

EXHIBIT A

**NASSAU COUNTY BOARD
OF COUNTY
COMMISSIONERS**

**RECORDS MANAGEMENT
PROCEDURE MANUAL**

JULY 2022

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INTRODUCTION

Proper records management ensures that information is available when and where it is needed. An organized and efficient records management program is comprised of record keeping requirements and policies that allow an organization to maintain control over information necessary to perform day to day operations. Nassau County has a responsibility to the citizens to ensure that public records are created, managed, and preserved in the most efficient manner in accordance with Florida Statutes. The procedures in this manual will be implemented by all Board of County Commissioner employees to better serve the citizens of Nassau County.



DEFINITIONS

Public Records – All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing, software, or other material, regardless of physical form, characteristics, or means of transmission, made, or received pursuant to law or ordinance or in connection with the official business by an agency.

Division – Division of Library and Information Services of the Department of State.

Records Management Liaison Officer (RMLO) – The point of contact between the agency and the Division of Library and Information Services' records management program to ensure the agency's compliance of proper disposition of eligible records and advises agency staff in records management practices.

Records Liaison – An employee appointed by the director of each county department to oversee the management, retention, and timely disposition of records, whether maintained on-site, offsite, in electronic systems or stored at the Records Management Center, and assists in carrying out the requirements of Section 119.07, Florida Statute.

Records Management Center – A physical location where the County records are stored for long-term or permanent retention.

Records Retention Schedule – Retention requirements established by the Division for public records indicating the **minimum time** such records must be kept based on administrative, legal, fiscal, and historical value.

General Records Schedule – Retention schedule for public records common to all governmental agencies or specific agencies as published by the Division.

Individual Records Schedule – A schedule approved by the Division that establishes retention requirements for records that are unique to a particular agency.

Inactive Records – Those records which have lost some of their value or have been superseded by more current records, but which have not met their established retention period.

Record Copy - The official copy of record.

Duplicate (or Convenience) Records – Reproductions of record copies, prepared simultaneously or separately, which are designated as not being the official copy.

Electronic Records – Any information that is recorded in machine readable form.

Record Series – A group of related documents organized under a single filing arrangement or kept together as a unit because they consist of the same form, relate to the same subject, result from the same activity, or have certain common characteristics.

Retention Period – The minimum time period necessary to retain records before they have met their administrative, legal, fiscal, or historical values.

Vital Essential Records – Records which are critical to the continuation of government under crisis or emergency conditions, including those records needed to re-establish normal operations in post-emergency conditions.

Drafts and Working Papers – Precursors of records, not intended as the final product. If a public records request is received during the “draft stage”, documents considered as public records (perpetuate, communicate, or formalize knowledge) shall be provided.

RECORDS MANAGEMENT LIAISON OFFICER

Florida Statutes 257.36(5) requires that agencies appoint a Records Management Liaison Officer (RMLO) to serve as the primary point of contact between the agency and the Division's Records Management Program. The responsibilities of the RMLO include:

- Serve as a liaison between the State of Florida Records Management Staff and the County.
- Oversee the County's Records Management Program by providing effective control over identification, appraisals, maintenance, protection, preservation, transfer, retention, and destruction of all County records.
- Provide information and assistance to department records liaisons, including, but not limited to, the preparation of records for transfer to the Records Management Center.
- Receive transferred boxes of records and select locations for storage at the Records Management Center.
- Work with each department storing records in the Records Management Center to create and maintain searchable electronic databases for storing records at the Records Management Center.
- Notify departments when their stored records have met their minimum retention requirements, assist in the creation of disposition documentation, and arrange appropriate destruction.
- Review retention schedules regularly providing updates to department records liaisons in order to ensure document lifecycle retention requirements.
- Review the Records Disposition documents and authorizes destruction.
- Provide training for department Records Liaisons.
- Prepare yearly Records Compliance Statements required by State.
- Execute the annual Records Disposition Compliance Statement attesting to the County's compliance with records disposition laws, rules, and procedures.
- Report all Records Management Program concerns to County Administration.
- Coordinate all County public records requests.

