



## **Title: Records Retention Policy**

**1. Purpose:** Establish a policy to protect and preserve Elbert County's records, manage and organize the documentary information created by or received by county employees and elected officials, and ensure record retention and destruction is in compliance with C.R.S. 24-80, State History, Archives, and Emblems.

**2. Applicability:** This policy applies to all Elbert County departments and offices. Elected Officials are encouraged to follow their respective State Archives retention manuals if approved.

**3. Proponent:** County Attorney

**4. General Information:** In keeping with the Board of County Commissioners (BOCC) belief that openness and transparency requires the business of county government be accessible to effective public review, this policy describes implementation of our records retention policy and retention schedules for each department and elected office. This policy will comply with laws and regulations concerning the retention of records, industry best practice, and preserve Elbert County's history.

## **5. Policy:**

### a.) Departments and Elected Officials Responsibility

- 1) Develop and/or adopt a records retention schedule for submission to the Director of Administration by October 1, 2018. The Director of Administration will submit to the County Attorney for review and then to the State for approval.
- 2) Submit estimated costs to be included in their annual budget request starting in 2019 for preservation, storage and destruction of records in accordance with this policy.
- 3) Conduct annual reviews of their respective records retention schedule.
- 4) Conduct annual examination of records to destroy in accordance with the records retention schedule for records stored on site or in repository.
- 5) Convert all records prior to 1984 to an approved digital format if possible.

### b.) Records Management

- 1) Provide access to records as efficiently as possible for any staff member needing information.
- 2) Comply with industry best practice and the laws and regulations concerning the retention of records.
- 3) Preserve Elbert County's history.

### c.) Record Definition

- 1) Records are documentary information created or received by county employees or officials. They provide a source of information or evidence of the County's activities and official business transactions. They may take the form of:
  - (a) Information recorded on paper such as forms, reports and correspondence;
  - (b) Information recorded on magnetic or electronic media, such as hard drives, tapes and disks; and
  - (c) Information recorded on maps, drawings, photographs, microfilm, and other formats.

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- 2) County records are created and retained for a wide range of administrative, legal, fiscal or historical purposes.

### d.) Records Retention Schedule

- 1) A records retention schedule is a list specifically developed to meet legal and operational requirements on an organization's policy regarding how long records must be kept. Some records need to be retained permanently, while others can be destroyed once they have exceeded the minimum retention period.
- 2) Records may be retained for a longer retention period than the legal retention requirement based on operational requirements.
- 3) All county retention schedules must be submitted to the State Archivist and the State Auditor's Office for signature for it to be in compliance with state requirements.
- 4) The Records Retention Schedule is media neutral, meaning that it applies to all records, regardless of form or physical location.
- 5) The schedule does not address the issue of confidentiality.
- 6) Best practice is that records should be retained and destroyed in the normal course of business (on a scheduled, routine basis) in accordance with the adopted Records Retention Schedule to improve efficiency, decrease the growing volume of paper and electronic records, minimize the organization's current and future costs for managing records and reduce the risk of retaining records too long or not long enough.

### e.) Records Storage

- 1) All records that are three years or less in age will be stored at the Department or Elected Office site. Records greater than three years will be converted to an approved digital format.
- 2) County will purchase or build a repository for all records older than three years for both digital and analog records. **The Clerk and Recorder will be responsible for this facility and operations.**
- 3) Records will be organized by department and cataloged for ease of retrieval for records request for the county and citizens.

### f.) Records Destruction

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1) The County is a political subdivision of the State of Colorado, the Colorado State Archives must approve the County's Records Retention Schedule before any records can be destroyed under the authority of the schedule.

2) Approved methods of destruction:

(a) Shredding

(b) Burning (where no local burn ordinance is in effect)

(c) Recycling

(d) Confidential records will be destroyed by shredding, or destroyed by a commercial company that can certify to security destruction.

g.) Litigation Holds

1) Records that may be pertinent to any anticipated, pending or ongoing litigation, claim, complaint procedure or other legal proceeding may not be destroyed even if the record is eligible for destruction under the Records Retention Schedule and even if the record should have been previously destroyed. Consult with the County Attorney if there is any question regarding the destruction of records involving possible legal actions.

h.) Future Revisions

1) County records may not be destroyed until a retention period is established and approved by the County and the State. Therefore, this Records Retention Schedule should be reviewed and updated periodically to reflect the addition of new records, the removal of records that are no longer created, the renaming of records titles or changes in custodians, or changes in legal requirements.

2) The County may administratively revise (without approval of the State Archives) the information regarding record copy custodian. However, both the County and the Colorado State Archives must approve any future revisions to records retention periods or the names of records titles, additions to the Records Retention Schedule or deletions from the schedule.

### 6. References.

a.) Colorado Revised Statutes 24-80, *State History, Archives, and Emblems*

b.) Resolution 14-46, 12 NOV 2014, Elbert County Board of County Commissioners, *A Resolution Declaring Elbert County's Record Retention Policy*

7. **Adopted:** **March 28, 2018**. This policy supersedes all prior policies on these matters in their entirety.

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**8. Reservation of Authority:** The Board of County Commissioners reserves the right to alter, amend, add to, and/or revoke all or part of this policy at any time.

**ADOPTED BY MOTION ON THE \_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_ AYE  
DANNY WILLCOX, CHAIRMAN

\_\_\_\_\_ AYE  
CHRIS RICHARDSON, VICE CHAIRMAN

\_\_\_\_\_ AYE  
GRANT THAYER, COMMISSIONER

**ATTEST: DALLAS SCHROEDER  
COUNTY CLERK**

**BY: \_\_\_\_\_  
CLERK TO THE BOARD**

DRAFT