



## Board of Aldermen Request for Action

**MEETING DATE:** 10/15/2024

**DEPARTMENT:** Administration

**AGENDA ITEM:** Resolution 1410, Amending the City's Policy Manual and Adding the Policy for Record Management

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**REQUESTED BOARD ACTION:**

Motion to approve Resolution 1410, amending the City's Policy Manual and adding the Policy for Record Management.

**SUMMARY:**

Earlier this year at a work session the Board of Aldermen discussed the record retention and having a policy in place that would allow scanned documents to be retained as official documents. Staff received direction from the Board to create a Records Management Policy to be brought forward in conjunction with the budget process.

The City keeps administrative, fiscal and legal records as required by the State of Missouri Revised Statutes Chapter 109. The Secretary of State's Office publishes a records retention manual which establishes minimum retention periods for the administrative, fiscal and legal records created by local governments. Some records are permanent while others must be kept for various lengths of time. When non-permanent records have reached their retention date, the State recommends those records be destroyed by certified shred.

This policy allows the City to determine the "official" format of its records be it the original submitted document or a scanned version. Scanned documents will be a format the City can choose to use as an official document for many records except for the historical records such as Board of Aldermen minutes, adopted budgets, Ordinances and Resolutions. These must be maintained in physical form but will also be maintained in scanned electronic form. Scanned documents will also follow the state retention schedule. All requests for destruction of records whether paper or scanned electronically will be brought forward to the Board of Aldermen for approval by Ordinance for two readings.

This policy also gives the authority and responsibility to the Department Directors for managing and maintaining records within their department with the assistance of designated deputy custodians within their departments.

**PREVIOUS ACTION:**

The Policy Manual was last amended in FY2022 to update the Utility Billing Procedure.

**POLICY OBJECTIVE:**

This Policy will help free up physical space and allow for easier access to City documents.

**FINANCIAL CONSIDERATIONS:**

None

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance                                  | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution                      | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report                               | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Record Management Policy |                                   |

## **RESOLUTION 1410**

### **A RESOLUTION AMENDING THE CITY'S POLICY MANUAL AND ADDING THE POLICY FOR RECORD MANAGEMENT**

**WHEREAS**, the City's Policy Manual is used to provide directives and step-by-step processes for City staff to execute; and

**WHEREAS**, the City of Smithville follows the Missouri Secretary of State's Local Records Board and Local Government Records Retention Schedule RSMO.109.200-310 and staff has developed more defined rules and regulations for record management specific to the City; and

**WHEREAS**, the policy outlines the position by department that is responsible for keeping track of the destruction timeline of the documents within their department; and

**WHEREAS**, this policy defines that most records may be stored electronically and will follow the Missouri Secretary of State's Local Records Board and Local Government Records Retention Schedule RSMO.109.200-310; and

**WHEREAS**, this policy outlines that all records the City state law requires to maintain physically and/or electronically will be brought to the Board of Aldermen for approval of destruction; and

**WHEREAS**, staff have incorporated the Record Management Policy into an updated version of the City Policy Manual which actionizes policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF  
THE CITY OF SMITHVILLE, MISSOURI:**

**THAT THE ATTACHED POLICY MANUAL IS HEREBY APPROVED AND  
ADOPTED AS THE OFFICIAL POLICY OF THE BOARD OF ALDERMEN  
UNTIL AMENDED BY THE BOARD.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, on the 15<sup>th</sup> day of October 2024.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

# Title: Record Management Policy

## Effective Date: October 15, 2024

The City of Smithville follows the minimum retention periods for city records established by the Missouri Secretary of State's Local Records Board and Local Government Records Retention Schedules. RSMo 109.200-310.

