



Winnebago County

Chapter 12

Records Management

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CHAPTER 12

RECORDS MANAGEMENT

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RECORDS MANAGEMENT

12.01 PURPOSE.

- (1) The purpose of this chapter is to establish a county records retention schedule and authorize destruction of county records pursuant to the schedule on an annual basis. Records custodians may destroy a record prior to the time set forth in the schedule only if such record has been reproduced as an original record pursuant to § 16.61 Wis Stats, unless the record is added by amendment to the ordinance and the shorter time period is approved by the Public Records Board.
- (2) Any record not covered by this chapter or any other regulation or law shall be retained 7 years.

12.02 HISTORICAL RECORDS.

- (1) The State Historical Society of Wisconsin (SHSW) has waived the required statutory 60 day notice under § [19.21\(5\)\(d\)](#), Wis Stats, for any record marked "W" (waived notice). SHSW must be notified prior to destruction of a record marked "N" (non-waived). Notice is also required for any record not listed in this chapter. "N/A" indicates not applicable and applies to any county record designated for permanent retention.

12.03 DEFINITIONS.

- (1) **Legal Custodian:** The individual responsible for maintaining records pursuant to § [19.33](#), Wis Stats.
- (2) **Record:** The meaning is defined in § [19.32\(2\)](#), Wis Stats, as follows: "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. "Record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library.

12.04 RECORD RETENTION SCHEDULES.

- (1) **Adoption of Wisconsin Public Records Board Schedules.** The County hereby adopts by reference the following Wisconsin Public Records Board Schedules, (hereinafter "Records Schedules") pertaining to the retention and destruction of public records and approved by the State of Wisconsin Public Records Board (hereinafter "Records Board"):



- a. County and Related Records
 - b. Administrative Records
 - c. Budget Records
 - d. Facilities Records
 - e. Fiscal and Accounting Records
 - f. Fleet and Aircraft Management Records
 - g. Human Resources Records
 - h. Information Technology Records
 - i. Payroll and Benefits Records
 - j. Purchasing and Procurement Records
 - k. Risk Management Records
- (2) Copies of the Records Schedules will be kept on file in the County Clerk's office located at 112 Otter Avenue, Oshkosh, WI 54901, and made available for public viewing Monday-Friday between the hours of 8 a.m. and 4:30 p.m.
- (3) Records Schedules can also be found on the Public Records Board website at the following links:
- a. County and Related Records:
<https://publicrecordsboard.wi.gov/Documents/County%20GRS.pdf>
 - b. Administrative Records:
<https://publicrecordsboard.wi.gov/Documents/Admin%20GRS.pdf>
 - c. Budget Records:
<https://publicrecordsboard.wi.gov/Documents/Budget%20GRS.pdf>
 - d. Facilities Records:
<https://publicrecordsboard.wi.gov/Documents/Facilities%20GRS.pdf>
 - e. Fiscal and Accounting Records:
<https://publicrecordsboard.wi.gov/Documents/Fiscal%20GRS.pdf>
 - f. Fleet and Aircraft Management Records:
<https://publicrecordsboard.wi.gov/Documents/Fleet%20GRS.pdf>
 - g. Human Resources Records:
<https://publicrecordsboard.wi.gov/Documents/GRS%20-%20Human%20Resources.pdf>
 - h. Information Technology Records:
<https://publicrecordsboard.wi.gov/Documents/IT%20GRS.pdf>
 - i. Payroll and Benefits Records:
<https://publicrecordsboard.wi.gov/Documents/Payroll%20GRS.pdf>
 - j. Purchasing and Procurement Records:
<https://publicrecordsboard.wi.gov/Documents/Purchasing%20GRS.pdf>
 - k. Risk Management Records:
<https://publicrecordsboard.wi.gov/Documents/Risk%20GRS.pdf>
- (4) **Other Records.** In the event the County creates a record not contemplated by the Records Schedules adopted in subd. 1., the County may, subject to the Records Board's prior approval, either adopt an applicable records retention schedule set forth by the Records Board, if available, or create its own retention schedule pertaining to the record.

- (5) 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.
- (6) Destruction Pending Litigation.** No record subject to pending litigation shall be destroyed until the litigation has been resolved.
- (7) Microfilming Or Optical Disk Storage Of Department Records.** Departments may keep and preserve public records through the use of microfilm or optical disk storage providing that the applicable standards established in §§ [16.61](#), Wis Stats., respectively are met. Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on optical disk. After verification paper records converted to either microfilm or optical disk storage should be destroyed. The retention periods identified in this ordinance apply to records in any media.

12.05 CUSTODY AND MAINTENANCE OF ELECTRONIC RECORDS.

(1) Responsibility for Custody and Maintenance of Records.

- (a)** Each Winnebago County Department shall be responsible to act as the legal custodian, in compliance with the Wisconsin Public Records Law (Section [19.32](#) et. seq., Wisconsin Statutes) in relationship to those records subject to said law which are in the physical possession of that department, except as stated herein.
- (b)** The Winnebago County Information Technology Department shall not be designated as the legal custodian nor shall be responsible for maintaining records generated by or transmitted to a County department utilizing electronic systems maintained by the Information Technology Department except for those records specifically generated by the Information Technology Department or those records specifically and intentionally transmitted to the Information Technology Department as the subject of said transmission.
- (c)** The Winnebago County Information Technology Department shall not be responsible for monitoring the maintenance, destruction or deletion of records which are stored within the electronic systems maintained by the Information Technology Department for which it has not been designated as the legal custodian, pursuant to this ordinance.

CHAPTER 12

LEGISLATIVE HISTORY INDEX

12.01	Ordinance adopted	12/19/1995
12.02	Ordinance adopted	12/19/1995
12.03	Ordinance adopted	12/19/1995
12.04	Ordinance adopted	12/19/1995
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