



STATE OF COLORADO }  
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COUNTY OF ELBERT }

At a regular meeting of the Board of County Commissioners of Elbert County, State of Colorado, held at the Elbert County Courthouse in Kiowa, Colorado 80117 on Wednesday, the 12th day of November, 2014, there were present:

- |                 |                                       |
|-----------------|---------------------------------------|
| Kurt Schlegel   | County Commissioner and Chairman      |
| Robert Rowland  | County Commissioner and Vice-Chairman |
| Larry Ross      | County Commissioner                   |
| Sheryl Caldwell | Deputy and Clerk to the Board         |

When the following proceedings, among others, were had and done, to wit:

**RESOLUTION 14- 46**

**A RESOLUTION DECLARING ELBERT COUNTY'S RECORD RETENTION POLICY**

**WHEREAS**, the Board of County Commissioners recognizes the need to protect and preserve Elbert County's records, and to manage and organize the documentary information created by or received by County employees and elected officials; and

**WHEREAS**, County records must be created and retained for a wide range of administrative, legal, fiscal and historical purposes, in order to provide efficient and timely access to the records by staff members and the public, to comply with Colorado laws and regulations concerning the retention of records, and to preserve Elbert County's history; and

**WHEREAS**, rapidly changing information technology has created and will continue to create new forms of County records, including information recorded on paper such as resolutions, forms, reports, minutes and correspondence; information recorded on magnetic or electronic media, such as hard drives, tapes and disks; information available through software applications such as mapping and accounting programs; and information stored off-site such as remote servers and cloud technology; and

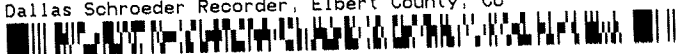
**WHEREAS**, a Records Retention Schedule is essential to establish Elbert County's policy regarding how long County records must be kept to comply with legal and operational requirements, and allow for the proper destruction of records as storage space is exhausted or becomes excessively burdensome or expensive; and.

**WHEREAS**, Elbert County is a political subdivision of the State of Colorado, and pursuant to C.R.S. 24-80-102, the Colorado State Archivist must approve the County's Records Retention Schedule before any records can be destroyed under the authority of the schedule.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ELBERT COUNTY, COLORADO as follows:**

- (1) All Elbert County government departments shall complete an inventory of County records in their respective custodies by March 30, 2015. Elected officials are encouraged to complete an inventory of County records in their respective custodies by March 30, 2015.
- (2) All Elbert County government departments shall complete, with the assistance and review of the County Attorney, a Records Retention Schedule for County records in their respective custodies by June 30, 2015. Elected officials are encouraged to complete, with the assistance and review of the County Attorney, a Records Retention Schedule for County records in their respective custodies by June 30, 2015.
- (3) Upon completion of the Records Retention Schedules, such schedules shall be submitted to the Colorado State Archivist for review and approval. No County records shall be destroyed until a Records Retention Schedule receives final approval by the Colorado State Archivist and the County Attorney.
- (4) In cases where there are conflicting legal requirements, the longest retention period specified in the law shall be followed. Elbert County Department Directors and elected officials may provide for a longer retention period of County records than the legal retention requirement if there are longer operational requirements.
- (5) Elbert County Department Directors and elected officials shall honor litigation holds immediately upon notification by the County Attorney. County records that may be relevant or discoverable in any anticipated, pending or ongoing litigation, claim, complaint procedure or other legal proceeding may not be destroyed or altered, even if the record is eligible for destruction under the Records Retention Schedule and even if the record should have previously been destroyed. Elbert County Department Directors and elected officials shall consult with the County Attorney if there is any question regarding the destruction of records involving possible legal actions.
- (6) Following final approval by the Colorado State Archivist's office of Records Retention Schedules, Elbert County Department Directors and elected officials should review and update their respective schedules annually to reflect the addition of new records, the removal of records that are no longer created, the renaming of records titles or changes in custodians or format, and changes in legal requirements.
- (7) E-mails will be retained in server backups for a minimum period of two (2) years, unless there is a litigation hold or other factors arise as stated above.
- (8) Any County records with historical interest or value shall not be destroyed without first consulting with the Board of County Commissioners.

**APPROVED AND ADOPTED** this 27<sup>th</sup> day of November, 2014.



Upon a Motion duly made and seconded, the foregoing resolution was adopted by the following vote:

  
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KURT SCHLEGEL, CHAIRMAN AYE

  
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ROBERT ROWLAND, VICE- CHAIRMAN AYE

  
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LARRY ROSS, COMMISSIONER AYE

ATTEST: DALLAS SCHROEDER  
COUNTY CLERK

BY:   
\_\_\_\_\_  
DEPUTY, CLERK TO THE BOARD

