

**SOUTHEAST OHIO PUBLIC ENERGY COUNCIL
RECORDS POLICY**

SECTION 1. PUBLIC RECORDS

It is the Southeast Ohio Public Energy Council's (hereinafter "SOPEC") policy to provide prompt and open access to all public records maintained by SOPEC in accordance with the Ohio Revised Code Section 149.43 (Public Records Act). SOPEC is dedicated to responding to all public records requests in a timely and efficient manner and this policy applies to all of SOPEC's public records regardless of who created the records, how they were distributed, or how they are maintained, unless otherwise exempt.

The Southeast Ohio Public Energy Council (SOPEC), in accordance with the Ohio Revised Code Section 149.011(G), defines records as including the following: Any document – paper, digital, electronic, or other format – that is created, received by, or comes under the jurisdiction of SOPEC, that documents the organization, functions, policies, decisions, procedures, operations, or other activities of SOPEC. All records of SOPEC are available for public access unless they are specifically exempt from disclosure under state or federal law.

Section 1.1 – It is the policy of SOPEC that, as required by Ohio law, records will be organized and maintained so that they are promptly available for inspection and copies can be made within a reasonable time.

SECTION 2. RECORD REQUESTS

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1 – The requester must identify the records requested with sufficient clarity to allow SOPEC to identify, retrieve, and review the records. If it is not clear what records are being sought, the SOPEC staff must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which SOPEC keeps its records.

Section 2.2 – The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. However, by completing a public record request form, it will help SOPEC to promptly provide the requested public records.

Section 2.3 – Public records are to be available for inspection during regular business hours, with the exception of published holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time.

“Prompt” and “reasonable” take into account all of the facts and circumstances surrounding the response, including but not limited to the volume of records requested; the proximity of the location where the records are stored; and the necessity for any legal review of the records requested.

Section 2.4 – All requests for public records must either be satisfied or be acknowledged by SOPEC staff following SOPEC’s receipt of the request. If the request for records was in writing, the acknowledgement shall also be in writing.

Section 2.5 – Any denial of public records requested must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. Redactions must be accompanied by a supporting explanation, including legal authority. If the original request was in writing, the explanation for any denial and/or redaction will also be in writing.

SECTION 3. FEES FOR PUBLIC RECORDS

Those seeking public records will be charged a fee reflecting only the actual cost of making copies.

Section 3.1 – The charge for paper copies is 5 cents per page.

Section 3.2 – There is no charge for documents e-mailed.

Section 3.3 – Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

SECTION 4. E-MAIL

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of SOPEC. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1 – Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of SOPEC are instructed to retain their e-mails that relate to public business and to copy them to SOPEC’s records custodian.

Section 4.2 – The records custodian is to treat the e-mails from private accounts as records of the public office, filing them in the appropriate way, retaining them per established schedules and making them available for inspection and copying in accordance with the Public Records Act.

SECTION 5. SOPEC RECORDS COMMISSION

SOPEC will establish a SOPEC Records Commission to serve as the local records commission for the SOPEC Council of Governments according the following:

Section 5.1 – The SOPEC Records Commission will be comprised of three members of the SOPEC Board of Directors.

Section 5.2 – The SOPEC Records Commission will meet at least once annually to review the SOPEC Records Policy and the official Records Retention Schedule. The SOPEC Records Commission will also review the SOPEC Records Management Record, inventory of records, compliance with the policy, and provide recommendations for improvements to records management.

Section 5.3 – The SOPEC Records Commission will be chaired by the Vice-Chair of the SOPEC Board of Directors.

SECTION 6. SOPEC RECORDS MANAGEMENT RECORD

The SOPEC Records Custodian will maintain a SOPEC Records Management Record according to the following requirements:

Section 6.1 – The SOPEC Records Management Record will contain an initial Records Inventory documenting records that have been accounted for as well as identifying records that are missing or incomplete.

Section 6.2 – The SOPEC Records Management Record will contain annual internal audits of SOPEC Employment Records, Financial Records, Operational Records, and Meeting Records. These annual audits will be used to update the Records Inventory in Section 6.1.

