

RESOLUTION NO. 2020- 38

RESOLUTION APPROVING RECORD RETENTION AND DESTRUCTION POLICY  
OF CITY OF MONTICELLO

The Monticello City Council approves and adopts for use by the City of Monticello and its employees the following Record Retention and Destruction Policy:

**RECORD RETENTION AND DESTRUCTION POLICY**

**1) Purpose**

The purpose of this Policy is to ensure that necessary records and documents of the City of Monticello are adequately protected and maintained. In order to ensure compliance with the City of Monticello's *Record Retention and Destruction Policy* records that are no longer needed by the City of Monticello or are of no value are to be discarded at the proper time. This Policy is also for aiding employees of the City of Monticello in understanding their obligations in retaining electronic documents.

**2) Policy**

This Policy represents the City of Monticello's policy regarding the retention and disposal of records and electronic documents.

**3) Administration**

Attached is a *Records Retention and Destruction Policy* that is approved as the initial maintenance, retention and disposal schedule for physical and electronic records for the City of Monticello. The City Clerk, or their designee, is the officer in charge of the administration of the Policy and the implementation of processes and procedures to ensure the Records Retention Policy is followed.

**4) Suspension of Record Disposal in the Event of Litigation of Claims**

In the event the City of Monticello is served with any subpoena or request for documents OR any employee becomes aware of a governmental investigation or audit or the commencement of any litigation against or concerning the City of Monticello, such employee shall inform the administrator and any further disposal of documents shall be suspended until such time as the administrator, with the advice of counsel, determines otherwise. The administrator shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

**5) Applicability**

The Policy applies to all physical and electronic records generated in the course of the City of Monticello's operation.

This Policy was approved by the City Council on DATE.....

## **6) Destruction Policy**

This document provides for the destruction of paper records and reproduction in another format(s). Review these procedures carefully before destroying any records.

Whenever reproductions of public records have been made in accordance with Arkansas Code Annotated 14-2-203 and have been placed in conveniently accessible files or other suitable format and provision has been made for preserving, examining, and using the records, the head of the office or department may certify those facts to the Mayor. The Mayor shall have the power to authorize the disposal, archival storage or destruction of records in accordance with this Policy's destruction guidelines.

Cities of the first class may by Ordinance declare a policy of record retention and disposal, provided that the City complies with any specific statute regarding municipal records.

After a City has maintained records for the time period required by this policy and the documents have been audited, the records may be destroyed.

When records are destroyed under the guidelines of the policy, the City shall document the destruction by the following procedure:

### **Part 1**

- a. An affidavit is to be prepared stating:
  1. Which records are being destroyed and to which period of time the records apply; and
  2. The method of destruction.
- a. The affidavit is to be signed by the Department Head of the department that the documents pertain to, or their designee, who is performing the destruction and one council member of the governing body.

And,

### **Part 2**

- a. In addition, the approval of the council for destruction of documents shall be obtained, and an appropriate note of the approval indicated in the council minutes along with the destruction affidavit;
- b. This council approval shall be obtained before the destruction.

\*Refer to Appendix for approved documentation form.

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**A. ADMINISTRATION**

DOCUMENT PERIOD	RETENTION
Alcohol Permits	5 years
Permits (Building, Electrical, HVAC/R, Occupancy, Mobile Home, Utility, etc.)	3 years
Building Plans	Permanent
City Council Agendas	3 years
City Council Files	Permanent
City Council Minutes	Permanent
Contracts	6 years beyond completion
Elected Official Lists	Until replaced with updated list
FOIA Requests & Responses	1 year
Financial Audits	Permanent
News & Press Releases	Permanent
Oaths of Office	Length of term plus 3 years
Ordinances	Permanent
Bid Files, RFQ's & Proof of Publications	4 years
Resolutions	Permanent
Record Destruction Records	Permanent
Cemetery Records	Permanent
Mayor State of the City Address	Permanent

**B. COMMISSIONS**

***Planning Commission***

Annexation Files	Permanent
Planning Plat & Project Files	Permanent
Meeting Minutes	Permanent
Commissioner List	Permanent

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***Parks and Rec Commission***

Meeting Minutes	Permanent
Project Files	Permanent
Commissioner List	Permanent

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***A&P Commission***

Meeting Agendas & Minutes	Permanent
Contracts	Permanent
Project Files	Permanent
Permits	5 years
FOI Requests	1 year
Commissioner List	Permanent

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***Airport Commission***

Meeting Agendas & Minutes	Permanent
Contracts	Permanent
FAA Documents	3 years
History of Airport	Permanent
Commissioner List	Permanent