- Assist Departments' Records Liaisons as needed to ensure public records requests are addressed in a quick and efficient manner.
- In writing, acknowledge a request has been received and, if needed, clarify the request. Many requests require clarification. Communicating with the requestor often will result in more focused request that involves less time and expense to respond.
- Follow up on records requests promptly. When the request is for records that are readily available, a best practice is to make them available to the requestor as soon as possible. In other cases, let the requesting party know when the records will be available for inspection, or that extensive research will be required.
- Charge requestor for the cost of duplication and for extensive staff time. Extensive staff time is defined as any time after the first fifteen minutes that it takes to research, gather, or process the public records request, as well as the time spent with the requestor to review the records.
- Provide the requesting party with a cost estimate prior to fulfilling his or her request. This estimate should include the cost of the time required for redacting any exempted information as well as the time spent reviewing emails generated through the IT department.
- Refer to the attached Public Records Request Fee and Cost Schedules to quote, estimate and invoice for the costs associated with the public records request.
- Collect all the fees for the estimated duplication and staff time fees upfront before starting the work to gather or research or duplicate records. Require additional funds be provided prior to release of records if the cost estimate is exceeded or reimburse any amount necessary should the amount collected be more than the actual cost of resources used. The funds received for reimbursement of employee time and/or copying costs will be deposited by the department whose staff is responsible for the response. If multiple departments are involved in responding to a request, the funds received will be shared in accordance with the time spent by each department's staff in responding to the request.
- Close any open requests after 30days with no contact with the requestor. If a requestor has not been in contact with the department for more than 30 days after any letter/email is sent with deposit information or requesting clarification of the request, the department should close the request.

- Maintain public records in accordance with the dictates of Florida Law.
- Follow approved procedures for processing public records request.

RECORDS LIAISON

Department Heads shall assign one person from the department to serve as the Records Liaison. The Records Liaison shall keep a copy of the General Records Schedule, GS1-SL, and department specific schedule (GS-8, GS-14, GS-15), and become familiar with record series applicable to the department. In addition, the Records Liaison shall:

- Serve as liaison between the Records Management Liaison Officer and the department.
- Oversee the creation and maintenance of departmental records and prepares required documents for records transfers to the Records Management Center and disposition forms for records destruction.
- Be responsible for the application of retention schedule item numbers for department records and knowledge of document-type lifecycles.
- Be responsible for compiling responsive documents to public records request while working with the Records Management Liaison Officer in ensuring that complete and timely responses are provided to the requestors.
- Be responsible for ensuring that no new records are created in response to a public records request, as directed by law.
- Make all non-exempt records available, in their original format, for inspection and/or copying within a reasonable timeframe of the original request. There are many exemptions, and the County is required to invoke them when applicable. Personal information subject to exemptions may be contained in records other than a personnel file. Therefore, if a request seeks any information regarding a specific employee, prior to release, the records liaison shall contact Human Resources to check whether the employee is entitled to any personal exemptions prior to the release of the information. If a department is unsure as to whether certain information is exempt under Florida law, contact the County Attorney's Office for clarification.
- Do not create new records to respond to a public records request except as required by law. A request may come in asking for answers to a list of questions, to fill out a form, or otherwise seeking a county employee to create a new record. If there is responsive records that provides the information sought it should be provided, otherwise inform the requestor that there are no responsive records.

- Upon receipt of a records request, if the request can be provided instantly, without departments involved, you can provide the responsive documents. If a citizen comes into your office and request documents, please try to fill instantly. If not, please provide the request to the Records Management Liaison Officer for processing. If the request cannot be filled instantly, or other Departments need to be involved in the filling of the request, please forward the request to the Records Management Liaison Officer for processing.
- Upon receipt of a records request from the RMLO, acknowledge receipt of the request via responsive email. The Records Liaison should then forward the request to any staff member in their department and direct them to compile all documents in their possession or purview.
- Provide the Records Management Liaison Officer with a cost estimate prior to fulfilling his or her request. This estimate should include the cost of time required for redacting any exempted information as well as the time spent reviewing emails generated through the IT department.
- Refer to the attached Public Records Request Fee and Cost Schedules to quote, estimate and invoice for the costs associated with the public records request.
- If your department does not have any responsive documents to the request, please execute the certification (attached) and forward back for processing.

All Records Liaisons are required to complete the Public Records Management Training provided by the Records Management Liaison Officer during their initial year of employment. The Public Records Management Training is required every 3rd year following the initial training session.

PUBLIC RECORDS REQUEST

Section 119.011, Florida Statutes, defines “public records” as all documents, papers, letters, maps, books, tapes, photographs, film, sound recordings, data processing software, or other material, regardless of physical form, characteristics, or means of transmission, made, or received pursuant to law or ordinance or in connection with the transaction of official business by the County.