Section 6.3 – The SOPEC Records Management Record will document the destruction of records according to the approved Records Retention Policy contained in Section 9 of this policy, as well as the destruction of records requiring the submission of Ohio Form RC-1 or Ohio Form RC-3 in accordance with Section 7.2 and Section 7.3 of this policy. Records destroyed under this section will be removed from the Records Inventory.

Section 6.4 – The SOPEC Records Management Record will document the approved Ohio Form RC-2 establishing the SOPEC Records Retention Schedule contained in Section 9 of this policy and any subsequent modifications submitted through Ohio Form RC-2.

SECTION 7. DESTRUCTION OF RECORDS

Records can only be destroyed in accordance with the following requirements:

Section 7.1 – Records that are described in the Records Retention Schedule contained in Section 9 of this policy and not requiring the submission of Ohio Form RC-3 can only be destroyed after the retention period of the record has expired.

Section 7.2 – Records described in the Records Retention Schedule contained in Section 9 of this policy and requiring the submission of Ohio Form RC-3 can only be destroyed after the retention period of the record has expired and after Ohio Form RC-3 has been submitted to the Ohio History Connection. The record can only be destroyed 30 days after submitting the form unless the Ohio History Connection requests the record be preserved or transferred.

Section 7.3 – Records not described in the Records Retention Schedule contained in Section 9 of this policy cannot be destroyed until Ohio Form RC-1 has been filed with and approved by the Ohio History Connection and the Ohio State Auditor.

Section 7.4 – Records destroyed according to Section 7.1, Section 7.2, or Section 7.3 of this policy will be documented in the SOPEC Records Management Record along with copies of the submitted and approved Ohio RC-1 or Ohio RC-3 forms.

SECTION 8. AMENDMENTS TO RECORDS RETENTION SCHEDULE

The Records Retention Schedule contained in Section 8 of this policy can only be amended in accordance with the following requirements:

Section 8.1 – Any modifications to the Records Retention Schedule, including adding, removing, or altering the language describing the Record Type, the Retention Period, or the Retention Method, must first be approved by the SOPEC Records Commission during a public meeting.

Section 8.2 – Modifications of the Records Retention Schedule that are approved by the SOPEC Records Commission must then be submitted on Ohio Form RC-2 to the Ohio History Connection and the Ohio State Auditor.

Section 8.3 – Modifications to the Records Retention Schedule are official only if they are approved by the SOPEC Records Commission and the Ohio History Connection and the Ohio State Auditor. The SOPEC Records Commission and Records Custodian must be notified of any changes to records requiring the submission of Ohio Form RC-3 prior to destruction.

Section 8.4 – Modifications to the Records Retention Schedule in this policy will be documented in the SOPEC Records Management Record along with copies of the submitted and approved Ohio RC-2 form.

SECTION 9. RECORDS RETENTION SCHEDULE

SOPEC staff, members of the SOPEC Board of Directors, and members of the SOPEC General Assembly, and all outside entities that provide services to SOPEC through a Vendor Service Agreement, will preserve and provide to the SOPEC records custodian the original records or copies of the records as specified below. The SOPEC records custodian will maintain, provide access to, and dispose of the records according to the following schedule.

Record Type	Retention Period	Retention Method
Accident Reports	6 Years Provided No Action Pending	Paper Copy
Agendas	6 Years	Paper Copy
Annual Budget	Permanent	Original and Digital Copy on Hard Drive and Cloud Backup
Annual Report	Permanent	Original and Digital Copy on Hard Drive and Cloud Backup
Continuing Education Certifications / Class / Seminars / Training Records	Place in Personnel File	Paper Copy
Contracts / Agreements	15 Years After Expiration or Termination	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Equipment Inventories	3 Years	Paper Copy
Equipment Maintenance Records	Life of the Equipment	Paper Copy
Expense Records	3 Years	Digital Copy on Hard Drive and Cloud Backup
General Orders, Directives, Policies, Rules, Regulations or Procedures	Until Superseded, Retain One Copy Until Audited	Paper Copy in Accessible Binder and Digital Copy on Hard Drive and Cloud Backup
Grant Files / Records	5 Years Provided Audited and Disputes Resolved	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Leases (Equipment)	2 Years After Expiration	Paper Copy
Leases (Real Estate)	5 Years After Expiration	Paper Copy
Licenses, Permits, Certifications	1 Year After Expiration	Paper Copy
Mail (Unsolicited)	Until No Longer Administratively Necessary	Original
Mail (Postal Records)	2 Years	Paper Copy
Mailing Lists	Until Updated, superseded, or Obsolete	Digital Copy
Manuals, Handbooks, and Directives	Until Superseded, Obsolete, or Replaced;	Paper Copy and Digital Copy on Hard Drive and Cloud Backup

