

IOWA COUNTY
RECORD RETENTION
ORDINANCE

WHEREAS, the County of Iowa desires to establish a County-wide records retention schedule and authorize destruction of county records pursuant to that schedule on an annual basis:

NOW, THEREFORE, THE COUNTY OF IOWA DOES ORDAIN AS FOLLOWS:

Sections:

1. Purpose.
2. Definitions.
3. County-wide.
4. Child Support.
5. Corporation Counsel.
6. County Clerk.
7. Courts.
8. Data Processing.
9. District Attorney.
10. Social Services.
11. Maintenance.
12. Coroner.
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14. Personnel.
15. Planning and Development.
16. Purchasing.
17. Register of Deeds.
18. Sheriff.
19. Treasurer.
20. Veterans Service Office.
21. Assessments and Accounts.
22. Historical Society notification.
23. Destruction after request for inspection.
24. Destruction pending litigation.
25. Microfilming of County Records.
26. Review and approval by Public Records and Forms Board.
27. Effective Date.

(1) Purpose. The purpose of this ordinance is to establish a county-wide records retention schedule and authorize destruction of county records pursuant to that schedule on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been photographically reproduced as original records pursuant to Section 16.61(7) Stats. and under Chapter 2.98 of the Code. If there is not a specific law requiring a specific retention period, all records must be retained 7 years, unless the public records and forms board fixes a shorter period.

Office of
District Attorney
Iowa County Courthouse
Dodgeville, WI 53533

TO: Committee on Claims, Printing, Audit and Property

FROM: Larry E. Nelson *LEM*

RE: Iowa County Record Retention Ordinance

DATE: August 15, 1990

Please find attached a draft of an Iowa County Record Retention Ordinance. This ordinance pulls together all known State statutes, administrative rules and selected Federal citations regulating the retention of county records on an organizational basis. This ordinance also establishes retention periods for records in those circumstances where there are no specified requirements for their retention. Under the provisions of this ordinance and in Section 59.716 and 59.717, Wis. Stats., the State Historical Society of Wisconsin must be notified prior to records destruction so that the small percentage of historically valuable county records can be permanently preserved.

This ordinance is not all-inclusive. It will likely be amended as statute changes occur or additional records are created or abolished.

If you have any questions or suggested modifications, do not hesitate to contact me.

LEN:fmg

Attachment

(2) Definitions.

A. "Legal custodian" means the individual responsible for maintaining records pursuant to Section 19.33 Stats.

B. "Record" means record as defined in Section 19.32(2) Stats.

(3) County-wide. The following records are found throughout various departments in the county and are subject to uniform regulation unless otherwise specified.

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>
A. Contracts, leases, agreements	7 years	59.715(10) Stats.
B. Insurance policies		
1. Claims made	7 years after expiration	59.715(10) Stats.
2. Occurrence	Permanent	
C. Cancelled checks	7 years	59.715(18) Stats.
D. Receipts	7 years	
E. Accounts payable- purchasing invoices/ vouchers/ detail listing/ vender listing	7 years	
F. Accounts receivable/ receipts	7 years	
G. Receipt journals	7 years	
H. Vouchers/ order register	7 years	
I. General journal	7 years	
J. Constructions plans for county buildings and bridges	Life of structure	
K. Blueprints	Until superceded by as-built tracings	
L. As-built tracings	Life of project	
M. Warranty records	Life of product or end of warranty, whichever occurs first	

- O. Equipment and furnishings inventories Until superceded

- P. Any record subject to litigation, claim, audit or other action Until permission to destroy obtained from Corporation Counsel

- Q. Citations (copies) 2 years

- (4) Child support.

 - A. Expenditure reports and supporting documentation 3 years 45 CFR 74.20

 - B. Statistical reports and supporting documentation 3 years 45 CFR 73.20

 - C. Client/case records including client/attorney information Must retain closed case record for 3 years after the close of the Federal fiscal year 45 CFR 74.21

 - D. Records of required client notification 3 years 45 CFR 73.20

- (5) Corporation Counsel.

 - A. Case files/non-litigation 3 years

 - B. Case files/litigation 3 years after closure or when appeal time has run, whichever is longer or per SCR

 - C. Legal memos 7 years

 - D. Legal opinions Permanent

- (6) County Clerk.

 - A. Notices of tax apportionment from Secretary of State 3 years 59.715(1) Stats.

 - B. Copies of notices of tax apportionment sent to local taxing districts 3 years 59.715(2) Stats.