- All public records requests will be completed in a timely manner.
- Restrictions shall not be placed as to how a request is received. Requests may be received by telephone, in-person, via email, or by letter.
- Requestor shall not be asked for a name or reason for requesting the records. However, an employee may ask for additional information or to be more specific with the request in order to understand the records being requested.
- A deposit may be requested with large requests after the extensive time has been estimated.
- Employees are not required to create a record, or answer questions pertaining to or interpret information in a record.
- Records will be provided in the format the records are maintained.
- A receipt shall be attached to all public records requests.
- Public records requests shall be reviewed to ensure exempt and/or confidential information has been redacted. The statute creating the exemption shall be cited for the requestor. Examples of confidential and/or exempt records include social security numbers, medical records, student records, bank account information, active criminal investigative records, home addresses/telephone/photographs of Law Enforcement Personnel, Firefighters, Code Enforcement Officers, and Human Recourse Directors.
- Resources: Chapter 119.071, Government-in-the-Sunshine Manual, Florida Attorney General’s Office.

Public records include (but are not limited to):

- All paper documents maintained by County employees or County officials, including any archived documents stored in private or public facilities.
- All electronic records relating to County business whether generated on work or home computers, phones, other electronic devices including, but not limited to, email, text, or voicemail.
- All materials made or received by the County in connection with official business which are used to perpetuate, communicate, or formalize knowledge.
- Draft documents, whether on paper or electronic once they have been sent to or circulated to another person or persons.

The following are not public records:

- Personal emails, text messages, social media messages, or substantially similar communications that **do not** involve official business of the County.
- Draft documents that have not been circulated to another person or persons.
- Personal note concerning County business unless they are circulated or sent to others or if they were taken with the intention to perpetuate, communicate, or formalize knowledge.

RETENTION POLICY

Nassau County uses the General Records Schedules published by the Division. The retention schedules establish the minimum retention requirements for administrative and program records common to most governmental agencies in Florida. Records **MAY NOT** be destroyed before the recommended retention in the general schedules. The retention schedules do not require destruction of records when retention has been met, but departments are strongly encouraged to follow the recommended retention in the general schedules. The following schedules are used by the BOCC departments:

***GS1-SL – State and Local Government Agencies**

GS-8 – Fire Departments

GS-14 – Public Utilities (NAU)

GS-15 – Public Libraries

(* for use by all departments)

A copy of the above schedules can be obtained from the Records Management Liaison Officer or the Florida State Department Records Management website at <http://dlis.dos.state.fl.us/recordsmgmt/publications.cfm>

Retention Types:

- Anniversary year (AY)
- Calendar year (CY)
- Fiscal year (FY)
- Obsolete, Superseded, or Administrative value is lost (OSA)
- Triggering event
- Permanent

The above retention types apply to the “record copy”. It is very important that the retention type (FY, AY, CY) is documented when setting retention, as it may affect the disposition date. The retention for ALL duplicates is OSA. The record shall be retained beyond retention in the following instances:

- Active or anticipated litigation
- Audit pending
- Public records request within the last 30 days
- Administrative need to retain

Records Liaisons are responsible for assigning the appropriate record series and retention to records. Any questions should be directed to the Records Management Liaison Officer.

The Nassau County Clerk of Court is the Official Record Keeper for many administrative records for the Board of County Commissioners. Records sent to the Clerk’s Office for action are the record copy (ex: payroll, official minutes, disbursement records, just to name a few). While many personnel may choose to keep duplicates for a period of time for quick reference, retaining duplicates past one year is unnecessary, and takes up valuable storage space.

Individual Records Schedule

If there is no applicable schedule for a record, an Individual Records Schedule may be requested for a record or records that are unique to a particular agency. A “Request for Records Retention Schedule” form must be completed and submitted to the Records Management Liaison Officer for submittal to the Division for approval. Contact the Records Management Liaison Officer with any questions.

RECORDS STORAGE

Active records shall be filed/stored within the department electronically, if possible, for easy accessibility.

When records are placed in “inactive” status, the records may be placed in storage.

