



Policy Name:	Records Retention Schedule – Public Trustee’s Office	Policy Number:	1.2.11.2.6
Approval Authority:	Gunnison County Board of County Commissioners	Date of Adoption:	9/5/2017
Effective Date:	9/5/2017	Adoption Document:	Resolution #2017-31
Review Date:	9/5/2022	Review Frequency:	Every five (5) years.
		Policy Custodian:	Trustee’s Office

PURPOSE

This policy outlines the records retention schedule followed by the Gunnison County Public Trustee. Generally these are records documenting and ensuring accountability for the receipt and expenditure of public funds.

SCOPE

This policy applies to all Gunnison County Public Trustee records retention practices.

DEFINITIONS

- Retention Timeframes:
 - Permanent: These records will be retained permanently.
 - Number of Years: These records will be retained for the listed number of years, plus the balance of the current year.

POLICY STATEMENTS

Administrative Records		
State Reference	Document and Format	Retention
4.1	Budget Work Records--paper & digital	2 years
4.1	Certificate of Appointment/Performance Bonds--paper	6 years after bond expires
4.1	Contracts	6 years after expiration, fulfillment of all terms of agreement or contract or resolution of any disputes, whichever is later, provided that audit has been completed and agreement or contract no longer has any binding effect; except prior to destruction, evaluate for continuing legal, administrative or historical value. May be otherwise covered by County Clerk or other office.
4.1	Historical; Documentation; Records; Etc.--paper	Permanent

All policies are subject to amendment. Refer to the Gunnison County website (www.GunnisonCounty.org/Policies) for the official, most recent version of any policy adopted by the Gunnison County Board of County Commissioners.

4.1	Inventories	Until superseded
4.1	Job Procedures-Clerical & Routine Manuals--digital	2 years after superseded or obsolete
4.1	Job Procedures-Policies & Procedures--digital	Permanent
4.1	Legal Opinions-Enduring--digital & paper	Permanent
4.1	Legal Opinions-Routine--digital	2 years, then evaluate prior to destruction to determine that there is no further value.
4.1	Master Copies	Until superseded
4.1	Personnel Records-Employee - Active & Terminated--paper	10 years after retirement or separation, provided that records that are updated periodically may be destroyed when superseded and that medical records relating to hazardous material exposure are retained 30 years after separation.
4.1	Personnel Records-Employee - Temporary & Seasonal--paper	3 years after termination, except payroll and fiscal records
4.1	Program Planning Worksheets	Until no longer needed
4.1	Routine Correspondence & General Documentation--paper	2 years

FINANCIAL RECORDS		
State Reference	Document and Format	Retention
4.2	Accounting Records-Accounts Payable--digital	7 years
4.2	Accounting Records-Credit Card (after cancellation)--digital	2 years after cancellation
4.2	Accounting Records-Forms 1099 & W-9--digital	4 years
4.2	Bank Records - Routine--digital	3 years
4.2	Bank Records - Bank Statements, Reconciliation, etc.--digital	7 years
4.2	Expenditures Requests, Vouchers, etc.--digital	7 years
4.2	Operating Summaries--digital	Permanent
4.2	Petty Cash Records--digital	2 years after cancellation

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FORECLOSURE RECORDS		
State Reference	Document and Format	Retention
4.3	Foreclosure Continuance Books--digital	1 year, plus current
4.3	Foreclosure Ledgers--digital	7 years after recovery of money owed or when Public Trustee has no further interest in the proceeding.
4.3	Foreclosure Packet or Files--digital	7 years after recovery of money owed or when Public Trustee has no further interest in the proceeding.
4.3	Foreclosure Record books (NED, Mailing List, Combined Notice; COP; Withdrawal)--digital	7 years provided that all required information is recorded with the Clerk and Recorder, otherwise permanent.

RELEASE OF DEED OF TRUST RECORDS		
State Reference	Document and Format	Retention
4.4	Indemnifications - Releases w/o Evidence of Debt--paper	7 years provided that all required information is recorded with the Clerk and Recorder, otherwise permanent.
4.4	Lost Instrument Bonds--paper	7 years, or until such time as any claim made against the public trustee has been finally resolved.

Methods of Record Destruction:

The below methods are acceptable for destroying records. However, it is important to note that, when dealing with confidential information such as law enforcement and personnel information, these types of records must be shredded to prevent them from being reconstructed by unauthorized parties.

1. **Shred:** This method is most suited for the secure destruction of confidential records such as the ones mentioned above.
2. **Recycle:** This method is desirable for non-confidential records where possible. It promotes good conservation and reuse of paper resources.

Records that are the subject of a legal hold order should not be destroyed!

Public Trustees should keep a record of the records destroyed, regardless of whether destruction is coordinated at a centralized or decentralized level, to be able to show that destruction took place in the normal course of business. A log or form used to keep track of records destruction should include the following information at a minimum:

1. Date of destruction.
2. Destruction method.
3. Volume of records destroyed, usually in estimated cubic feet.
4. Records descriptions, such as the types and date ranges of the records destroyed [for instance: Foreclosure records (2005) or Release records (1979—1980)] or a listing of the specific file folder titles, depending on the level of tracking the Public Trustee wants to do.

5. Who authorized, supervised and/or accomplished the records destruction.
6. Retention Schedule reference numbers.

COMPLIANCE

This policy shall be complied with in all respects. Revisions to this policy may occur and every attempt will be made to provide prior notice of any such change. However, when deemed necessary in order to fully protect the County’s interests, the interest of the public, and to more fully protect the safety of the public, including employees governed by this policy, this policy may be changed without notice. If modified, notice will be given to the Colorado State Archives.

APPLICABLE LEGISLATION AND/OR RELATED REGULATIONS, POLICIES AND FORMS

- *C.R.S. §6-17-104
- C.R.S. §31-4-219
- C.R.S. §31-4-401
- C.R.S. §38-37-104(3)
- C.R.S. §38-37-104(6)
- C.R.S. §38-37-113
- C.R.S. §38-38-102
- C.R.S. §38-38-102(2)
- C.R.S. §38-38-107
- C.R.S. §38-38-110
- C.R.S. §38-38-110(3)
- C.R.S. §38-39-107
- Accounting Best Practices

*C.R.S. §6-17-104 provides a default retention period of three years for records that State law requires to be retained when no retention period is otherwise specified.