C.	Records of county claims forwarded to DNR	1 year	59.715(3) Stats.
D.	List of town, city and village officers certified to county clerk	After date of expiration of term listed	59.715(4) Stats.
E.	Crop reports by local assessors	3 years	59.715(5) Stats.
F.	Illegal tax certificates charged back to local tax districts	3 years after charging back	59.715(6) Stats.
G.	Notice of application for taking of tax deeds and certificates of non-occupancy, proofs of service and tax certificates filed	15 years	59.715(7) Stats.
H.	Official bonds	6 years	59.715(8) Stats.
I.	Claims paid by county and supporting papers	7 years	59.715(9) Stats.
J.	Reports of town treasurers on dog licenses sold and records of dog licenses issued	3 years	59.715(12) Stats.
K.	Copies of receipts issued by treasurer	4 years or until audited, whichever is earlier	59.715(14) Stats.
L.	Copies of notices to town assessors re lands sold and owned by county	3 years	59.715(15) Stats.
M.	Oaths of office	7 years	59.715(19) Stats.
N.	Marriage license applications and supporting papers	10 years	59.715(22) Stats.

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|-----|---|--|------------------|
| O. | *Original papers, resolutions and reports concerning county board proceedings | 6 years after date of publication | 59.717(1) Stats. |
| P. | Check register/
treasurer cash | 7 years | |
| Q. | *Committee minutes | 6 years after date of publication | 59.717(1) Stats. |
| R. | Deeds | Permanent or listing of when and where recorded | |
| S. | Abstracts and certificates of title, title insurance policies | Permanent or as long as land owned | |
| T. | Cancelled bonds, coupons and promissory notes | Until audited | |
| U. | Bond and coupon record book, general obligation bonds | 7 years after bond issue expires or following payment of all outstanding matured bonds, notes, coupons, whichever is later | |
| V. | Apportionment maps | Until next apportionment | 59.03 Stats. |
| W. | U.S. Geological survey maps | Until next set of maps received | |
| X. | Report on functional jurisdiction of roads | 10 years or until next report received | |
| Y. | Certified mileage lists | Until next list received | |
| Z. | Town plats | 3 years | |
| AA. | Award of damage for scenic rights | Until recorded | |
| BB. | Relocation orders/
maps | Retain latest revision for each project | |

* These records have historical value.

CC. Mill rates from towns	2 years	
DD. Journal entries and any audits or journal entries	7 years	
EE. Journal of Proceedings	6 years after date of publication	
FF. Cancelled registration cards	4 years after cancellation	7.23(1)(c) Stats.
GG. Financial registration statements and reports	6 years	7.23(1)(d) Stats.
HH. Registration and poll lists: non-partisan elections	2 years	
partisan elections	4 years after election	
II. Federal elections records other than registration cards	22 months	7.23(1)(f) Stats.
JJ. Detachable recording units	14 days for primary and 21 days after any other election-clear or erase after transfer to a disk or other recording medium	7.23(1)(g) Stats.
KK. Electronic ballot tallies	22 months after date of election	7.23(1)(g) Stats.
LL. Ballots	30 days after election	7.23(1)(h) Stats.
MM. Official canvasses	10 years after election	7.23(1)(i) Stats.
NN. Election notices and proofs of publication and correspondence	1 year after date of election unless contested, then by court order	7.23(1)(j) Stats.
OO. All other election materials and supplies	90 days after election	7.23(1)(k) Stats.
PP. Records transferred by registrants who submit dissolution reports after primary and general elections	3 years after their last election	10.74(8)(e) Stats.

(7) Courts.

All records maintained by the Clerk of Courts, Register in Probate, Juvenile Court or Juvenile Intake Office relating to Juvenile Court, and the Family Court commissioner shall be retained in compliance with Supreme Court Rules Chapter 72. Records not specified therein of a general county-wide nature shall be retained pursuant to Section 3 of this ordinance.

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|-------------------------------------|---|-----------------|
| A. Shelter Care records | Until child's 21st birthday except permanent register of names of children and dates of admission and release | HSS 59.07(3)(b) |
| B. Secure juvenile facility records | 10 years after 18th birthday | SCR 72 |

(8) Data Processing.

Provides reports for all departments and stores information for each department. Files in storage must be maintained pursuant to the guidelines established for the specific departmental records and county-wide records enumerated in this chapter.

(9) District Attorney.