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**C. DISTRICT COURT**

Case Indices & Dockets	Permanent
Warrants	Permanent
Waivers	Permanent
Expungement & Sealed Records	Permanent
Circuit Court Judgements	Permanent
DWI Convictions	Permanent
Suspended Imposition of Sentence Files	Permanent
Domestic Battering Files	Permanent

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Court Costs	7 years
Fines & Fees Assessed & Collected	7 years
Complete Case Files	7 years
Month End Settlements & Distribution Reports	7 years
Show Cause Orders	7 years
Community Service Time Sheets	7 years
Bank Reconciliations	4 years
Check Book Registers & Cancelled Checks	4 years
Bank Statements	4 years
Receipts	4 years
Deposit Records	4 years
Budget Packets or Books	4 years
Accounts Payable	4 years

#### **D. FINANCE**

Arkansas Code Annotated 14-59-114

Support documents should be kept for four years and should not be destroyed before being audited. Support documents primarily consist of the following but are not limited to:

Cancelled Checks	4 years
Invoices	4 years
Bank Statements	7 years
Receipts	4 years
Deposit Slips	4 years
Bank Reconciliations	4 years
Check Book Register	4 years
Receipt Listing	4 years
Monthly Financial Reports	4 years
Fixed Assets	7 years or life of asset
Investment & CD Records	7 years or life of CD
Journals, Ledgers & Subsidiary Ledgers	7 years

Annual Financial Reports	7 years
City Annual Budget	50 years
Annual Financial Statements & Proof of Publication	7 years
Insurance Policies	7 years
Audit Report & Findings	Permanent
Project & Grant Files	Permanent
*Includes: Bids, Proofs of Publication, Grant Documents, Expenditures, Revenues, Support Documentation (Maps, Surveys, etc....), Approval Documents (Resolutions, Council Minutes, etc....)	
**Documents within completed Project/Grant files will remain intact regardless of other document retention schedules.	

**E. FIRE DEPARTMENT**

Fire Protection Plan	Until record is replaced with an updated version.  Updated yearly per the Fire Chief.
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**F. HUMAN RESOURCES**

Health & Benefits Records	
Benefit Forms - Medical, Dental, Vision and Supplemental Enrollment Forms	Termination + 3 yrs.
Drug Test Results - DOT testing	Termination + 5 yrs.
Education Assistance Program Records	Termination + 3 yrs.
FMLA Leave Reports	Termination + 3 yrs.
USERRA Leave Records	Permanent
Toxic & Blood borne Pathogens Records	Termination + 30 yrs.
Job Related Injuries & Illnesses Records	Termination + 5 yrs.
Reasonable Accommodation Records	Termination + 3 yrs.
<b>Pre-Employment/Employment Documents*</b>	
Employee History Records	Permanent
Job Description	Termination + 3 yrs.
Position Requisition/Recruitment Notice/Job Ads	1 yr.

Employment Application/Resume	Termination + 3 yrs.
Training Assessment Results/New Hire Introductory Training	Termination + 3 yrs.
Background Check Information	Termination + 3 yrs.
References/Verifications	Termination + 3 yrs.
Offer Letter	Termination + 3 yrs.
Form I9	Termination + 3 yrs.
EEO Data Form/Letter	Termination + 3 yrs.
Employee Policy Acknowledgements	Termination + 3 yrs.
Employee Change of Status Documents	Termination + 3 yrs.
Disciplinary Records	Termination + 3 yrs.
Training Records	Termination + 3 yrs.
Position/Pay History Records	Termination + 3 yrs.
Employee Performance Reviews/Evaluations	Termination + 3 yrs.
Resignation Letter	Termination + 3 yrs.
COBRA Election Notice	Termination + 3 yrs.
Separation Agreement	Termination + 5 yrs.
Unemployment Claim Records	Termination + 4 yrs.

\*Note: If an applicant is ultimately not hired, the above records should be retained for one (1) year after the no-hire decision is made.

**Retirement**

Pension Eligibility/Contributions/Transfers	Termination + 50 yrs.
Request for Calculation	Termination + 4 yrs.
Retirement Beneficiary Form (Electronic - APERS/LOPFI)	Termination + 50 yrs.

**Payroll/Tax**

Paychecks/Stubs, W-2s, W-4s	4 yrs.
Earnings Register/Journals/Summary	4 yrs.
Employee Withholding	4 yrs.

Expense Reports/Contribution Registers	3 yrs.
Federal & State Payroll Tax Forms	4 yrs.
Federal Forms 1099	4 yrs.
Time Sheets/Cards	4 yrs.
Direct Deposit Records	Termination + 4 yrs.
Garnishment Records	Termination + 4 yrs.
Final Payroll Deduction Checklist	Termination + 4 yrs.

