

The Port of Lewiston Records Retention Policy

The Port of Lewiston acknowledges the public nature of the work authorized pursuant to I.C. § 70-1101 et. seq. There are no Legislative requirements placed upon the Port for the retention of records and documents delivered to or generated by the Port, other than what is required by I.C. § 70 – 1402. The Port has adopted this records retention policy modeled after the statutory provisions addressing the records management of Idaho municipalities.

This Policy is adopted by the Port Commission effective June 1, 2019, and directs the Port Manager and staff to manage and retain of the Port’s public records consistent with this Policy.

SCOPE

This Port of Lewiston Records Retention Policy is subject to the provisions of the Idaho Public Records Law, I.C. § 9-338 and the exceptions to public disclosure that are permitted by Idaho Law. This Record Retention Policy applies to administrative records; accounting, budget, financial, and payroll records; including email correspondence, Insurance, Risk Management and Safety Records; Election Records, Legal Records, Personnel Records, Public Works and Engineering Records and Economic Development Records.

The Port’s Records are generally classified as permanent, semi permanent and transitory records. Permanent records are retained permanently, semi permanent records are retained five years after the last effective operational date and transitory records are kept for one year except for budget preparation and working budget papers and email correspondence which may be deleted when the administration purposes for the correspondence is ended.

Specific Classification of Records.

1. Administrative Records.

- 1.1 Administrative Records are the records of the general operation and conduct of the Port’s business. The Port will permanently keep its annual reports, records relating to Port Commissioner appointment, Commissioner Agendas and Adopted Meeting Minutes.

- 1.2 Proceedings of the Commission. Notes of meetings which are used to prepare formally adopted minutes are transitory records and maybe destroyed after the minutes of the meeting are officially approved by the Port Commission.
- 1.3 Proceedings of the Commission. Audio or video recordings of the meetings made available to the public by streaming or otherwise and used to prepare official minutes of the meeting shall be retained for a period of one year from the date the meeting minutes have been approved.
- 1.4 Contracts and Agreements. Documentation of the acquisition, lease, purchase or sale of personal property, deeds and other real property records including title opinions, abstracts and certificates of title, title insurance and records relating to the acquisition and disposal of real property are permanent records.
- 1.5 Email. Email creates unique records retention issues. Generally e-mail correspondence includes a record of the day-to-day office, program and general Port functions and are transitory records to be retained until the administrative need ends. Otherwise e-mails are not required to be retained. E-mails will be double deleted when the administrative need has ended. There is no requirement to retain an archival copy of an e-mail being deleted. If the individual e-mail user has transferred the e-mail into an applicable file folder using an Outlook style of e-mail program for convenience purposes, the e-mail will be treated as transitory correspondence which can be deleted when the administrative need ends.
2. Accounting, Budget, Finance and payroll records. The Port's audit report is a permanent record. The notice of Port Budget Hearing with tentative budget and appropriations, ordinance and any amendments are permanent records.
 - 2.2 Drafts budgets, worksheets, budget papers and other information considered for projection of income or expenses purposes are transitory records and unless specifically made part of documents provided to the Commissioners are transitory and maybe deleted or destroyed when the budget draft has been presented.
 - 2.3 All other financial, accounting, or payroll documentation are semi permanent records and shall be retained for five years after the end of the applicable fiscal year.
 - 2.4 Year End Financial Reports and Quarterly Published Financial Reports. Final reports from the award or the acceptance of grants are semi permanent records and will be kept five years after the last effective date.
3. Election Records. The election records of Port Commissioners are permanent records.

4. Insurance, risk management and safety records. Records dealing with accident reports, liability claim records, liability waivers, property damage records, public injury reports, worker's compensation claims records are semi permanent records and will be kept five years after the last date on which any reported action took place.
5. Legal Records. Legal opinions are permanent records, all other legal records are semi permanent records and will be retained for five years after the last date on which any administrative action took place.
6. Personnel Records. Employee records are permanent records.
7. Public works and engineering records.
 - 7.1 Engineering project and technical reports are semi permanent records to be retained five years after the completion of the construction of any structure or improvement on Port property.
 - 7.2 Maps, Plans, Drawings and Photos. Maps, plans, drawings and photos of any Port real property are permanent records except those which are obtained from other public agencies. Copies of maps, drawings and photos obtained from Federal, State, County or other agencies are transitory records and may be destroyed when the administrative need has ended.
 - 7.3 Waste Water, Sanitary Sewer or other utility records specifically related to Port operations are permanent records. Any information received from any other public entity are transitory records and may be destroyed after the administrative need ends.
8. Economic Development Records. The Port receives proprietary information from entities interested in locating, maintaining, investing in or expanding business opportunities and operations within the State of Idaho. This information which may include information about growers and shippers of commodities and their advertising strategies, financial statements and business information concerning commodities pricing, business agreements, development proposals or financing. Information from seed companies, seed growers, seed company and shippers which are proprietary to those entities are public information for purposes of the operation of the Port. These records are semi permanent and will be retained for five years, however, such records are subject to the limitations and restrictions on the disclosure of public documents found in I.C. § 9-340D. The unique economic development function of the Port of Lewiston requires the Port to carefully consider the relationship between the Port's duty to retain public records and the exemptions from

disclosure provided by Idaho law applying to trade secrets, production records of any nature, appraisals, bids and other proprietary information.

9. Historical Records. The Port considers it unlikely that it will have public records which because of the records age or cultural significance are historical. Should the Port have historical records come into its possession the records should be transferred to the Idaho State Historical Society's permanent records repository pursuant to I.C. §67-4126(8) & (9).
10. Digital Retention of Records. The Port may retain records in a digital medium or format which accurately reduces the paper record and precludes unauthorized alteration of the Record. The digitally retained record shall be considered the original public record and a reproduction or copy shall be considered a certified copy of the original. The digital medium will provide for reproduction on paper with a resolution of at least 200 dots per inch. Once a permanent, semi-permanent or transitory record is maintained in a digital format, the original paper document shall be considered a duplicate of the record and may be summarily disposed of or returned to the sender. The custodian of the digital record will have sufficient equipment for displaying, viewing and copying and shall be responsible for maintaining a duplicate in a fire proof vault or in an offsite storage facility.
11. Records Request Fee Schedule. All copies made are subject to a copying cost of \$0.05 per page after the first 100 pages, which may be required prior to receipt of record(s). If the request requires more than 2 hours of labor to produce and review records, the request will incur an additional fee at the average hourly rate of the employees producing the records. The Port will respond to requests within (3) business days. However, we reserve the right to take an additional (7) business days to respond. Business days are Monday – Friday 8:00 a.m. to 5:00 p.m. All requests received after normal business hours (excluding holidays) shall be deemed received the next business day.