	Afterwards, Retain One Copy for 5 Years	
Meeting Notices	1 Year	Paper Copy
Meeting Minutes	Permanent	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Meeting Notes	Until Minutes Approved	Paper Copy
Opt Outs	5 Years	Paper Copy
Press / News Releases	3 Years	Paper Copy
Project Plans	Life of Project or Until Obsolete	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Records Requests	2 Years	Paper Copy
Research Files	5 Years	Digital Copy on Hard Drive and Cloud Backup
Speeches / Presentations	3 Years	Digital Copy
Telephone Records / Charges / Bills	2 Years Provided Audited	Digital Copy
Voice Mail Messages	Until No Longer Administratively Necessary	Digital Copy
Accounts Ledger	5 Years After Last Entry, Provided Audited	Digital Copy
Accounts Payable Record	3 Years, Provided Audited	Digital Copy
Accounts Receivable Ledger	3 Years, Provided Audited	Digital Copy
Audit Reports	5 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Balance Sheets	3 Years	Digital Copy
Bank Deposit Records	3 Years, Provided Audited	Digital Copy
Bids (Successful)	15 Years After Completion of Project	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Bids (Unsuccessful)	2 Years After Letting of Contract	Digital Copy
Grant Documentation	5 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Cash Books / Cash Reports	3 Years	Digital Copy
Cash Receipts and Disbursements	3 Years, Provided Audited	Digital Copy
Checking Account Statement	3 Years, Provided Audited	Digital Copy
Checks (Bad)	2 Years After Settlement	Digital Copy
Checks (Cancelled)	3 Years, Provided Audited	Digital Copy

Checks (Voided)	Until Audited	Digital Copy
Cost Control Reports	3 Years	Digital Copy
Report of Cash Received	3 Years, Provided Audited	Digital Copy
Damage Claims	Until Settled and All Appeals Exhausted	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Deposit Refund Request	Until Deposit is Refunded and Account Audited	Digital Copy
Fixed Assets Record	10 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
General Ledger	25 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Insurance Policies	2 Years After Expiration, Provided All Claims Settled	Digital Copy
Investment Records	3 Years, Provided Audited	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Invoices and Supporting Documents	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Licenses	Term of License Plus 1 Year	Digital Copy
Permits	3 Years, Provided Audited	Digital Copy
Personal or Professional Services Invoice or Statement of Services	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Prevailing Wage Records	3 Years	Digital Copy
Property Inventories	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Purchase Orders	3 Years	Digital Copy
Receipts and Expenditures Report to Auditor of State	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Receiving Documents	3 Years	Digital Copy
Reconciliation Sheets, Bank Accounts	3 Years, Provided Audited	Paper Copy
Record of Funds Received	3 Years, Provided Audited	Paper Copy
Refund Check Ledger	5 Years, Provided Audited	Paper Copy
Remittance Advice	3 Years	Digital Copy

Request for Proposals (RFPs)	2 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Retirement System Payments / Records	Permanent	Digital Copy
Retirement System Exemption Record (Waiver)	Permanent	Digital Copy
Settlement Sheet or Tax Distribution from County Auditor	10 Years	Paper Copy
Trial Balance Records	3 Years	Digital Copy
Transmittal of Ohio Wage and Tax Statement	6 Years, Provided Audited	Digital Copy
Travel Expense Records	3 Years	Digital Copy
Unemployment Compensation Records	3 Years, Provided Audited	Digital Copy
Case Files (Civil)	10 Years, Provided No Action Pending	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Case Files (Criminal)	20 Years, Provided No Action Pending	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
SOPEC Property Files	Permanent	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Claims for Damages	2 Years After Case Settled and All Appeals Exhausted	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Court Transcripts	3 Years After Case Settled	Paper Copy
Deeds	Permanent	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Easements	Permanent	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Legal Notices	5 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Legal Opinions from Legal Counsel	Permanent	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Liability Waivers	3 Years Provided No Action Pending	Paper Copy and Digital Copy on Hard Drive and Cloud Backup

