

RESOLUTION NO. 2023-8

RESOLUTION SETTING RECORDS RETENTION POLICY FOR THE CITY OF MILLS, WYOMING

WHEREAS, Wyo. Statute Section 9-2-410 (2005), as amended, provides that all public records, including those of the political subdivision, are the property of the state and shall be preserved, stored, transferred, destroyed, or disposed of only in accordance with Wyo. Statute Sections 9-2-405 through 9-2-413, and

WHEREAS, all City of Mills records are declared to be public property and the handling of such records contrary to the above-referenced statutes is prohibited, and

WHEREAS, the City of Mills desires to establish an active and continuing program for the efficient and economical management of all City records and to develop policies and procedures for the administration of the program.

WHEREAS, Wyoming Statute Section 9-2-410 states: “All public records are the property of the state. They shall be delivered by outgoing officials and employees to their successors and shall be preserved, stored, transferred, destroyed or disposed of, and otherwise managed, only in accordance with W.S. 9-2-405 through 9-2-413.” These statutes and the Mills Municipal Code provide the authority to develop and maintain a records management system that will effectively and efficiently ensure the safety, maintenance, preservation and disposition of records developed by certain City agencies.

WHEREAS, The citizens of the City of Mills have a right to expect efficient and cost-effective government, and the management of City records is necessary for the economic operation of the City. Preservation of records of permanent value is mandatory to provide citizens with information concerning historical and operational data. The establishment of uniform standards and procedures for the maintenance, preservation, microfilming or other disposition of City.

WHEREAS, The governing body of the City of Mills hereby declares its support of the efforts to establish and adopt a records management program for the orderly and efficient retention, retrieval and disposition of records of the City. The creation of a records program will be administered pursuant to legal, fiscal, administrative, and archival requirements and in accordance with state law. The State of Wyoming Records Management Manual shall be adopted by the City of Mills as its records management manual, where applicable.

WHEREAS, The records retention program will release space and reduce the need for storage and filing equipment; establish an efficient retrieval operation for both active and inactive municipal records; provide for routine disposition of paperwork; maintain security over municipal records; secure a central records storage facility which can be operated and maintained by records management staff; and ensure that the City stays in compliance with state law.

NOW, THEREFORE, The City Council of the City of Mills, Wyoming, hereby resolves as follows:

Municipal retention schedules. The City of Mills will implement that all records subject to this Resolution be kept for a period of 10 years. Where applicable, and to the extent possible, the City Administrator, after consultation with the Mayor, will implement the records retention schedule for each City division according to the State of Wyoming Records Management Manual adopted by the Wyoming Archives, Museum and Historical Department, Archives Records Management Division, or otherwise in keeping with this policy.

Electronic Storage to be implemented. Wherever practicable and otherwise allowable by law, electronic storage of records shall be implemented. The system to be implemented shall reflect the best practicable electronic storage, keeping in mind the need for accessibility and changes in technology over time, that are available at the time the record is stored.

Applicability to be presumed. It shall be presumed that all records maintained by the City of Mills are subject to this Resolution unless otherwise provided for with specificity. This assumption shall apply whether or not the records are specifically referenced in this Resolution.

Specific Retention. All checking, banking and financial records are to be retained in a recoverable form, whether in paper form or electronically, preserving the following data:

- All bank statements and records received on a regular basis by the City of Mills, which shall be electronically stored no less than once per month.
- All Account numbers for banking information and account numbers or voucher numbers for issued checks or drafts issued by the City of Mills.
- The front and back of negotiated checks or drafts issued by the City of Mills, which shall be electronically stored no less than once per month.
- Deposit Slips for all deposits into any bank account by the City of Mills, which shall be electronically stored no less than once per month.
- Bank statements for the City of Mills on all bank accounts held by it or in its name, which shall be electronically stored no less than once per month.
- All vouchers or bills submitted for payment by the City of Mills, which shall be accompanied by proof of receipt reflecting issuance by the party seeking payment and receipt by the City, which shall be electronically stored no less than once per month.
- Petty cash documentation reflecting receipts and payments sufficient to identify the amount paid or received, payee and the basis or reason for payment.

Paper v. Electronic Retention. This policy favors electronic retention wherever possible. However, before any physical records is proposed to be destroyed after being electronically recorded, it shall first be determined if the original paper or physical record must be maintained. This is not to suggest that an electronic copy shall not also be maintained.

Transfer of Records to Records Retention Facility. All city departments are required to work directly with the City Administrator or his delegees on records retention. The City Administrator shall be advised of all requests for indexing, locating, microfilming, scanning, and disposing of records through utilization of Certificates of Disposition provided by the City Administrator. If records are requested to be turned over to the State of Wyoming Archives office, they will be submitted through the City Administrator, who shall consult with the Director of the Department of State Parks and Cultural Resources for the preservation of public records through reproductive processes (i.e., microfilming, microphotographic, photographic, photostatic) necessary for the archival retention of said records pursuant to W.S. 9-2-413C. Disposition of records submitted to the Department Head of Administrative Services will be archived or disposed of only after review and written approval of the respective division department heads.

Disposal and Deaccession of Records. In each case in which it is proposed that records be disposed of, or provided to the State of Wyoming Archives, said documents shall be identified with specificity and the recommendation for disposal or deaccession shall be signed by the Department Head which generated or controlled the original records as well as the City Administrator. Prior to disposal or deaccession the request to dispose of, or deaccess the records, shall be submitted to the Mayor and Town Council which, prior to the same occurring, shall first approve the same by resolution. Should a resolution not approve the same, the disposal or deaccession shall not be allowed.

PASSED, APPROVED ON THIS ____ DAY OF _____, 2023

CITY OF Mills

By: _____
Leah Juarez, Mayor

Cherie Butcher, Councilman

Sara McCarthy, Councilman

Bradley Neumiller, Councilman

Tim Sutherland, Councilman

ATTEST:

City Clerk, Christine Trumbull