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| A. Traffic, misdemeanor, civil or related case records | 3 years after commencement of action | 59.715(24)(b) Stats. |
| B. Felony or related case records | After mandatory release date per 53.11(1) Stats. or 10 years after commencement of action, whichever is later | 59.715(24)(c) Stats. |
| C. Any other record evidencing D.A.'s activities or functions | 6 years | 59.715(24)(d) Stats. |
| D. Trust account records | 7 years | SCR 20:1.15 |

(10) Social Services.

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| A. Case records and other materials of all public assistance kept as required under Chapter 49 | If no payments have been made for at least 3 years and a fact sheet and financial record retained per DHSS. If DHSS has a magnetic record, the county may destroy as per departmental rules. | 59.715(21) Stats. |
|--|--|-------------------|

B. Original fiscal records 7 years

C. Juvenile examination records 48.59 Stats.

D. Open public assistance case records

1. All data forms; To cover most recent HSS 245.03(1)(a)
case determination 6 year period
sheets; work sheets;

medical assistant certification sheets; sheets which document the verification of changeable items, such as income or health status; correspondence to and from applicants and recipients; and any other documents needed to support income maintenance agency decisions

2. Sheets which As long as case is open HSS 245.03(1)(b)
document the verification of unchangeable items, such as social security numbers, birth dates and citizenship.

3. Financial record As long as case is open HSS 245.03(1)(c)
for all payments not on file in CRN.

E. Closed public assistance cases and denied cases

1. Records specified 36 months following date HSS 245.03(2)(a)
in HSS 245.03(1)(a) of closing

2. Most recent data, 6 years from date of HSS 245.03(2)(b)
records specified in closing
HSS 245.03(1)(b) and (c)
and materials relating to any lack of cooperation on the part of a recipient

3. Most recent data 36 months from date of HSS 245.03(2)(c)
form and records denial
specified in HSS 245.03(1)(b)

F. Social Service Case 3 years after case is
Files closed

1. State required case documentation
Initial contact sheet,
Notice of Agency Action,
Social Services Face Sheet,
Social Services Agreement,
Social Services Narrative,
Financial Information,

Any other records documenting
client eligibility and
activity

2. State required 3 years after case is
and County developed closed
case documentation

Assessment or diagnostic forms,
records and narratives,

Social and medical histories,

Copies of court reports

pertinent to the case,

Release of information forms,

Client progress notes,

Case review forms,

Client or service

agreements,

Forms and documentation of

eligibility or financial

status

3. Social Services 1 year after final
records for cases action/determination
not opened for
services

Applications,

Referral actions not re-
sulting in case opening.

Miscellaneous request and
correspondence about indi-
vidual clients from consumer
and other agencies which do
not result in case opening

G. 51.42./437 Treatment 7 years unless minor, HSS 92.12(1) and (2)
records then until 19 years of
age or 7 years after
treatment completed,
whichever is longer

1. Undergoing federal Until completion of HSS 92.12(3)
or state audit audit

2. Relating to legal Until completion of HSS 92.12(4)
actions legal action

H. Client collection
files

1. Active client Active as long as HSS 1.06(3)(d)
records liability exists except
for inpatient mental
services when 3rd party
sources are exhausted and
it has been determined the
responsible parties have a
permanent inability or
unlikely future ability to pay

2. Inactive client records	5 years except where liability for inpatient mental health services remains, then 10 years after last transaction posted to the record	HSS 1.06(3)(e)
I. Payee records	Permanent	
J. Case management files	7 years	
K. Payee misc. documents	3 months after audit completed	
L. Child-placing agency records		
1. Register identifying information about children accepted for service or placement	Permanent	HSS 54.05(2)(a)1
2. Individual case records for each child served and family	7 years after case closed	HSS 54.05(2)(a)2
3. Individual foster home records for each foster home used by the agency, which includes signed applications and agreements	7 years	HSS 54.05(2)(a)3
4. Individual records of studied adoptive applicants	7 years	HSS 54.05(2)(a)4
5. Personnel records	7 years	HSS 54.05(2)(a)5
6. Financial reports and audits	7 years	HSS 54.05(2)(a)6
7. Licensing and certification records for in-home and family day care; adult family homes; foster homes; and group foster homes for children	2 years after the license or certificate is no longer active	
Application or other request forms, Inspection and observation check lists, Correspondence, Other documentation relating to licensing or certification, Approved license or certificate		

