

TOWN OF PEACHAM

RECORDS MANAGEMENT POLICY

This policy is established to ensure all town public records are properly retained, available to be produced, and when appropriate, disposed of consistent with Vermont law and state guidelines.

For retention times and potential disposal, the Town of Peacham adopts the General Record Schedules (GRS) as adopted by the Vermont State Archives and Records Administration. The GRS are available through the website of the VT Secretary of State.

In some instances, where a Record Schedule is not yet available for a specific function of local government or type of record, and a Disposition Order (DO) is available for that function or record the Town may and shall manage and potentially dispose of records consistent with state such DOs until those DOs are superseded by Record Schedules. Currently the DOs applicable to municipal officers and functions are also available through the Secretary of State website.

Each town officer and portion of town government should assess and identify whether there are any specific legal, regulatory, or functional requirements or needs to keep particular records for a longer time than the minimum specified by a Record Schedule or DO. When such a specific need is identified, it may be documented in writing and appended to this policy, noting the date and the office and person identifying it, in which case such specifically identified records should then be managed in accordance with that addendum to this policy.

Records should never be disposed of prior to the time authorized by a Record Schedule or DO, but may be kept longer than the minimums set by a Schedule or DO. However, a strong preference is made for timely disposal for the sake of consistency and so as not to burden our successors..

The Town Clerk is the town's primary custodian of records. The Town Clerk together with the Selectboard delegates all town elected officials, department and commission chairs to maintain, produce, and dispose of their own respective records pursuant to their town office or duties consistent with this policy. In this regard they may be considered deputy custodians of records. It is important to familiarize ourselves and adhere to state law. Even if allowed by a GRS, all custodians should refrain from destroying any documents in connection with any pending or potential audit, lawsuit, or investigation.

When records are of a type retained for 3 years or more (not temporary/transitory records) and are either accidentally destroyed or properly disposed of, the custodian or deputy custodian shall list the nature and dates of the records together with the date and method of disposal and provide this list to the Town Clerk. This helps to indemnify the town against legal liability, provide an audit trail, and assist our successors.

This policy also is established as a reminder that “in a democracy, the people have a right to know what their government has done and more importantly why public decisions have been made. That is the principle behind the law of public records.” (Secretary of State’s Guide to Vermont’s Public Records Law, 2002.)

Requests for inspection or copies of public records may be addressed to the Town Clerk during the Clerk’s office business hours. When applicable, the Town Clerk shall delegate the appropriate official, department or commission chair (deputy custodian) to promptly respond consistent with state public records law. The Town Clerk may assist the deputy custodian with advice, copies of this policy and any supplements, and collecting fees. If there is any question, refer to 1 VSA Chapter 5, §§ 315 *et seq.* and the Secretary of State’s reference materials which are all online. 1 VSA § 317 lists records that are exempt from public inspection and copying.

This policy may be unofficially supplemented with definitions, summaries or a copy of applicable laws, and GRS excerpts for the convenience of any town records custodian.

This Records Management Policy is hereby adopted by vote of the Town of Peacham Selectboard at its meeting of July 17, 2013.


Annette Lorraine, chair


Andy Cochran


Nathan Giroux