<https://www.sos.mo.gov/archives/localrecs/schedules>

As provided in RSMo 610.023(1), the Board of Aldermen has appointed the City Clerk as the custodian of records for the City of Smithville. (Code of Ordinances 2924-15) The custodian may designate deputy custodians as follows:

- Assistant City Clerk
- Permit Technician
- Police Administrative Assistant
- Assistant to the Public Works Director
- Recreation Manager
- Finance Specialist II

### I. Definitions

**Destruction.** When a record has met its established retention period, it is destroyed by either shredding or deleting the record. The terms delete and destroy shall be synonymous.

**Dispose.** Non-records can be discarded. By definition, they are not records; however, they should be discarded reasonably (i.e. shredded if they contain sensitive data).

**Historical records.** Historical records are permanent and are maintained electronically and in physical form. Historical records of the city include the following records:

- Approved and signed minutes of the Board of Aldermen
- Adopted annual city budget
- Executed ordinances
- Executed resolutions

The Local Government Records Retention Schedules may establish additional records with a permanent retention period.

**Missouri Secretary of State records retention schedules.** The schedule created by the Missouri Secretary of State's office outlines the classification and minimum retention period of a record. The schedule also provides for disposition of records. <https://www.sos.mo.gov/archives/localrecs/schedules>

**Non-record.** RSMo 109.210(5) defines a non-record as material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed

documents. Avoid filing non-records with records. Non-records do not fall under the record management policy.

**Official record.** The official record is the one the city is required to maintain. The official record may be maintained physically or electronically as the custodian of records or deputy custodian of records sees fit. While electronically is preferred, it is understood this may not be the best method for all official records.

**Record.** RSMo 109.210(5) defines a record as a document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business. This definition includes those records created, used, and maintained in electronic form. Records provide evidence of an action and need to be preserved and stored until the retention period is met.

**Record series.** The number created by the Missouri Secretary of State to define the type of record and corresponding retention period.

**Retention period.** The period of time a record should be kept or retained in accordance with the Local Government Records Retention Schedules.

## **II. Policy**

This policy incorporates the Missouri Secretary of State records retention schedule with department-specific modifications as approved by the custodian of records. Department modifications can only be longer than the state retention schedule – they can never be shorter. This policy establishes minimum retention periods and addresses the destruction of city records that have met their retention period. An index spreadsheet of records ready for destruction (regardless of format) must be submitted to the custodian of records and approved by the City Council prior to destruction.

This policy is subject to the following exceptions and limitations.

- A. Departments must be familiar with retention requirements mandated by the Missouri Secretary of State and other state offices and organizations, as applicable. There are some cases where retaining a record longer than the State's minimum retention period is necessary, but the extended retention period should serve a business need. It is the responsibility of the department to know if records have any additional retention requirements and to communicate such requirements to the custodian of records. All records maintained by the city are subject to the Missouri Sunshine Law.
- B. Any record required for an audit must be retained until completion of that audit, regardless of its state retention period.
- C. This policy does not authorize destruction of records that could be deemed relevant to current or pending litigation.

### **III. Authority/Responsibility**

#### **A. Department Director Responsibilities**

Department Directors shall establish and maintain an economical and efficient process for managing records maintained within their department. Those who would like assistance may contact the custodian of records.

1. Cooperation with the deputy custodian of records for their department in establishing effective controls for the creation, maintenance, and use of records in the conduct of current business.
2. Cooperation with the custodian of records in applying standards, procedures, and techniques designed to improve the management of records.
3. Maintenance and security of records deemed appropriate for preservation.
4. Cooperation with the deputy custodian of records for their department in categorization of inactive records by project or retention period for storage and destruction in accordance with the established records schedule.
5. Cooperation with the deputy custodian of records for their department to develop a method for employees to maintain accurate, organized files to assist in retrieval of information.
6. Cooperation with the deputy custodian of records for their department to identify a secure location to store physical records.
7. Compliance with any additional state and federal statutes and regulations that impact their records.

#### **B. Deputy Custodian of Records Responsibilities**

Each deputy custodian of records is responsible for their department's records and record retention. The deputy custodian of records is responsible for department implementation of this policy.