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|---|---|--------------|
| 8. Licensing and certification records for above types of facilities where license or certificate was not approved. | 1 year after final action/determination | |
| 9. Adoption records County agencies providing child welfare services under s. 48.56 or child-placing agencies licensed under s. 48.60 Wis. Stats., should follow the detailed procedures for adoption information search and disclosure detailed in HSS 53. | Permanent | HSS 53.07(1) |
| M. Third-party recovery records | 1 year after case closure and microfilm essential information | |
| N. Fraud referral records | | |
| 1. Unfounded | 3 years after determination and microfilm essential information | |
| 2. Founded - referred DA | 7 years after determination and microfilm essential information | |
| 3. Founded - other | 5 years after determination and microfilm essential information | |
| 11. <u>Maintenance.</u> | | |
| A. Blueprints | Permanent or until building disposed of | |
| B. Shop drawings | Permanent | |
| C. Equipment and machine maintenance | Life of equipment | |
| D. Utility usage | 5 years | |
| E. Inventory | Until superceded | |
| F. Receipts from County Treasurer | 4 years or until audited, whichever is sooner | |
| G. Keying list | Until superceded | |

H. Material data sheets 7 years after product used up

(12) Coroner

A. Homicide or suspicious deaths 75 years

B. All other records 7 years unless subject to litigation and then until litigation resolved

(13) Parks and Forest.

A. Master park plan Permanent

B. Plats Permanent

C. Aerial photographs Permanent

D. Committee agendas and summaries 6 years

E. Citation and park patrol records 2 years

F. Guidebooks, trail information Until updated or no longer useable

G. Wisconsin Conservation Corps projects/crew information 3 years

H. Annual work plans 3 years

I. Dam information Permanent

J. Equipment and vehicle registration reports Until equipment and vehicles disposed of

K. General information Until updated

L. Land acquisitions-deeds, abstracts Permanent or until land disposed of

(14) Personnel.

A. Payroll registers, other payroll reports, and social security and retirement earnings report 10 years

- B. Withholding allowance certificates, employee wage and tax statements, and other tax records 7 years
- C. Time cards, attendance records, salary schedules and department training records 7 years
- D. Insurance records 7 years
- E. Performance evaluations, garnishment records and medical records 5 years
- F. EEO-4 reports, obsolete job descriptions and any personnel or employment records made or kept, including but not limited to application forms or test papers by applicants and other records of decisions pertaining to hiring, promotion, demotion, transfer, layoff or termination, terms of compensation, and selection of training 3 years except where a charge of discrimination has been filed; all personnel records relevant to a charge or action shall be retained until final disposition of the charge or the action
- G. Union contracts and grievance, mediation and arbitration records Permanent
- H. Rough work papers used in payroll calculations 3 years
- I. Unemployment compensation records 3 years
- J. Individual employee personnel files and retirement records 8 years after end of service
- K. Accident reports, injury claims and settlements; injury frequency charts 8 years after end of service

- L. Deferred compensation records 8 years after end of service
- M. Directives and policies 7 years after being updated or terminated

(15) Planning and Development.

- A. Plats Permanent
- B. Certified surveys Permanent
- C. Assessors plats Permanent
- D. Aerial photographs Until superceded
- E. Final real property assessment roll 15 years "No assessment roll containing forest crop acreage may be destroyed without prior approval of the secretary of revenue." 59.717(4) Stats.
- F. Permit applications Permanent
- G. Code compliance inspection reports Permanent
- H. Date approved commercial building plans 4 years
- I. Permit ledger 3 years
- J. Quarter section maps, copies Until superceded
- K. Decisions and supporting documents of Board of Land Use Appeals Permanent

(16) Purchasing.

- A. Purchase requisitions 1 year after audit
- B. Purchase orders 7 years
- C. Bids and proposals, successful 7 years after contract expiration
- D. Bids and proposals, unsuccessful 1 year after audit

- E. Property inventory Until superceded
- F. Public Works contracts
 - 1. Notice to contractors
 - a. Successful bidders 7 years
 - b. Unsuccessful bidders 2 years
 - 2. Bidder's proof of responsibility
 - a. Successful bidders 7 years
 - b. Unsuccessful bidders 2 years
 - 3. Bids
 - a. Successful bidders 7 years after completion of project
 - b. Unsuccessful bidders 2 years
 - 4. Affidavit of organization and authority
 - a. Successful bidders 7 years after completion of project
 - b. Unsuccessful bidders 2 years
 - 5. Bid tabulations 2 years
 - 6. Performance bond 7 years after completion of project
 - 7. Contract 7 years after completion of project
 - 8. Master project files 20 years

(17) Register of Deeds.

- A. Obsolete documents 6 years 59.51(14) Stats.
pertaining to chattels,
including final books of
entry

(18) Sheriff.

