

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING A RECORDS RETENTION SCHEDULE

WHEREAS, the Bassett Creek Watershed Management Commission (“BCWMC”) is a joint powers watershed management organization formed by the cities of \_\_\_\_\_ under Minnesota Statutes, sections 103B.201 to 103B.253;

WHEREAS, the BCWMC creates and comes into possession of “government records,” as that term is defined in Minnesota Statutes, section 138.17, subdivision 1(b)(1), in the normal course of conducting its business;

WHEREAS, under Minnesota Statutes, section 138.225, government records may not be destroyed except by the authority of the state’s records disposition panel;

WHEREAS, the state’s records disposition panel, established pursuant to Minnesota Statutes, section 138.17, allows for the destruction of government records by local governments and public authorities pursuant to a schedule adopted by the public authority and approved by the panel, provided the destruction is accomplished in accordance with the schedule and state law;

WHEREAS, the Board of Commissioners has not previously adopted a records retention schedule for the BCWMC; and

WHEREAS, the Board of Commissioners determines adopting a records retention schedule is in the BCWMC’s best interests to help ensure the preservation of government documents while respecting the practical limitations of storage space, administrative time, and costs associated with attempting to indefinitely retain all such documents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby adopts the attached Records Retention Schedule (“Schedule”) for the BCWMC with the following understandings:

1. The list of documents on the Schedule shall be interpreted broadly to reduce the number of documents considered to be not on the Schedule. To the extent a government document obtained or created by the BCWMC is not included in the Schedule, the BCWMC shall refer to and apply the General Records Retention Schedule for Minnesota Cities as it may be updated and amended from time to time with respect to the particular document. If a governmental record in the BCWMC’s possession is not found in either schedule, the BCWMC will either amend its Schedule to list the document or it will submit an Application for Authority to Dispose of Records (PR-1 Form) to receive authority before destroying it;
2. The BCWMC is subject to the Data Practices Act (the “Act”) and nothing in this Resolution or the Schedule modifies the application of the Act to the BCWMC’s government records. Any government record in the BCWMC’s possession classified by the Act as not public shall not be made available to the public except as provided by the Act and when they are disposed of in accordance with the Schedule they shall be destroyed in a way that prevents their contents from being determined;

3. The BCWMC considers the preservation of “government records” as defined in Minnesota Statutes, section 138.17, subd. 1 (b)(1) in accordance with the Schedule as sufficient to satisfy its obligation under Minnesota Statutes, section 15.17 to preserve records as necessary to provide a full and accurate knowledge of the BCWMC’s official activities. Documents and data that do not constitute “government records” shall not be subject to this Schedule and the BCWMC may keep or destroy such items as it determines is appropriate or as may otherwise be required by law;
4. The Schedule applies only to original documents and data. Non-originals shall be retained or destroyed as the BCWMC determines is appropriate without regard to the Schedule;
5. The BCWMC shall retain records using such methods and in such locations as it determines is most appropriate under the circumstances and in accordance with its obligations under law;
6. Government records identified in the Schedule as having archival value must be preserved and may be transferred to the State Archives or other appropriate repository with the specific, written permission of the State Records Disposition Panel as needed; and
7. The Board of Commissioners may amend the Schedule at such times in the future as it determines is necessary.

BE IT FURTHER RESOLVED, that the Administrator is authorized and directed, at such times as are convenient, to destroy all government records in accordance with the Schedule and to create and retain a report on all such destruction activities which lists the types of records destroyed; and

BE IT FINALLY RESOLVED, that the Administrator is authorized and directed to send a copy of this Resolution together with notification of the BCWMC’s adoption of the Schedule to the Minnesota Historical Society (State Archives) for review and approval, and to take such additional steps, and to make edits to the Schedule, as may be required to obtain approval.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

BY THE BOARD OF  
COMMISSIONERS

\_\_\_\_\_  
Chairperson

Attest:

\_\_\_\_\_  
Secretary