

**GENERAL RETENTION SCHEDULE #24  
CITY AND VILLAGE CLERKS  
INTRODUCTION**

**Public Records**

The Michigan Freedom of Information Act (FOIA) (MCL 15.231-15.246) defines public records as recorded information “prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.”

**Retention and Disposal Schedules**

Michigan law (MCL 399.5 and 750.491) requires that all public records be listed on an approved Retention and Disposal Schedule that identifies the minimum amount of time that records must be kept to satisfy administrative, legal, fiscal and historical needs. Local situations may require retention beyond the periods listed, and nothing prevents an office from retaining records longer than the specified period of time. Schedules also identify when records may be destroyed, and when certain records can be sent to the Archives of Michigan for permanent preservation.

*Records cannot be destroyed unless their disposition is authorized by an approved Retention and Disposal Schedule.* All schedules are approved by the Records Management Services, the Archives of Michigan and the State Administrative Board. There are two types of schedules that government agencies may use:

- A “general schedule” will cover records that are common to a particular type of government agency, such as a clerk’s office. General schedules may not address every single record that a particular office may have in its possession. *General schedules do not mandate that any of the records listed on the schedule be created.* However, if they are created in the normal course of business, the schedule establishes a minimum retention period for them.
- Any record that is not covered by a general schedule must be listed on an “agency-specific schedule” that will address records that are unique to a particular government agency. Agency-specific schedules always supersede general schedules. Agency-specific schedules only address the records of the agency named on the schedule, and may not be used by another agency.

This schedule supersedes section seven of the Michigan Municipal League’s “Records Management Handbook” that was approved in April 1998. Elections records are covered separately on General Schedule #23—Elections Records that was approved in 2007.

**Unofficial Documents**

General Schedule #1 addresses the retention of “nonrecord” materials. These documents are broadly defined as drafts, duplicates, convenience copies, publications and other materials that do not document agency activities. These materials can be disposed of when they have served their intended purpose. Government agencies need to identify the “office of record” when multiple offices possess copies of the same record. The “office of record” is responsible for

following the retention period that is specified, duplicates do not need to be retained. A more comprehensive definition of “nonrecords” can be found in the approved schedule (available online at [http://www.michigan.gov/documents/hal\\_mhc\\_rms\\_GS1\\_local\\_110758\\_7.pdf](http://www.michigan.gov/documents/hal_mhc_rms_GS1_local_110758_7.pdf)).

## **Record Maintenance**

Records can exist in a wide variety of formats, including paper, maps, photographs, microfilm, digital images, e-mail messages, databases, etc. The retention periods listed on this general schedule do not specify the format that the record may exist in, because each government agency that adopts this schedule may choose to retain its records using different recording media. Government agencies are responsible for ensuring that all of their records (regardless of format) are properly retained and remain accessible during this entire retention period. All records need to be stored in a secure and stable environment that will protect them from tampering, damage and degradation. Electronic records are dependent upon specific hardware and software to be accessed and used. It is important to understand that the original technology that is used to create electronic records will eventually become obsolete. As a result, government agencies should work with their information technology staff to develop preservation plans for retaining electronic records with long-term (more than 10 years) retention requirements. Various laws (including the Records Reproduction Act, MCL 24.401-24.406) identify acceptable formats for retaining public records; agencies are responsible for understanding and complying with these laws.

## **Suspending Destruction**

Government agencies must immediately cease the destruction of all relevant records (even if destruction is authorized by an approved Retention and Disposal Schedule) if they receive a FOIA request, if they believe that an investigation or litigation is imminent, or if they are notified that an audit, investigation or litigation has commenced. If relevant records exist in electronic formats (such as e-mail, digital images, word processed documents, databases, backup tapes, etc.), the agency may need to notify its information technology staff. Failure to cease the destruction of relevant records could result in penalties.

## **HAL Can Help!**

The State of Michigan Records Management Services is available to assist government agencies with their questions about record retention and acceptable recording media. Agencies may contact the Records Management Services at (517) 335-9132. Additional information is also available from the Records Management Services’ website <http://www.michigan.gov/recordsmanagement/>, including records management manuals, general schedules, e-mail retention guidelines, microfilming standards and digital imaging standards, etc.