STORAGE OPTIONS

Retention of 5 years or less: Individual Department or Electronic

Retention 5-10 years or Permanent: Records Management Center

An inventory form and “Transmittal and Receipts for Records Storage” form shall be completed and forwarded to Records Management. **See Exhibits (4) and (5)**

Boxes and labels for storage at the records center are provided by Records Management. **See Exhibit (6)**

A Record Request form shall be submitted to Records Management Liaison Officer to retrieve any records from the Records Management Center. **See Exhibit (7)** Departments should allow two to three business days for retrieval of records from storage.

RECORDS DISPOSITION

Proper and timely destruction of records in accordance with retention schedules benefit the county with savings in storage space, reduce the need to purchase additional filing cabinets, and promote economical and efficient management of records.

- A Records Disposition Report must be completed before records that have met retention may be destroyed. **See Exhibit (8)**
- Records Management Liaison Officer monitors retention of records in storage at the Records Management Center and prepares the disposition report.
- Records Liaisons shall complete the Records Disposition Report for records stored within the department. The form shall be signed by the Department Head, and forwarded to Records Management for review, and signature by the RMLO before the records may be destroyed. It is not necessary to document records with a retention of "OSA" **except for records that have been scanned in accordance with Rule 1B-26.003, F.A.C., where the electronic version will serve as the record copy.**
- Records Management will retain the record copy of disposition documents as a permanent record.

DESTRUCTION

The safest method of destruction for paper records, and the only acceptable method for exempt and/or confidential BOCC documents, is shredding. Recycling is acceptable for duplicates containing no exempt or confidential information but record copies should not be recycled as there is no way of documenting the actual date of destruction.

Records Management Liaison Officer will schedule records destruction for all departments at least once a year. An email will be sent to Department Heads with the date, time, and location.

ELECTRONIC RECORDS

Electronic documents are official records in the same respect as paper documents, and their creation, maintenance, use, and disposition must be managed accordingly. The most common types of document-based electronic records are word processing files, spreadsheets, and email. Recently, electronic copies of building plans, engineering plans, and applications is becoming common.

- Filing electronic documents is much the same as paper documents. Electronic folder and subfolder should contain documents relating to the same function and have similar recordkeeping requirements (retention, disposition, access).
- Retention is applied to the contents of the entire folder, meaning the documents should be filed by record series. If it is necessary to combine record series, at a minimum, the retention must be the same. **Back-up performed by IT serves to restore data for disaster recovery purposes, not as a records retention tool.**
- Disposition and documentation of disposition of electronic records is the same as paper records, with one exception. Documentation of the volume of electronic records is annotated on the disposition report by recording the number of bytes and/or records and/or files if known, or simply writing “electronic” in the appropriate column. **See Exhibit (8)**
- To ensure electronic storage resources are managed efficiently, Records Liaisons should review all electronic records annually and perform recommended disposition by schedule.

EMAIL

“The real problem with managing emails is not that they are so fundamentally different than other forms of records and documents... it is simply because there are just so many of them and they are so easy to create, replicate and distribute!” (Gulf Coast ARMA Chapter Seminar, 2006)

- Email is not a record series but a communication media. The retention is based on the content. In many cases, the email serves as an envelope for the attachment with the email.
- Retaining all emails, or any records, paper or electronic, “**just in case...**” or “**we might need it one day**”, is not a legitimate reason to retain records.
- Many people believe it is not necessary to dispose of electronic records specifically, because server space is inexpensive. Yet, the savings agencies could see by scanning and retaining records according to the retention schedules may be lost if purchasing new equipment, software, and additional space becomes necessary to store the electronic records.

A large number of emails received and sent can be categorized into two records series:

Correspondence and Memoranda: Administrative, GS1-SL, Item #17

This record series consists of routine correspondence and memoranda of a general nature that are associated with administrative practices but that do not create policy or procedure, document the business of a particular program, or act as a receipt. See also “CORRESPONDENCE AND MEMORANDA: PROGRAM AND POLICY DEVELOPMENT,”

“DIRECTIVES/POLICIES/PROCEDURES,” and “INFORMATION REQUEST RECORDS.”

These records may have archival value.

Retention:

- a) Record copy. 3 fiscal years. **State agencies must contact the State Archives of Florida for archival review before disposition of records. Other agencies should ensure appropriate preservation of records determined to have long-term historical value.**
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

Transitory Messages, GS1-SL, Item #146

This record series consists of records that are created primarily to communicate information of short-term value. “**Transitory**” **refers to short-term value based upon the content and purpose of the message, not the format or technology used to transmit it.** Examples of

transitory messages include, but are not limited to, reminders to employees about scheduled meetings or appointments; most telephone messages (whether in paper, voice mail, or other electronic form); announcements of office events such as holiday parties or group lunches; and recipient copies of announcements of agency-sponsored events such as exhibits, lectures, workshops, etc. Transitory messages are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction. Or become a receipt.

