be established.

Policies and Procedures

a) Policies: **Until updated or abandoned**

b) Procedures: **Until updated or abandoned**

Project and Construction Files

a) Procurement records, plans, maps, or other project records: **Permanent**

b) Project performance bonds: **1 year** (plus current year) after project completion

Reports and Studies done for the RTA

a) Transit and Mobility plans: **Until updated**

b) Ridership survey summaries: **10 years**

c) Ridership raw data: **2 years**

d) Ridership reports by month: **Permanently**

e) Non-Litigation Accident reports: **7 years by contractor**

f) Litigation Accident reports: **Permanently**

Vehicle and Equipment Records

a) Vehicle/Equipment manuals: **Life of vehicle/equipment by contractor**

b) Inventory lists: **Until revised**

c) Preventive maintenance work schedules: **Life of vehicle/equipment by contractor**

Work Orders

a) Work Orders: **1 year** (plus current year) **by contractor**

EXHIBIT A

PUBLIC/ NON-PUBLIC RECORDS

PUBLIC RECORDS: Correspondence by representatives of the RTA through electronic mail may be a public record open for inspection.

1. **Records** shall include: Books, papers, maps, photographs, or other documentary materials, regardless of physical form or characteristics, made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the RTA.

2. **Public Records** shall include: All records made, maintained or kept by the RTA for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds.

3. **Public Record E-mails** should not be deleted from RTA representatives' e-mail systems until they have been converted to an acceptable medium for permanent record retention. Public record e-mails, as with all public records, should not be altered in any manner.

NON-PUBLIC RECORDS: Correspondence without a demonstrable connection to the exercise of functions required or authorized by law or RTA policy, that does not have a significant impact on the functions of RTA, and that **does not involve spending or receiving public funds** is **not** public record. Non-public records include, but are not limited to the following:

1. E-mail messages, personal memos, return phone call messages, scheduling invitations on an Outlook calendar, automated responses, and other communications, for which the preservation is not necessary for a public purpose.

2. Correspondence between elected officials and constituents if the correspondence clearly implies by its nature and content that the constituent expects the communication to be kept confidential.

3. Correspondence relating to matters that are subject to confidentiality or non-disclosure by statute.

4. **Work Product** which shall be defined as:

a) E-mail and other intra/inter-RTA advisory or deliberative materials assembled for the benefit of elected officials that express an opinion or are deliberative in nature and are communicated for the purpose of assisting such elected officials in reaching a decision within the scope of their authority. Such non-public advisory materials shall include, but are not limited to: Staff reports, background materials, working drafts of resolutions, working drafts of policies, notes and memoranda that relate to or serve as background information for such decisions, and other preliminary drafts and discussion copies of documentation that express a decision by an elected official.

b) **Work Product** shall **not** include:

- 1) Any final version of a document that expresses a final decision by an elected official;
- 2) Any final version of a fiscal or performance audit report or similar document. The purpose of which is used to investigate, track, or account for the operation or management of a public entity or the expenditure of public money, together with the final version of any supporting material attached to such final report or document;
- 3) Any final accounting or final financial record or report; any materials that would otherwise constitute work product as defined above if such materials are produced and distributed in a public meeting or cited and identified in the text of the final version of a document that expresses a decision by an elected official.
- 4) Such material shall be deemed a public record as defined in this “Exhibit A.”