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Item Number	Series Title and Description	Total Retention
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**General Administrative**

100    Subject Files    ACT+5

These records are used to support administrative analysis, program and project planning, procedure development, and programmatic activities. **Subject files are generally organized alphabetically by topic.** Document types may include periodic activity reports (narrative and statistical), special reports, topical correspondence (including electronic mail), research materials, project planning notes, organizational charts, etc. Subject files do NOT include files related to individual program activities, human resources files, and accounting records. For topics of continuing interest, files may be segmented into annual files. ACT = while topical file is of interest for ongoing administration. Some topical files may have historical value and should be preserved permanently.

101    General Correspondence    CR+2

General correspondence does not pertain to a specific issue and it **is often organized chronologically or by correspondent's name.** General correspondence may include referral correspondence. If the correspondence does pertain to a specific issue it should be filed with other relevant records. General correspondence may exist in a variety of formats, including memos, letters, notes and electronic mail messages. This series also includes automated or manual tools that index and/or track when correspondence was received, the topic of the correspondence, who is responsible for responding to the correspondence, and when the correspondence is considered closed for further action.

102    Transitory Correspondence    EVT

Transitory correspondence is any form of written communication with a short-term interest that has no documentary value. This type of correspondence has limited administrative and evidential value that is lost soon after the communication is received. **Transitory messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt.** Examples of transitory correspondence include letters of transmittal that do not add information to the transmitted materials, routine requests for information that require no administrative action, policy decision, special compilation or research. This type of record also includes invitations to work-related events, notifications of an upcoming meeting, and similar records. EVT = need not be retained more than 30 days after receipt.

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103	<u>Freedom of Information Act (FOIA) Requests</u>	CR+1
	<p>This file will document any requests for information or public records. They may include requests for information, correspondence, a copy of the information released, and billing information. Any written request for a public record is a Freedom of Information Act (FOIA) request, and a written request for information may be a FOIA request and should be handled as one. Each city or village is required by the FOIA to designate a FOIA Coordinator. This is not automatically the clerk, but it may be the clerk or another official or employee. Copies of FOIA requests and other records related to FOIA requests may be filed with the FOIA Coordinator's records or maintained in a central administrative file.</p>	
104	<u>Planners/Calendars</u>	CR+2
	<p>These may be electronic or manual planners and calendars that are used to track an individual staff member's work-related meetings, assignments, and tasks. Individual employees are responsible for retaining their planners/calendars for the duration of this retention period.</p>	
105	<u>Staff and Project Meeting Records</u>	CR+2
	<p>These records document staff meetings, meetings with other government agencies, etc. These records do not include council meetings and other official boards, committees or commissions. They may include meeting minutes, agendas, and distribution materials, etc. Meeting records may also be retained in subject files, if they relate to a specific project.</p>	
106	<u>Grants</u>	ACT
	<p>These files are used to administer grants that are applied for by the office from state, federal and private agencies. These files may contain applications, budgets, worksheets, adjustments, plans, rules and regulations, award letters, committee records, staffing sheets with account numbers, grant evaluation/monitoring reports, audits, periodic progress reports, etc. ACT = until the grant is closed out, plus any additional time that is required by the granting agency for auditing purposes. Final reports and products of the grant may be kept longer for use and reference purposes.</p>	
107	<u>Publications</u>	ACT
	<p>These records may include press releases, brochures, newsletters, annual reports and other items that are published by the office. ACT = while of</p>	

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	reference value. Offices are strongly encouraged to keep one copy permanently for historical purposes.	
108	<u>Policies, Procedures and Directives</u>	SUP
	These records document the policies procedures of the clerk's office. It may also include an administrative manual of all city and village functions. SUP = only the current document must be retained. Superseded versions may be destroyed.	
109	<u>Clerk's Office Budget</u>	CR+5
	These records document the amount of money that is appropriated for each account/line item for the current and previous fiscal years for the clerk's office. They may include budget requests, statistics, budget amendments, budget summaries and balance sheets, etc. This is not the official city or village budget.	
110	<u>Memorabilia</u>	ACT
	This series includes photographs, news clippings, certificates, awards, etc. that document events and activities of the office. ACT = while of reference value to the office. Offices are strongly encouraged to retain select items permanently for historical purposes.	

