



Virtual Meeting Reminders

- Toll Free Phone Call or Zoom Video
- Please Mute your Phone/Computer
 - Unmute when you want to ask a question, make a motion, etc.
- Plan B
 - Moderator will mute everyone and open the microphone by unmuting everyone for Q&A at the end of the presentation.
- Plan C
 - Moderator will mute everyone and only allow for chat Q&A.

Municipal Record Retention



Learning Objectives

1. Review of general statutes governing municipal record retention
2. Need for a written record retention schedule
3. Available schedule options
4. Adoption procedures for the state model
5. Notification requirements
6. Donation issues



Who decides when we can dispose of municipal records?

-Sometimes a state statute will provide information about retention and disposal of a particular type of record (such as election records)

-No statute gives any one local official blanket authority to dispose of the many other types of municipal records that may accumulate

-A town or village board may provide by ordinance for the destruction of obsolete public records, s. 19.21(4)(a), Wis. Stat.

Under such an ordinance, the period of time a record must be kept...

-Cannot be less than 2 years with respect to water stubs, receipts of current billings and customer's ledgers of any municipal utility, s. 19.21(4)(b)

-For other types of records, unless a specific period of time is provided by statute, the record must be kept for not less than 7 years, unless a shorter time is approved by the Public Records Board, s. 19.21(4)(b)

-Recordings made for the purpose of taking minutes may not be destroyed sooner than 90 days after the minutes have been approved, s. 19.21(7)

But... some records should still be kept forever, such as:

- Meeting minutes
- Highway orders and road maintenance records
- Insurance policies
- Assessment rolls with forest crop acreage
- 2013 municipal budget
- “Class B” alcohol license quota information
- Cemetery records with grave locations

And others.....



And... it may seem cumbersome or unnecessary to keep other records for 7 years, such as:

- Recordings from building security cameras
- **Correspondence (paper and electronic)**
- Materials submitted by unsuccessful job applicants (such as resumes)



So... what to do? There are TWO Options:

1. Adopt a locally created record retention schedule via ordinance, *after* getting approval for the proposed schedule from the Wisconsin Public Records Board:

<https://publicrecordsboard.wi.gov/Pages/Resources/LocalUnit.aspx>

--OR--

2. Adopt the Wisconsin Municipal Records Schedule, which has already been approved by the Public Records Board, via ordinance

How to adopt the Wisconsin Municipal Records Schedule:

1. Complete the PRB-002, “Notification of General Records Schedule Adoption” form, available online:

<https://publicrecordsboard.wi.gov/Documents/PRB-002%20FINAL%2011-2017.pdf>

PRB-002 (R11/2017)

Notification of General Records Schedule Adoption

Schedule Title: _____ Date: _____

Instructions:

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.

Wisconsin Government Agency: _____

Address: _____

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)

Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:

Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) (All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.) List the specific retention schedule numbers and titles:

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed



How to adopt the Wisconsin Municipal Records Schedule:

2. Mail the original PRB-002 form (and 2 copies) to
the State Historical Society:

State Archivist

Wisconsin Historical Society

816 State St.

Madison, WI 53706



How to adopt the Wisconsin Municipal Records Schedule:

3. Await receipt of a copy of the approved adoption form from the Historical Society



How to adopt the Wisconsin Municipal Records Schedule:

4. Adopt an ordinance indicating the municipality will follow the Wisconsin Municipal Records Schedule as approved by the Public Records Board

- Post or publish the ordinance under s. 60.80, Wis. Stat. within 30 days of adoption
- Sample ordinance is on WTA website > Information Library > Ordinances (last sample on the list):
<https://www.wisctowns.com/documents/ordinance-to-adopt-wmrs.pdf>

Prior to Destruction...

At least 60 days' written notice must be given to the Wisconsin Historical Society (WHS), which shall preserve any such records it determines to be of historical interest. WHS may, upon application, waive such notice, s. 19.21(4)(a), Wis. Stat.

NOTE: The Wisconsin Municipal Records Schedule includes built-in waivers for many types of records. However, notice is still required before any record that is 75 years or older may be destroyed.



Donation of Records?



- Note that Wisconsin law allows for
 1. adoption of an ordinance for the *destruction* of records
 2. transfer of records to the *WHS* (when required)
- Municipal records may NOT be donated to a nonprofit group (such as a local museum) or turned over to some other private person or body
- Therefore, if you want to have such an entity display or house records on behalf of the town, we recommend drafting a contract that makes clear that the town retains ownership of the documents
- Note that any records housed off-site remain subject to the public records law

Questions?

WTA...

- **Website:** www.wisctowns.com
- **Phone:** (715) 526-3157
- **Fax:** (715) 524-3917
- **E-mail:** wtowns@wisctowns.com
- **Address:** W7686 County Road MMM
Shawano, WI 54166