- A. Dockets, daily jail 30 years 59.23(8) Stats.
records and cash books
- B. Register of inmates 30 years HSS 348.09(1)
(Huber)
- C. Inmate medical 7 years HSS 348.09(2)
records (Huber)
- D. Inmate discipline 30 years HSS 348.09(3)
records (Huber)
- E. Registration of 7 years HSS 348.09(4)
visitors (Huber)
- F. Booking records 30 years
- G. Correspondence 7 years

- H. Incident reports 30 years
- I. Court orders Release of inmate or 7 years, whichever is later
- J. Receipts, money records except cash books 7 years

(19) Treasurer.

- A. Bank statements 7 years
- B. General receipts and settlement receipts 7 years 59.715(17) Stats.
- C. Municipal tax rolls (See also "Planning and Development") 15 years 59.717(2) Stats.
- D. Balancing reports 3 years
- E. Audit letters 3 years
- F. Accounts payable/detail listing/check register (copies) 3 years
- G. General ledger, trial balance 7 years
- H. Journal entries, resolutions, general receipts, treasurer's cash 3 years
- I. Budget, vendor listing, general receipts combined, payables 3 years
- J. Bank reconciliations 7 years
- K. Outstanding checks 7 years
- L. Check register 7 years
- M. Deposit tickets 1 year after audit

(20) Veterans Service Office.

- A. Regulations Permanent or until superceded

- B. Personnel records of veterans Permanent
- C. Job applications 6 years
- D. News releases 6 years
- E. Inactive death files Microfilm after 6 years
- F. Veterans' relief records 10 years
- G. Wisconsin Department of Veterans' Affairs bulletins Permanent

(21) Assessment and Accounts

- A. Certified special assessment roll After assessment collected or 7 years, whichever is longer
- B. Statement of new special assessments 5 years
- C. Special assessment payment register Until all assessments collected or 7 years, whichever is longer
- D. All accounts of county and books of account 7 years
- E. General ledger 15 years

(22) Historical Society notification. Prior to the destruction of any public record described in this chapter, at least 60 days notice in writing shall be given to the State Historical Society of Wisconsin. This chapter shall not be construed to authorize the destruction of any public record after a period less than prescribed by statute or state or federal administrative regulation.

(23) Destruction after request for inspection. No requested record may be destroyed until after the request is granted or 60 days after the request is denied. If an action is commenced under Section 19.37, Stats., the requested record may not be destroyed until a court order is issued and all appeals have been completed. See Section 19.35(5) Stats.

(24) Destruction pending litigation. No record subject to pending litigation shall be destroyed until the litigation has been resolved.

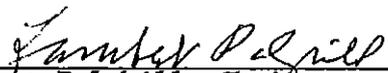
(25) Microfilming of County Records. Counties may keep and preserve public records through the use of microfilm providing that the microfilming meets the applicable standards established in S. 16.61(7), Wis. Stats. Counties should consider factors such as the retention period and estimated cost of the microfilming in deciding which records to microfilm. After verification by counties, paper records can be destroyed if these records are to be preserved on microfilm. For microfilmed records not identified as permanent, the above records retention period applies.

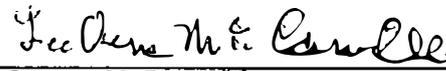
(26) Review and approval by Public Records and Forms Board.

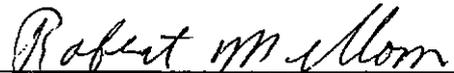
This chapter has been reviewed and approved by the Public Records and Forms Board.

(27) Effective Date. The herein ordinance shall take effect upon adoption and posting.

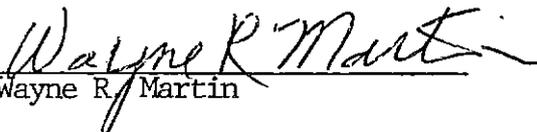
Approved and presented for consideration by the Committee on Claims, Printing, Audit and Property.


Lambert Palzkill, Chairman

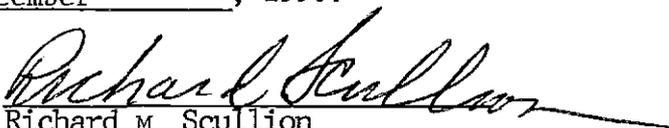

LaVerne McCarville


Robert T. Mellon


Gerald Fritsch


Wayne R. Martin

Adopted this 18th day of December, 1990.


Richard M. Scullion
Iowa County Board Chairman

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