Settlements	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Workers' Compensation Claims	10 Years After Date of Final Payment	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Application for PERS Refund or Waiver	Permanent	Paper Copy
Court Order for Payroll Deduction	Until Employee Terminates or Order Rescinded	Paper Copy
Employee Earning Record	Continually Compiled and Updated Until Termination. Information Placed in Personnel File Yearly.	Paper Copy
Employee Income Tax Withholding Certificate	3 Years After Termination of Employment	Paper Copy
Withholding Payment Records	6 Years, Provided Audited	Paper Copy
Employee Pay Records	Continually Updated Until Termination, Then Place into Personnel File or Enter Data onto Employee History Card	Paper Copy
Employee Withholding Requests	Until Replaced or Revoked by Employee	Paper Copy
Employer Quarterly Federal Tax Return	4 Years, Provided Audited	Paper Copy
Garnishment Orders	Until Employee Terminates or Order Rescinded	Paper Copy
Leave Balances / Reports	Until Incorporated in Annual Leave	Paper Copy
Annual Employee Leave Use / Balances Report	5 Years	Paper Copy
Annual Leave Use and Balances by Unit	25 Years	Paper Copy
Notification of Pay / Pay Step Increase	Until Superseded. Copy in Personnel File	Paper Copy
Overtime Authorization	2 Years, Provided Audited	Paper Copy
Overtime Reports	2 Years, Provided Audited	Paper Copy
Payroll Record	50 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Annual Cumulative Printout	3 Years, Provided Audited and Cumulative	Paper Copy

Reports to Retirement Systems	50 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
State Income Tax Report	25 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Tax Withholding Reports	6 Years, Provided Audited	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
W-2 Forms	6 Years, Provided Audited	Paper Copy
W-4 Forms	Until Superseded or Employee Terminates	Paper Copy
Application for Employment (Hired)	Place in Personnel File	Paper Copy
Application for Employment (Not Hired)	2 Years	Paper Copy
Commendations, Promotions	Place in Personnel File	Paper Copy
Employee Exposure to Hazard Report	Place in Personnel File	Paper Copy
Employee Performance Evaluation	5 Years	Paper Copy
Employee Sick Leave and Vacation Balances	Balances Verified Yearly and Recorded in Personnel File	Paper Copy
Employee Time Cards / Sheets	3 Years	Paper Copy
Employee Training Records	Place in Personnel File	Paper Copy
Employment History Record Card	Permanent, In Lieu of Personnel File	Record Card
Grievance Hearing Records	1 Year After Resolved	Paper Copy
Job / Position Descriptions	1 Year After Superseded	Paper Copy
Leave Requests (All Types)	3 Years Provided Balances Journalized	Digital Copy
Letter of Appointment	Place in Personnel File	Paper Copy
Letter of Reference	2 Years After Hired	Paper Copy
Letter of Resignation	Place in Personnel File	Paper Copy
Personnel Actions	Place in Personnel File	Paper Copy
Personnel File / Records	Purge 2 Years After Employee Leaves SOPEC's Service. Retain Permanent Record of Service Time, Salary History, Leaves Balances, Taxes Paid, Resignation	Paper Copy

	Letter, Retirement Information and Waivers. In Lieu of These Documents, Use a Duly Certified Employment History Card. Retain OSHA Related Records for 20 Years.	
Promotion Action	Place in Personnel File	Paper Copy
Record of Disciplinary Action	4 Years	Paper Copy
Reports to Bureau of Employment Services	2 Years	Paper Copy
Unemployment Compensation Case Files	4 Years After Date of Final Payment	Paper Copy
Workers Compensation Case Files	10 Years After Date of Final Payment	Paper Copy
Opt-Out Electric Aggregation Program Records	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Opt-In Electric Aggregation Program Records	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup
Opt-Out Gas Aggregation Program Records	3 Years	Paper Copy and Digital Copy on Hard Drive and Cloud Backup