Retention:

- a) Record copy. Retain until obsolete, superseded, or administrative value is lost.
- b) Duplicates. Retain until obsolete, superseded, or administrative value is lost.

If email is not managed on a regular basis, it can become overwhelming very quickly due to the volume received daily.

Email may be retained electronically or printed out and retained as a hard copy. Retention schedules apply regardless of how the email is maintained.

If you are questioning if a message is transitory, please contact the Records Management Liaison Officer to discuss with the County Attorney before destruction.

EXHIBITS

(1) RESOLUTION 2022-_____

(2) PUBLIC RECORDS REQUEST INVOICE

(3) PUBLIC RECORDS REQUEST CERTIFICATION

(4) RECORDS STORAGE INVENTORY FORM

(5) RECORDS CENTER TRANSMITTAL AND RECEIPT FOR RECORDS STORAGE

(6) RECORDS CENTER BOX LABEL

(7) RECORDS REQUEST

(8) RECORDS DISPOSITION REPORT

96135 NASSAU PLACE, SUITE 6, YULEE, FLORIDA 32097

INVOICE

Date:

To:

ADDRESS

Make Checks Payable to: Nassau County Board of County Commissioners

Mail to: Nassau County Board of County Commissioners
96135 Nassau Place
Yulee, Florida 32097

[illegible]

CERTIFICATION

I HEREBY CERTIFY that I am the Public Records Point of Contact for the Nassau County _____ Department. I have reviewed the request of _____ (Person Making Request) and:

(Initial)

_____ The Nassau County _____ Department has no records responsive to the Request.

_____ Documents responsive to the Public Records Request in the possession and purview of the Nassau County _____ Department are attached hereto and are all inclusive.

DATE

Signature

Public Records Point of Contact

_____ Department

GOVT ENTITY: NASSAU COUNTY BOCC	DEPT NAME:
RETENTION PERIOD:	BOX NUMBER:
SCHEDULE #:	DATE INVENTORIED:
RECORDS SERIES TITLE:	
RECORD SERIES #:	RECORD DATE:
GENERAL DESCRIPTION, PURPOSE & USE OF RECORD (INCLUDE DATE(S), ANY AUDIT REQUIREMENTS, FORMS, OR OTHER RELATED DATA TO IDENTIFY THIS RECORD):	

RECORD COPY DUPLICATE
(IF DUPLICATE, INDICATE LOCATION OF THE RECORD COPY IN DESCRIPTION)

LOCATION OF THIS RECORD:

PRIMARY PURPOSE:

ADMINISTRATIVE LEGAL FISCAL

FORMAT OF RECORD: (CHECK ALL THAT APPLY)

PAPER

MICROFILM

ELECTRONIC (MAGNETIC DISK, OPTICAL IMAGE, CD, DVD, ETC.)

OTHER (AUDIO, VIDEO, PHOTOGRAPHIC, ETC.)

VITAL RECORD?

HIPPA RECORD?

ANY OTHER CONFIDENTIAL OR RESTRICTED DATA ON THIS RECORD?

CITE STATUE EXEMPTION, CODE OR LEGISLATION:

SIGNATURE OF PERSON TAKING INVENTORY

PRINTED NAME

**DATE ELIGIBLE FOR
DESTRUCTION:**

DATE RECORD DESTROYED:

REVISED 2011

[illegible]

RECORDS CENTER, NASSAU COUNTY

**** Please Print ****

DEPARTMENT NAME:

NAME OF RECORD:

DATE RANGE:

FROM:

TO:

CONTENTS:

ROW:

SHELF:

BOX:

DESTRUCTION DATE:

RECORD REQUEST

Date: _____

File Number: _____

File Name: _____

Storage Location: _____
(if known)

Box Number: _____

Name: _____

Department: _____

Questions/Comments: _____

RECORDS MANAGEMENT USE ONLY

Date Request Received: _____ **Location of Record:** _____

Date Retrieved: _____ **Date Returned to Storage:** _____

Signature of receiver: _____