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<b>Council/Commission</b>		
200	<u>Meeting Records--Open Sessions</u>	PERM
	<p>These records document the proceedings of the city or village council/commission and any subcommittees or advisory committees. They include the approved minutes and agenda packets containing any materials that are distributed to members for review (such as budgets, ordinances, resolutions, action items, policies, contracts, etc). They may include full transcriptions of the proceedings, and topical indexes. This series does not include meeting notices (see item #203), bulletins, clippings, citizen requests (see item #204) or documentation of meeting-related expenditures. These records are preserved permanently to document the institutional memory of the city or village. Cities and villages are encouraged to contact the Archives of Michigan for assistance if they cannot retain these records permanently.</p>	
201	<u>Meeting Notes and Audio or Video Recordings</u>	EVT
	<p>Notes and audio or visual recordings of meetings of a public body of the city or village made for the purpose of transcribing the minutes may be destroyed after the meeting at which the minutes are approved by the public body. EVT = one day after the date that the meeting minutes are approved. (MCL 15.269).</p>	
202	<u>Meeting Records--Closed Session</u>	EVT
	<p>These records consist of minutes taken during a closed session of the council/commission, including any audio or visual recordings. Approved closed session minutes must be sealed and retained by the clerk, are not available to the public, and shall only be disclosed if required by a civil action filed in circuit court or the court of appeals under sections 10, 11, or 13 of the Open Meetings Act. <b>EVT = Closed session meeting records may be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.</b></p>	
203	<u>Meeting Records--Official Boards, Committees and Commissions</u>	PERM
	<p>These records document the proceedings of the official boards, committees and commissions (such as an historical commission, arts commission, development authority, board of review, civil service board, etc.). Members of these boards are appointed by the city or village council/commission. These records include the approved minutes and agenda packets containing any materials that are distributed to members</p>	

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	for review and action. In some cities and villages, each of these bodies are responsible for providing the clerk with the official copy of the approved minutes and agenda packets. In some cities and villages, these records are maintained separately by the public body. Regardless, of where they are maintained, this retention period applies.	
204	<u>Notices of a Public Meeting</u>	CR+1
	The Open Meetings Act requires public bodies to publish a notice to the public prior to holding a meeting or a hearing.	
205	<u>Citizen Requests</u>	CR+1
	These requests are received from citizens who want to be heard by the city or village council/commission. They may relate to events, street closings, contract protests, complaints, requests for hearings, investigations, rallies, etc. These records may be in the form of correspondence or application forms. Depending upon the issue, they may need to be reviewed by another city or village department (in which case a report may be generated and retained as part of the record series). Some requests may need to be approved by the council (with our without conditions).	
206	<u>Member Files</u>	ACT
	These files contain information about people who served on the council/commission and appointees to other official boards, committees and commissions. They may contain applications, biographical information, petitions, conference/training requests, correspondence, etc. ACT = While individual is serving as a member.	
207	<u>Board Member Applications</u>	CR+2
	These records are applications from residents who are interested in serving on a city or village board, committee, commission, etc. If they are appointed, this record will become part of the member file (see item #205).	
208	<u>Rosters</u>	PERM
	These records list who served on a particular board, committee, commission, etc., and the dates of their term as a member of the public body.	

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209	<u>Oaths of Office</u>  Certain public officials are required to sign an oath of office.	PERM
210	<u>Charter</u>  The charter provides the legal framework for operations of the city or village's government. It defines boundaries, how the city or village operates on a daily basis, the responsibilities and authority of various public officials, and regulations that are adopted by the council/commission. The document is revised over time, however superseded versions will be retained permanently as an historical record.	PERM
211	<u>Ordinances</u>  Codified ordinances document all laws enacted by the council/commission. They may include the text of the ordinance, public notices and vote sheets. A copy of these records may be compiled into a published codebook and database.	PERM
212	<u>Resolutions</u>  These resolutions are adopted by the council/commission. They include the language of the resolution and any supporting documents for the resolution.	PERM
213	<u>Budget</u>  The budget is approved by the council/commission. It documents revenues and expenditures, and allocations for each department. This record contains the final version, and any supplemental versions, revisions or amendments that are approved for each fiscal year.	PERM
214	<u>Annual Reports</u>  Departments may submit annual reports to the chief elected official's office where they are compiled into a single annual report of the city or village's activities. The official copy of the departmental reports, as well as the compiled report, are maintained by the clerk.	PERM
215	<u>Public Notices</u>  These records serve as evidence that the city or village provided public notice of elections, hearings, ordinance enactments or revisions, police	ACT



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auctions, bids, etc. in local news media. They may include Affidavits of Publication, clippings, and copies of the printer's bill/invoice. The city or village's finance/accounting office is the official recordkeeper for the billing records. These records may be retained with the other records that pertain to the event listed in the public notice. ACT = these records inherit the retention period of other record series, depending upon the type of event that is listed in the public notice.