**HR Policies & Reports**

EEO-1 Reports	Permanent
HR Policies	While current + 3 yrs.
State New-Hire Reports	3 yrs.
Form 5500 (Retirement/Benefit Reporting for IRS - Municipal League, APERS & LOPFI do this currently)	6 yrs.
Affirmative Action Plans/Records	5 yrs.
Grievance Records & Reports	3 yrs. after closure

**Safety/Maintenance & Compliance Reports**

OSHA 300/300A	Posting + 5 yrs.
Safety Training Records	2 years
Incident Documents	Permanent
Vehicle Maintenance Logs	4 yrs. After date of inspection

\*Any records pertaining to a litigation matter must be preserved as evidence and, therefore, cannot be destroyed until 5 years following the final ruling unless the Court orders differently.

**G. POLICE DEPARTMENT**

Case Files	
Misdemeanors	3 years
Felonies	7 years*
Homicide, Death Sentences, Sex Offenders	Permanent*
Cash Receipts	3 years
Citations	3 years

\*All destruction of records must be approved by prosecuting attorney per Arkansas State Law.

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## H. UTILITIES

### **Billing & Collections Registers**

Adjustment, Bank Draft, Billing, Cash Receipts, Deposit Refund,  
Deposit, Final Billing, Meter Hi/Lo, Meter Read, Payment, Utility  
Billing Year End & Web Payment 3 years

### **Water/Sewer**

Action to Correct Violations & All Public Notices 3 years  
Arkansas Dept. of Health Correspondence 10 years  
Arkansas Dept. of Transportation State Road Permits & Specs. 10 years  
Attorney General Correspondence 10 years  
Backflow Prevention Reports 5 years  
Bacteriological Monitoring Records & Reports 5 years  
Bankruptcy 8 years  
Changes to Sales Tax Permanent  
Chemical Analysis Reports 10 years  
Closed Accounts Permanent  
Consumer Confidence Reports 3 years  
Lead & Copper Analysis Results & Reports, Surveys, Letters 12 years  
Legal Issues 5 years  
Identity Theft Permanent  
Optimal Corrosion Control Records, Blueprints, Maps, Plans, Easements Permanent  
Power of Attorney 1 year after  
account is  
closed  
Regulatory Agencies Correspondence 10 years  
Sewer Daily Inspection Reports 10 years  
Sewer Info & Tie-on Permanent  
Street Overlays 5 years

Tax Exemptions	Permanent
Treatment Operation Reports	10 years
Unmetered Fire Sprinkler Systems	Permanent
Variances & Exemptions	5 years
Water Associations	Permanent
Water Leaks	10 years
Water Quality & Sampling Reports (CCR)	10 years
Water Work Orders	5 years
Water Loss Survey	10 years
Written Reports, Sanitary Surveys, Engineering Reports, DMRs	10 years

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**I. SENIOR CITIZEN CENTER**

Weekly Cleaning List	7 years
Agency Summary Report	7 years
Billing Statement	7 years
Donation Request	7 years
SSBG Congregant & Home Delivery Report	7 years
Home Delivery Monthly Sheet	7 years
Transport Sheet	7 years
Inactive Client Files	7 years

\*Files kept at the Senior Citizen Center will be delivered to Area on Aging for destruction following the 7 years of retention.

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**J. MISCELLANEOUS**

**Historical Documents (Arkansas Code Annotated 13-3-107)**

Before any records other than ephemeral materials are destroyed, City officials must advise the Arkansas State Archives in writing and give any records deemed to have historical value to the State Archives.

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K.



### Certificate of Records Disposal

Name of Records to be Destroyed: \_\_\_\_\_

Kind of Copy:                     Original(Electronic or Paper)                     Duplicate                     Combination

Inclusive Date(s): \_\_\_\_\_

Inclusive Numbers: \_\_\_\_\_

Department and/or Section: \_\_\_\_\_

Location: \_\_\_\_\_

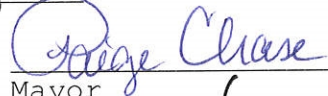
Method of Disposal: \_\_\_\_\_


Authorization	
_____	_____
Mayor	Date
_____	_____
Department Head or Designee	Date
_____	_____
Council Member	Date
Date of Meeting that approval was obtained (A copy of minutes must be attached to Affidavit form for retention purposes)	

### APPENDIX

(END OF RESOLUTION)

ADOPTED on this 28 day of July, 2020.

  
\_\_\_\_\_  
Mayor

Attested by:   
\_\_\_\_\_  
City Clerk