1. Coordinate all records management activities and functions within the department and with the custodian of records.
2. Use the Missouri Secretary of State retention schedule to index all records for storage or destruction in accordance with procedures prescribed by this policy.
3. Ensure the department's records are indexed, logged on a department index spreadsheet, and boxed by either similar retention periods or by project.
4. Guide the department on the creation, maintenance, and retention of records.
5. Analyze department inventories for duplication of records.
6. Review the Missouri Secretary of State records retention schedule at least annually and provide any department-specific modifications to the custodian of records.
7. Compliance with any additional state and federal statutes and regulations that impact their records.

8. Conduct annual review of records maintained by the department for policy compliance. Provide the custodian of records an index of records that have met their retention period and are ready for destruction.

#### C. Custodian of Records Responsibilities

The custodian of records is responsible for the city's records and record retention.

The custodian of records is responsible for city-wide implementation of this policy.

1. Advise and assist departments in reviewing the Missouri Secretary of State records retention schedules and selecting material to be indexed and stored.
2. Advise and assist departments in destruction requests for approval by the City Council.
3. Review the Missouri Secretary of State records retention schedule at least annually and provide information to departments, as applicable. Stay informed of current and efficient records management procedures.

### **IV. Management and Storage of Records**

The custodian of records and deputy custodians of records are responsible for the management, storage, and retention of records. Departments may implement their own procedures for how records will be maintained and stored in their departments. However, the Missouri Secretary of State records retention schedule will remain the same regardless of who is maintaining the records and where the records are stored.

Determine how the record will be kept – physically or electronically. Only one should be designated the “official record.” Once this is determined, all other copies of the record should be disposed of as they are now considered “non-records.” Historical records, as defined, are the only records kept physically and electronically, unless otherwise determined by the custodian of records (e.g. adopted annual city budget)

Only the official copy of a record must be maintained. The official record should not be a draft, redline, or unsigned copy. These are not records. Official records are typically PDFs, JPEGs, or TIFs, but not in all circumstances.

Custodians should communicate with their department to ensure only one official record is being maintained and that all other copies and drafts are disposed of properly.

#### A. Management of Physical Records

1. When physical records are kept (as opposed to electronic records) they should be stored in bankers boxes.
2. Records must be stored by either similar retention periods or by project. Permanent records must not be stored with records intended for destruction. The record in the box with the longest retention period prevails.
3. Boxes should be stored in a secure location safe from mold, water, and excessive temperatures.
4. Boxes must be labeled as follows:
  - i. Department

- ii. Description of items in the box (project name, etc)
- iii. Destruction date (month/year)
  - 1. Permanent records and other records as identified by the Missouri Secretary of State records retention schedule will have “permanent” written on the box.
  - 2. Destruction dates are calculated by adding one month to the identified retention period of the Missouri Secretary of State records retention schedule. This ensures the longest retention period prevails.

#### B. Management of Electronic Records

Departments are encouraged to transition their records to electronic format. Electronic records provide many benefits, including storage, maintenance, research, and destruction costs. Electronic records provide keyword search functions that are not possible with physical records.

- 1. When electronic records are kept (as opposed to physical records) they should be stored in the appropriate folders. The record is the responsibility of the department to store and maintain.

### **V. Destruction of Records**

The custodian of records, with cooperation from the deputy custodians of records, is responsible for the destruction of records. When a record has met its established retention period, it is destroyed by either shredding or deleting the record.

Records (regardless of format) ready for destruction must be submitted to the custodian of records and approved by the Board of Aldermen prior to destruction.

#### A. Destruction of Physical Records

- 1. The deputy custodians of records for each department should conduct an annual review of the records that have met their retention.
- 2. The custodian of records will receive City Council approval for destruction and will schedule a pickup of the boxes by the shredding company.

#### B. Destruction of Electronic Records

- 1. The deputy custodians of records for each department should annually review which records have met their retention.
- 2. The custodian of records will receive by Ordinance the Board of Aldermen’s approval for destruction.
- 3. The deputy custodian will delete their department’s electronic records after Board of Aldermen approval.