

**Subject:** RE: Enforcement of NAC 239.155  
**Date:** Thu, 24 Aug 2017 19:34:00 +0000  
**From:** Jeffrey Kintop <[JKintop@admin.nv.gov](mailto:JKintop@admin.nv.gov)>  
**To:** 'Robert Fellner' <[RF@NPRI.ORG](mailto:RF@NPRI.ORG)>  
**CC:** NSLA - Records <[NSLA-Records@admin.nv.gov](mailto:NSLA-Records@admin.nv.gov)>

Dear Mr. Fellner,

As Administrator I have not approved the Incline Village General Improvement District's current records retention policy whereby all emails older than 30 days are deleted.

The Public Records Act, NRS 239. 125, provides that the Administrator of the Nevada State Library and Archives shall approve minimum periods of retention for records of local governments. This Records Retention Schedule was approved and adopted by the Administrator of the Nevada State Library and Archives and is intended for use by all local governments in Nevada, as defined in NRS 239.121 (3). The retention periods within this schedule were reviewed for compliance with current federal and state laws and regulations at the time of adoption. This manual incorporates many important changes and supersedes previous versions. Consult this schedule before disposing of any official records.  
[http://nsla.nv.gov/Records/Local/Retention\\_Schedules/](http://nsla.nv.gov/Records/Local/Retention_Schedules/)

On page 9 of the Administrative Records found here [http://nsla.nv.gov/Records/Local/Retention\\_Schedules/](http://nsla.nv.gov/Records/Local/Retention_Schedules/), it says, "Electronic mail is a technology that allows for the written exchange of information in machine readable format. E-mail represents not the system, but the information communicated through the system. E-mail messages are public records when they are created or received in the transaction of public business. They must be retained as evidence of official policies, actions, decisions, or transactions. Such messages must be identified, filed, and retained just like records in other formats. E-mail is managed by its content, not its format. For additional information on E-mail see ([Bulletin No. 1 - Guidelines for Developing an Agency E-Mail Policy](#))." The retention note says, "Retain for the retention period required for equivalent hardcopy."

See pages 7 and 8 for the retention on the equivalent hardcopy of correspondence in Administrative Records. <http://nsla.nv.gov/uploadedFiles/nslanvgov/content/Records/SRC/Administrative.pdf>.

Let me know if you have any other questions.

Sincerely,

Jeff

**Jeffrey M. Kintop | Administrator |**  
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